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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,
U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn,
G Staples-Jones, D Vernon, M Walsh and L Ryder

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, 20 February 2024
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

20 February 2024

SUPPLEMENTARY INFORMATION

The following is to be read in conjunction with all items being considered by the Planning Control Committee

Places for Everyone Update

The Places for Everyone Joint Development Plan was submitted to the Government for examination in February 2022 and this marked the start of the independent examination into the plan, the final stage in the plan making process. Three Inspectors were appointed to examine whether the submitted plan met the tests of soundness as defined in the National Planning Policy Framework (NPPF) and met all the relevant legislative requirements, including the duty to co-operate.

The examination of the plan has taken two years and during that time the Inspectors have considered comments raised and all submitted evidence, including evidence given at public hearing sessions which took place between 1 November 2022 and 5 July 2023.

The Inspectors have now concluded their examination of the plan and have issued their findings and recommendations in their Inspectors' Report which was received on 14 February 2024. In that report the Inspectors conclude that all legal requirements have been met and that with the recommended main modifications set out in the Appendix of their report, the Places for Everyone Joint Development Plan Document satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

The Inspectors' Report is available to view on the Combined Authority's web site at: www.greatermanchester-ca.gov.uk/what-we-do/planning-and-housing/places-for-everyone/ and further details and updated FAQs can be found on the Bury Council web site at: <https://www.bury.gov.uk/planning-building-control/policy-and-projects/planning-policy/places-for-everyone>

The next step is for all nine Places for Everyone Councils to consider the Inspectors' recommendations and adoption of the Plan. Currently it is anticipated that these Council meetings will be held between 28 February and 20 March 2024, with Bury Council due to consider this on 20 March.

If it is agreed by all nine Council's, Places for Everyone will become a key part of Bury's statutory development plan and will be given full weight in the decision-making process.

Item:01 509-511 Bury New Road, Prestwich, Manchester, M25 3AJ Application No. 69971

Change of use from snooker hall (Use Class F2) to cabaret venue /bar /drinking establishment (Sui Generis); installation of bifold doors to front elevation. Upgrading existing steps, installation of access ramp and balustrade to provide level access to the front of the building.

Extension of Time - Yes - 23/02/2024

Nothing further to report.

Item:02 65 Windsor Road, Prestwich, Manchester, M25 0DB Application No. 70340

Change of use of ground floor from shop to restaurant (Use Class E) with opening times 07.30 - 21.00; canopy at front and installation of an external flue pipe at the side/rear (Temporary consent for 12 months)

Extension of Time - Yes - 23 February 2024

Comments from Waste Management
Either bin storage areas would be sufficient.

Comments from Highways

Add condition for dealing with surface water run off:

7. Notwithstanding the details indicated on approved plan references 06C & 07A, a scheme for dealing with surface water drainage arrangements for the proposed canopy structure (that demonstrates no projection over or discharge onto the adjacent adopted highway) shall be submitted within 28 days from the date of this decision and submitted to the Local Planning Authority for Approval; The subsequently approved scheme shall be implemented within 28 days following approval of the scheme.

Reason - To ensure that the development considers appropriate drainage considerations and dealing with surface water run off in relation to the proximity of the development to the public highway pursuant to UDP Policy EN5/1 - New Development and Flood risk.

Item:03 47 Fairfield Drive, Bury, BL9 7SL Application No. 70342
Demolition of existing conservatory and erection of single storey side extension

Extension of Time - Yes (22/02/2024)
Nothing further to report.

Item:04 210 Turks Road, Radcliffe, Manchester, M26 3NW Application No. 70367
Single storey extension at side

Extension of Time - Not required.
Nothing further to report.

Item:05 3 no. sites on Sandgate Road, 2 no. sites on Heys Road and 1 no. site on Heywood Road, Willow Road, Fairfax Road and St Margarets Road Application No. 70011
Erection of poles, TPK's and Flat panels to create an Eruv on 9 no. sites

Extension of Time - 23/2/24

Nothing further to report

Item:06 21 Church Street East, Radcliffe, Manchester, M26 2PG Application No. 70136

Change of use of ground floor to 7 bedroom (single occupancy) House in Multiple Occupation (Sui Generis); Single storey rear extension; Alterations to include new windows and doors

Extension of Time - Yes. Agreed extension until 23/02/2024

Clarification of the description

Change of use of ground floor to 7 bedroom (single occupancy) House in Multiple Occupation (Sui Generis); Single storey rear extension; Alterations to include new windows and doors

Statutory/Non-Statutory Consultations

Greater Manchester Police - design for security: No objection.

GM Police are aware that there are a number of HMOs in and around the town centre area, of varying quality and this can impact the residential amenity of long term residents of the area. The proposals do seem to be of a higher quality than what is offered in many developments and the inclusion of ensuite bathrooms reduces the potential for conflict between resident, and the applicant does seem to be mindful of having a higher standard of offering.

With regards to the HMO we would recommend that all new doors/windows/glazing are to Secured by Design standards to ensure there is a high level of security to the building. Bedroom doors should be a minimum 44mm thick, solid core, and have a lock certified to BS 3621/8621. I would highly recommend that a secure mail delivery system is provided (i.e. secure through-the-wall mailboxes for each residents) rather than all mail being delivered through a single point. A video intercom for visitors is also recommended.

Access to the first floor flat isn't ideal and I would recommend that the gate is self-closing and locking so that it cannot be left insecure. Mail and visitor arrangements should be carefully considered, i.e. secure mail box within the gate/wall and an intercom for visitors. The entrance door into the flat should be certified to BS PAS 24.

Comment

The Secured by Design recommendations relate to internal fittings or the existing first floor flat and so can not be controlled by a planning permission (but can be included as an informative).

No additional conditions are recommended

Item:07 36 Irwell Street, Radcliffe, Manchester, M26 1LR Application No. 70256
Change of use from dwellinghouse (Class C3) to residential care home for up to 3 no. children (Class C2)

Extension of Time - Yes. Agreed extension until 22/02/2024

Statutory/Non-Statutory Consultations

Greater Manchester Police - design for security: No objection.

GM Police typically would not support/object unless there was an overwhelming body of evidence that it would be detrimental to the local area. We have to be mindful that these care homes need to exist somewhere and a residential setting is the most appropriate.

Parking and generally comings/goings of staff/support workers can be problematic in areas which rely on street parking. The applicant has documented that there is ample parking in local car parking areas. Most issues typically occur when staff park on the street during the day and local residents come back from work to a lack of parking near their house. A commitment to parking in these car parking areas would reduce the potential for conflict.

The number of children and staff in the house would total 7, which is quite high and could cause significant noise disturbance for neighbouring properties, which should be considered when determining the application. A robust management plan should be in place to limit disturbance to the local residents and to address issues before they escalate.

A temporary permission would allow the operation of the home and any issues to be evaluated further down the line.

Comment

The response from GM Police does not object to the proposal, acknowledging that residential settings are most appropriate.

Matters relating to vehicle parking are considered at 'Highway issues' in the Committee Report. However, the local planning authority could not compel staff and visitors to park on the public car parks in the vicinity and not on Irwell Street.

Matters relating to noise and disturbance are considered at 'Impact on residential amenity' in the Committee Report. It is noted that the Pollution Control Section have not raised an objection to the proposal. The management of the proposed care facility falls under the remit of Ofsted (Office for Standards in Education, Children's Services and Skills).

The assessment of the proposal in the Committee Report finds that the proposal would be acceptable, subject to the recommended conditions. There would not therefore be a planning justification to approve planning permission on a temporary basis.

Publicity

A 38 signatory petition objecting to the proposal has been submitted. This does not raise any matters that have not already been noted in the Committee Report.

One further representation has been received objecting to the proposal. It raises the following concerns in addition to the comments that are noted in the Committee Report.

- The GM Police consultation response is clear that noise will be a significant problem for neighbours. Increasing occupation of the property (currently 2 adults and 2 children) as a result of the proposal will increase noise levels further, which will have detrimental impacts on neighbouring amenity, with consequential impacts on their employment.
- Observations made in the December 2016 Department of Education (DoE) report 'Local authority use of secure placements' clearly states accommodating young people in residential settings does not work, highlighting the considerable difficulties encountered when trying to house teenagers with complex mental health issues in residential settings.
- No consideration has been given to neighbours mental health and wellbeing. The proposal has put neighbours under immense pressure and stress.

Comment

Matters relating to noise and disturbance are considered at 'Impact on residential amenity' in the Committee Report. It is noted that the Pollution Control Section have not raised an objection to the proposal. The management of the proposed care facility falls under the remit of Ofsted (Office for Standards in Education, Children's Services and Skills).

The report referred to is a research paper by the Department for Education relating to secure children's homes and is not a statement of government planning policy. The National Planning Policy Framework is the relevant and this is referred to in the Committee Report.

Matters relating to neighbours amenity are considered at 'Impact on residential amenity' in the Committee Report.

General comment

There are a number of examples where the Council has approved Lawful Development Certificates for proposed care homes (for children or adults) of a similar scale and operation, and relating to existing dwellings, as proposed here. As a result, planning permission was unnecessary, as no material change of use had been found to have occurred.

In this case, the applicant has chosen to apply for planning permission. However, if an application for a Lawful Development Certificate had been submitted, it is likely, given the scale and nature of the proposed operation and the size of the dwelling, that a Lawful Development Certificate would have been approved. In such circumstances, planning permission would not have been required.

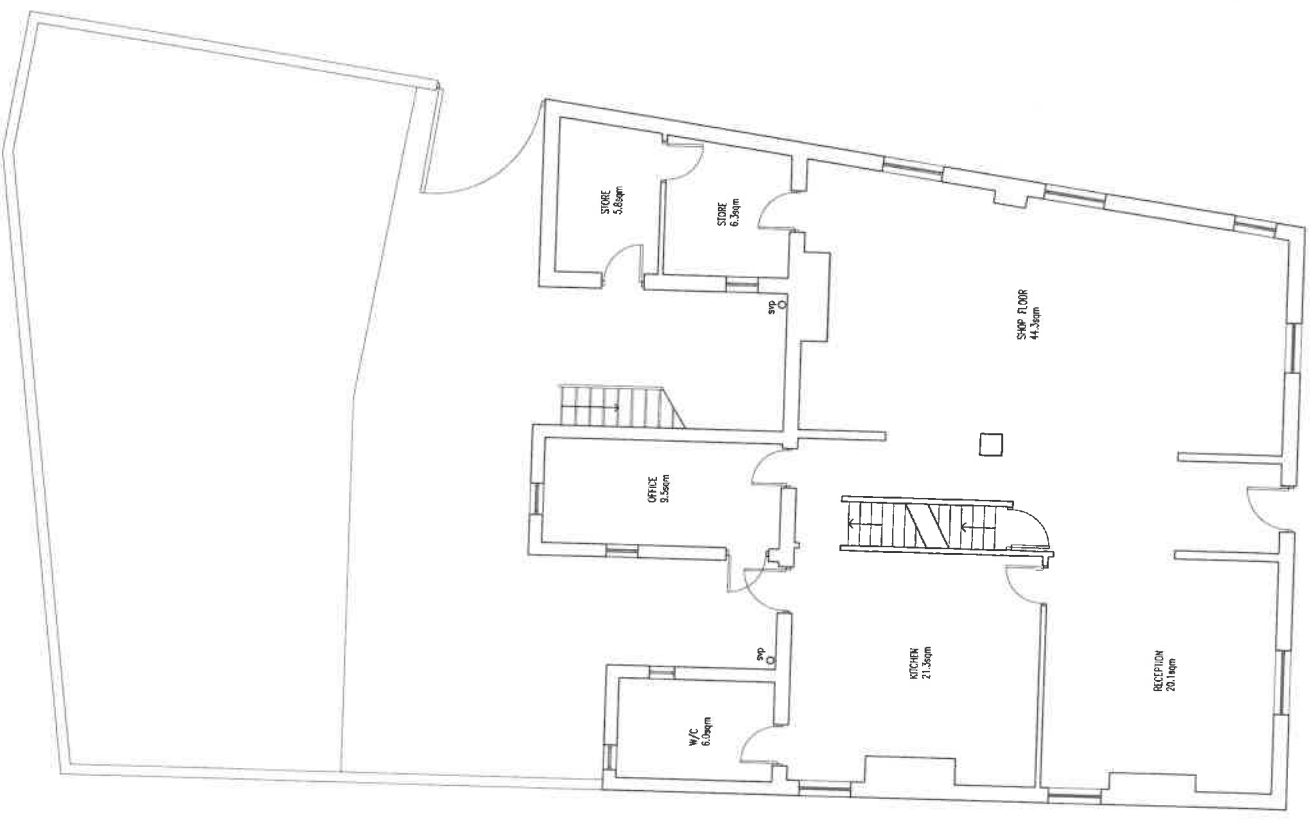
No additional conditions are recommended.



Project	21 Church Street East
Client	Radcliffe, M26 2PG
Architect	Mark Gordon Design + Associates
Scale	1:100
Date	July 2023
Sheet	P1

Mark Gordon
Design + Associates

Project	21 CHURCH STREET EAST
	RADCLIFFE, M26 2PG
Drawing Title	EXISTING PLAN LAYOUTS
Drawn By	
Checked	
Date	JULY 2023
Scale	1:100
Drawing No.	21SITE/201/PL
	P1





Project 21 CHURCH STREET EAST RAUCLIFFE, M26 2PG	Drawing Title PROPOSED PLAN LAYOUTS
Drawn By JULY 2023	Checked By SCALE 1 : 100
Drawing No. 21STE/205/PL	Rev.



PROPOSED FIRST FLOOR PLAN
1:100 @ A3

PROPOSED GROUND FLOOR PLAN
1:100 @ A3

