

**BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES**

PLANNING CONTROL COMMITTEE

21 July 2009

SUPPLEMENTARY INFORMATION

Item:01 LAND DUMERS LANE AND MORRIS STREET, RADCLIFFE Application No. 50887

OUTLINE - MIXED USE DEVELOPMENT OF UPTO 215 DWELLINGS AND 12734 SQ M OF EMPLOYMENT FLOORSPACE (USE CLASS B1, B2 AND B8) TOGETHER WITH RIVERSIDE PARK INCLUDING ASSOCIATED LAND RAISING, NEW ACCESSES, LANDSCAPING AND FLOOD MITIGATION MEASURES

Revised Recommendation:

The application is recommended to be **Minded to Approve** subject to the completion and signing of a s106 planning agreement that would specify the phasing, delivery and implementation of the employment provision within the site against the delivery of the residential element contained within the proposals pursuant to UDP Policy EC2/1. Should the agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the Assistant Director of Planning, Engineering and Transportation Services under delegated powers.

Item:02 65-69 ROCHDALE ROAD, BURY, BL9 7AX Application No. 51063
EXTERNAL ALTERATIONS AND IMPROVEMENTS INCLUDING NEW SHOP FRONTS TO FORM 5 NEW SHOP UNITS.

Nothing further to report

Item:03 65-69 ROCHDALE ROAD, BURY BL9 7AX Application No. 51225
CHANGE OF USE FROM PART OF SHOP (A1) TO HOT FOOD TAKEAWAY (A5) (UNIT 1)

Publicity.

An additional objection has been received from the Robin Hood Public House on Rochdale Road.

The objections are the same as those included in the report and as such there are no further comments.

Item:04 LAND AT FORMER ALLEN'S GREEN, SION STREET, RADCLIFFE, MANCHESTER, M26 Application No. 51144
DEVELOPMENT OF 22 RESIDENTIAL DWELLINGS (2, 2.5 & 3 STOREY)

Nothing further to report

Item:05 130 BURY NEW ROAD, WHITEFIELD, M45 6AD Application No. 51171
CHANGE OF USE FROM SHOP (CLASS A1) TO HOT FOOD TAKE AWAY (CLASS A5)

Nothing further to report.

Item:06 LAND OFF BRIDGE HALL LANE, BURY , BL9 7NX Application No. 51239
RESIDENTIAL DEVELOPMENT CONSISTING OF 24 UNITS; REVISED LAYOUT

OF PLANNING APPLICATION 49309

Nothing further to report.

Item:07 MULBERRY BUSH NURSERY, STEWART STREET, BURY, BL8 1SU
Application No. 51265
SINGLE STOREY DETACHED BUILDING AND ASSOCIATED PARKING

Nothing further to report

Item:08 61 HARVEY STREET, ELTON, BURY, BL8 1NL Application No. 51295
VARIATION OF CONDITION NO.2 OF PLANNING PERMISSIONS 31911 AND 34162 TO READ THE CAFE SHALL NOT BE OPEN OUTSIDE THE HOURS OF MONDAY TO SATURDAY 0730 HOURS TO 1830 HOURS, SUNDAY 0900 HOURS TO 1300 HOURS AND 0730 TO 1400 HOURS ON BANK HOLIDAYS

Nothing further to report.

Item:09 PLANE TREES FARM, BRADLEY FOLD ROAD, AINSWORTH, BOLTON, BL2 5QR Application No. 51307
ERECTION OF NEW BARN; CHANGE OF USE OF EXISTING BARN TO DWELLING

A revised location plan is attached showing the application area and the existing and proposed barns within this area.

Item:10 UNIT B2, JF BUSINESS CENTRE, FERNHILL MILL, HORNBY STREET, BURY, BL9 5EF Application No. 51343
CHANGE OF USE FROM CLASS B2/B8 TO FITNESS GYMNASIUM CLASS D2 (RETROSPECTIVE) RE-SUBMISSION OF PLANNING APPLICATION 49824

Consultation.

Traffic Section - No objection subject to marking out and maintenance of proposed car park which is included as condition 3 in the main report.

Item:11 TRAVIS PERKINS, BURY AND BOLTON ROAD, RADCLIFFE, M26 4FP
Application No. 51352
ERECTION OF NEW BUILDERS MERCHANTS BUILDING AND ALTERATION OF EXISTING EXTERNAL STORAGE TO FACILITATE THE STORAGE AND DISTRIBUTION OF BUILDING MATERIALS AND TRADE COUNTER

Consultation

Highways Section - No objections, subject to the inclusion of conditions relating to access improvement works, servicing and turning facilities and car parking.

Therefore, conditions relating to access improvements, turning and servicing facilities and car parking should be added:

8. The development hereby approved shall not be brought into use unless and until the access improvement works indicated on approved plan refs. MH693-02 Revision B and TK01/02 in the submitted Design and Access Statement (Revision A) have been implemented to an agreed specification and to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of highway safety.

9. The turning facilities indicated on the approved plans refs. MH693-02 Revision B and TK01/02 in the submitted Design and Access Statement (Revision A) shall be provided before the development is brought into use. The service yard areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.

10. The car parking indicated on the approved plans refs. MH693-02 Revision B and TK01/02 shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

11. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction unless otherwise agreed in writing by the Local Planning Authority.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations.

**Item:12 8 WARWICK STREET, PRESTWICH, M25 3HN Application No. 51372
CHANGE OF USE TO BEAUTY AND FITNESS.**

Nothing further to report

**Item:13 ALDI FOOD STORE, RAILWAY STREET, RAMSBOTTOM, BL0 9AL
Application No. 51375
A - INTERNALLY ILLUMINATED FASCIA SIGN AND CANOPY MOUNTED TOTEM SIGN
B - TOTEM MOUNTED SIGN**

Nothing further to report

**Item:14 33 REDVALES ROAD, BURY, BL9 9PU Application No. 51411
CHANGE OF USE FROM OFFICE (CLASS A2) TO PRIVATE HIRE BOOKING
OFFICE (CLASS B1)**

Nothing further to report.

Item:15 Highbank Rehabilitation Centre, Elton Unit, Walshaw Road, Bury, BL8 3AS Application No. 51420
SINGLE STOREY EXTENSION

Nothing further to report.

Item:16 Sillinghurst Farm, Castle Hill Road, Bury, BL9 6UN Application No. 51429
INSTALLATION OF WIND TURBINE (RESUBMISSION)

Condition 3 should be amended to read

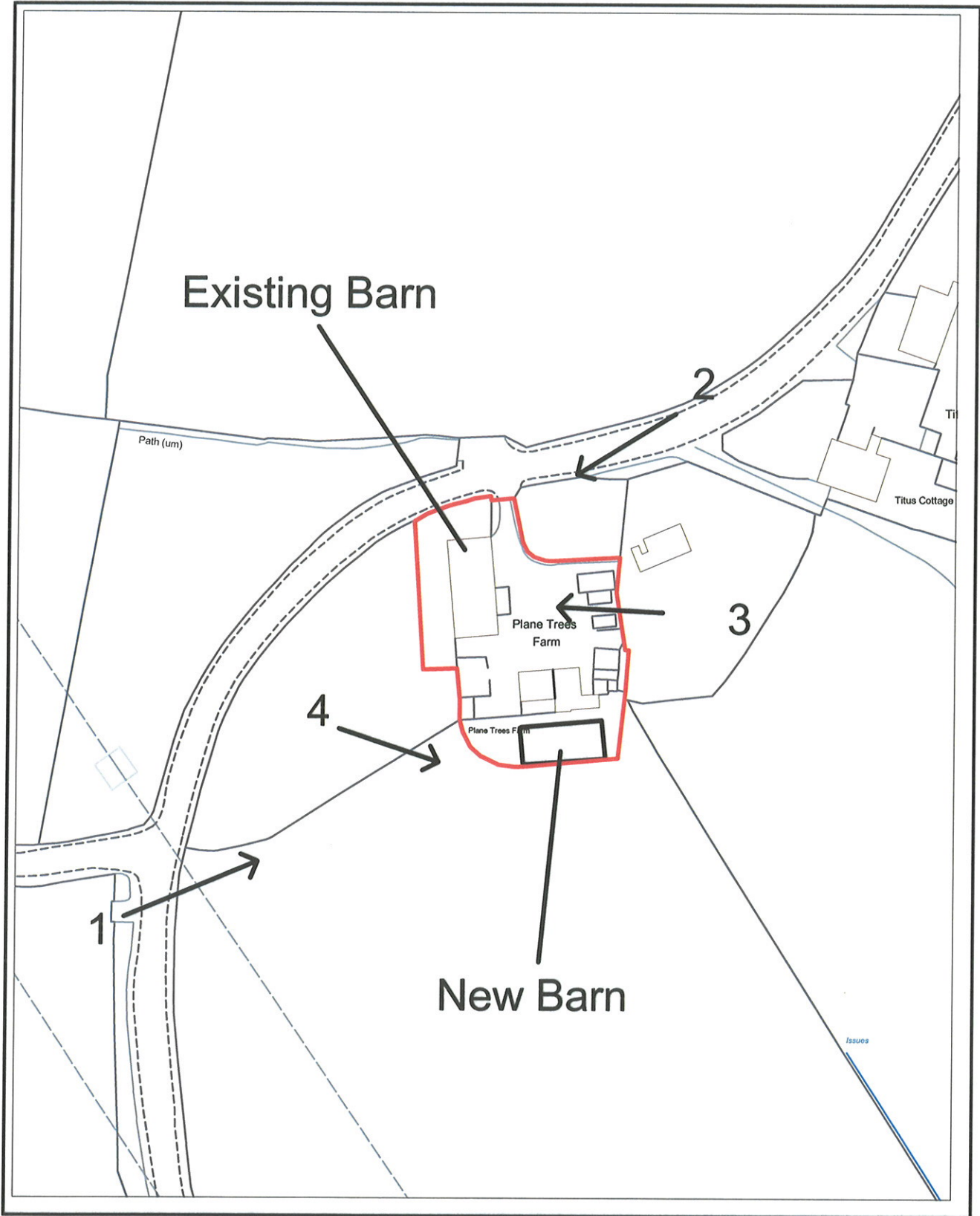
3. The surface treatment of the wind turbine shall be finished in galvanised non-reflective steel as shown in the WES 18 mk1 Brochure information date stamped 4th June 2009

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/1 - Visual Amenity of Bury Unitary Development Plan.

MAIN AGENDA ITEM 5

Revised Report Attached.

Viewpoints



PLANNING APPLICATION LOCATION PLAN

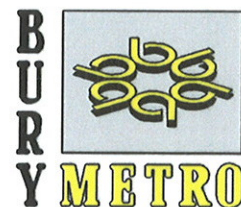
APP. NO 51307

ADDRESS: Plane Trees Farm
Bradley Fold Road, Ainsworth.

Environmental and Development Services



1:1250



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REPORT FOR DECISION

MEETING: PLANNING CONTROL COMMITTEE

DATE: 21 JULY 2009

SUBJECT: ARTICLE 10 CONSULTATION
APPLICATION BY GOALS SOCCER PLC AT HEATON
PARK.

REPORT FROM: DEVELOPMENT MANAGER

CONTACT OFFICER: TOM MITCHELL, DEVELOPMENT MANAGER

TYPE OF DECISION: COUNCIL

FREEDOM OF INFORMATION/STATUS: This paper is within the public domain

SUMMARY: The report lists:

- Report on consultation received from Manchester City Council

OPTIONS & RECOMMENDED OPTION The Committee is recommended to note the report.

IMPLICATIONS:

Corporate Aims/Policy Framework: Do the proposals accord with the Policy Framework?
N/A

Financial Implications and Risk Considerations: Director of Finance and E-Government to advise regarding risk management N/A

Statement by Director of Finance and E-Government: N/A

Equality/Diversity implications: N/A

Considered by Monitoring Officer: N/A

Are there any legal implications? No

Staffing/ICT/Property: N/A

Wards Affected: All

Scrutiny Interest: N/A

TRACKING/PROCESS

EXECUTIVE DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

Report on Article 10 Consultation at Heaton Park for planning application by Goals Soccer Centres plc

Description

Bury Council has received a Planning Application consultation notice as a neighbouring authority by Manchester City Council under Article 10 of The Town and Country Planning Act 1990 (As Amended). This means that we are simply a Consultee and have no powers over the way that the application is processed or determined.

The proposal is for a sports development in the North West area of Heaton Park situated adjacent to four existing bowling greens to the south east of St. Margaret's Road and to the east of Bury Old Road Prestwich. The proposal would be served by the existing entrance into Heaton Park at St. Margaret's Road. It would occupy an area of approximately 3.4ha(hectares). The site is currently covered by mown grass and an area of parking to the south with vehicle access along the site's eastern edge.

The area immediately beyond the western boundary of the park is predominantly residential with two storey properties on Carver Avenue, Park Place and St. Margaret's Road abutting this boundary are all located in within Bury Councils administrative area as are St. Margaret's Church and its Vicarage. The original Vicarage which is now a house, is located adjacent to the park entrance.

The proposal is for 6 tennis/netball courts; 12 five-a-side sized football pitches; 1 seven-a-side football pitch, 1 skate park, rock climbing wall, rest and viewing areas. There is also proposed a single storey building for the provision of change, shower and toilet facilities, multi-use rooms, office, cafe and lounge area. There will be provision for 48 car parking spaces and 20 cycle spaces within the scheme. The scheme also includes soft landscaping and boundary treatments.

It is proposed that the facility will operate between the hours of 9.00 and 23.00 Monday to Sunday including Bank Holidays and will require flood lighting for the evening periods. The proposed lighting columns would be eight metres in height.

Internal Consultation Replies.

Traffic Section - No objections subject to the comments as follows:- The busiest peak hour has been identified as between 20.00 - 21.00 on a weekday with a steady increase in vehicular activity from 18.00 onwards. The estimated two-way trips of 154 vehicles during this peak hour should not present a problem in highway capacity terms as it is outside the normal busiest peak times on the surrounding highway network. The Traffic Assessment identifies that up to 90 parking spaces could be required between 18.00-19.00, the busiest hour for parking demand. Only 41 new parking spaces are proposed. This would not be acceptable in highway safety terms and proposals to mitigate this should either be submitted as part of the current planning application or conditioned if planning permission is granted, in order to ensure appropriate measures are agreed prior to the commencement of the development and in place when it becomes operational.

Planning Policy - No objections and commented as follows:- The Open Space, Sport and Recreation Assessment, published in January 2009, identifies the Prestwich area as having a significant deficiency in outdoor sports provision. It was also found that playing pitch quality in the area was of average standard. Consequently, it is considered that the proposal will have significant benefits for Prestwich and will help to remedy identified shortfalls in provision.

Parks and Countryside - No comments received.

Environmental Health - Pollution Control - No objections subject to the following comments. Not convinced about the conclusions that 'with the mitigation measures recommended..... noise from use of the development will be reduced to acceptable levels such that there will be no demonstrable harm to residential amenity'.

The applicants Consultant states that he has based his calculations on noise measurements obtained at 'similar' multi-pitch five-a-side football centres . However, the degree of similarity to this proposal is not disclosed.

The calculation methods used and the assumptions incorporated into the calculation methods are not stated. In particular, it is unclear how the assumed noise levels from the skateboard park have been used.

Mention is made of the noise from the tennis/netball courts or the extreme/cage football pitch which is situated in close proximity to the adjacent houses but it is unclear on what basis this noise has been factored into the noise levels given for the 'similar multi-pitch five a side football centres'. An assumption has been made that the source noise levels for the tennis courts will be 10 dB lower than the football noise levels' but the basis for this assumption is not provided and therefore is questionable and cannot be agreed upon.

The Consultant says in his report that activities that 'It is understood that the proposed 5-a-side and 7-a-side football pitches would be used during the day and until 23:00 hours in the evening on weekdays. and during the daytime only at weekends. Therefore. noise surveys were carried out on a weekday evening and on a Sunday afternoon.' [Para. 3.1 of the report]. However, the Application states that 'activity' is to take place until 23:00.

The noise mitigation to be provided by the acoustic screen is only relevant if there is no direct line of sight between the receiver and the noise source. The barrier will have no effect on shouts/screams/impact noise unless this occurs out of sight behind this barrier. Levels of noise reduction provided by any barrier for this type of noise from sporting activity cannot be provided.

Whilst the L AMAX values for the background/ambient are similar to the ones from the football activity, the psychological impact of both noises will be different - residents will not generally become excited by traffic noise because they know that this noise is generally beyond their control.

It is also recommended that should this application be consented by Manchester that suitable controls are imposed on the lighting system.

Development Control Team - The Council have been consistent in applying a 10pm (22.00 hrs) restriction on the use of games pitches within the Prestwich and Whitefield areas. In particular, the case of the Manchester Maccabi CSC application (ref: 51051) located on Bury Old Road in Prestwich should be used as 'best practice' example regarding the operation of such facilities. In this case both the Planning Inspectorate and the Council have considered that 22.00 hrs was the latest that pitches should be illuminated in order to protect the amenities of residents. A recommendation should be made to Manchester City regarding a restriction on the hours of use of the outdoor pitches to 22.00, should they be minded to approve the application.

Recommendation – That no objections be raised to the application and should the application be approved that recommended conditions should be included.

In addition that's the comments of the various Teams from within the authority are to be passed onto Manchester City Council.

Recommended Conditions:

- 1 Condition requiring the illumination of the pitches to be turned off after 22.00hrs each night in order to protect the residential amenities of the properties adjacent.
- 2 Condition required ensuring that mitigation measures are in place prior to the facility becoming operational as the scheme has inadequate peak period parking provision and in order to protect the amenities of the residents on the access road to the development.
- 3 Condition requiring full noise mitigation measures to be in place prior to the bringing into of the use in order to protect the residential amenities of the nearby properties.

List of Background Papers:- None

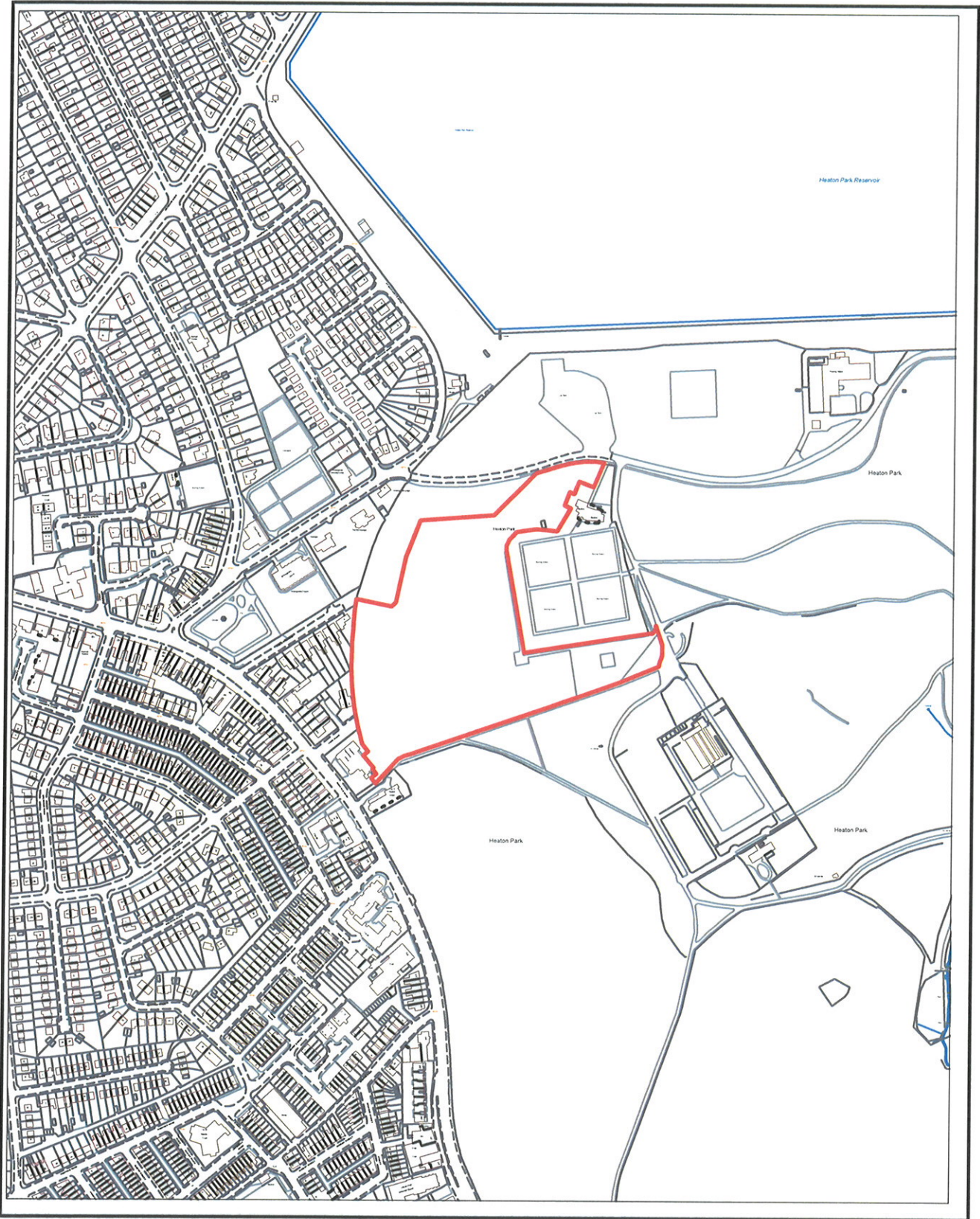
Contact Details:-

Tom Mitchell
Development Manager
Environment and Development Services
Craig House
5 Bank Street
Bury BL9 0DN

Tel: 0161 253 5321

Email: t.michell@bury.gov.uk

Location Plan



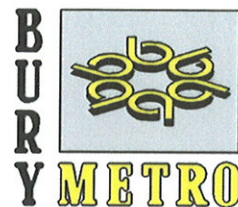
PLANNING APPLICATION LOCATION PLAN

APP. NO **51505**

ADDRESS: **Heaton Park
St. Margarets Road
Prestwich
Environmental and Development Services**



1:5000



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