

# Public Document Pack

## AGENDA FOR PLANNING CONTROL COMMITTEE



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**To: All Members of Planning Control Committee**

Dear Member/Colleague

### **Planning Control Committee**

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

<b>Date:</b>	Tuesday, 30 May 2023
<b>Place:</b>	Council Chamber, Bury Town Hall
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	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.
<b>Notes:</b>	

## **AGENDA**

### **4 PLANNING APPLICATIONS** (*Pages 3 - 6*)

Reports attached.

**BURY COUNCIL**  
**DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE**  
**PLANNING SERVICES**

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**PLANNING CONTROL COMMITTEE**

**30 May 2023**

**SUPPLEMENTARY INFORMATION**

**Item:01 Land off Brownhills Close / Bury Road, Tottington Application No. 67243**

Outline application with 'Access' for erection of up to 5 dwellings, and new/improved formal and informal community open space, replacement / improved footpath connections and wider greenspace enhancements

**Publicity**

Four further objections have been received which raise the following concerns:

*Procedural Matters*

- Application has been presented in a way that is misleading and is not transparent.

*Principle of Development*

- Land unsuitable for development with it being designated as a River Valley within the Unitary Development Plan (UDP) and due to having watercourses and steep inclines.
- Questions whether there is a need for 4 bedroom detached properties

*Access*

- Access to the area off Bury Road is severely restricted - construction vehicles, utility and emergency vehicles, with risks exacerbated by the proposals to install an unpaved road along a footpath
- Infrastructure cannot cope with more traffic

*Wildlife and Loss of Habitat*

- Proposal would harm the ecosystem/ wildlife - Deer, bats and badgers on the site- video received of badger on Brownhills Close.
- Loss of wildlife habitat

*Proposed recreation space*

- Recreational space that would be created is not needed as the land already provides recreation space
- The community offer is neither necessary nor substantial.

*Impact on residents*

- Adversely impact the amenity of surrounding residents by virtue of overlooking/ loss of privacy

*Not material planning considerations*

- Construction phase would cause disruption
- Contest the assertion the landowner is in liquidation

Response to representations

*Procedural matters*

The application is made in Outline form with the matter of 'Access', as it is legally entitled to do so. Any Reserved Matters applications would seek to gain permission for Appearance, Landscaping, Layout and Scale.

Reserved matters are items that are excluded from an outline planning application because they will be determined by future planning approval, or have not yet been developed to a satisfactory degree.

If outline approval is given, an applicant has three years to submit a new application to gain approval for the reserved matters left off the previous application.

*Principle of Development*

The matter raised is discussed in the Principle of Development section of the report.

*Access*

Issue addressed under the Access section of the main report and by the recommended conditions - nos. 3, 14, and 19.

*Proposed recreation space*

This issue is addressed in the Principle of Development section of the report and within the Planning Balance.

*Wildlife and Loss of Habitat*

The impact on the loss of habitat and wildlife/ biodiversity is discussed in the Trees and Biodiversity sections of the report - pages 26 - 28 and by the recommended planning conditions - nos. 4, 6,7, 9, 10, 11 and 13.

*Impact on residents*

This is an Outline planning permission where the layout details are only shown indicatively. The impact on residents will be properly considered as part of the reserved matters of Appearance, Layout and Scale.

*Non-material planning considerations*

The last 2 bullet points are not material planning considerations, however, condition no. 21 will secure satisfactory construction management.

**Item:02 Land adjacent to 62 Springside Road, Bury, BL9 5JQ Application No. 68815**

Outline application for 12 no. dwellings including means of access (all other matters reserved for appearance, layout, scale and landscaping)

**Publicity**

One further representation received -

- One very large significant point is missing - 4 houses that back on to the land have a gate that has been used for more than 20 years. This gives these residents an informal easement to use the land.
- The applicant has recently tried to prevent this by padlocking the gate at the other end of the field onto the lane and adding barb wire to the fence (we would like these removing as they block our established right of way) Some residents have continued to use this in spite of his measures. To build on this land would remove our established right of way which cannot be rerouted. This was written in some objections but appears to have either got lost in translation or missed in the report.
- We have claimed this informal use of the land and now have legal rights to this. No reference has been made to this. The applicant is aware of this as prior to submitting the planning applications he offered to replace all fencing (removing gates) that back on to the field. He denied this was in preparation for a planning application. I have this in writing.

Response to representation -

- Rights of access are private matters and not material planning considerations.

**Item:03 148 Walmersley Road, Bury, BL9 6LL Application No. 69452**  
Change of use from dwelling (Class C3) to an 8 no. bedroom House in Multiple Occupation (HMO) (Sui Generis)

Nothing further to report.