

# Public Document Pack

## AGENDA FOR PLANNING CONTROL COMMITTEE



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

**Councillors :** G McGill (Chair), S Arif, C Boles, D Duncalfe,  
U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn,  
G Staples-Jones 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, 9 July 2024
<b>Place:</b>	Peel Room, 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.

## **AGENDA**

### **4 PLANNING APPLICATIONS** (*Pages 3 - 10*)

Reports attached.

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

**PLANNING CONTROL COMMITTEE**

**09 July 2024**

**SUPPLEMENTARY INFORMATION**

**Item:01 Kemp Heaton Avenue, situated between Bury Cemetery to the north and Peachment Place Extra Care apartments to the south. Application No.**

70015

Erection of 18 no. supported living apartments (Class C2) and 25 no. dwellings (Class C3), construction of a new vehicle access point and associated parking and landscaping.

**Extension of Time** - Yes - 12 July 2024

**Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions.

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

**Conditions**

Conditions 2, 13 and 15 have been amended as follows.

2. This decision relates to drawings numbered 12551-AEW-XX-XX-DR-A-0501 P02, 12551-AEW-SI-XX-DR-A-0502 P02, 12551-AEW-XX-XX-DR-A-6002 P04, 12551-AEW-B1-XX-DR-A-0550 P02, 12551-AEW-XX-XX-DR-A-6001 P05, 12551-AEW-AB-XX-DR-A-0520 P02, 12551-AEW-CF-XX-DR-A-0540 P02, 12551-AEW-AB-XX-DR-A-0521 P02, 12551-AEW-AB-XX-DR-A-0523 P02, 12551-AEW-AB-XX-DR-A-0522 P02, 12551-AEW-SI-XX-DR-A-0504 P02, 12551-AEW-SI-XX-DR-A-0503 P22, 12551-AEW-SI-XX-DR-A-0505 P04, 12551-AEW-H1-XX-DR-A-0530 P02, 12551-AEW-XX-XX-DR-A-6000-S2-P04 , 12551-AEW-XX-XX-PP-A-006-P04, 387 03 P, 387 04 J, 387-05E, 387-05F, KHAB/MS/01, Existing topographical and utility Survey (Dwg No. S23-0219) and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

13. No development shall commence unless or until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason. In order to ensure that no harm is caused to a Protected Species and to the wider environment pursuant to Policy EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

15. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 13753-5050, Rev P1 - Dated 09/08/2023 which was prepared by Campbell Reith. For the avoidance of doubt surface water must drain at the restricted rate of 6.17l/s.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3

- Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

### Highway conditions

Condition 16 amended to read -

1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of any statutory undertakers connections to the site/new dwellings;
2. Access route for all construction vehicles to the site from the Key Route Network;
3. Access point(s)/arrangements for construction traffic from St. Peter's Road/Kemp Heaton Avenue, taking into consideration the need to maintain safe pedestrian and/or vehicular access to the adjacent Peachment Place Extra Care Scheme and non-definitive right of way that crosses the site at its northern boundary and all temporary works required to facilitate access for construction vehicles;
4. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain safe pedestrian and/or vehicular access to the adjacent Peachment Place Extra Care Scheme and non-definitive right of way that crosses the site at its northern boundary;
5. The provision, where necessary, of temporary pedestrian facilities/protection measures;
6. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto/along St. Peter's Road/Kemp Heaton Avenue;
7. Confirmation of hours of operation and number of vehicle movements;
8. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
9. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
10. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks 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.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate off street car parking provision and 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 pursuant to Policies EN1/2, JP-C5 and JP-C6.

Conditions 17- added -

17. Notwithstanding the details indicated on the approved plans, no above ground works shall commence unless and until full details of the following have been submitted to a scope and specification to be agreed on a topographical based survey of the site and adjacent highways to the Local Planning Authority:

1. Formation of the proposed accesses onto St. Peter's Road/Kemp Heaton Avenue, incorporating the provision of adequate footway arrangements at the interface with the access to the Supported Living Apartments, required rubbing

strip to the north of the extension of St. Peter's Road and proposed  
bridleway/upgrading and improvement of the non-definitive right of way that  
crosses the site and all associated accommodated works, provision of visibility  
splays appropriate for a design speed of 20mph, demarcation of the limits of the  
adopted highway, removal of existing/provision of new tactile paved crossing  
points, give-way markings and alterations to existing road markings (subject to  
the requirements of the scheme of 20mph traffic calming measures) and all  
associated highway and highway drainage remedial works;

2. In connection with the above, revised dropped crossing arrangements/positions  
(and if required, any revised driveway and hardstanding arrangements/positions)  
for Plots P1 - 5 in order to review the ability for residents and visitors to be able to  
park on A scheme of 20mph traffic calming measures on St. Peter's Road/Kemp  
Heaton Avenue to a scope and specification to be agreed, incorporating all  
measures, road markings and signage as required.

The details subsequently approved shall be implemented to an agreed programme.  
Reason. Information not submitted at application stage. 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  
pursuant to Policies EN1/2, H2/2, JP-C5 and JP-C6.

18. In the event that it is not intended for the proposed residential estate roads to be  
considered for adoption by the Council, or in the event that an agreement has not  
been reached with the Local Highway Authority to secure adoption, prior to  
occupation details of the proposed arrangements for future management and  
maintenance of the proposed estate road within the development shall be submitted  
to and approved by the local planning authority. The estate road shall thereafter be  
maintained in accordance with the approved management and maintenance details  
until such time as a private management and maintenance company has been  
established.

Reason. To ensure that the unadopted estate road serving the development is  
maintained to an acceptable standard in the interest of residential/highway safety; to  
ensure a satisfactory appearance to the highways infrastructure serving the  
development; and to safeguard the visual amenities of the locality and users of the  
highway pursuant to Policies EN1/2, H2/2, JP-C5 and JP-C6.

19. The various turning facilities indicated on the approved plans shall be provided  
before the areas of the development to which they relate are first occupied and the  
areas used for the manoeuvring of vehicles shall subsequently be maintained free of  
obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the  
highway in the interests of road safety pursuant to Policies EN1/2, H2/2, JP-C5 and  
JP-C6.

20. Minimum hardstanding lengths of 5.0m at all dwellings shall be provided and  
thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors  
are opened and/or to allow adequate space to maintain a vehicle clear of the highway  
in the interests of pedestrian safety pursuant to Policies EN1/2 and H2/2.

21. The car parking indicated on the approved plans shall be surfaced and made  
available for use prior to the each dwelling/part of the site to which it relates being  
occupied and thereafter maintained at all times.

Reason. To ensure adequate off-street car parking provision in the interests of road

safety pursuant to Policies EN1/2 and H2/4.

22. Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to Policies EN1/2 and H2/2.

**Item:02 Former Mondi/Holcombe Mill, Bridge Street, Ramsbottom, Bury, BL0 0BS  
Application No. 70222**

Erection of 57 no. dwellings, the retention of a chimney and the demolition of 3 existing buildings, together with engineering operations to create a development platform, public car park, substation, public open space, landscaping, drainage, the layout of internal estate roads and footways and other associated works.

**Extension of Time** - Yes - 12 July 2024

**Publicity**

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

- How does the application answer the Inspector's objection that they could not be certain that the the proposed development would not cause an elevated risk of flooding elsewhere or that the development could be made safe for the intended 'more vulnerable' occupants to the site over its lifetime.
- Stubbins and Ramsbottom were badly flooded in December 2015 and 54 properties were flooded. The river has flooded in 2017, 2020 and 2021. Flood defences installed in 2000 have been overwhelmed at least twice.
- The authority may be vulnerable to civil litigation if it permits house building on this site.
- Have Bury's legal officers risk assessed the implications for the Council from the Kane v New Forest District Council, 13th June 2001, which extended the prospects of claims in negligence against planning authorities.

Objection received from Ramsbottom Heritage Society -

- There is no reference made to suggestions to transform the appearance and facilities in the town centre particularly around Mondi Mill
- Riverside Walk and Public Open Space - original footpath to cricket club should be provided, to create a riverside path. Request that this is conditioned.
- Removal of every mature tree on site, regardless of location is excessive. Request that independent survey is carried out before any trees on site are removed.
- No drawings as to the final appearance of Bridge Street between the bridge and the railway crossing. Concerned that existing unsightly collection of artificial stone wall will be retained. Should be conditioned to be rebuilt in natural, locally sourced stone.
- Oppose use of artificial stone to build the houses that face railway line and periphery of site. Request that this is conditioned to be natural stone.
- No detail of what the new substation will look like.
- Scant mention of retention of Mondi Chimney in application. Request that PCC resist any attempts to allow this to be demolished and publish future maintenance

responsibilities.

- The Goit, must at very least be cleared/dredged and could be landscaped to provide a positive feature within the development adding flowing water through the town's biggest car park.

### **Response to objectors**

- The issues relating to flood risk that the Inspector raise have been addressed in the main report.
- The issues relating to heritage, impact upon the conservation area and landscaping have been addressed within the main body of the report.
- Access to the cricket club and football club would be maintained and would be improved through the provision of a footpath.
- The submitted arboricultural survey and site plan shows a number of existing trees retained on site and the landscaping plan has been conditioned. Additional condition proposed to ensure that existing trees are protected in line with BS 5837:2012 "Trees in relation to design, demolition and construction".

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

### **Planning Obligations**

The Section 106 agreement would secure the following:

- the construction and completion of the car park;and
- the developer will then be required to EITHER gift the car park to the Council (and pay an appropriate commuted sum towards future maintenance) OR ensure that the car park is thereafter maintained and managed as a public car park for use exclusively by members of the public

### **Conditions**

Therefore, condition 27 has been amended and condition 33 has been deleted as the provision of the car park would be secured through the Section 106 agreement. The subsequent conditions have been renumbered accordingly.

27. Notwithstanding the details indicated on the approved plans, no development other than demolition and remediation shall commence unless and until full details of the following, to a scope and specification to be agreed, have been submitted on a topographical survey of the site and adjacent adopted highways to the Local Planning Authority:

1. Reconstruction of the site access onto Bridge Street incorporating the provision of tactile paved pedestrian crossing points within the limits of the adopted highway;
2. Reconstruction of the southerly footway on Bridge Street abutting the site, incorporating the identification of, and agreement to, the limits and demarcation of the adopted highway including realignment where appropriate, reinstatement of all redundant accesses to full height kerb levels, provision of a footway to a width to be agreed with 1 in 40 falls to the carriageway, edgings with a 50mm upstand and all boundary treatment alterations adjacent to the back of the footway along the northerly site boundary and in front of Plots 8 - 12, with any foundations required for the replacement walls/fencing designed to not encroach under the adopted highway;
3. Provision of a street lighting assessment of the junction of the site access with Bridge Street (in addition to the and proposed private internal estate roads), and, if required as a result of the assessment, subsequent scheme of improvements on the existing adopted highway;
4. Formation of the proposed Secondary Emergency Access to the site adjacent to



Plot 12 to a width and specification to be agreed with Greater Manchester Fire and Rescue Service, incorporating adequate strengthening of the footway, levels and vertical alignment to ensure that the size, type and weight of a fully laden fire appliance can be accommodated at this point on the Highway Network in order to access the site;

5. In association with the above, a scheme of bollards to a specification to be agreed with Greater Manchester Fire and Rescue Service and at appropriate centres located clear of the adopted highway, to ensure that there shall be no direct means of non-emergency vehicular access between the site and Bridge Street;
6. Formation of the proposed pedestrian access to the site adjacent to Plot 8, incorporating the provision of pedestrian guardrailing of a length and type to be agreed, adequate footway width and levels at this access point and all associated accommodation works;
7. A scheme of road markings to introduce 'Keep Clear' and give way markings at the junction with Bridge Street, in addition to the provision of appropriate white lining within the private development itself;
8. Review of the Traffic Regulation Orders in the vicinity of the site to a scope to be agreed to cover whether any additional parking restrictions require introducing, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly;
9. Review of the bus stops in the vicinity of the site with a view to upgrading/improving any bus stops (as necessary). Should this review, undertaken in consultation with TfGM, determine that improvements are required, the application should include proposals for the upgrade of the bus stops, in accordance with 'Transport for Greater Manchester's Design Guidelines for Bus Stops';
10. All associated highway redial/accommodation works to accommodate the required highway works.

The highway works subsequently approved shall be implemented to an agreed programme before each phase of the development subsequently agreed is first occupied.

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 pursuant to the following Policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design

Policy JP-C5 - Streets for All

Policy JP-C6 - Walking and Cycling

Condition 38 has been added to ensure the protection of the trees to be retained on site:

38. All trees to be retained on site shall be protected in accordance with the approved Arboricultural Impact Assessment Ref: P.1202.19 and in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

**Item:03 Land adjacent 4 Holcombe Grove, Radcliffe, Manchester, M26 1SE**  
**Application No. 70644**

Erection of detached double garage with solar panels

**Extension of Time** - Yes. Extended to 12/07/2024

Since the original submission amended and accurate plans have been submitted.

**Conditions**

Condition 3 should be amended as follows:

This decision relates to drawings

Location Plan and Proposed Floor & Roof Plan (dwg no.00-04AS)

Proposed Elevations and Section (dwg no.00-04BS)

Proposed Site and Block Plan (Dwg No. 00-04ES)

Landscape Elevations (Dwg No. 00-04G2)

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

A further condition is recommended

5. The garage hereby approved shall be used as a private domestic garage and/or garden store only in association with 4 Holcombe Grove, Radcliffe, Manchester, M26 1SE and shall not at any time be used to provide living accommodation or for any purpose which would preclude its use for the parking of a motor vehicle.

Reason. To enable two off-street parking spaces in the interests of road safety, pursuant to Policy EN1/2 of the Bury Unitary Development Plan.

**Item:04 Radcliffe Public Library, Stand Lane, Radcliffe, Manchester, M26 1WR**  
**Application No. 70578**

Change of use of existing library (Use Class F1) to Enterprise Centre (offices/workspace) (Use Class E(g)(i)) by internally remodelling the building

**Extension of Time** - Yes. Agreed extension to 11/07/2024.

Nothing further to report.