

# Public Document Pack

## 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 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, 19 March 2024
<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 - 8*)

Reports attached.

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

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**PLANNING CONTROL COMMITTEE**

**19 March 2024**

**SUPPLEMENTARY INFORMATION**

**Item:01 Walshaw Hall, Bradshaw Road, Walshaw, Tottington, Bury, BL8 3PJ  
Application No. 69530**

Conversion of care home (Class C2) to 16 no. residential apartments (Class C3) with associated facilities and internal and external alterations

**It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for a contribution towards recreation provision and affordable housing pursuant to Policies RT2/2 and H4/1 of the Bury Unitary Development Plan. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.**

**Extension of Time** - Yes - 29 March 2023

**Description**

The proposed development involves the conversion of the building to 16 apartments. This was reduced from 19 apartments to ensure that the dining room and the associated fireplaces and internal decor could be retained in its entirety.

**Publicity**

2 letters have been received in relation to the revised plans, which have raised the following issues:

- Bats roost in the Lime tree on site. I would like a condition to be added that "no future landscaping plans remove any of the bushes and trees on the adjacent property and consultation is required with myself and/or bat conservation prior to any future works".
- Your document 01 Proposal document in the title refers to 16 apartments but in the Proposed Development section para 1 still refers to 19 apartments?
- I find the trip generation still misleading for the following reasons
  - Walshaw care home was shut 5 years ago and residents moved into the Dementia unit, so both businesses have operated as one.
  - How can the addition of 16 apartments only increase the trip rates by 3 per day?
  - I can only assume that the baseline was set +5 years ago with a full care home which I feel is misleading.
  - The care home would not have generate anything near the amount of trips that could be generated by the proposed 16 apartments. Potentially 16 apartments with 32 cars, visitors and deliveries will increase the trip rates by well over 100 per day.
- The apartments are 16 in total on the plans. The total mix of apartments on the proposed ground floor plan, proposed first floor plan and proposed second floor plan adds up to 17 not 16. Apartment 9 shows as a 1 bed on the plans but as 2 bed on the area schedule. Could you please clarify?
- If the application is approved, would a Biodiversity net gain plan be required to be submitted by the applicant, which would need to be approved prior to the commencement of any development?
- As the number of apartments has reduced by 3, will the car parking spaces remain the same?
- Fencing on the plans is described as low. How high is low? And, what type of fencing will this be?
- Is there a landscaping plan? Or is this in total as shown on the East elevation of Walshaw Hall. And behind the car parking spaces directly in front of the lawn at the front of Walshaw Hall. We note there is no landscaping around the bin store

- to obscure it.
- What exactly is the intended use for the new lay-by on our side of the drive?
- Have any of previously made comments relating to concerns, been acted on by the applicants? Will any be listed as a condition and if so which?
- Anything described as potential on the plans, would they require planning permission if to be implemented?
- The words Property grounds appears on the plans on Walshaw Hall's front lawn. What or who does this relate to? The owners, future apartment occupants or Walshaw Hall itself?
- Why is a revised site plan which seems to be at least 12 years old being used in this application? This shows the 163 trees which were removed before The Beeches was built between 2014 - 2016. It also shows trees we had removed on our land in August 2012 and March 2013. This site plan is portraying an inaccurate picture of the environment in Walshaw Hall's grounds for anyone viewing it.
- Are any apartments intended for social housing use? The tenure of occupiers of the apartments has never been made clear.
- We would draw your attention to the Waste Management comments showing as received on June 21 2023. In it there is a requirement that their vehicle is able to enter and leave in forward gear. That is not the case. They are not able to do this and now reverse onto the car park at The Beeches. This is something that we have witnessed. This situation may deteriorate further with the proposed additional parking there.
- And finally. We are disappointed at the time we have been given to look at and try to understand these plans. It is questionable whether ' public law fairness ' has been afforded to us and others. Your letter was received on March 12. The deadline for comments 3 days later on Friday March 15.

### **Response to objectors**

- The proposed development does not include for works to the trees on site. All of the trees on site are protected and any works would require an application.
- The proposed development would provide 16 apartments.
- Whilst the care home closed, the lawful use of the building is as a care home and it could re-open without requiring any consent. As such, the traffic that the building could generate as a care home is a material consideration when assessing this application.
- Apartment 7 is a duplex apartment and appears on the ground and first floor plans.
- Apartment 9 is a 1 bed apartment.
- A biodiversity net gain plan would not be required as the application was submitted before 12 February 2024.
- The number of car parking spaces would be 45.
- No fencing is indicated on the proposed site plan and a condition has been added in relation to fencing.
- Condition 7 requires a landscaping plan to be submitted.
- The proposed lay-by would be used as a passing place.
- It would depend upon the proposal and what permitted development rights are available.
- The 'property grounds' would be used as private amenity space in conjunction with the proposed apartments.
- The proposed site plan is accurate with regard to the trees and land within the application boundary.
- The proposed development would be used as market housing and 2 would be

- affordable units.
- The letters were posted on 8 March and the Council cannot be held accountable for Royal Mail delivery times.

### **Consultation**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to site access improvements, car and cycle parking and bin storage.

**Pre-Start Conditions** - Applicant/Agent has agreed with pre-start conditions.

### **Issues and Analysis**

**Parking** - SPD11 states that the maximum parking standards are 2 spaces per 1 bedroom unit and 2.5 spaces per 2 bedroom unit in a low access area. This equates to 37 spaces.

The proposed development would provide 45 spaces. Whilst this would be above the maximum standard of 37 spaces, it is acknowledged that it would be difficult to park on the access road and as such, the level of parking would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

### **Conditions**

Condition 8 should be amended and conditions 9 - 11 are added:

8. The car and cycle parking indicated on approved plan reference C0701-102 Revision P5 shall be made available for use prior to the use hereby approved commencing and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

9. The site access improvements indicated on approved plan reference C0701-102 Revision P5 shall be implemented prior to the use hereby approved commencing, with the 'new layby' shown used as a passing place and not as a parking facility.

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 the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

10. The bin storage facilities indicated on approved plan reference C0701-102 Revision P5 shall be made available to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and maintained thereafter.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

11. Prior to the commencement of development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.

Reason. To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

**Item:02 Freisner Day Nursery, Earl Street, Prestwich, Manchester, M25 1GQ**

**Application No.** 70070

Change of use from nursery building to 3 no. dwellings with associated car parking & external works

**Extension of Time** - Yes (Extension to 21/03/2024)

Nothing further to report.

**Item:03 Land adjacent to 11 Walter Street, Prestwich, Manchester, M25 3HJ**

**Application No.** 70083

Erection of 1 no. dwelling

**Extension of Time** - Yes 20 March 2024.

**Publicity**

1 letter has been received from the occupiers of 39 Harold Street, which has raised the following issues:

- We object to this revised property although we agreed to the previous one submitted as the revised property is much larger than the previous one.
- The gable elevation will be closer to our property and there is no visible measurement on plan to show the distance from our back aspect to the gable. Does this meet planning standards?

**Response to objectors**

- There would be 13.06 metres between the proposed dwelling and the rear of the dwellings that front onto Harold Street. This would be in excess of the aspect standard in SPD6.
- This distance is shown on the proposed site plan.

**Item:04 147-155 Walshaw Road, Bury, BL8 1NH Application No. 70343**

Change of use from residential care home (Class C2) to 13 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works

**Extension of Time** - Yes. Extended to 22/03/2024.

**Statutory/Non-Statutory Consultations**

**Greater Manchester Police - design for security:** No objection.

Walshaw Road does not appear to be a neighbourhood where there is a concentration of HMO's. Having examined the submitted plans and supporting statements, I find the proposals reasonable but lacking in detail relating to the existing or proposed security arrangements of the property. However, GM Police are willing to support the application, subject to the inclusion of conditions requiring the submission of a crime prevention plan, relating to security measures at the site, and a management plan, relating to communal areas within the site and management arrangements for potential nuisance from tenants.

Comment

Internal security fittings cannot be controlled by a planning permission (but can be included as an informative to guide the developer in relation to best practice) and

management arrangements for tenants falls under the remit of the HMO licensing regime.

**Publicity**

One further letter of representation objecting to the proposal received since the publication of the report, which does not raise any additional matters to those previously reported.

**No changes to the recommendation or additional conditions are recommended**

**Item:05 388 Tottington Road, Bury, BL8 1TU Application No. 70354**  
Change of use from residential care home (Class C2) to 16 no. bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis) with associated works

**Extension of Time** - Yes. Extended to 22/03/2024  
Nothing further to report

**Item:06 193 Walmersley Road, Bury, BL9 5DF Application No. 70439**  
Change of use from dwelling (Class C3) to 8 bedroom (single occupancy) house in multiple occupation (HMO) (Sui Generis), loft conversion with front and rear dormers, car parking provision, and associated works

**Extension of Time** - Yes - 22/3/24  
Nothing further to report