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AGENDA FOR

PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

Councillors : G McGill (Chair), S Arif, C Boles, D Duncalfe, D Green, J Harris, M Hayes, D Quinn, S Thorpe, D Vernon and M Walsh

Dear Member/Colleague

Planning Control Committee

You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 21 February 2023
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

4 PLANNING APPLICATIONS (*Pages 3 - 12*)

Reports attached.

BURY COUNCIL
DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

21 February 2023

SUPPLEMENTARY INFORMATION

**Item:01 Land at the junction of Hollins Brook Way and Pilsworth Road, Bury, BL9
8RR Application No. 68530**

Hybrid application - Full application: Zone 1 development of Commercial building No1 (Creche, Use Class E), car parking and internal site roads, a new site access junction to Pilsworth Road, highway improvements to Hollins Brook Way and Pilsworth Road, use of an existing car park exit to Aviation Road for emergency purposes only.

Outline application: Zone 2 development of Commercial building No.2 (Hub building, Use Class E) car parking and internal site roads and a multi-purpose all-weather sports pitch (Including reserved matters of means of access and scale included for determination).

Publicity

To clarify, 5 no. representations were received to the application.

4 objections.

1 comment.

Representations made have been reported in the main Officer Report.

**Statement in accordance with Article 35(2) Town and Country Planning
(Development Management Procedure) (England) (Amendment) Order 2015**

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Conditions

Condition added relating to all parts of the planning application as follows:

Now numbered as Condition 9

Aviation Road shall be used for emergency purposes only and shall not be used for daily use to enter/exit the site.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EC6/1 - Assessing New Business, Industrial and Commercial Development, HT2 - Highway Network and HT6/2 - Pedestrian/Vehicular Conflict.

Condition added to the full application as follows:

Now numbered as Condition 24

The creche building to which this approval relates shall be used as a creche only and for no other purpose (including any other purpose in Class E 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 The permission has only been granted given the particular circumstances of the applicant pursuant to policies of the Unitary Development Plan listed below.

Conditions amended to read as follows:

Condition 2

This decision relates to drawings-

All plans ref: 11302-AEW-

XX-SI-DR-A-0500-S2-P03 Location Plan

XX-SI-DR-A-0501-S2-P05 Proposed Zoning Plan

XX-SI-DR-A-0502-S2-P02 Existing Site Plan

XX-SI-DR-A-0503-S2-P02 Constraints Plan

XX-SI-DR-A-0504-S2-P08 Proposed Site Plan

XX-SI-DR-A-0505-S2-P04 Proposed Boundary Treatment Plan

XX-SI-DR-A-0506-S2-P01 Proposed Site Sections

XX-SI-DR-A-0510-S2-P04 Proposed Parameters Plan

02-00-DR-A-0520-S2-P05 Creche - Proposed Ground Floor Plan

02-00-DR-A-0521-S2-P05 Creche - Proposed First Floor Plan

02-00-DR-A-0522-S2-P04 Creche - Proposed Roof Plan

02-00-DR-A-0530-S2-P05 Creche - Proposed North West Elevation

02-00-DR-A-0531-S2-P05 Creche - Proposed North East Elevation

02-00-DR-A-0532-S2-P05 Creche - Proposed South East Elevation

02-00-DR-A-0533-S2-P05 Creche - Proposed South West Elevation

02-00-DR-A-0540-S2-P04 Creche - Proposed Section AA

02-00-DR-A-0541-S2-P04 Creche - Proposed Section BB

JDHQ-CDL-ZZ-XX-DR-E-39001 Light Pollution Assessment External Lighting

Arboricultural Impact Assessment - UG_1466_ARB_AIA_Final_REV_OO May 2022
Urban Green

Bat Survey Report UG_1466_ECO_BSR_01 September 2022 Urban Green

Biodiversity Net Gain Assessment UG_1466_ECO_BNG_01, May 2022 Urban Green

Biodiversity Enhancement Management Plan UG_1466_ECO-BMP_01, May 2022
Urban Green

Coal Mining Risk Assessment GRO-21438-3119, January 2022 Groundtech

Crime Impact Statement Ref.2012/0008/CIS/01, May 2022 Design for Security

Flood Risk Assessment & Drainage REP-JDS-FRDS-RK-001, May 2022 Kennedy
Redford

Lighting Strategy (External) 1022986 P02, May 2022 Cundall

Mechanical, Electrical and Public Health Planning Statement 1022986/SY002 rev.A,
April 2022 Cundall

Noise Assessment 1022986-CDL-ZZ-XX-RP-AS-45220 P02, May 2022 Cundall

Preliminary Ecological Appraisal UG1466, April 2022 Urban Green

Site Investigation Report Phase 1 Risk Assessment GRO-21438-33118, February
2022 Groundtech

Site Investigation Report Phase 2 Geo-Environmental Appraisal GRO-21438-3308,
March 2022

Groundtech

Supplementary Geo-Environmental Appraisal, GRO-21438-3875, 20 September 2022
Groundtech

Sustainability Planning Statement 1022986/SY001, May 2022 Cundall

Transport Assessment 2561.02, May 2022 Eddisons

and the development shall not be carried out except in accordance with the drawings
hereby approved.

For illustrative purposes only -

XX-SI-DR-A-0511-S2-P07 Proposed Masterplan Plan (Illustrative)
XX-SI-DR-A-0512-S2-P01 Proposed Site Sections
01-00-DR-A-0570-S2-P01 Hub - Proposed Ground Floor Plan
01-00-DR-A-0571-S2-P01 Hub - Proposed First Floor Plan
01-00-DR-A-0572-S2-P01 Hub - Proposed Second Floor Plan
01-00-DR-A-0573-S2-P01 Hub - Proposed Third Floor Plan
01-00-DR-A-0574-S2-P01 Hub - Proposed Roof Plan
XX-SI-SK-A-0027-S2-P01 Proposed Site Section DD
01-XX-VF-A-0501-S2-P01 Illustrative 3D Views (Zone 1)
02-XX-VF-A-0502-S2-P01 Illustrative 3D Views (Zone 2)
2206-CWS-XX-GF-DR-L-101-P04 Landscape Proposals - Indicative Site Plan
2206-CWS-XX-GF-DR-L-102-P02 Landscape Proposals - Future Development -
Outline Plan.

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 5

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. REP-JDS-FRDS-RK-001-REV--, Dated 27.05.2022) which was prepared by Kennedy Redford. No surface water will be permitted to drain directly or indirectly into the public sewer unless a scheme to demonstrate alternative option/s in line with the hierarchy of drainage options in the National Planning Practice Guidance has been submitted for approval in writing by the Local Planning Authority.

Prior to occupation of the proposed development, the approved drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

This condition can be satisfied in phases.

Condition 13

The development hereby approved shall provide the EV chargepoints in association with the creche building shown on approved proposed site plan 11302-AEW-XX-SI-DR-A-0504 P08. If the location of chargepoints changes there shall be no reduction in total chargepoint numbers.

Reason. In accordance with the principles of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

Condition 14

A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building is first occupied or within the first available tree planting season,; 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.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

Condition 18 deleted and provision for bat/bird roosting measures incorporated within condition 14 as amended above.

Condition 20

No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority for each phase of the development and shall confirm/provide the following:

- Access route for construction traffic/heavy goods vehicles/delivery vehicles from the highway network, restricted to a route from Pilsworth Road/Junction 3 of the M66;
- Hours of operation and number of vehicle movements;
- Access point(s) for construction traffic from Pilsworth Road (to exclude the use of Aviation Road/Public Right of Way [Bridleway] No. 79, Bury) and all temporary works required to facilitate access for ground works/construction vehicles,
- If proposed, details of site hoarding/gate positions clear of required visibility splays onto Pilsworth Road/the private industrial estate roads;
- The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway and to maintain access for users of Public Right of Way [Footpath] No. 81, Bury, that crosses the site;
- A scheme of appropriate warning/construction traffic warning signage in the vicinity of the site and its access(es) onto Pilsworth Road;
- Confirmation of hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

Condition 21

Prior to first occupation/first use of the development hereby approved a 'Framework Travel Plan' for the provision of occupier travel measures shall be submitted to and

agreed in writing with the Local Planning Authority for each phase of the development and shall incorporate/confirm/provide the following:

- feature a range of measures promoting a choice of transport mode, and a clear monitoring regime with agreed targets;
- a travel plan budget and resources for the implementation and day to day management of travel plan measures;
- appropriate management structures;
- detailed time frames for the delivery;
- a marketing and communication strategy;
- handover arrangements for the travel plan or its components when the developer's responsibility ceases;
- and initial targets before first surveys are conducted.

The 'Plan' shall establish the developer and occupier travel plan objectives and targets and include an implementation programme. The approved schemes shall thereafter be implemented before the occupation/first use of each phase hereby approved, and thereafter maintained.

Reason. In order to deliver sustainable transport objectives in accordance with chapter 9 of the NPPF - Promoting Sustainable Travel.

Condition 25

Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the creche building hereby approved. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EC6/1 - Assessing New Business, Industrial and Commercial Development and EN1/2 - Townscape and Built Design.

Condition 30

As part of a Reserved matters application relating to appearance, details of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the building hereby approved. Only the approved materials shall be used for the construction of the development.

Reason. In the interests of visual amenity and to ensure a high quality and satisfactory development pursuant to UDP Policies EC6/1 - Assessing New Business, Industrial and Commercial Development and EN1/2 - Townscape and Built Design

Conditions re-numbered accordingly.

Item:02 Peel Tower, Holcombe Hill, Holcombe, BL8 4NR Application No. 68983
Camera on top of a flag pole at the top of Peel Tower

Clarification was sought as the photographic inset on submitted plan PL01 appears to show a second camera affixed to the flagpole. It has been confirmed that it is a second camera and that it was removed on the 20th February 2023 as the photographs provided indicate.

One camera only is subject of the application to be affixed to the flagstaff.

The officer report and Condition 1 makes it very clear that the scheme relates to a single camera only.

The LPA have been informed that a second camera that had been previously affixed has been removed.

It would be a matter for the operators to maintain data protection considerations. Condition 2 should ensure that the viewing would be pan outlook only.

Item:03 Peel Tower, Holcombe Hill, Holcombe, BL8 4NR Application No. 68985
Listed building consent for a camera on top of a flag pole at the top of Peel Tower

Clarification was sought as the photographic inset on submitted plan PL01 appears to show a second camera affixed to the flagpole. It has been confirmed that it is a second camera and that it was removed on the 20th February 2023 as the photographs provided indicate.

One camera only is subject of the application to be affixed to the flagstaff.

The officer report and Condition 1 makes it very clear that the scheme relates to a single camera only.

The LPA have been informed that a second camera that had been previously affixed has been removed.

It would be a matter for the operators to maintain data protection considerations. Condition 2 should ensure that the viewing would be pan outlook only.

Conditions in the main printed agenda to be renumbered 1 and 2.

Item:04 17 Pembroke Drive, Bury, BL9 9LF Application No. 69093
Part single/Part two storey rear extension

Nothing further to report.

Item 02 & 03



Item 02 & 03



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