

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

25 May 2010

SUPPLEMENTARY INFORMATION

Item:01 JLT House, Brook Street, Radcliffe M26 2PQ Application No. 52136
Outline planning application for the erection of 20 no. two/three-storey houses in four blocks and a four-storey block of 10 no. apartments

Nothing further to report.

Item:02 Land To The North Of Thumbs Up, Greenfields, Dumers Lane, Bury, BL9 9UT Application No. 52211

Change of use of open land to service yard; Creation of hardstanding and erection of 2.3m high security fence

Nothing further to report

Item:03 Sunlight House, 125 Stand Lane, Radcliffe, Manchester, M26 1JR
Application No. 52296

Change of use of ground floor from retail (Class A1) to hot food takeaway (Class A5); Extraction flue at rear (resubmission)

A further condition is recommended restricting the hours to no later than 23.00 each day.

6. The use hereby permitted shall not be open to customers outside the following times: 08.00 to 23.00 daily.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

Item:04 St Monicas RC High School, Bury Old Road, Prestwich, Manchester, M25 1JH Application No. 52303

Erection of two storey vocational centre and associated works

Publicity

An additional letter has been received from the occupiers of The Ostrich Pub, 163 Bury Old Road, which has raised the following issues:

- Concern relating to the parking provision.

This issue has been addressed in the main report.

Item:05 The Dragon, Parr Lane, Bury, BL9 8LU Application No. 52374

Demolition of existing public house and redevelopment to form 348 sq m gross ground floor retail unit with B1 office over and associated works (Resubmission of 52029)

Publicity -

In addition to the reported publicity letters of objection received from Croftleigh Close and Victoria Mews which raised the following:

- Increase in delivery vehicles;
- Enough supermarkets in the area;
- Result in closure of local businesses.

These issues have been addressed in the report.

Further comment received from No 18 Thurston Close:

- The Council's aspect standards have not been met with regards to the relationship of the proposed building to their property which should be 13m from a habitable room.
- Their conservatory is 5.5m from the boundary fence. The proposed building is 1.2m from the boundary. Therefore there is a separation distance of 6.7m.
- There is an existing row of trees along their boundary as a screen to the pub, shops and apartments above. Concern that the foundations of the new build would cut through the roots of the trees resulting in their removal, or at the least weaken them, in which case they could fall down and damage nearby properties.
- It is not acceptable to build a wall as close as proposed to the boundary fence.

With regard to the above comments I can reply as follows:

Aspect Standards - The single storey part of the proposed building would be 1.2m from the boundary with No 18 which gives a distance of 6.7m between the proposed single storey building and their conservatory. There are no aspect standards for this type of development. However, Supplementary Planning Document 6 does provide guidance on domestic extensions. Using this as a reference, the guidance states that a minimal distance of 6.5m between a principal window to a habitable room and a single storey blank wall should be maintained. As such, the separation distance complies with the Council's aspect standards.

There is a distance of 11m between the single storey part of the proposed building and the 2 storey rear elevations of Nos 18 and 20 Thurston Close. A minimal distance of 6.5m should be maintained as described above. As such the separation distance complies with the Council's aspect standards.

Distance to boundary - There is a distance of 24m from the proposed 2 storey building to Nos 18 and 20 Thurston Close. A minimal distance of 20m between habitable room windows which directly face each other should be maintained. As such, the separation distance complies with the Council's aspect standards.

Trees - In respect of potential impact of the new build on the trees along the rear boundary of Nos 18 and 20 Thurston Close. These trees are not protected and are not of sufficient public amenity value to warrant a Tree Preservation Order. The objector has indicated that they were planted to screen the pub and they will continue to fulfill this role. If the trees have encroached on the land to which this application relates this is a matter between the landowners to resolve. Equally, damage to the trees are private matters.

Proximity to boundary - The plans show there is an existing boundary fence between the site and the rear of Nos 18 and 20 Thurston Close which is to remain. There are no proposals for any other walls or fences along this boundary.

Conditions -

Typing error on Condition 8 has been corrected to read:

The use hereby permitted shall not be open to customers outside the following times: 08.00 to 23.00 Monday to Saturday and 10.00 to 22.00 Sundays and Bank Holidays.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S1/5 – Neighbourhood Centres and Local Shops of the Bury Unitary Development Plan.

Item:06 11 Bury New Road, Prestwich, Manchester, M25 9JZ Application No. 52401
Change of use of one room in existing offices (Class A2) to taxi booking office (Class B1)

Having reviewed the application it has been determined that the correct use Class is B1, not Sui Generis and as such the description is to be amended accordingly. There is nothing further to report.

Item:07 101 Church Street West, Radcliffe, Manchester, M26 2SX Application No. 52411
Change of use of Unit 5 from workshop to MOT testing station (Sui Generis)

Nothing further to report.

Item:08 Lowther House, 1 Lowther Road, Prestwich, Manchester, M25 9QG Application No. 52451

Outline - 1 no. detached dwelling with details of access, layout and scale.

Location plan -

A revised plan is attached showing the correct application site.

Additional Representation -

The occupiers of 81 St Ann's Road have written to object to the proposal on the following grounds:

- The distance between their house and the new property is inadequate and takes up too much of the garden area of Lowther House.
- The period of development would create unacceptable levels of noise, dirt and general nuisance and loss of amenity.

With regard to distances between properties, the proposed house would be adjacent to the boundary with No.81 and be set back with a gap of 1.5m to the boundary. This is a similar relationship to No.81 as No.81 has with No.79 on the other side and, as the main report states, is considered acceptable.

The second concern regarding noise and disturbance from building is a matter that would be controlled by Environmental Health legislation rather than planning.

Additional Condition -

The turning facilities indicated on the approved plans shall be provided before the dwelling is first occupied and shall subsequently be maintained free of obstruction at all times.

Reason: To minimise vehicular standing and turning movements on the highway in the interests of highway safety.

Amended Access - The proposed access has been moved 1.4m to the west to improve visibility and therefore revised drawings have been submitted - 5F and 08.