

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

20 March 2012

SUPPLEMENTARY INFORMATION

Item:01 Land off Otter Drive, Bury, BL9 8AF Application No. 54739
Erection of 10 no. dwellings

Additional Background Clarification and Amendment to the Officer Report

Background Information - This site has come forward as a result of a successful bid for funding from the Homes and Communities Agency (HCA), where funding was made available to the Registered Landlords to find sites within any of the Greater Manchester districts to develop affordable housing. A number of sites have been identified, and within the Borough, this is one of those sites to have come forward. It is worth noting that the applicant can develop outside of the Borough in the terms of the funding package and the funding is not exclusive to Bury.

The development proposals as shown on this site aim to contribute towards the shortfall of Affordable Housing that exists in Bury by providing 100% affordable homes. A condition of the funding package is that 70% of the houses must be completed by 2013, and the remaining 30% by 2014, otherwise the funding will be withdrawn. This would therefore ensure early delivery of affordable housing should the proposals be accepted.

For information, there are over 3,500 people on the Council's housing waiting list and over 800 hundred on the Affordable Housing list, and therefore there is a high demand for these types of properties.

Amendment to the Officer Report - The original officer report described a viability issue in that the scheme would be unviable should recreation contributions be required. However, this is not the case and is incorrect. The issue is that the funding package makes no provision for any additional s106 planning contributions. This is not just to this scheme, but to all schemes including those outside of Bury.

The scheme as proposed would normally include either on site recreation provision or a commuted sum contribution to the value of £10,212.24, and it is proposed that these requirements be waived.

The financial constraints of the scheme are such that any financial contribution would jeopardise the development and the support offered by Housing Associations in terms of meeting the Borough's Affordable Housing targets. Other Local Planning Authorities in the North West have chosen not to charge recreational payments for Affordable Housing Programme (AHP) developments. Given that AHP funded developments which are typically 100% affordable are far in excess of normal affordable housing requirements under planning policy. It is considered that this is a reasonable argument in this case to adopt.

It is considered that the benefits accruing from the development in terms of affordable housing outweigh the normal requirements for recreational open space, thereby justifying support for the scheme as submitted.

However, it is noted from local comments that there is a lack of general recreation provision in the vicinity and that the land immediately adjoining this site has been, through local resident intervention, been brought back into a usable state. It is understood that the land is in the ownership of Six Towns Housing and they have confirmed that they are willing to provide a maintenance package for the land to ensure it longer term recreational use as a means of providing a recreational

contribution for the development. It is considered that this is reasonable.

**Item:02 Wellington Barracks and Clubhouse, Bolton Road, Bury, BL8 2PL
Application No. 54805**

Change of use of former barracks to restaurant on ground floor (Class A3) and 5 no. flats (Class C3) to first and second floors with extension at side and entrance canopy; Side extension to former clubhouse and change of use to 3 no. retail units (Class A1)

Conditions

Condition 6 was omitted from the original report and as such, condition 23 will be renumbered as condition 6.

Conditions 2, 6, 9 and 17 (new numbering) should be amended to read as follows:

2. This decision relates to drawings numbered 9089 01 B, 9089 L01, 9089 L02 D, 9089 L03 A, 9089 P01, 9089 P02 C, 9089 P03, 9089 P04 B, 9089 E01, 9089 E02 A, 9089 E03 A and the development shall be carried out in accordance with these drawings, other than the details that are submitted and are subsequently approved by the Local Planning Authority pursuant to condition 10 below.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to policies of the Bury Unitary Development Plan listed below.

6. The car parking indicated on approved plan reference 9089 L02 Revision D shall be surfaced, demarcated and made available for use prior to the use hereby approved commencing and thereafter maintained at all times, unless otherwise agreed in writing with the Local Planning Authority

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 and SPD11.

9. Notwithstanding the submitted plans, a scheme for the boundary treatment and pillars at the entrance to the site and the corner of Orpington Drive and Bolton Road shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first use of the buildings hereby approved.

Reason. In the interests of visual amenity and to ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New residential Development.

17. The restaurant premises to which this approval relates shall be used for A3 and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: To safeguard the amenities of the occupiers of nearby residential accommodation on Orpington Drive and Reigate Close pursuant to Policy S2/5 - New Local Shopping Provision of the Bury Unitary Development Plan.

Item:03 Land adjacent to Cobden Mill, Square Street, Ramsbottom, Bury, BL0 9AZ Application No. 54815
Residential development of 4 no. 3-storey townhouses

Consultations

Traffic Section - No objections, subject to the inclusion of a condition relating to footway improvements.

The agent has submitted a section plan detailing the relationship between the proposed development and the flats at Kay Brow. This plan is attached to the supplementary.

Following the comments from the Traffic Section, condition 9 should be added:

9. The development hereby approved shall not be first occupied unless and until the footway improvements on the Square Street site boundary shown on approved plan reference 08/02.099 Rev B have been implemented to the written satisfaction of the Local Planning Authority.

Reason. To ensure good highway design in the interests of pedestrian safety pursuant to Policy H2/1 - The Form of New Residential Development and Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

Item:04 Land adjacent to Cobden Mill, Square Street, Ramsbottom, Bury, BL0 9BE Application No. 54816
Conservation area consent for demolition of Square Street boundary wall

Condition 3 should be added in accordance with the comments from the Conservation Officer.

3.The boundary wall along Square Street shall not be demolished until:
(a) the contract for the carrying out the works for the redevelopment of the site as a whole has been made and subsequently let, and submitted for approval to the Local Planning Authority; and
(b) planning permission has been granted for the redevelopment of the site for which that contract provides.

Reason. In the interests of amenity and to protect the appearance of the area and the setting of the building and as provided for under Section 17 (3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Item:05 Pavement outside 67 Sandy Lane, Prestwich, Manchester, M25 9PS Application No. 54820
Prior notification for installation of 15 metre high streetpole with 6 no. antennas, electrical meter and equipment cabinets to facilitate site sharing

Publicity

Objection received from No 216 Butterstile Lane:

- The proposal would not look good in the area and health implications it would have.

Additional objection received from No 78A Sandy Lane:

- Oppose profusely the monstrosity to be erected across the road from where they live;
- Huge eyesore from their home;
- Already have a monstrous CCTV camera outside which should have been dismantled and is an eyesore from their house and garden;
- The mast would be higher than the roof of the shop properties and would not be opposed by the owners as they only work there;
- Believe the masts are still a health issue;
- It will devalue their home;
- There are plenty of places to erect the mobile tower which would not affect residential properties;
- Will be attending the Committee meeting.

Further response to objectors:

One of the objections refers to a previous planning application (reference 53624) which was refused in March 2011 for the siting of a monopole at Lowther Court Sandy Lane. For clarification, the proposed location of this monopole was considered to be unacceptable as it would have been located within a private parking area where there is no existing street furniture and would have been viewed in isolation. The mast would have been overlooked directly and in close proximity to a number of residential properties and 12m away from a number of properties. As such this proposal was refused on the basis of detriment to the visual amenity of nearby residential properties and harmful to the character of the immediate area. No appeal was made against this decision.

Condition 3 to deleted.

Item:06 59a Church Street, Walshaw, Bury, BL8 3BN Application No. 54821
Change of use of ground floor from retail (Class A1) to nail and beauty salon (Sui Generis)

Nothing further to report.

Item:07 Land at Woodhey Farm, Woodhey Road, Holcombe Brook, Ramsbottom, Bury, BL0 9RD Application No. 54822

Variation of conditions. New conditions to read No. 3. The occupation of the dwelling shall be limited to a person solely or mainly employed in the locality in aquaponics and/or agriculture. No. 5. The agricultural buildings hereby approved shall be used exclusively for aquaponics and/or agriculture.

Condition 3 should be amended as follows:

3. The occupation of the dwelling shall be limited to a person solely or mainly employed in the locality in aquaponics (fish breeding for food) or agriculture (as defined in Section 336 (1) of the Town and Country Planning Act 1990 (including any dependants of such a person residing with him/her) or a widow of such a person.
Reason. The site is located within the Green Belt and the erection of a dwelling not connected with agriculture or forestry would not normally be permitted pursuant to Policy OL1/2 - New Buildings in the Green Belt of the Bury Unitary Development Plan and PPG2 - Green Belts.

6. No development approved by this permission shall be commenced until a scheme

for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason. To ensure a satisfactory means of drainage pursuant to Policy EN7/4 - Groundwater Pollution and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

Item:08 Elton Liberal Club, New George Street, Bury, BL8 1NW Application No. 54868

Removal of condition 5 of planning permission 54603 (A bowling green measuring 37 metres by 37 metres shall be provided on site to the written satisfaction of the Local Planning Authority prior to the commencement of the extension hereby approved).

Conditions 4 and 6 should be amended to read as follows:

4. If demolition works are delayed beyond the end of April 2012, a survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats or owls prior to demolition works commencing. A programme of mitigation shall be submitted to and approved in writing by the Local Planning Authority. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and PPS9 - Biodiversity and Geological Conservation.

6. No development shall commence until details of a sustainable drainage system have been submitted to and approved by the Local Planning Authority.

Reason. To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal pursuant to Policy EN7/5 - Waste water management of the Bury Unitary Development Plan.