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AGENDA FOR PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

Councillors : S Thorpe (Chair), C Boles, D Duncalfe,
J Harris, M Hayes, B Ibrahim, D Quinn, G Staples-Jones,
D Vernon, M Walsh and U Farooq

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, 25 July 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 - 10*)

Reports attached.

BURY COUNCIL
DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

25 July 2023

SUPPLEMENTARY INFORMATION

Item:01 13-21 Blackburn Street, Radcliffe, Manchester, M26 1NN Application No. 69388

Demolition of 13-21 Blackburn Street/TSB Bank and erection of three-storey civic hub building containing swimming pools, fitness suites and studios, indoor climbing facility, offices, cafeteria and library; Link block between Radcliffe Market and Market Chambers buildings, plus refurbishment of Market Chambers and Market Hall basement, for use as a multi-use event space, with associated external alterations and works and hard and soft landscaping

Extension of Time - Yes. Extended to 28/07/2023.

Issues and Analysis

Statement of Community Involvement

Prior to the submission of the planning application, Bury Council carried out a comprehensive programme of pre-application consultation from the production of the Strategic Regeneration Framework in 2020, through to the pre-application period.

The Radcliffe Strategic Regeneration Framework (SRF) was adopted by Bury Council in September 2020 following substantial consultation and it was developed to guide the direction of Radcliffe's growth and included proposals for a civic hub in Radcliffe town centre, the refurbishment of Radcliffe Market and Market Chambers and new leisure facilities. This included extensive engagement with Radcliffe stakeholders in early 2020, followed by a six week period of public consultation.

As a result, 323 questionnaires were completed, which generated 1400 comments. All of the proposals received significant support, with 90% or more respondents supporting the various aspects of the scheme.

The Radcliffe Civic Hub Project has been supported by the Radcliffe Regeneration Office, a Stakeholder Communications & Engagement Strategy, Radcliffe Regeneration Delivery Board and the Radcliffe Cabinet Committee.

In August 2022, 17,108 newsletters were distributed to households in the 3 Radcliffe wards and 65 local groups were directly contacted to advertise consultation events and weblink, where feedback could be made on the detailed proposals for the hub. As a result, 211 surveys were returned and 251 people attended consultation events. In response, design amendments were made, including:

- A more visible and welcoming front entrance.
- Additional and larger windows, no longer covered with architectural details.
- Changed colour of cladding.
- Public artwork to be included on the western elevation and a green wall added to the southern elevation.
- Sufficient accessible seating to be provided within the building and on the surrounding outside public space.
- The bandstand to be equipped so that community groups can use it for performances.
- Careful consideration given to low maintenance planting materials.

Flood Risk and Drainage

The existing basement area to the Market Hall and Chambers (which are to be refurbished and used as a flexible events spaces/storage basement areas) are located below the flood levels. However, these are existing basement areas that

are/could be used at any time, in association with the lawful uses at ground floor. Planning permission for their intended use is not therefore required and only necessary for the proposed external physical works (e.g. the infill building and balcony (which would fall above the flood levels)). Regardless, flood mitigation measures in the form of suitable internal waterproofing of the existing basement area are intended to be installed, albeit without the need for any oversight or need for agreement with the Local Planning Authority.

Therefore, proposed conditions 10 and 11 would not meet the 6 tests for conditions, as they would not be necessary, relevant to planning or relevant to the development to be permitted (i.e. the use of the basement areas as intended do not require planning permission), and should therefore be removed. An informative would be attached to draw the developer's attention to the Association of Directors of Environment, Economy, Planning and Transport (ADEPT) and Environment Agency guidance 'Flood risk emergency plans for new development'.

Conditions

The Highway Officer has provided a consultation response and recommended conditions as follows:

18. No development, other than site clearance, demolition, remediation or ground works, shall commence unless or until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

1. • Formation of the proposed bus lay-by and associated alterations to the road alignment and footway on Dale Street (shown indicatively on submitted plan reference 2923-XX-XX-DR-C-13 Revision P03) to a scope and specification to be agreed, incorporating carriageway, footway and lay-by widths to be determined, demarcation of the limits the adopted highway, relocation/replacement of all affected street lighting columns and street furniture in positions to be agreed, relocated tactile paved crossing point and all associated incorporating carriageway, footway and lay-by widths to be determined, demarcation of the limits the adopted highway, relocation/replacement of all affected street lighting columns and street furniture in positions to be agreed, relocated tactile paved crossing point and all associated highway and highway drainage remedial/accommodation works;
2. • All external alterations to the adopted highway around the perimeter of the site and implementation of a hard and soft landscaping scheme to a scope and specification to be agreed, incorporating the demarcation of the limits the adopted highway, low retaining walls and planting areas, relocation/replacement of all affected street lighting columns and street furniture in positions to be agreed and all associated highway and highway drainage remedial works;
3. • Revised door arrangements to ensure compliance with the Highways Act 1980 and that no doors or fire escapes open out into the adopted highway around the perimeter of the proposed civic hub building and at the proposed bin store;
4. • Foundation details for the proposed building to ensure compliance with the Highways Act 1980 and that no encroachment under the adopted highway will occur.
5. • Proposals for the introduction of an on-highway coach/bus drop off facility on Dale Street and associated review of disabled parking bays and existing waiting, limited waiting and loading restrictions in the vicinity of the site on Dale Street/Deansgate and Stand Lane, including details of the measures proposed, all necessary modifications to road markings and signage and a timetable for implementation;

6. • Submission of staged road safety audits in accordance with national guidance.

The details subsequently approved shall be implemented to an agreed programme and to the satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety, pursuant to policies EN1/2 and HT6/2 of the Bury Unitary Development Plan.

19. No development, other than site clearance, demolition, remediation or ground works, shall commence unless and until the required stopping-up order has been secured.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety, pursuant to policies EN1/2 and HT6/2 of the Bury Unitary Development Plan.

20. The measures and facilities detailed in the approved 'Environmental Management Plan Revision A' shall be implemented in full and be adhered to throughout the demolition and construction periods, with the measures retained and facilities used for the intended purpose for the duration of the both periods.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate construction traffic access and materials storage arrangements for the duration of the demolition and construction periods and that the adopted highways are kept free of deposited material from the ground works operations, pursuant to policies EN1/2 and HT6/2 of the Bury Unitary Development Plan.

21. The forward visibility envelope indicated on the approved plans shall be implemented in full before the development is brought into use 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 policies EN1/2 and HT6/2 of the Bury Unitary Development Plan.

22. The development hereby approved shall not be brought into use unless and until the off-highway bin storage arrangements indicated on the approved plans have been implemented in full and is available for use.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to Policy EN1/2 of the Bury Unitary Development Plan.

Transport for Greater Manchester have recommended a condition requiring agreement of a Travel Plan.

23. Prior to first occupation of the development, a full travel plan, which shall include clear objectives and modal split targets, together with a time-bound programme of implementation, monitoring, regular review and update; and be based on the particulars contained within the Interim Travel Plan (by WSP – Project No. 70092923), shall be submitted to and approved in writing by the local planning authority and thereafter operated in accordance with the agreed details.

Reason. To promote and provide access to sustainable transport options, pursuant to Section 9 of the National Planning Policy Framework.

24. The secure cycle storage measures indicated in the approved plans shall be provided in full before the development hereby approved is first brought into use and shall thereafter remain available for use for the lifetime of the development.

Reason. To ensure adequate cycle storage and in order to promote sustainable means of travel pursuant to policy HT6/1 of the Bury Unitary Development Plan.

No further amendments are recommended.

Item:02 Saw Mills, off Spring Street, Ramsbottom, Bury, BL0 9JQ Application No. 68578

Demolition of existing sawmill and associated outbuilding and construction of 5 no. dwellings

Extension of Time - Yes - 27/07/2023

Publicity

1 letter has been received, which has raised the following issues:

- Spring Street is a busy residential street with terraced houses with no parking. Hence cars park either side of the road causing congestion all day and would be dangerous for children crossing the street.
- Poor visibility when exiting Caltha Street, which is worse when the pub is receiving deliveries.
- Spring Street is used to access properties on Spring Street, Spring Close and the properties on Kerenhappuch Street, Stanley Street, Back Stanley Street and Major Street. There is a high risk of an accident.
- Caltha Street is unadopted with no street lighting and a poor road surface. There are no parking restrictions and any parking would restrict access for emergency vehicles.
- Refuse vehicles do not access Caltha Street and collections are made from Spring Street. If collection vehicles do not access Caltha Street, how will the bins be collected?
- Is a ground investigation report for contaminants going to be requested?
- What evidence is there to demonstrate that the existing drains and sewer systems have the capacity to accommodate 5 more dwellings?
- A government site suggests that there is a high risk of surface water flooding. Will a flood risk assessment be requested?

The objector has been notified of the Planning Control Committee meeting.

Response to objectors

- United Utilities have no objections to the proposals, which include the sewer and surface water run off system.
- Condition 12 requires the submission of a scheme to deal with surface water drainage, which must be designed in accordance with the Non-Statutory Technical Standards for Sustainable Urban Drainage systems.
- The proposed development would provide the maximum number of parking spaces for the proposed dwellings.
- The Traffic Section has no objections to the proposed development.
- Conditions 4 and 5 relate to contaminated land and require the submission of a ground based investigation report.

Item:03 240 Walmersley Road, Bury, BL9 6NH Application No. 69699

Change of use from dwelling (Class C3) to 9 no. bedroom HMO (single occupancy, Class Sui Generis)

Target date - 3/8/23.

Publicity

Representation received -

Note the revised plans were submitted after the consultation period ended. The new proposed plan shows a reduction in occupancy from 10 people to 9 people. Is this an attempt to address some of the serious concerns residents have, which have yet to be answered.

Response

The application has been revised to reduce the number of occupiers from 10 occupiers to 9 occupiers which is considered to be a betterment to the original submission as the proposed development would now provide additional shared living accommodation and there would be less intensified use of the building.

It was considered that re-notification of the amended scheme was not required.

Item:04 Land adjacent to 35 Hilton Street, Bury, BL9 6LT Application No. 69459
Erection of 2 no. terraced dwellings

Extension of Time - Yes - 27/07/2023

Revised plans - Revised plans have been submitted that indicate the side boundary wall would be slightly amended and realigned behind the required visibility splay from Back Walmersley Road East as shown on the site plan 5a in the main officer report. The revised plan is reference 5a/RevG.

Public comments - Issues relating to noise and dust from construction would be controlled by Environmental Health legislation.

There is no evidence of subsidence in the area and it appears that the original houses were taken down as a result of an urban clearance programme, most likely due to dereliction.

Traffic comments - There is no objection to the proposed scheme from the Traffic Section subject to the following conditions.

1. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to the Local Planning Authority:

1. Foundation details for the dwellings and boundary walls confirming no encroachment under the adjacent adopted highway;
2. Surface water drainage details confirming no projection into or discharge onto the adjacent adopted highway;
3. Highway remedial works around the perimeter of the site to 'expose/reintroduce' edgings at the back of the footway to demarcate the limits of the adopted highway and following removal of the affected pedestrian guardrailing, to a scope and specification to be agreed;
4. Treatment of the area between the proposed edgings and the side/rear gable and garden walls and adjacent to the existing street lighting column.

The details subsequently approved shall be implemented to a programme to be agreed with and to the satisfaction of the Local Planning Authority.

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.

2. 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 and shall provide the following:

- i. Dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following
- ii. construction of, and statutory undertakers connection to, the development;
- iii. Access route for construction vehicles from the Key Route Network;
- iv. Access point(s) to the site, including all temporary works and measures required to protect highway users and facilitate access;
- v. Hours of operation and type and number of vehicle movements that can be accommodated on the adjacent residential streets;
- vi. If proposed, site hoarding position clear of the visibility splay indicated on approved plan reference SHT 5a;
- vii. A scheme of appropriate warning/speed limit signage in the vicinity of the construction site access(es);
- viii. Arrangements for the management of deliveries to the site;
- ix. Storage within the curtilage of the site of construction materials, including any requisite phasing of the development to accommodate this;
- x. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the ground work 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. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate off street 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.

3. The visibility splay indicated on approved plan reference 5a/RevG shall be implemented to the written satisfaction of the Local Planning Authority before the development is 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 highway safety pursuant to UDP Housing Policies H2/1 and H2/2.

4. The bin storage area/arrangements indicated on approved plan reference 7RevF, incorporating the 450mm high boundary wall shown with foundations that do not encroach under the adjacent adopted highway, access onto Back Walmersley Road East and measures to prevent the discharge of surface water onto the adjacent adopted highway, shall be provided to the satisfaction of the Local Planning Authority before the dwellings hereby approved are first occupied and subsequently maintained available for this use.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to UDP Housing Policies H2/1 and H2/2.

