

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

17 April 2012

SUPPLEMENTARY INFORMATION

Item:01 Land at Elton Vale Road, Bury BL8 2RZ Application No. 54717

Residential development - 4 no. dwellings, 1 no. water bailiffs cottage and 2 no. units for temporary accommodation for fishing lodges

Publicity

4 letters have been received from the occupier of 9, 10 Lodge Side and Association of Bury Allotments Society, which have raised the following issues:

- A section of the site is marked as allotments on the historical map of 1939. the land has been used for allotments and no change of use application has been submitted. As such, it is necessary to refer the application to the Secretary of State.
- A sign on the Diggle Lane end of the site states that match bookings are welcome, which conflicts with the statement that competitions do not take place.
- A site visit should be undertaken to appreciate the levels differences across the site.
- There are currently more than 2 vehicles a day accessing the site.
- Loss of privacy especially to the rear garden
- Concerned about the structural integrity of the land where the passing place would be located.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic section - No objections, subject to the inclusion of conditions relating to access, car parking and passing places and refuse collection.

Issues and Analysis

Principle - The site contained the settling tanks for the adjacent bleach works and as such, was previously developed land. Therefore, the redevelopment of the site would be acceptable in principle.

Response to objectors

A section of the site is labelled as allotment gardens on the historical map of 1939, but is not labelled as such on any of the subsequent maps. The aerial photographs from 1997 onwards indicate that the land has not been used as allotments and no part of the application site is allocated as protected recreation land.

The issues raised in connection with competitions and vehicles would be addressed through the Section 106 agreement.

The issue relating to the structural integrity of the land would be addressed by a condition relating to full details of a retaining wall.

The other issues raised are dealt with in the main report.

Conditions

Conditions 6 and 8 have been amended and conditions 19 and 20 have been added with regard to refuse collection and provision of the passing place.

6. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year.

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 Section 11 of the National Planning Policy Framework.

8. No development shall commence unless or until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include the following:

- Detail the extent and type of new planting, including planting schedule, that shall be largely based on native species,
- Details of maintenance regimes;
- Details of any new habitat created on site , including proposed new reedbed;
- Details of treatment of site boundaries and/or buffers around Parkers Lodge SBI and Elton Brook;
- Details relating to the timing of implementation.

The approved landscape management plan shall be carried out as is subsequently approved.

Reason To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site pursuant to the following policies of the Bury Unitary Development Plan:

Policy EN6/2 - Sites of Nature Conservation Interest (Local Nature Reserves and Grade B & C Sites of Biological Importance)

Policy EN6/4 - Wildlife Links and Corridors

19. No development shall commence unless or until, full details of the refuse collection arrangements for the development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of the dwellings and/or holiday lets hereby approved.

Reason. To ensure that satisfactory arrangements are in place for the collection of refuse generated by the development 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.

20. No development shall commence unless or until details of the retaining wall for the passing place has been submitted to and approved in writing by the Local Planning Authority. The approved details and the passing place shall be constructed and made available for use prior to the commencement of the construction of the residential accommodation hereby approved.

Reason. To ensure good highway design 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.

Item:02 Wesley House, Wesley Street, Tottington, Bury, BL8 3NW Application No. 54740

Demolition of existing building and erection of 12 no. bungalows

Publicity.

Additional letter of objection received from No 13 Wesley Street. The objector is not able to attend the meeting and would like their concerns noted:

- Despite reassurances from the Housing Association, still convinced their property will be overshadowed and overlooked;
- The existing trees block out light and anything taller, which the bungalow roofs will be, could be a potential problem in terms of overshadowing.

Comment - The trees referred to belong to the objector and their concerns are taken to be the roof to plot 1 near to their property. Whilst the new property would be closer to the objector than the current building, the eaves height would be approximately 2.7m high with a ridge height 5m high. The affected windows are to non habitable rooms and it is considered that the new development of plot 1 would not be readily visible to the objector.

Amend Condition 19 to read:

19. The development hereby approved shall only be developed by or on behalf of the applicant as an affordable housing scheme and each and every residential dwelling constructed as part of the scheme shall subsequently be occupied only and at all times as affordable housing in accordance with the provisions of Development Control Policy Guidance Note 5 – Affordable Housing Provision in New Residential Developments.

Reason - The proposed development has been granted given the particular circumstances of the applicant following a funding package from the Homes & Communities Agency (HCA) which provides an opportunity to promote increased affordable housing, but as a result a recreational contribution pursuant to Unitary Development Plan Policy RT2/2 (Recreation Provision in New Housing Development) and Supplementary Planning Document 1 (Open Space, Sport and Recreation Provision in New Housing Development) will not be provided. This condition is thereby to ensure that in order to make the development acceptable in planning terms, as a result of not making a recreational contribution the whole development shall instead contribute to satisfying the need for affordable housing provision pursuant to Bury Unitary Development Plan Policy H4/1 - Affordable Housing and the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision In New Residential Developments.

Item:03 46-48 Bury Old Road, Prestwich, Manchester, M25 0ER Application No. 54764

Demolition of 2 no. detached dwellings; Construction of new apartment building comprising of 14 no. apartments with associated underground parking and amenity space (resubmission)

Appeal decision - The following text is taken from the Appeal Inspector's decision letter.

Conclusion - I conclude that, subject to conditions, the proposed development would cause no unacceptable loss of highway safety. It would comply with Policies H2/1, H2/2, HT2/4 and HT6/2 of the Bury Unitary Development Plan, which requires new residential development to make a positive contribution to the form and quality of the surrounding area; demonstrate acceptable standards of layout with regard to parking provision and access for vehicles and pedestrians; make adequate provision for parking; and reduce pedestrian/vehicular conflict. It would also comply with DCPGN11, Manual For Streets and Manual For Streets 2. Moreover, extending the visibility splay at the corner of Castle Hill Road and Bury Old Road, closing the existing drives to Bury Old Road and widening part of the footway along Bury Old Road would benefit the general public."

Amend Condition to read:

10. Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved commencing. The development shall then be carried out incorporating the measures in accordance with

the approved scheme and the approved measures shall be available for use prior to occupation.

Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies HT5/1 – Access for Those with Special Needs of the Bury Unitary Development Plan.

Publicity

A letter has been received from the occupiers of 2B Castle Hill Road, whom have raised the following issues:

- The letter notifying people of committee was received during the week of Passover and most Jewish people will not be able to respond.
- The deadline for submissions and the committee meeting should be put back a week so the Jewish community are not prejudiced.
- Object to the development proposed.

The objector has been notified of the Planning Control Committee.

The letter was to inform residents that the application would be heard at Planning Control Committee on 17 April. All of the comments received have been noted and reported in the committee reports already. The dates for Planning Control Committee are set 12 months in advance in consultation with all faith groups.

Item:04 Former Turf Hotel, 143 Water Street, Radcliffe, Manchester, M26 3BJ

Application No. 54773

Change of use from public house (Class A4) to ground floor offices (Class B1) and 2 no. flats at first floor with parking at rear

An amended site plan 1622L1.03F has been submitted, revising the car parking layout at the rear to accommodate and resolve objections raised. As such the following conditions have been amended.

Condition 2.

This decision relates to drawings numbered 1622 L1.01, 1622 2.01, 02/B and 03/F and the development shall not be carried out except in accordance with the drawings hereby approved.

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

Condition 7.

A scheme to surface and demarcate the car parking area to the rear of the site shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented and be made available for use before first occupation of any part of the building.

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.

Item:05 Pilsworth North Quarry, Pilsworth Road, Bury, BL9 8QZ Application No. 54831

Revised restoration and ecological scheme to Pilsworth North Quarry and Landfill (Amending approval 34895)

Add Conditions

12. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year unless an ecological survey has been undertaken and the results submitted and approved in writing by the Local Planning Authority to establish whether the tree(s) is/are utilised for bird nesting. Where the survey demonstrates that there is a presence of any nesting bird species, then no clearance shall occur within the period specified.

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 Chapter 11 of the NPPF - Conserving and Enhancing the Natural Environment.

13. No development shall take place unless and until details of the provision of bat boxes for the site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, number and location of the boxes, a timescale for installation and subsequent maintenance of the provision. The bat boxes shall be implemented in accordance with the approved details.

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 Chapter 11 of the NPPF - Conserving and Enhancing the Natural Environment.

14. There shall be no other vehicular access for the development hereby permitted to the site other than that shown as coloured brown on the submitted plan PNW6, forming part of Planning Application ref 34895/98.

Reason - To minimise conflict between pedestrians and vehicular movements pursuant to Unitary Development Plan Policies HT6/1 - Pedestrian and Cyclist Movement and HT6/2 - Pedestrian and Vehicular Conflict.

Item:06 Former Blackburn Street Health Centre, Blackburn Street, Radcliffe, Manchester, M26 1WS Application No. 54865
New pitched roof with solar panels on rear roof plane

Nothing further to report.

Item:07 222-224 Dumers Lane, Radcliffe, Manchester, M26 2QJ Application No. 54875
Change of use (no. 222) from dwelling (Class C3) to shop (Class A1); Extension at rear and roller shutter door at rear; New shop front and boundary wall to front (resubmission)

Nothing further to report.

Item:08 Hilton House, Irwell Street, Bury, BL9 0HZ Application No. 54898
Change of use from offices (Class B1) to medical consulting rooms (Class D1)

Nothing further to report.

Item:09 Bury Street Mill, Bury Street, Radcliffe, Manchester, M26 2GB
Application No. 54910
REFURBISHMENT AND ALTERATION OF DERELICT FORMER ENGINEERING
WORKSHOP AND STORE (RESUBMISSION OF 54133)

Consultations

Wildlife Officer - No objections, subject to the inclusion of a condition relating to the bat assessment.

A e-mail from the Ecological Consultant has confirmed that the building has not changed in anyway, which would make it more attractive to bats and as such, the building would be of low potential for bats. The Wildlife Officer has no objections, subject to the inclusion of a condition relating to the recommendations of the survey. As such, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policy EN6/3 of the Unitary Development Plan and NPPF.

Condition 7 should be added in relation to bats:

7. The development hereby approved shall only be carried out in accordance with the recommendations in the bat survey, dated 2 March 2012.

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 Section 11 of the National Planning Policy Framework.

Item:10 195 Bury New Road, Whitefield, Manchester, M45 6GE Application No. 54920
Two storey extension; Provision of 6 no. car parking spaces and new access point off Bury New Road

Nothing further to report.

Item:11 Church Inn, 81-83 Spring Street, Bury, BL9 0RN Application No. 54942
External alterations to public house (to enable subdivision of ground floor). Single storey extension to create restaurant/hot food takeaway (Use Class A4 and A5) unit.

Nothing further to report.

Item:12 Pavement on the East Side of Bury Old Road, Prestwich, Manchester, M25 0EG Application No. 54966
Installation of a 17.5m high shareable vodafone street pole radio base station.

Publicity

A letter has been received from the occupiers of 123 Bury Old Road, which has raised the following issues:

- The proposal would have an adverse impact upon amenity.
- The need for the development should be first established and other alternative sites within the area should be evaluated.
- If an evaluation was to be undertaken, it would show that sites in Heaton Park or St Monica's school would have less impact.

The objector has been notified of the Planning Control Committee meeting and the above issues are dealt within the main report.

The proposed mast would be 17.5 metre high and would initially be used by Vodafone. There would be capacity to mast share with another operator at a later stage. The proposed mast would be located in the same position as the 15 metre high mast under permission (48235). This permission expired in July 2010 and was not developed.

Condition 3 has been amended to read as follows:

3. The colour of the mast shall be black (RAL 9017) and the colour of the equipment cabinets shall be green (RAL 6009) as confirmed by e-mail dated 04/04/2012 from Dominic Needham (Mono Consultants).

Reason. In the interest of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and Policy EN1/10 - Telecommunications of the Bury Unitary Development Plan.