

# Public Document Pack

## AGENDA FOR

## PLANNING CONTROL COMMITTEE



*Contact:* Michael Cunliffe  
*Direct Line:* 0161 253 5399  
*E-mail:* m.cunliffe@bury.gov.uk  
*Website:* www.bury.gov.uk

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

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

|                             |   |
|-----------------------------|---|
| <b>Date:</b>                | Tuesday, 21 November 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 - 12*)

Reports attached.

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

**PLANNING CONTROL COMMITTEE**

**21 November 2023**

**SUPPLEMENTARY INFORMATION**

**Item:01    Abbots Hall, Woodhey Road, Ramsbottom, Bury, BL0 9RD    Application No. 69054**

Removal of condition 3 of planning permission ref. 54822 - to remove the occupancy restriction

**Extension of Time** - Yes - 24/11/2023

**Publicity**

4 letters have been received, which have raised the following issues:

- The goal of is to provide aquaponic equipment, supplies, training, and support so that growers anywhere in the world can be successful in aquaponic food production. The site is suitable for aquaponics use.
- Abbots Hall still is a perfect location for running this type of farming.
- This new report adds no value. It must be evident to all that by excluding all associated land and adding a clause for future financial profits to be paid to the Abbots, that the chances of finding a buyer meeting the agricultural occupancy condition was reduced to virtually zero.
- It appears that this is simply a tactic to try and get condition 3 removed, to allow them to push ahead with their plans to build on the green belt land for profit, to the detriment of the wildlife and surrounding neighbours.
- There is a serious inaccuracy in the report for the Planning Committee. The paragraph started, 'Various complaints have been made between August 2013 and July 2014 etc' gives the impression that from 2013 the Council was aware of the situation at Abbots Hall and carried out investigations that confirmed at all times that the occupants were in compliance with the occupancy condition. This isn't true.
- Until I reported the issue in August 2013, the Council was not aware that the property had been completed and occupied. The Enforcement officer spent most of 2014 trying to establish who the occupants were and only once the occupants had been established were they able to investigate. A letter was sent in January 2015 to state that there was a breach.
- This contradicts the report and the impression that the occupancy was lawful. The occupiers have been in continuous breach of the planning condition from 2012 to 2017, when an attempt at compliance was made. There has been a continuous breach from 2018 onwards.
- If you cannot correctly report basic facts, we have serious reservations to the accuracy of the report overall and request that the report be withdrawn to allow proper scrutiny and possible legal opinion. As a minimum, the Council needs to send out a correction, pointing out that you have got some basic facts wrong and apologising.

**Response to objectors**

- The report details all the enforcement cases, which relate to the dwelling known as Abbots Hall and the occupancy condition. The main report states the reason for the cases (13/0327, 13/0348, 13/0569 and 14/0237) being closed, which was that there was no breach of planning control.
- The objectors refer to case 14/0237 and a letter dated January 2015. There are further letters on the case file, dated 21 December 2016 and 27 February 2017, which clearly state that there is no breach of the condition - i.e. the dwelling is being occupied by someone working in aquaponics or agriculture. Whilst there may have been a breach when the case was being investigated, this was resolved through the submission of evidence and the case was closed in February 2017. As such, the report is accurate.

- No substantiated enforcement issues have been found in connection with the occupancy of the dwelling known as Abbots Hall since 2014.
- Removal of the condition would not preclude the occupancy of the dwelling by someone working in aquaponics or agriculture.
- The purpose of the condition is to restrict the use of the dwelling to someone working within aquaponics or agricultural - i.e. an agricultural worker. It does not place any restriction on the land. As such, the marketing exercise was carried out to identify if there are any genuine agricultural/aquaponics workers in need to access to a home at a discounted rate. None of the appeal cases within the planning statement refer to the dwelling and land. They were solely related to the sale of the houses in question.
- The purpose of including the restriction on the future sale of the dwelling during the marketing exercise was to assist and attract agricultural workers. The restriction on the future sale made it very clear to non-agricultural parties that the house is not available to them. In other words, the agricultural/aquaponics workers had a monopoly on the house and excluded all others from the process.
- The number of living areas, kitchens and bedrooms is not relevant to the issues being assessed. The house has a valid planning consent and as detailed in the main report, the changes are immune from enforcement action and would be considered acceptable in planning terms.

The objectors have been notified of the Planning Control Committee meeting.

#### **Conditions**

The conditions from the original consent have been carried over as the National Planning Practice Guidance requires it.

**Item:02 Unit, 1-2 Halter Inn Works, 11 Redisher Croft, Ramsbottom, Bury, BL0 9SA Application No. 69702**

Demolition of existing industrial buildings and erection of 3 no. detached dwellings

**Extension of Time** - Yes - 24/11/23

Nothing further to report.

**Item:03 5 Square Street, Ramsbottom, Bury, BL0 9BE Application No. 69932**  
Change of use from chiropractor (Class E) to bar (Sui Generis) (part retrospective)

**Extension of Time** - Yes - 21/12/2023

Correction:

As a result of the publicity **12** representations have been received; **8** letters of support and 4 letters raising objections.

Amendment to Condition no. 3:

The permission hereby granted is for a limited period only, namely for a period expiring on the 30 May 2025, and the use comprising the development for which permission is hereby granted is required to be respectively discontinued at the end of the said period and the **bar removed from the building** to the written satisfaction of the Local Planning Authority within 2 months of the **expiry date, unless planning permission has been granted for the use of the building to continue.**

Reason. The development is of a temporary nature only to allow the Council to assess the impact of the development on adjoining and surrounding residential occupiers, in accordance with policies EN7/2 - 'Noise Pollution' and S2/6 - 'Food and Drink' of the Bury Unitary Development Plan, the National Planning Policy Framework and National Planning Practice Guidance.

**Item:04 47 Church Street West, Radcliffe, Manchester, M26 2SP Application No. 70044**  
**First floor extension at rear**

**Extension of Time** - Yes 24/11/2023

Proposed plans and elevations SHT 2 of 3 attached.

**Item:05 25 Randle Drive, Bury, BL9 8HZ Application No. 70061**  
Change of use from dwelling (Class C3) to children's residential care home (Class C2)

**Extension of Time** - No - Statutory decision dated - 24/11/23.

**Consultees**

**Greater Manchester Police - design for security (DfS)**

A facility of this nature is best located and supported by a conventional domestic residential community. In addition to the immediate setting, the house is served by a number of schools and community facilities. Should the local authority be mindful to this application, Design for Security have the following comments:

1. Should there be any changes/upgrades to external doors and windows should certified to PAS24 standards.
2. The maximum number of residents should be three.
3. The minimum number of staff members (qualified and vetted), whilst residents are in occupation should be two.
4. As stated in the supporting Planning Statement, the age range should be between 7 -17 years of age.
5. None of the residents should have possession of a car adding to parking numbers.
6. Visiting arrangements to the site are to be arranged during permitted hours which do not conflict with other residents visitors.

**Response to the DfS**

1. This requirement would be included as an informative to the applicant.
2. Condition 3.
3. Subject to separate regulations
4. Condition 3
5. The age of the resident children would not qualify for a driving license.
6. Visiting would be pre-arranged.

**Publicity**

7 further objections received.

Issues already raised previously have been covered in the main Officer Report.

- No links or ties to the area and have contributed nothing to the community and are only looking for a financial gain while devaluing the properties of hard law abiding residents.
- Note there is a growing group of people learning of such proposals not just to 25 Randale Drive but 136 Sunny Bank Road and 3 Sandown Avenue, the community is very angry and both media and local MPs have also been contacted.
- Thoroughly understand that society should be supporting these children and finding them places to live. However, we believe there are more suitable locations for such establishments that would not disrupt residential areas like ours.
- Moving other children into this area taking precedent of school places over my children is unacceptable. Not to mention parking pressures, housing prices and in addition local parks and schools.
- Likely the peace will be disturbed by police being regularly required to attend the home to deal with disturbances, not to mention the potential for increased crime in the area.
- This may also violate my right to peaceful enjoyment of my home under the Human Rights Act.

The application at 3 Sandown Avenue (ref 69169) was subject to a Lawful Development Certificate (LDC) granted April 2023.

The application at 136 Sunny Bank Road (ref 70106) has been withdrawn.

Other issues raised that are material to the planning application have been covered in the main Officer Report.

**Item:06 Site of Radcliffe Leisure Centre, Spring Lane, Radcliffe, Manchester, M26 2SZ Application No. 70071**

Erection of new secondary school alongside supporting sports facilities, car parking, landscaping, site infrastructure, new access road and associated access infrastructure

**Extension of Time** - Yes. Agreed extension until 23/11/2023

**Conditions**

Condition 2

Amended plans have been submitted to reflect the increase and improvement to the proposed cycle storage facilities as indicated on the Whole Site Plan (Dwg No. FS1013-ALA-EX-ZZ-D-L-0001 S2 REV.P06) and cycle shelter details. Therefore, recommended condition 2 (Approved Plans and Documents) would need to be amended accordingly. Additionally, the format/layout of the condition is provide greater clarity as below:

Subject to the requirements of the conditions below, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents:

Drawings

Site Location Plan (Dwg No. FS1013-ALA-EX-ZZ-D-L-0039 S2 REV.P04)

Access Strategy - Parking Strategy (Dwg No. FS1013-ALA-EX-ZZ-D-L-0026 S2 REV.P03)

Tree retention and removal plan (Dwg No. FS1013-ALA-EX-ZZ-D-L-0031 S2 REV.P02)

Whole Site Plan (Dwg No. FS1013-ALA-EX-ZZ-D-L-0001 S2 REV.P06)

Site Landscaping Plan - Overview (Dwg No. FS1013-ALA-EX-ZZ-D-L-0004 S2

REV.P03)  
Planting Plan (Dwg No. FS1013-ALA-EX-ZZ-D-L-0010 S2 REV.P03)  
Proposed Ground Floor & Sports Plan (Dwg No. FS1013-AHR-01-00-D-A-2001 S4 REV.P13)  
Sports Hall (Dwg No. FS1013-AHR-01-00-D-A-2050 S4 REV.P01)  
Proposed First Floor Plan (Dwg No. FS1013-AHR-01-01-D-A-2002 S4 REV.P10)  
Proposed Second Floor Plan (Dwg No. FS1013-AHR-01-02-D-A-2002 S4 REV.P10)  
Proposed Roof Plans (Dwg No. FS1013-AHR-01-RF-D-A-2003 S4 REV.P05)  
Strip Sections 1-2 (Dwg No. FS1013-AHR-01-ZZ-D-A-2021 S4 REV.P05)  
Strip Sections 2-2 (Dwg No. FS1013-AHR-01-ZZ-D-A-2022 S4 REV.P03)  
Fencing General Arrangement (Dwg No. FS1013-ALA-EX-ZZ-D-L-0012 S2 REV.P03)  
Elevations (Dwg No. FS1013-AHR-XX-ZZ-D-A-2010 S4 REV.P06)  
Levels Plan - Overview (Dwg No. FS1013-ALA-EX-ZZ-D-L-0013 S2 REV.P03)  
Site Sections 1 of 2 (Dwg No. FS1013-ALA-EX-ZZ-D-L-0019 S2 REV.P02)  
Site Sections 2 of 2 (Dwg No. FS1013-ALA-EX-ZZ-D-L-0020 S2 REV.P02)  
Cycle Shelter Details (Dwg No. FS1013-ALA-ZZ-ZZ-D-L-1008 S4 P01)

#### Illustrative drawings

Access Strategy - Staff and Students (Dwg No. FS1013-ALA-EX-ZZ-D-L-0022 S2 REV.P02)  
Access Strategy - Community use (Dwg No. FS1013-ALA-EX-ZZ-D-L-0023 S2 REV.P01)  
Access Strategy - Servicing (Dwg No. FS1013-ALA-EX-ZZ-D-L-0024 S2 REV.P02)  
Security Strategy (Dwg No. FS1013-ALA-EX-ZZ-D-L-0021 S2 REV.P02)  
Green Infrastructure Strategy (Dwg No. FS1013-ALA-EX-ZZ-D-L-0028 S2 REV.P02)  
External Sports Provision (Dwg No. FS1013-ALA-EX-ZZ-D-L-0041 S2 REV.P03)  
Landscape Visualizations (Dwg No. FS1013-ALA-EX-XX-I-L-0001 P02)  
Proposed External Lighting Layout (Dwg No. FS1013-KRD-EX-XX-D-E9003)  
Proposed External Lighting Strategy (Dwg No. FS1013-KRD-EX-XX-D-E9003)  
Utility Survey (Dwg No. 42645-T-UG)

#### Documents

Phase II Geo-Environmental Assessment Report (Doc Ref. FS1013-BSL-XX-XX-T-O-1000 Rev. P01)  
Remedial Strategy (Doc Ref. FS1013-BSL-XX-XX-T-O-1000 Rev. P01)  
Desk Study Report (Project No. PC228400)  
Ground Investigation (Project No. PN224390)  
Outline Drainage Strategy (Doc Ref. FS1013-REN-XX-XX-T-C-0161 Rev. P02)  
Crime Impact Statement (Ref. 2022/0391/CIS/02 Version A)  
Arboricultural Impact Assessment (AIA)  
Tree Survey and Constraints Report  
Biodiversity Enhancement Measures (Doc. Ref. 11068-MS-StarRadcliffe-Biodiversity-V1 05.087.2023 Version 1)  
Environmental & Intrusive Noise Study (Doc. Ref. FS1013-SOL-ZZ-ZZ-D-J-0002 P04)  
Energy Strategy Report (Doc. Ref. FS1013-KRD-01-XX-T-Z-0204)  
Demolition and Construction Management Plan (Doc. Ref. FS1013-MSC-XX-XX-T-MC-1100 Rev 01)

#### Conditions 21 and 23

Concerning conditions 21 and 23, the agent has requested these are amended such that the trigger point does not necessitate the submission and agreement of details prior to the commencement of development, but to an alternative trigger that would allow development to proceed. Such an approach was agreed in relation to



recommended condition 26 and the suggested amendment would not undermine the purpose of the conditions.

Therefore, the amended conditions would be as follows:

Condition 21:

Prior to any earthworks or development within 10 metres of the eastern boundary, full details of the tree protection to the trees located within the Metrolink boundary have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the approved tree protection measures shall remain in situ until the development has been completed.

Condition 23

A landscape and ecological management plan (LEMP) (or equivalent) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the hard and soft landscaping scheme. The content of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in the proposed 'Site Landscaping Plan - Overview' (Dwg No. FS1013-ALA-EX-ZZ-D-L-0004 P03), 'Planting Plan' (Dwg No. FS1013-ALA-EX-ZZ-D-L-0010 P03) and 'Biodiversity Enhancement Measures Report' (Version 1).

The LEMP should include:

1. Description and evaluation of features to be managed;
2. Ecological trends and constraints on site that might influence management;
3. Aims and objectives of management;
4. Appropriate management options for achieving aims and objectives;
5. Prescriptions for management actions for all habitats for a period of no less than 30 years;
6. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
7. Details of the body or organization responsible for implementation of the plan, and;
8. Ongoing monitoring and remedial measures.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

### Sport England

Sport England do not consider that the non-statutory objection can be overcome by the imposition of planning conditions, but notwithstanding their objection and without prejudice, suggest the following conditions:

31. No development shall commence until such time as the replacement leisure facility in Radcliffe town centre, known as Radcliffe Hub, permitted by planning permission 69388, is fully available for public use.

32. No development shall commence until details of the design and layout of the 3G pitch which should be World Rugby Reg 22 compliant; 2G pitch; and MUGA; have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The 3G pitch; 2G pitch; and MUGA; shall not be constructed other than in accordance with the approved details.

33. The development hereby approved shall not be occupied until full details of a Ball Strike Assessment in particular regard to the western boundary, has been submitted to the LPA. Any mitigation as required shall be installed in full before the development is first occupied and thereafter be managed and maintained in accordance with the approved details.

34. A mini football pitch to Sport England/FA standards shall be provided on the area shown as 'J' on Drawing FS1013-ALA-EX-ZZ-D-L-0001 S2 Rev P04 and shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before occupation of the development hereby permitted.

35. No development shall commence until a scheme to ensure either:

(a) the continuity of the existing sports use of/on the playing fields/sports facilities shown edged red on Drawing No. FS1013-ALA-EX-ZZ-D-L-0002 S2 Rev P02; or

(b) the provision of replacement facilities

has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The scheme must set out details of the size, location, type and make-up of the facilities or replacement facilities (as appropriate) together with arrangements for access. The scheme must include a timetable for the provision of the facilities or replacement facilities (as appropriate). The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

36. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall, changing/toilet facilities, 3G pitch, 2G pitch, MUGA and natural turf mini pitch and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

37. The sports hall shall be laid in accordance with Sport England's technical standards

<https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/floors-for-indoor-sports.pdf?VersionId=8uLYEQAATJmQgmSNzlpEFGbIKREKL7nF>

38. Before the school is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. For Artificial Grass Pitches add measures to ensure the replacement of the Artificial Grass Pitch within a specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the school

39. No development shall begin until a Management and Maintenance Scheme for the playing fields as shown on Drawing FS1013-ALA-EX-ZZ-D-L-0041 S2 Rev P03 and identified as 'Disused former grass pitch area', including management

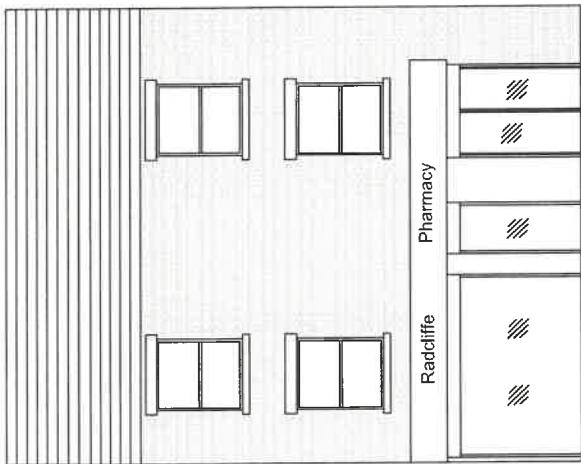
responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the school

It is recommended that only conditions **32 (adapted so that it becomes a pre-occupation condition), 33, 37 and 38, as worded above are attached**. The mini-pitch should be provided in accordance with the submitted details and an alternative wording to suggested condition 34, as set out below, is recommended. Suggested condition 36 is already covered by condition 8 in the report.

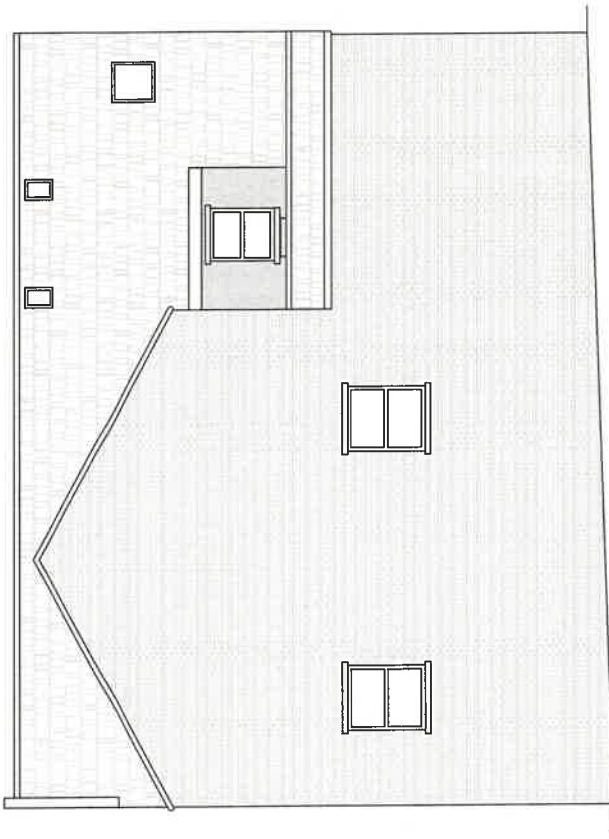
As the mini football pitch would be intalled in the area where the approved temporary school is to be sited and would be required to remain in situ until the proposed permanent school building is completed, the suggested alternative wording for condition 34 is as follows:

34. The mini football pitch, as detailed in the approved drawing FS1013-ALA-EX-ZZ-D-L-0001 S2 Rev P06, shall be constructed, laid out and shall be made available for use within 12 months of the first occupation of the development.

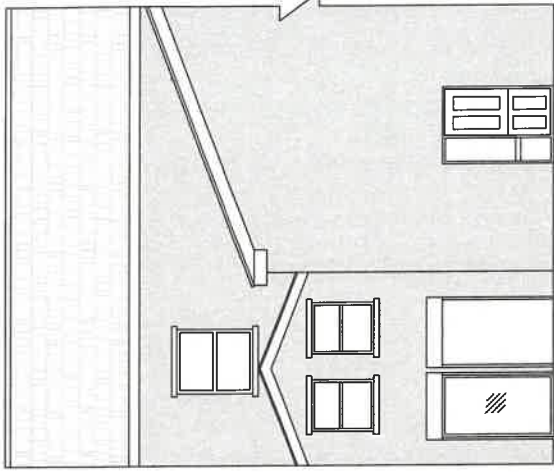
It is recommended that conditions **31, 35 and 39 are not included**. The Committee report sets out the circumstances pertaining to the Radcliffe Hub and alternative sports provision whilst this facility and the school are in development (Conditions 31 and 35). Concerning suggested condition 39, the area to the west of the proposed school (noted as 'Area for Future Development') will fall outside of the land associated with the school.



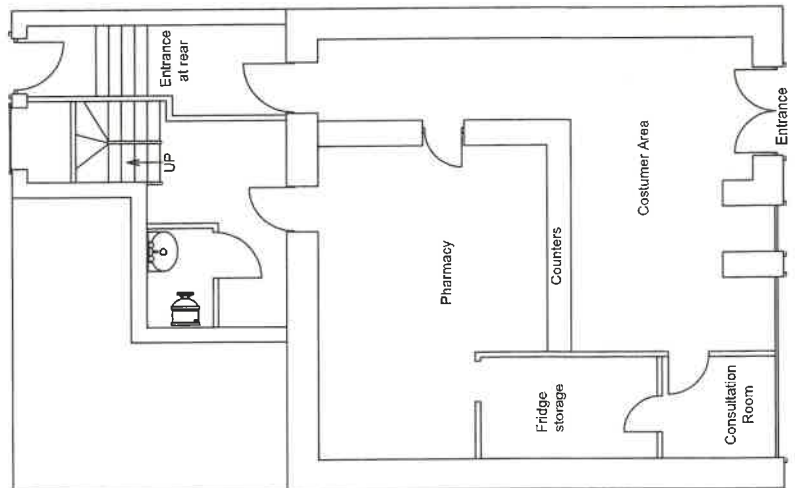
Proposed Front Elevation



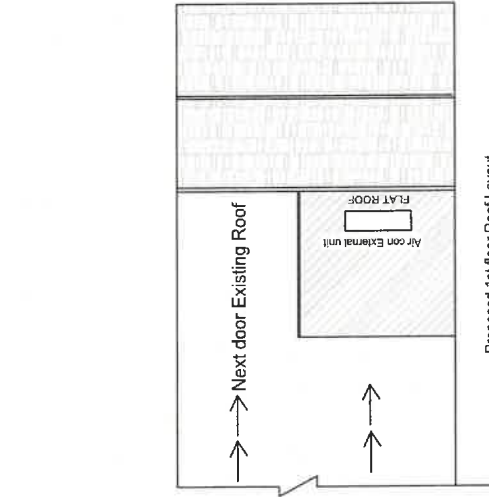
Proposed Side Elevation



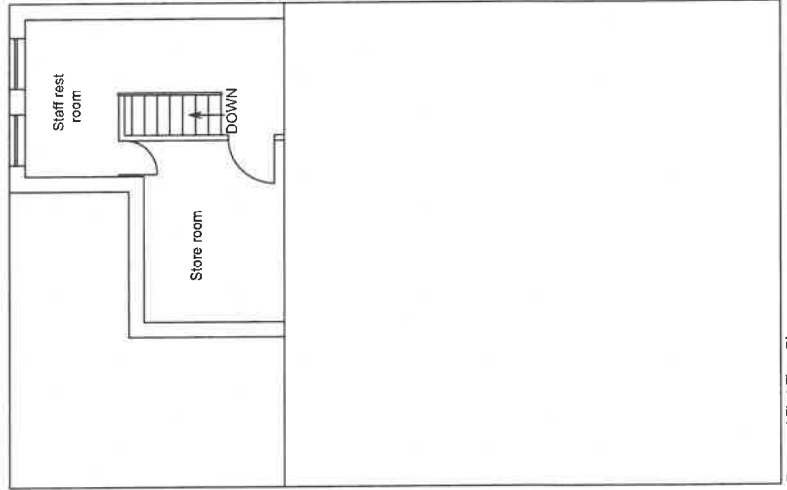
Proposed Rear Elevation



Proposed Ground Floor Plan



Proposed 1st floor Roof Layout



Proposed First Floor Plan

This drawing is the property of IPS Architects and copyright is reserved by them. This drawing is not to be copied or disclosed by or to any unauthorized person without the prior written consent of IPS Architects.

Do not scale from this drawing.

All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

Any discrepancies are to be reported to the architects for clarification.

All materials and workmanship to be accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialist drawings and specifications.

**Planning Services**  
 2 York Street  
 Bury  
 Lancashire  
 BL9 7AR  
 email: ipsuk@live.co.uk

**Proposed Elevations & Plans**  
 of 47-49 Church Street Radcliffe M26 2SP

|                         |                          |
|-------------------------|--------------------------|
| Scale : 1 : 100 on A3   | All Dimensions in Meters |
| Ref: IPS/R/47/M262SP    | Date :16/12/2014         |
| REV: A Date: 09/10/2023 | Proposed                 |
| SHT 2 of 3              |                          |