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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:-

Date:	Tuesday, 23 July 2024
Place:	Peel Room, 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

23 July 2024

SUPPLEMENTARY INFORMATION

Item:01 Longfield Shopping Centre/Car Park, Fairfax Road Car Park and adjoining land at Bury New Road, Rectory Lane and Fairfax Road, Prestwich Application No. 70449

Hybrid Planning Application constituting EIA Development comprising:

Full application for demolition of existing buildings/structures and erection of phased mixed use development including Community Hub with flexible uses of library, offices, medical/health services (Classes F1 (a-f), F2(b), E(c), E(e), E(g)) & retail uses (Classes E(a), E(b) F2(a)) & Sui Generis (hot food takeaway & bar), new Market Hall (Classes E(a), E(b) & Sui Generis (hot food takeaway and bar)), Commercial Building with flexible uses including retail, offices, gymnasium (Classes E(a), E(b), E(c), E(d), E(g), F2(a), Travel Hub with car parking & cycle parking (Sui Generis), public square & realm, associated landscaping, car parking provision, cycle storage & associated works; and,

Part Outline application (all matters reserved) - mixed use development of residential (Class C3), flexible commercial, business, service, local community & learning uses (Classes E, F) & Sui Generis (hot food takeaway & bar), engineering works to Rectory Lane, new public realm, associated landscaping, car parking provision, cycle storage & associated works

Extension of Time - Yes - until 12 August 2024

Amendment to report:

Principle of Development Section - above the Conclusion insert the following:

The NPPG supports the efficient use of land, Policy JP-H4: Density of New Housing, of the Places for Everyone Joint Development Plan requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Policy JP-H4 sets out minimum densities that should be considered, with this site falling in an area where a minimum net residential density of 120 dwellings per hectares is appropriate, because it is within 400 metres of a Metrolink stop. The approximate site area of the residential site is in the region of 0.75 hectares, so 210 homes would equate to 280 dwellings per hectare and would therefore be in accordance with this policy.

Policy JP-H4 expects new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport. This site is within 400 metres of Prestwich Metrolink stop; therefore regard should be had to the minimum net residential density of 120 dwellings per hectare as set out in Policy JP-H4 of the Places for Everyone Plan, primarily delivered as apartments and incorporating houses and/or ground-floor duplexes where practicable. Based on the area indicated on the plans for the outline planning application, this proposal appears to be in accordance with this policy.

Delete Principle of Development Conclusion and replace with:

It is clear from all of the above that the proposals seeks to regenerate this portion of Prestwich and replace the buildings forming the Longfield Centre, as well as provide a number of new homes in a location that is considered to be highly accessible, due to its proximity to Prestwich Tram Station and the Bus Stops on Bury New Road, a main public transport route and at a density that accords with requirements of the Places for Everyone Plan The proposals are therefore acceptable in principle.

Statutory Consultee Response from Prestwich Village Neighbourhood Forum

They state the changes proposed are minimal and do not address their main concerns to the scheme which remain, the main ones being:

1. The large number of small apartments proposed on the site, that do not reflect local housing demand or need and are more likely to be attractive to transient groups with the blocks funded and owned by investors.
2. The mass of the apartment blocks which are more akin to a City Centre location and not a suburban site. The size of the blocks will create a large physical barrier to the site and will be an over-bearing presence on the surrounding street scene and from the Metrolink.
3. The impact of the scheme on Fairfax Road and the surrounding residential areas, particularly in terms of on street parking and traffic management.
4. The uncertainty over the relocation of the health centre into the Community Hub and subsequently uncertainty over what will occupy this building.

Response to consultee representation

The matters raised have been considered in the assessment of the planning application throughout the contents of the report.

Representations

3 further objections have been received raising the following concerns:

1. The number of apartments (210 is far too great for a small geographical area that is already has approximately 600 apartments Rectory Green; Radius; Hollies; Sherbourne Court.
2. Asserting, the height and density of the apartments are not suitable for a village centre that should be proportionately more retail than housing.
3. Stating the increase in carpark spaces causes concern as they could not find any supporting methodology that helped me understand how that figure was attained nor did I receive any assurance that the traffic management challenges have been addressed to avoid over spill onto Rectory Lane, Heys Rd.
4. Advise they are disappointed that the residents views have not been considered in the amendments in relation to the mass, type and density of housing despite the numerous comments on the planning portal that oppose 7 storey/ 210 apartments.
5. Representation from a resident raising concerns and stating that the proposals do not accord with the Draft Greater Manchester Rapid Transit Strategy which, amongst other things, seeks to integrate the rapid transit system (Metrolink) to be seamless within the Bee (Bus) Network and provides reasons why they consider the proposal does not accord with the draft strategy.

Response to representation

1. The site is in an accessible town centre location on the doorstep of the Metrolink Stop and a key transport corridor, the A56 Bury New Road and thus accords with PfE Policy JP-H1: Scale, Distribution and Phasing of New Housing Development.
2. The Committee Report discusses the above matters under both the amended 'Principle of Development' (Residential) section of the report and the Layout and Design section of the report. For the reasons given in the report, Officers consider the proposals can be supported and approved.
3. Please see the Highway Safety and Transportation section of the report - pages 34 - 41 of the Reports Pack.

4. Noted. Officers have however considered the proposals under consideration and for the reasons given throughout the report the proposals are considered to be acceptable.
5. Officers note the concerns raised and the reasons why the representation considers that the proposal does not accord with the draft Greater Manchester Rapid Transit Strategy. However, TfGM and Active Travel England have been consulted throughout the application process and have not raised any concerns in relation to draft Greater Manchester Rapid Transit Strategy.

Salford Diocese/ Our Lady of Grace Parish Church raise the following concerns:

1. Concerned about the impact of the proposed Travel Hub on the structural integrity of the Church, its Presbytery and Hall and raises concerns that there are no specific proposals for condition monitoring and mitigation during the construction phase, and no proposals for remediation of any consequential cracking or other disturbance, have been presented to the Parish of Our Lady of Grace or the Diocese of Salford.
2. Concerned that no specific details have been provided about any longer-term effects upon ground water levels and how these might impact the Parish's estate of buildings given their proximity to the proposed car park site and the earlier history of structural movement in the church.
3. Concerned about the noise and general disturbance during the construction phase.
4. State they are mindful of the impact the proposed car park would have in views towards and from the rear and side of the church, presbytery and hall.
5. Ask that the LPA consider whether some form of planning obligation would be appropriate in helping to offset detrimental impacts upon the setting of the church, presbytery and parish hall. Stating, all three buildings are non-designated heritage assets and all three are in need of significant repair investment.
6. Note that the recent temporary closure of the Fairfax Road public car park led to increased use of the Parish car park and raise concern that if the proposed car park were to become a pay-and-display provision, that pressures upon the Parish car park would again increase.

Response to representation

1. Structural Integrity of neighbouring properties is not a planning consideration. However, Officers have made the applicant aware of the concerns raised and will take this into consideration in determining how to construct the proposed Travel Hub. This will be picked up in the Construction Environmental Management Plan and also by recommended Condition no. 40.

The applicant will also have dialogue with the Our Lady of Grace/ Salford Dioceses throughout the construction process.

2. Recommended Condition no. 43 would ensure that the development suitably deals with surface water and what impact that this may have on surrounding ground levels.
3. Noise disturbance is a material planning consideration and has been discussed in the report under 'Noise and Vibration', with recommended Condition 37 dealing with noise through the construction phase of the development which would ensure that . Members should note that disturbance generated during the construction phase is not a material planning consideration.
4. The impact on the setting of the Our Lady of Grace Church, Prestbury and Hall have been discussed under the 'Heritage Assets' section of the report.

5. Officers have considered the request of contributions by the Diocese and consider the reasons for the requested contributions would not meet the tests set out in the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in the National Planning Policy Framework.

6. Officers understand the concern raised, however, this is not a material planning consideration and it would thus be up to the Church/ Salford Diocese to protect their car park from unauthorised parking.

Add Additional Planning Condition:

58. The uses of all the Plots and floors within those plots of the development hereby approved shall accord with the details and floor levels and floor areas specified within the Hybrid Planning Application - Development Specification, unless agreed in writing by the Local Planning Authority.

Reason: In the interests of clarity and to ensure that sufficient space for the ground floor uses proposed in each of the approved buildings/ plots is secured, and sufficient library/ community space is provided.

Amend Condition 16 - Page 62:

From:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), except for the portion of retail (Class E(a)) space shown on Drawing number: 207-JMA-A-00-DR-A-022400 Rev. P00, the Community Building - Plot A shall only be used for uses within Classes E(c), E(e), E(g), F1(a-f) and F2(b) and for no other purpose including any other purpose in Classes E or F of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class/ those Classes in any statutory instrument amending, revoking and/or re-enacting that Order with or without modification.

Reason: In order to define the permission and to ensure that satisfactory community facilities are provided for with the development pursuant to the principles of the National Planning Policy Framework.

To:

Notwithstanding the requirements of condition no. 58 of this permission, no more than 340 sq.m of the ground floor of Plot A under this permission shall be used for purposes falling within a Hot Food Takeaway use (Sui-Generis) and/ or a Drinking Establishment (Sui-Generis) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any equivalent Order following the revocation and re-enactment thereof. The upper floors of Plot A, the Community building shall accord with the uses defined within the Development Specification, dated January 2024.

Reason: In order to define the permission and to ensure that satisfactory community facilities are provided for with the development pursuant to the principles of the National Planning Policy Framework.

Members are also asked to note that the conditions will be re-numbered as a result of the above recommended condition and numbering errors within the Committee report. All conditions will also be re-formatted prior to any decision being issued.

**Item:02 Fairways Lodge Hotel, George Street, Prestwich, Manchester, M25 9WS
Application No. 70484**

Demolition of existing hotel building and erection of a block of 52 no. retirement living apartments including communal facilities, landscaping and car parking provision

Extension of Time - Yes 26th July 2024

Representations

1 further objection received

- Devastated to hear the news that this could possibly be going ahead.
- What are the council doing in helping us young sports teachers who teach to young kids in the area.
- The council is meant to be for the people, not for the money.
- Yet another housing facility does nothing for the area.
- We have nothing like the Fairways in the prestwich area.
- Their comparisons on the documents to Prestwich golf club is of zero relevance as it is a completely different community hub.

Response to representations

It is considered that these issues have been addressed within the main body of the published report.

Highways, Access and Travel

As reported in the main report, the Traffic Section raised no objections to the proposed access subject to conditions which have now been received and are listed below.

The area of grasscrete shown on the previous plans, has now been amended to gravel due to applicant identified issues with maintaining grasscrete and keeping it weed free. This area will remain free of obstruction due to the public right of way.

The conditions proposed are in relation to formation of the site access, resurfacing, marking and specifications of the area of gravel access, the submission of a construction traffic management plan, the retention of the existing public right of way, and implementation of parking, turning facilities and bin storage.

Conditions

Condition 2 amended to reflect the updated plan numbers submitted to show the area of gravel.

This decision relates to drawings numbered NO-2953-3-AC-PL01 PL1, NO-2953-3-AC-PL02 PL1, NO-2953-03-AC-PL03 PL1, NO-2953-03-AC-PL04 PL1, NO-2953-03-AC-PL05 PL2, NO-2953-03-AC-PL06.2 PL3, NO-2953-03-AC-PL06.1 PL3, NO-2953-03-AC-PL06 PL8, NO-2953-03-AC-PL07 PL3, NO-2953-03-AC-PL08 PL3, NO-2953-03-AC-PL09 PL2, NO-2953-03-AC-PL10 PL2, NO-2953-03-AC-PL11 PL2, NO-2953-03-AC-PL13 PL3, NO-2953-03-AC-PL15 PL2, NO-2953-03-AC-PL16 PL2, NO-2953-03-AC-PL17 PL2, NO-2953-03-AC-PL21 Rev A, NO-2953-03-AC-PL22 Rev A, NO-2953-03-AC-PL23 PL2, NW-2953-3-LA-101 Rev D, NW-2953-3-LA-201 Rev C, 882746 LDE P2, FLP/BS/01, MCS-2953-PRESTWICH, 40-01-LDE-DR-D-01-01-P4, 40-01-LDE-DR-D-01-02-P2, 40-01-LDE-DR-D-01-03-P2, 40-02-LDE-02-01-P4, 40-02-LDE-02-02-P2, 40-02-LDE-02-03-P2 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 Development Plan listed.

Condition 4 amended to allow demolition of the hotel as this is required to undertake the required site investigation works.

No development other than demolition shall commence unless and until:-

1. A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
2. Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
3. Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

Condition 3 amended so that material details are required prior to any above foundation level works:

Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before any development above foundation level is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design.

Typo in condition 7. Amended to:

7. The removal of tree T1 may have the potential to cause harm to bats as identified in the Preliminary Ecological Appraisal , e3p ref. 81-460-R1-1 and shall not in any circumstances occur unless precautionary measures or further survey have been provided to and agreed in writing by the local planning authority

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 – Features of Ecological Value of the Development Plan and Section 11 of the National Planning Policy Framework.

The following highways and public rights of way conditions have been added:

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

(1) Formation of the proposed site access alterations and pedestrian improvements on George Street to a scope and specification to be agreed, incorporating revised junction radii, the reinstatement of the redundant car park access, provision of new section of footway tying into the existing adopted footway of a width, where possible,

of 2.0m, demarcation of the limits of the adopted highway, and all associated highway and highway drainage remedial works;

- (2) Scheme of carriageway resurfacing works on George Street in the vicinity of the revised junction to a scope and specification to be agreed;
- (3) Provision of new give-way markings at the revised junction and all required alterations to existing road markings;
- (4) Scheme of works to a scope and specification to be agreed to connect the area of 'Gravel' indicated on approved plan NO-2583-03-AC-PL06-PL8 to Public Footpath No. 9, Prestwich and provision of a route through the remainder of the site, to be maintained free of obstruction and available for use in perpetuity.

The details subsequently approved shall be implemented to an agreed programme.

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 pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

20. The area of 'Gravel' indicated on approved plan NO-2583-03-AC-PL06-PL8 shall remain free of obstruction and be maintained available for use and connect to Public Footpath No. 9, Prestwich, unless in use by a fire appliance.

Reason. To maintain the extent of existing Public Right of Way footpath 9PRE pursuant to Policy RT3/4 - Recreational Routes of the Bury Unitary Development Plan.

21. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:

- (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 statutory undertakers connections to the site;
- (2) Access route for all demolition/construction vehicles to the site from the Key Route Network;
- (3) Access point/arrangements for demolition/construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to adjacent residential properties and Public Footpath No. 9, Prestwich, and all temporary works required to facilitate access for demolition/construction vehicles;
- (4) Hours of work for site preparation, delivery of materials and construction and number of vehicle movements;
- (5) Arrangements for the parking of vehicles for site operatives and visitors on land within the applicant's control, together with storage on site or on land within the applicant's control of demolition/construction materials;
- (6) Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres including details of areas designated for the loading, unloading and storage of plant and materials;
- (7) Details of the siting, height and maintenance of security hoarding clear of Public Footpath No. 9, Prestwich;
- (8) The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted and unadopted highways and Public Right of Way that crosses the site;

- (9) A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es);
- (10) Arrangements for the provision of wheel washing facilities for vehicles accessing the site;
- (11) Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways or Public Right of Way as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to control the emission of noise, dust and dirt during construction;
- (12) A scheme for recycling/disposing of waste resulting from construction works; and
- (13) A strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods.

Reason. 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 Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

22. The various turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are brought into use 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 Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

23. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use 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.

24. The refuse storage and access arrangements to be provided within the curtilage of the site shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

