

AGENDA FOR

PLANNING CONTROL COMMITTEE

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To: All Members of Planning Control Committee

Councillors : G McGill (Chair), S Briggs, T Cummings, S Haroon, J Harris, M Hayes, G Keeley, J Mason, B Mortenson, I Schofield, C Tegolo, K Thomas and D.Vernon

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 March 2021
Place:	Virtual Meeting
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 March 2021

SUPPLEMENTARY INFORMATION

Item:01 Land at Morris Street, Radcliffe Application No. 65015

Construction of 25 no. dwellings with associated access, landscaping and ancillary works

Nothing further to report.

Item:02 Topping Mill, Topping Street, Bury, BL9 6DR Application No. 65525

Change of use of former industrial premises (Class B2) into 15 no. residential apartments (Class C3)

Amendments to Officer Report

Publicity section

Surrounding businesses and the following addresses were notified by original letter (32 Residential Units) dated 19/06/20 and amended plan letter (15 residential Units) dated 16/02/21.

Nos.50-74(even) Badger Street, 48-76(even) Walmersley Road, 1-17(odd) Topping Street, 1-17 Richard Burch Street, 9-19 Taylor Street(odd)

Amended to traffic conditions 7 and 8

7. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to and approved by the Local Planning Authority:

- The reinstatement of the footway and redundant footway crossing along the Topping Street site frontage to a specification to be agreed, lifting of the footway to meet existing back of footway levels and provide adequate falls to the carriageway for the purpose of discharging surface water, proposed level thresholds to the apartment lobby entrance at this increased height above existing levels and all associated highway and highway drainage remedial works;
- Foundation and surface water drainage details for the proposed development demonstrating that no encroachment of or discharge onto the existing adopted highway will occur.

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

8. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Access routes for construction traffic from the highway network;
- Hours of operation, confirmation of delivery & construction vehicle sizes that can be accommodated on the residential estate roads and number of vehicle movements;
- Parking arrangements for operatives' and construction vehicles on land within the applicant's control together with storage on site or on land within the applicant's control of construction materials, including any requisite phasing of the development to accommodate this;
- Method statement and traffic management arrangements to cover the delivery and storage of materials and all works abutting the adopted highway, including the removal of the external fire escape, incorporating the provision, where necessary of temporary pedestrian facilities/protection measures;
- Proposed site hoarding/gate positions, if proposed;

- Measures to ensure that all mud and other loose materials are not 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. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

Item:03 55 Rochdale Road, Bury, BL9 0QZ Application No. 66058

Extension to form workshop (Class B2)

Publicity

Comment from 19 Fletcher Street - Would Planning Committee accept an initiation to Fletcher Street to see the structure as it is built. No-one from the Council has seen the impact its had from within our homes and we feel this would put the planning application into perspective

Item:04 18-20 Holcombe Village, Ramsbottom, Bury, BL8 4LZ Application No. 66177

Rear extension to form a storage area

Publicity

32 Holcombe Road -

- I have been informed that there is a new plan which alters the leased area this will be the third in as many months - what are we to make of this. I have also taken legal advise and our right of way will be up held in a Court of Law if I have to go that far I will seek a judicial review of the whole of the right of way and seek an award for cost.

Home Meadow Barn, Lumb Carr Road -

- I do support a local business investing in its future, especially in these exceptional times.
- However, I cannot support these plans without further detail.
- Given the strict planning requirements in this village, I would expect to see a visual of the completed extension i.e a visual of the new exterior and specific details of the materials, colour etc. being proposed.
- I would also be interested to know what is proposed to minimise disruption during the build for neighbours and whether the route behind the Mala will close for a period, especially as this is a well used route for horse riders, cyclists and walkers.

Response to publicity

- Rights of access are private matters and not a material planning consideration.
- A condition has been included which would require the submission of a sample panel for all materials to be approved by the LPA. Given the relatively small scale and size of development, this is considered to be totally adequate and reasonable.

Item:05 26 West Drive, Bury, BL9 5DN Application No. 66226

New dwelling in garden of existing house

Planning history

The applications in 1988 and 1991 were both refused for the following reasons:

- The size of the site was inadequate to accommodate the scale of the proposed development
- The proposal would have an adverse impact upon residential amenity.

On both applications, the proposed dwelling was orientated to front onto West Drive (northern) and would face No. 69. On the current proposal the house has been located adjacent to No. 26 and would face Nos 51 and 53, which are located to the west.

The Traffic Section had no objections to either application and recommended conditions. The officer report for the 1988 application confirms that the Traffic Section would not support refusal of the scheme on highways grounds.

Conditions

A condition removing the permitted development rights is added:

12. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

Item:06 Land north of Heatherside Road, Ramsbottom, Bury, BL0 9BX

Application No. 66308

Erection of 1no. bespoke, self-build and custom-build dwelling, access, driveway, parking, landscaping and all other associated works

Considerations of harm in terms of Green Belt

Paragraph 133 of the NPPF confirms that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence." This is further supported by paragraphs 143-144 that states "'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations." The change of use of the land from an open field, to a residential development immaterial of its size and design will therefore impact on the openness of the Green Belt and as such is inappropriate. The consideration in this case therefore needs to be as to whether very special circumstances exist, and the weight that should be given to these cases that have been put forward. The scale and nature of the development has been carefully considered and in accepting that there would be harm, the use of planning controls, the consideration of the position of the development and siting would ensure that the development's harm would remain limited.

The cases for VSC have been considered, and it is concluded that the harm resulting from the proposal is outweighed by other considerations that have been set out within

the report namely:

- High Quality Design
- Lack of visual harm and landscape enhancements;
- Landscape Provision and Ecological Enhancement; and
- Energy and Sustainability Enhancements;

The land associated with the development has been further controlled by ensuring that permitted development rights have been removed for development within the curtilage of a dwellinghouse and minor operations, and that the residential curtilage of the dwelling has been restricted to prevent the introduction of domestic paraphernalia. This will prevent the proposal becoming urbanised and instead retains the open character of the locality and the permanence of the Green Belt designation. It is considered these cases for VSC, and the additional conditions imposed outweigh the in principle harm and any other harm to the Green Belt.

Conditions

Condition 16 amended to expand the reason to ensure that the biodiversity net gain enhancements put forward as a case for VSC are delivered:

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 or of the development. 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 landscaping scheme and the Ecology Survey and Assessment.

The LEMP should include:

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management.
- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions for all habitats for a period of no less than 30 years.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g. Details of the body or organization responsible for implementation of the plan.
- h. 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.

Reason. To ensure improvements the biodiversity of the site which have made up the case for Very Special Circumstances to Green Belt considerations and is therefore required to be achieved pursuant to Bury Unitary Development Plan Policies OL1 - Green Belt, OL1/2 - New Buildings in the Green Belt and National Planning Policy Framework Sections 13 - Protecting Green Belt land and 15 - Conserving and enhancing the natural environment.

Condition 18 amended to remove further permitted development rights for minor operations:

Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order and Classes A to F of Part 2 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan pursuant to Bury Unitary Development Plan Policies OL1 - Green Belt, OL1/2 - New Buildings in the Green Belt and Chapter 13 - Protecting Green Belt land of the National Planning Policy Framework.

Condition 20 added to ensure that the energy and sustainability enhancements put forward as a case for VSC are delivered:

The development hereby approved shall be carried out in accordance with and meet 'PassivHaus Standards' through certification by a registered Passivhaus Certifier. The development shall not be occupied unless and until details of this certification have been submitted to and approved in writing by the Local Planning. The approved details shall thereafter be maintained.

Reason. The development proposed aims to secure a very high standard of sustainable development and puts this as a case for Very Special Circumstances to Green Belt considerations and is therefore required to be achieved pursuant to Bury Unitary Development Plan Policies OL1 - Green Belt, OL1/2 - New Buildings in the Green Belt and National Planning Policy Framework Sections 13 - Protecting Green Belt land and 15 - Conserving and enhancing the natural environment.

Item:07 Former Site of Andrew Textile Industries Ltd, Walshaw Road, Bury, BL8 1NG Application No. 66366

Site wide preparatory works, comprising the full demolition of the vacant industrial building and ancillary structures, and remediation and earthworks in connection with the future residential redevelopment of the site which has been granted outline planning permission.

Consultation

Traffic Section - No objections, subject to the inclusion of conditions relating to a Construction Traffic Management Plan.

Planning history

For the avoidance of any doubt, the reserved matters application (66389) was received on 15 January 2021.

Issues and analysis

Trees - Since the committee report was published, the trees on site have been removed in error - photos are attached to the Supplementary Report. It should be noted that the outline consent did acknowledge that the majority of the trees would require removal to facilitate the development. However, the applicant has agreed to re-plant a hedgerow along the western boundary and plant trees across the site. As such, a condition is proposed which would require the submission of a planting plan, which must be implemented within 3 years. Therefore, it is considered that the proposed development would not harm the character of the area, subject to conditional control and would be in accordance with Policies EN8 and EN8/2 of the Bury Unitary Development Plan.

Conditions

Conditions relating to tree planting and a construction traffic management plan should be added:

8. No development, other than demolition works, shall take place unless or until a planting scheme, containing details of trees and a hedgerow along the western boundary has been submitted to and approved in writing by the Local Planning Authority. The contents of the plan should include native tree and shrub planting. The approved scheme shall thereafter be implemented within 3 years of the date of this decision and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

9. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- Access point(s) for demolition/construction traffic from Walshaw Road;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
- Proposed site hoarding/gate positions clear of appropriate visibility splays, if proposed, including the provision, where necessary of temporary pedestrian facilities/protection measures on the adopted highway and the adjacent Public Right of Way;
- Measures to ensure that all mud and other loose materials are not 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 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. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and 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, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

Erection of pergola and timber summerhouse

Clarification of the description of the proposed development.

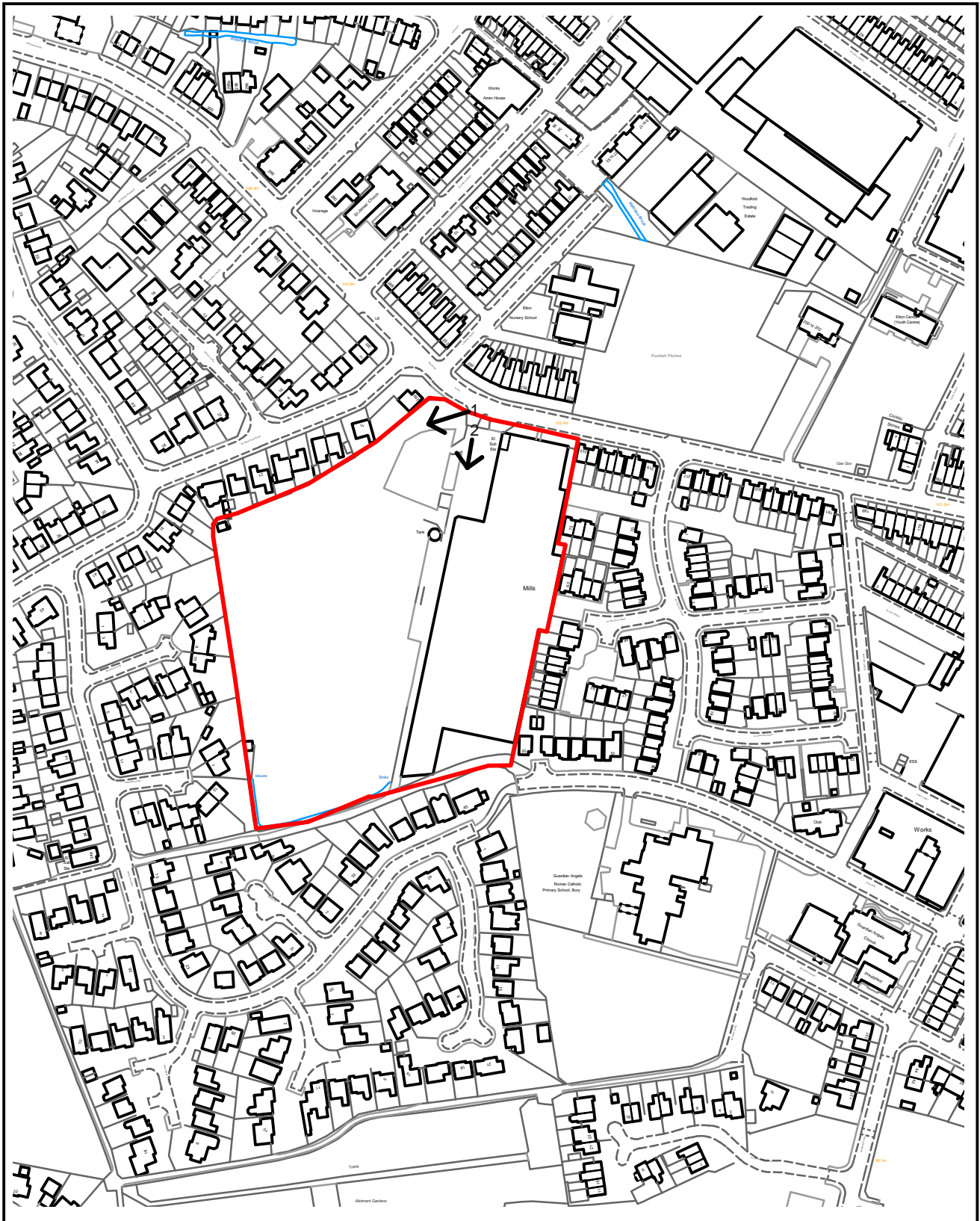
The dimensions of the proposed pergola should read as 7.5m x 5m x 2.71m high.

No amendments to the recommendation are proposed.

Item:09 115 Radcliffe Road, Bury, BL9 9LD Application No. 66472

Change of use from cafe (Class E (b)) to hot food takeaway (Sui Generis) with installation of flue/extractor system at rear

Nothing further to report.



PLANNING APPLICATION LOCATION PLAN

APP. NO 66366



ADDRESS: Former Site of Andrew Textile Industries Ltd
Walshaw Road

Bury
COUNCIL

Planning, Environmental and Regulatory Services

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Item 7

66366

Photo 1



Photo 2

