

BURY METROPOLITAN BOROUGH COUNCIL
ENVIRONMENT & DEVELOPMENT SERVICES

PLANNING CONTROL COMMITTEE

16 October 2012

SUPPLEMENTARY INFORMATION

Item:01 Former Elton Cop Dye Works, Walshaw Road, Bury, BL8 1NG

Application No. 55312

Residential development comprising of 111 dwellings, access and associated works

Consultations

Traffic Section - No objections, subject to the inclusion of condition relating crossing facilities, turning facilities, visibility splays, highway improvements, car parking and measures to prevent mud passing onto the highway.

Environmental Health - Pollution Control - No objections, subject to the inclusion of conditions relating to noise and mitigation measures.

Environment Agency - No objections, subject to inclusion of conditions relating to surface water drainage and contaminated land.

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

Issues and analysis

Bats - Two bat surveys have been provided, both of which have been carried out by qualified ecologists. The first report surveyed the building externally and the second surveyed the building internally and externally and inspected crevices with an endoscope. The second survey concludes that no evidence of bats was found and the building has few roosting features. The building is in poor condition both externally and internally, which allows rainwater to penetrate creating wet conditions, which are unsuitable for roosting bats. As such, the building has low potential for bats. Given that both ecologists are qualified and the second report is more thorough, the conclusions of the second report are accepted. The Wildlife Officer has no objections to the proposal, subject to the inclusion of a condition relating to bats. Therefore, the proposed development would not harm a protected species and would be in accordance with policy EN6/3 of the Bury Unitary Development Plan.

Noise - A noise assessment was submitted as part of the application, which states that the site is affected by noise from traffic on Walshaw Road and plant equipment noise from the adjacent site. The survey states that the provision of standard double glazing and acoustic attenuating ventilation systems would achieve internal noise levels commensurate with "good" sleeping conditions as contained within British Standard 8233: 1999 Sound Insulation and noise reduction for buildings. The noise from the adjacent site would require detailed measurement of the noise levels to ensure that the correct mitigation measures are provided in terms of a noise barrier in addition to the measures specified above. As such, a condition would be added in relation to the provision of detailed noise data and subsequent mitigation measures. Therefore, the proposed development, subject to conditional control, would not have a significant adverse impact upon the occupiers of the proposed dwellings in relation to noise. The proposed development would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Flood risk/drainage - Additional information has been submitted by the applicant, which has been assessed by the Environment Agency. The Environment Agency has confirmed that there are no objections to the development of the site, subject to the inclusion of conditions relating to surface water drainage and contaminated land. The conditions recommended have been included on the original report. A further condition relating to foul drainage is also recommended.

Conditions

Conditions 2 and 9 have been amended and conditions 14 to 19 are required in relation to highway aspects; conditions 20 and 21 in relation to flood risk/surface

water drainage and foul drainage; condition 22 in relation to noise and condition 23 in relation to bats.

2. This decision relates to drawings numbered LP_WRB_01 Rev A, PSH-S12-059, WRB/001 Rev K, Rufford house type - Apr 2012, Souter house type - May 2012, Crathorne house type - Apr 2012, Hatfield house type - May 2012, Lumley house type - Apr 2012, Hanbury house type - Apr 2012, Moulton house type - Apr 2012, Garage, fence, wall details - Apr 2012, LDS219-01A, PER29 100 P1, 0219-01, 0219-02 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.

9. A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the dwelling(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

14. No development shall commence unless and until full details of proposals to provide a controlled pedestrian crossing facility on Walshaw Road, an uncontrolled pedestrian crossing facility on Leigh Lane and improve existing bus stop facilities on Walshaw Road have been submitted to and agreed in writing with the Local Planning Authority. The details subsequently approved shall be implemented in full before the development is first occupied.

Reason. In the interests of pedestrian and bus passenger safety pursuant to Policy HT3/2 - Bus Services and Policy HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.

15. Notwithstanding the details indicated on approved plan reference WRY/001 Revision K, no development shall commence unless and until full details of the extension of Leigh Lane and provision of an adoptable turning head, including levels and appropriate sections, have been submitted to and approved in writing with the Local Planning Authority. The details subsequently approved shall be implemented to at least base course level prior to the commencement of construction of Plots 32-37. Plots 32-37 shall not be occupied until the metalled course has been provided.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway 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.

16. Notwithstanding the details indicated on approved plan reference WRB/001 Revision K, no development shall commence unless and until full details of the following highway aspects, including a timetable for implementation have been submitted to and approved in writing with the Local Planning Authority:

- The vehicular access and parking arrangements for Plots 1, 2 & 98 to be served from the adjacent shared private driveways;
- The construction of the site access and all associated remedial works to the southerly footway on Walshaw Road that abuts the site, incorporating the localised widening of the footway at its junction with Redford Street to improve

- visibility;
- The widening of the westerly footway on Redford Street incorporating the reinstatement of the redundant access opposite Camp Street, bollard spacing and positions at the interfaces between the two turning heads that abut Redford Street and all associated remedial works including relocation/replacement of affected street lighting columns;
- Reconstruction of the northerly footway on Leigh Lane that abuts the site incorporating the reinstatement to adjacent footway levels of the redundant vehicular access and all associated remedial works including relocation/replacement of affected street lighting columns;
- Levels on and appropriate sections along and through the proposed estate roads including all interfaces with the existing adopted highways at Redford Street and Leigh Lane;
- A 20mph traffic calming scheme on the proposed estate roads incorporating appropriate entry signage and additional measures to those indicated on approved plan reference WRB/001 Revision K;
- The street lighting design for the proposed estate roads and a scheme of street lighting improvements on the sections of Walshaw Road, Redford Street and Leigh Lane that abut the site;

The details subsequently approved shall be implemented in full in accordance with the approved timetable.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway 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.

17. The visibility splays indicated on approved plan reference WRB/001 Revision K and 0219-01 shall be implemented before the site access is brought into use/dwellings first occupied and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road 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.

18. The communal car parking indicated on approved plan reference WRB/001 Revision K shall be surfaced, demarcated and made available for use prior to the dwellings to which they are allocated to hereby approved being occupied and thereafter maintained at all times

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.

19. 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.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

20. No development shall commence unless or until a scheme to regulate surface water run-off to no more than 51 litres/sec has been submitted to and approved in

writing by the Local Planning Authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme.

Reason. To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site pursuant to Policies EN5/1 - New Development and Flood Risk and EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

21. No development shall commence unless or until a scheme for the provision of foul drainage works has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the dwellings hereby approved and thereafter maintained.

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

22. No development shall commence unless or until detailed noise data to identify the plot numbers of dwellings, which require mitigation and a scheme of mitigation measures for those dwellings affected, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the occupation of the dwelling(s) affected.

Reason. To protect the amenity of the occupants of the dwellings once the development hereby approved is occupied pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

23. The demolition of the building hereby approved, shall be undertaken in accordance with the recommendations in the bat survey dated October 2012, ref 3652.001. If demolition is delayed beyond October 2013, a survey shall be conducted, and the survey results established as to whether the buildings are utilised by bats or owls. 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 Section 11 of the National Planning Policy Framework.

Item:02 511 Holcombe Road, Greenmount, Bury, BL8 4EL Application No. 55370
Reserved Matters for access, appearance, landscaping, layout and scale following Outline planning permission 53484 for demolition of existing garage and erection of new dwelling; Erection of detached two storey garage

Consultations

Drainage Section - No objections, subject to the inclusion of a condition relating to foul and surface water drainage.

Conditions

Two conditions should be added in relation to tree protection measures and foul and surface water drainage.

10. The development hereby approved shall not commence unless and until a scheme of protection for all trees to be retained on site in accordance with BS 5837:2005 "Trees in Relation to Construction" has been submitted to and agreed in writing by the Local Planning Authority. The development shall not commence unless and until the measures required by that scheme have been implemented, to the

written satisfaction of the Local Planning Authority and all measures required by the scheme shall continue until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

11. No development shall commence unless or until a scheme for foul and surface water drainage, including an assessment of potential SUDS scheme for surface water drainage, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the dwelling hereby approved and be available for use.

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

**Item:03 Whitefield Golf Club, Higher Lane, Whitefield, Manchester, M45 7EZ
Application No. 55406**

Erection of three bay junior golf practice area

Additional representation.

A resident backing onto the golf course at 1 Top Oth Fields states that initial reservations were based on youths congregating in the evenings although this was partly dispelled by the use of shutters. If any sheltered area is erected other than the bays, eg canopies or patio umbrellas, the problem of youths congregating could develop.

Further information.

The applicant is aware of the concerns of neighbours and has agreed to seal any gaps in the building and install an internal acoustic barrier in the form of cement building boards attached to the inside of the walls of the structure. This scheme would be subject to condition 4 of the main report and would need to be agreed with the Local Planning Authority prior to commencement of development.

Item:04 Marks and Spencer PLC, 492 Bury New Road, Prestwich, Manchester, M25 7AN Application No. 55533

Temporary siting of 1 no. chilled storage container over the peak christmas period for a period of 3 years (1st November to 31st January each year).

Amendment to description/condition

The description and condition in the report is incorrectly stated as being from 1st December. The proposed time period to site the container is from 1st November to 31st January and the neighbours were notified as such.

Item:05 56 Bury New Road, Prestwich, Manchester, M25 0JU Application No. 55548

Change of use from solicitors office (Class A2) to hot food takeaway (Class A5);
Installation of extraction flue at rear

Consultations

Drainage Section - No objections, subject to the inclusion of informatives.

Condition

An additional condition is recommended in connection with the colour and design of

the cowl.

6. Prior to the commencement of the development hereby approved, details of the design, colour and finish to the cowl shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the use hereby approved commencing.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

Item:06 **3 Copper Lane, Whitefield, Manchester, M45 7TP Application No. 55561**
Demolition of existing bungalow and erection of replacement detached dwelling house.

Additional conditions.

Development shall not commence until details of surface water drainage scheme, including an assessment of potential SuDS schemes, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full.

Reason. To control the amount surface water from the site and to reduce the risk of flooding pursuant to UDP Policy EN5/1 New Development and Flood Risk and the National Planning Policy Frame

A minimum hardstanding of 5m in length shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.

Reason. To allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.

Item:07 **86 Bolton Road, Hawkshaw, Bury, BL8 4JA Application No. 55621**
Demolition of existing dwelling and erection of 1 no. dwelling (resubmisison)

Publicity

The neighbouring properties were notified of a revised plan on 3 October 2012. There has been no response.

The revised floor plans and elevations is attached to this report.

Conditions

Condition 9 should be added in relation to the restriction of permitted development rights.

9. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.