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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, D Green, J Harris, M Hayes, D Quinn, S Thorpe, 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:-

Date:	Tuesday, 8 November 2022
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 - 8)*

Reports attached.

BURY COUNCIL
DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

08 November 2022

SUPPLEMENTARY INFORMATION

Item:01 79 Bury New Road, Whitefield, Manchester, M45 7EG Application No. 68542

Change of use from 6 bed HMO (Class C4) to 8 bed HMO (Sui Generis)

Correction in Officer Report - Appeal on 64719 dismissed by Planning Inspector 10/03/2020 (not 20202).

Additional public representation recieved.

The essential proposal is no different from that at the previous application which was turned down both by the planning committee and by the inspector on appeal. Subsequent to previous applications there have been traffic incidents - the railings next to Besses Church on Bury Old Road at the approach to the junction, were knocked flat leaving a huge quantity of debris. This can only have been caused by a vehicle approaching the corner at a very high speed and I refer to my previous observations of vehicles going at circa 60 mph. In addition, a vehicle coming onto Bury New Road from Bury Old Road went into the railings outside number 91. Not all traffic accidents have resulted in hospitalization or being reported. Not clear why a new application is being considered after previous refusals. Robin Lane is a footpath and should not be used for access/turning. The land to the side of the property to be used for parking is not owned by the applicant.

Representation from Cllr Fitzgerald who cannot attend the PCC meeting so have written comments to make.

- Concerned that having 8 separate homes in this building could lead to poor and cramped housing. I have been told Environmental Health are happy with this but I would want to know how these dwellings compare to others in Bury and recommended home sizes, and whether the boilers, pipes and other facilities would be able to cope with this density of housing.
- not against HMOs and understand the issues around housing in the UK today, but remain concerned that squeezing another two homes into a building that is already occupied to a much higher level than most in Whitefield isn't going to solve the Housing crisis and just risks a race to the bottom on the quality of Housing.
- I do note that in general the landlord has improved the building in recent years with new windows, etc.
- Concerned about cars accessing the main road. The road and junction where the exit would be is quite unusual and dangerous.
- Cars merge into separate lanes from the motorway and Bury Old Road and across to either Higher Lane or to continue along Bury New Road.
- There are barriers there for a reason because of the number of incidents of cars going into houses and the Council spent a lot of money a few years ago on lights and a pedestrian crossing at Chestnut because of these issues.
- The loss of the turning circle and risk of residents needing to back out at this access point is extremely dangerous and I am pretty sure against the Highway code, i.e., you aren't supposed to back out onto a road.
- Reject this on the basis of the previous applications that have been rejected in Bury and the appeal that was rejected by the Planning inspectorate. I have looked at the comments in the rejected appeal and it supports what I have outlined above: *'The lane appears to have a limited amount of parking and turning space. Based on the evidence before me, an increase in parking demand from occupiers and visitors could lead to circumstances where vehicles reverse onto Bury New Road to the detriment of highway safety in*

the road'.

- There doesn't appear to be any regulatory changes just that the applicant has found someone who has said that the Planning Inspector was wrong.
- Has anything materially changed in the regulations as traffic continues to increase so I would think this would mean it is less likely the application should be granted?
- Over the period that the landlord has owned the property there have been repeated attempts to increase the number of dwellings in the building and there isn't anything new that they can offer in this application other than hiring a consultant.
- I am also concerned that there seems to be a misrepresentation of the amount of available space for parking as it assumes you could park in front of gates or other access points, and that there is some confusion around who owns what along the strip of unadopted land (who is the landowner?).

Ownership - The application includes Certificate A which states that the applicant owns all land within the red edged site. The agent has also confirmed ownership of the site by the applicant.

Additional condition

The following condition is considered appropriate to prevent any parked cars encroaching onto the adjacent public footway along Bury New road.

Prior to the use hereby approved commencing, details of the proposed 'low level barrier' as indicated on the site plan, shall be submitted to the Local Planning Authority for approval. The barrier shall be positioned to ensure that pedestrian access onto Bury New Road adjacent to No. 79 and access to the adjacent footway chamber is maintained. The barrier shall be completed prior to the additional residential units hereby approved being brought into use and retained thereafter.
Reason. To prevent encroachment of parked cars onto the public footway in the interests of road safety pursuant to policy HT2/4 Car Parking and New Development of the Bury Unitary Development Plan.

Item:02 Wesley Methodist Primary School, Forth Road, Radcliffe, Manchester, M26 4PX Application No. 68595

Erection of 2.4m high fencing and 2no. Access gates

Nothing further to report.

Item:03 Land adjacent to 391 Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0ER Application No. 68608

Demolition of existing garages and erection of 2 no. semi-detached dwellings with associated parking; Additional off street parking for residents of Whalley Road

Amendment to report

For clarification, the new dwellings would be constructed in natural coursed stone to front and part side with a render to the rear and part side, not red brick as indicated in the description section of the main report. The proposed natural stone finish is referred to in the issues section.

Consultation

Greater Manchester Ecology Unit (GMEU) raises no objection but suggest the following condition:

No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason. In order to protect nesting birds pursuant to the NPPF Section 174, UDP Policy EN6 Conservation of the Natural Environment and the Wildlife and Countryside Act 1981.

With regard to bats, an informative is suggested:

Whilst the buildings to be demolished are very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed

Item:04 Land adjacent to 51 Humber Drive, Bury, BL9 6SJ Application No. 68633
Erection of 2 no. semi detached dwellings

Publicity

A petition objecting to the scheme has been received and contains 14 signatures.

Issues and analysis

The proposed front dormer would be constructed from timber and not render.

Conditions

The agent has agreed to the pre-commencement conditions.

Item:05 Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT
Application No. 68661

Erection of a dwelling and associated access, parking and landscaping, provision of landscape buffer, and change of use and refurbishment of Gate House within the curtilage of the former Ainsworth Nursing Home

Conditions

The agent has agreed to the pre-commencement conditions.

Conditions 6 and 8 have been amended to read as follows:

6. If the works to the Gatehouse do not commence before 30th April 2023, the building must be reassessed for bat roosting potential and the associated survey, including mitigation measures submitted to and approved in writing by the Local Planning Authority before any demolition works are carried out. The demolition shall be carried out in accordance with the approved details.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

8. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist demonstrating that there is no nesting activity has been carried out immediately prior to clearance.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant

to policies EN6 - Conservation of the Natural Environment and 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.

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