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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, 13 December 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 - 14*)

Reports attached.

BURY COUNCIL
DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

13 December 2022

SUPPLEMENTARY INFORMATION

Item:1 **24 Brookfield, Prestwich, Manchester, M25 1EL Application No. 67953**
Demolition of existing link detached dwelling and erection of 2 no. semi-detached dwellings

Representations

One further objection has been received, which is summarised as follows:

- the properties would be three storeys high at the rear and will overlook neighbouring dwelling, impact on light and privacy, thus impacting on wellbeing and ability to enjoy garden space.
- The design is not in keeping with other houses in the area, why not a two-storey house?
- The right-hand wall of No24 adjoins the neighbouring garage. Would a structure be built to support the neighbouring garage?
- Noise is to be expected with building work which would impact on neighbouring amenity. The Control of Noise Regulations permit Saturday working, which are not sociable hours and would clearly affect mental health and wellbeing. Would we be consulted over suitable work hours?
- The obvious increase in traffic is a concern, especially during building. Where would the work vehicles park? Would we be consulted? The loss of three parking spaces in front of the proposed garages would make current parking even more difficult.

Response to representation

The concerns relating to impacts on light and privacy, design, traffic and parking are addressed in the report.

In relation to construction activities and vehicle movements, recommended condition 7 would require the submission and agreement of a construction traffic management plan. The proposal is for a minor scale development and other environmental controls pertain outside of the planning regime to control unneighbourly activity.

The neighbouring garage is attached to the side of the existing dwelling to be demolished. The protection of the neighbouring buildings is a private matter between relevant parties.

Item:2 **Land at York Street/Bury Road, Radcliffe, Manchester, M26 2GL**
Application No. 68368

Full planning permission for 211 dwellings, together with associated car parking, landscaping, public open space, drainage, the laying out of roads and footways and other associated works including engineering operations to create flood defences and the development platform

Consultations

The Highway Officer does not objection to the proposal, subject to conditions.

Conditions

The following conditions are recommended by the Highway Officer.

27. Notwithstanding the details indicated on approved plan references KH005 PL02 Revision U, KH005 ENG01 Revision A, no above ground development 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 adopted highways to the Local Planning Authority:

- Formation of the 6.5m wide site accesses onto York Street, incorporating the provision of adequate arrangements at the interface with the adopted highway to form maximum 1 in 20 plateaux, provision of visibility splays appropriate for a design speed of 20mph with no obstructions within the splays above a height of 0.6m, demarcation of the limits of the adopted highway, tactile paved crossing points, give-way markings and alterations to existing/provision of a new scheme of road markings on York Street, and all associated highway and highway drainage remedial works;
- Reinstatement of the redundant vehicular accesses onto York Street and realignment of the southerly kerbline and footway adjacent to No.'s 73/75 York Street, incorporating all associated highway remedial and accommodation works;
- Reconstruction of the northerly York Street footway abutting the site and widening of the route to 2.0m where physically possible following removal of the existing flag on edge detail, boundary walls and palisade fencing and within the constraints of retained trees;
- Formation of an accessible connection from the northerly York Street footway/improvement to the route of Public Right of Way No. 3, St. Mary's, Radcliffe, replacing the stepped solution shown indicatively on the submitted plans;
- Formation of the connection to the secondary emergency access from Road 3/4 to appropriate levels and to a detail and specification to be agreed with the Local Planning Authority to ensure that Greater Manchester Fire and Rescue vehicles will not ground when accessing the facility, incorporating the provision of full height kerbs and removable and fixed bollards (number and positions to be agreed) at the interfaces with the estate road and private industrial access road, all measures/boundary treatment required to prevent the misuse of and encroachment onto this secondary access (including the retention of most of the estate road, and all associated highway and highway drainage remedial works to prevent the discharge of surface water from the route onto the estate roads);
- In the event that any retaining structures are required that abut/are sited in close proximity to the adopted highway, an 'Approval In Principle' for the proposed structure, incorporating full structural, construction and drainage details, calculations, pedestrian protection measures and a detailed construction method statement;
- Provision of a street lighting assessment and scheme of improvements to a scope and specification to be agreed for the Dumers Lane/York Street junction, York Street between its junctions with Dumers Lane and Ripon Close, Bealey Avenue between its junctions with Dumers Lane and York Street and the proposed residential estate roads;
- A scheme of 20mph traffic calming measures to a scope and specification to be agreed on York Street between its junctions with Dumers Lane and Ripon Close and Bealey Avenue between its junctions with Dumers Lane and York Street, incorporating the formation of a speed table at the Selby Close junction including details of proposed materials, road markings and signage as required;
- Review of need for the introduction of waiting restrictions to scope to be agreed at the junctions of the site accesses with York Street, including, if required, all necessary road markings and signage;

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan

28. In the event that it is intended for the proposed residential estate roads to be considered for adoption by the Council, notwithstanding the details indicated on the approved plans, no above ground development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

- Scheme of remedial carriageway resurfacing works on York Street to a scope and specification to be agreed, to be undertaken upon substantial completion of the proposed residential development;
- Formation of the proposed estate roads (including all necessary land filling operations and method of compaction), incorporating the 6.5m loop road and connections with the proposed priority junctions at York Street and other estate roads with minimum 5.5m carriageway and 2.0m footway widths;
- Provision of long sections and cross sections at positions to be agreed through the proposed estate roads and turning heads to ensure that adoptable gradients will not exceed 1 in 14 for the purposes of adoption and incorporating a maximum 1 in 20 plateau at each junction within the development and at the interface with the adopted highway;
- Service strips at all necessary locations to be a minimum of 1.0m in width to be agreed;
- Demarcation of the limits of adoption at all relevant locations;
- Revised turning head arrangements at the easterly end of Road 4 to extend the 'straight ahead arm' to the easterly boundary of Plot 82/unadopted footpath link to Road 3;
- Provision of visibility splays and forward visibility envelopes appropriate for a design speed of 20mph at all internal junctions and bends in accordance with the standards in Manual for Streets with no obstructions above the height of 0.6m within them;
- A scheme of up to 20mph traffic calming measures to a scope and specification to be agreed on the proposed residential estate roads, incorporating the formation of speed tables at all appropriate junctions and speed reducing measures on the approach to the bend at Plot 172, including details of proposed materials, road markings and signage as required;
- Swept path analysis of the proposed estate roads to ensure that an 11.85m long refuse collection vehicle can pass a private car at all bends (including on Road 4) and manoeuvre at all turning heads;
- Facilities for the storage of bins on collection day at the interfaces of all shared accesses with the proposed adopted highway;

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

29. In the event that it is not intended for the proposed residential estate roads to be considered for adoption by the Council, no development shall be commenced until

details of:

- the measures to prevent the discharge of surface water onto the adopted highway;
- the proposed arrangements for future management and maintenance of the proposed estate road within the development have been 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. This is required prior to the commencement of development to ensure that the unadopted estate roads 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 H2/2 and EN1/2 of the Bury Unitary Development Plan.

30. 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:

- 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;
- Access route for all vehicles to the site from the Key Route Network;
- Access point(s) for construction traffic from York Street (phased to minimise the use of the westerly section of York Street and impact on existing residential properties) and all temporary works required to facilitate access for ground works/construction vehicles;
- If proposed, details of site hoarding/gate positions clear of required visibility splays onto York Street;
- The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway and to maintain access for users of Public Right of Way No. 3, St. Mary's, Radcliffe, that crosses the site;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es) onto York Street;
- Confirmation of hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
- 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. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior

to the development hereby approved being brought into use.

Reason. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

31. The measures to prevent rat-running traffic on the shared, private access serving Plots 129 & 136-147 indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority and thereafter maintained.

Reason: In the interests of road safety and residential amenity, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

32. The turning facilities indicated on the approved plans shall be provided prior to occupation of the part of the development to which they relate. 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 H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

33. Minimum hardstandings lengths of 5.0m at dwellings without garages shall be provided in accordance with the approved plans 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 H2/2, EN1/2 and HT2/4 of the Bury Unitary Development Plan.

34. Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with the approved waste management plan.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

It would also be appropriate to include a landscaping condition which had been omitted from the Committee Report.

35. A landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas in and around the residential development (except privately owned domestic gardens), and including the riparian corridor for the southern residential parcel and retained conifer trees along York Street shall be submitted to, and approved in writing by the Local Planning Authority prior to any development comprising the erection of external walls of the first dwellinghouse. The landscape and ecological management plan shall be carried out only in accordance with the approved details or any subsequent variations that shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to policies H2/2, EN1/2 and EN8/2 of the Bury Unitary Development Plan and Section 15 of the NPPF.

Amendment to Reason for Condition 21

This should refer to Section 15 of the National Planning Policy Framework.

**Item:3 Stand United Reformed Church, Stand Lane, Radcliffe, Manchester, M26
1JE Application No. 68548**

Proposed internal works to church building; Erection of fencing and railings around the perimeter of the church with gates for access

Nothing further to report

**Item:4 Stand United Reformed Church, Stand Lane, Radcliffe, Manchester, M26
1JE Application No. 68549**

Listed building consent for proposed internal works to church building; Erection of fencing and railings around the perimeter of the church with gates for access

Nothing further to report

**Item:5 Hollymount Farm, Hollymount Lane, Tottington, Bury, BL8 4HP
Application No. 68505**

Demolition works and redevelopment for 4no. new dwellings (3 new build, 1 barn conversion) with car ports and two storey extension at side of existing farmhouse; associated landscaping; access works.

Nothing further to report

**Item:6 Philips High School, Higher Lane, Whitefield, Manchester, M45 7PH
Application No. 68615**

Increase existing car park from 802 m², 43 bays to provide additional 1.354 m² to create a further 42 car parking bays plus 2 disabled bays and 2 electric car charging stations; New automated gate 2m high to the entrance road to create a two way system; LED lighting

**Item:7 Land to rear of 104 Bury New Road, Radcliffe, Bolton, BL2 6QB
Application No. 68778**

Removal of existing outbuildings; formation of hardstanding; construction of stable block with tack room / feed store; waste storage container and erection of fencing, gates and stile

Conditions

Condition 14 amended to read:

- Prior to the installation of any lighting and associated lighting equipment on the

site hereby approved, a lighting strategy shall be submitted to the Local Planning Authority for approval. The details shall include:

- where and how external lighting will be installed and a lighting contour plan;
- specify frequency and duration of use.

All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy.

Reason. To protect the amenities of nearby occupiers pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design.

Condition added - Condition 15:

Prior to occupation by any horses of the development hereby approved, a scheme for the management, storage and disposal of manure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained.

Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and OL4/7 - Development Involving Horses.

Consultees

Greater Manchester Ecology Unit - Information received from a local resident that there are two trees to the western boundary which could have bat roosting potential and which could be affected by the position of the stable block.

GMEU have been reconsulted and have been provided with close up photographs of the two trees.

GMEU are of the opinion and agreement that the trees are very low risk for bat roosting potential due to the presence of ivy on the hawthorn and goat willow too far from the buildings to be impacted.

The ivy covered tree, which looks like a hawthorn, is however located far enough back from the proposed building which is in the same location as the existing.

Even if the occasional bat did roost in the ivy (or a cavity hidden by the ivy) the building would not obstruct flight lines any more than the existing building as the roosting potential is in the ivy around the trunk which is already behind the existing building.

No further assessment of the trees is therefore required.

Representations

Additional objection received, (made also on behalf of a neighbour) and summarised as follows:

- We have lived in our house for 14 years, ideal as a home and space to raise children.
- The application site had previously been leased to a neighbour and which was then used as a garden, play area, vegetable patch and pigeon racing. The lease was then terminated. The application has been made on the land being re-used due to it having an existing agricultural use and the applicant has stated that there are existing agricultural buildings and that animals have been reared on this land. At no time had the site been used for agricultural purposes. Therefore the application is flawed because the land has not been used as agricultural land.
- The land has intentionally been left to deteriorate to appear as 'abandoned'.
- A previous application for stabled was rejected for 5 grounds - Intensification of the use of access, impact on Greenbelt, failed to demonstrate 'Very Special Circumstances, impact on residential amenity, insufficient information submitted to assess ecological impact. This application should be similarly refused.

- This application should also be refused on the same grounds - only the siting has changed.
- Contrary to the application, this is for a commercial venture not personal use or essential and genuinely required by the applicant.
- Commercial use or personal use ? - States the applicant is leasing the stables to 2 individuals - clearly a commercial enterprise. The stables are being built to make money and not because there is an actual need for them, as the applicant already owns 4 stables and a menage, 60m across the road. Response from the local officer in respect of the difference from the first application was that the re-submission 'is not commercial' which implies that the reasoning and analysis behind the council's decision was heavily based on this application not being a commercial venture.
- Human Rights - It is our argument that Article 8 and Article 1 of the First protocol will be interfered with as this development being so close to our property interferes with our enjoyment of our home.
- Green Belt - First application was refused because it did not meet the 'Very Special Circumstances' and argue this development would also fail to meet very Special Circumstances. SPD 10 states at paras 4.2 that applications for 3 to 4 stables with storage tack may be acceptable subject to detail and number of horses involved. The re-submission proposes the same amount of stables as the first application (8 stables) and the Council has stated in the report that the applicant has provided written confirmation 'that the stables would be for the private use of 2 individuals only and would not be for commercial purposes'. This gives me very little reassurance and based on fact this would not be the case in reality. there will be frequent daily visits.
- Highways issue - As this appears to be a commercial enterprise and not for the personal use of the applicant, we are of the opinion that the traffic generation and movement would not be minimal. We believe that there would be an intensification of the use of the site which would be detrimental to the highway safety. Professionals, such as deliveries, vets, blacksmiths, physio's, dentists would also go to the site as well as the people that own the horses and other visitors regularly attending. Having an increase in the amount of people visiting at all different times of the day, will increase the amount of traffic. In fact, the traffic on Bury New Road has also increased due to the development of the Kings Church site. And recently my dog was killed at the entrance leading to the proposed stable blocks, because of the amount of dangerous traffic. Over 40,000 cars traverse this road each day and there is a high number of car drivers that speed and do not follow the speed limit.
- Highway section need to review this further as they have not been appraised of the of full situation, as they need to take into consideration all the above individuals. The condition to limit the use would likely be breached.
- Impact on residential amenity - SDP 10 suggests a 30m buffer between residential properties to be considered and states that the proposed stable block would be behind a vacant plot of land. This land has been purchased from Bury Council, to be used in association with our property. The report states that the development is at least 20m from the dwelling, which is also incorrect, because it is much closer. Two of the stables are directly facing the house and therefore would cause disturbance. The scale of the development is larger than the first application, so it is confusing how the Council would state that there would be no harmful impact on our enjoyment of our property. The 'muck heap' is centrally located against our fence, and this creates a huge issue with horse flies and would be even worse in the summer. We will be unable to use our garden and open our windows and keep our house ventilated. Rats are guaranteed. As a foster carer for the local authority, this is going to seriously impact on our

enjoyment of the residential amenities as I have an allergic reaction to horses and therefore would not be able to sit in the garden as it causes me to have breathing issues. This development is going to seriously impact what I can and can't do as a foster carer.

- Ecology - The presence of Bats - It states in the report that the Greater Manchester Ecology Unit (GMEU) have been consulted in respect of the sheds that are balanced on beer kegs that there would be a low risk of bats roosting. We have since contacted the GMEU and stated that the bats roost in the trees and not around any sheds with no foundation. GMEU recommended further information is provided on the trees in form of photographs and if necessary a bat assessment. The same issues apply to external lighting. In addition GMEU identified there is also Himalayan balsam to be considered and there is also Japanese Knotweed on this site.
- The report states that the applicant sought to address the reasons for the refusal on the first application. It also states incorrectly that this re-submissions is a small scale development, however the buildings are higher than the first application and it is still the same amount of stables (8) and it is not for personal use as the applicant is leasing (for monetary gain) the stables to third parties for their personal use and who knows what these third parties may or may not do and we run the risk that they may sub-let to other horse owners.
- Other representations are as follows The existing sheds (described as buildings in the report) are 58.72 sqm not 140 sqm as stated by the applicant; the openings and access areas are considered to be relevant as this is a commercial enterprise; states on the application plans/drawings that tractors will be used whereas the applicant says they are not using tractors; drainage details not included; the land is infested with Japanese Knotweed which roots go down 2.5 metres; the waste is to be located next to the garden that my foster children play regularly and as it is for 8 horses and that would mean it would have to emptied daily and stating 'regularly' is a bit loose, meaning more traffic in and out each day; no lighting information has been provided, no access to any electricity, water or any other amenities which means generators will be used and floodlights at all different times of the day; no noise reports for 8 horses included, there has been a horse placed into a shed and it escaped and caused quite a nuisance. This would obviously be more problematic with 8 horses, here are no horse passports details included.
- Conclusions - We would ask that the Committee meeting be deferred and ask that a site visit be arranged. I would also ask that some further investigation be undertaken and a review around whether this re-submission is legitimately a commercial enterprise, but being submitted that it is for 'personal use', when in reality it is not.
- Monetary gain is the main objective of this venture and not the fact there is an actual need by the applicant.
- One of the reasons why we bought the land so we had more space for the children to play.
- If this development is approved, then we would be forced to sell the property and move which would be a detriment to both us and the children we care for.
- We also have dogs and they would not be able to go out as they would continually bark because of the presence of the horses being so close to the garden which would cause nuisance to the neighbouring properties.
- Not against the applicant developing stables on his land and would not object if the applicant put the stable block further away from the properties at Bury New Road, at the established entrance to the field that the applicant own.
- This area already has natural coverage and is non-visible to public view and will not impact on the Green Belt which is also closer to other stable blocks that runs

- the full length of the west side of the applicant's field.
- If they actually positioned this development next to the other stable block that is adjacent to the applicants land, this would meet all the necessary tests that is set by the local council which shows other stables already next to the land and also the existing entrance that can be used as opposed to developing a new one.

Response to objections

- Exemption b) of para of National Planning Policy (the NPPF) allows for the construction of new buildings in connection with outdoor recreation. A stable development falls within this exemption. A stable development is therefore appropriate development in the Green Belt (providing the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land in it). It is not a requirement that stables be located on land which is/has been used for agricultural purposes. The principal of the land for use for stabling is therefore appropriate development in the Green Belt.
- Very Special Circumstances would not be required in this case as the assessment in the Officer Report concluded that proposed would not cause significant harm to the openness and special character of the Green Belt and therefore would be appropriate development.
- The application clearly states the development would be for personal use for 2 individuals. SPD10 generally allows for 3/4 stables for one individual. In this case, 8 stables would be for the use of 2 individuals. Rather than separating the building into two blocks which would impact on Green Belt, the appropriate solution was to form the built development as a single build.
- As a personal use, the scale of development in terms of number of people accessing the site would be significantly reduced. Whilst there may be trips by vets, blacksmiths and the such like, these would be infrequent and considered not to intensify the use of the access to a significant degree.
- The Highway section have been fully appraised of the current application and given the reduced scale of development comparative to the previous application and improved internal parking/turning arrangements which would also be secured for this scheme, the Highway Section have raised no objections.
- In terms of impact on residential amenity, this has also been discussed at length in the Officer report. SPD10 advises a 30m buffer may be incorporated between stables and the nearest houses if considered necessary. In this case, the site is set at a lower level to residential properties to the north, in an off-set position in relation to residential gardens and dwellings and separated by vegetation and intervening boundary fences and outbuildings which belong to the dwellings. There would be a distance of approximately 10m to the southwest and the rear boundary of No. 100 Bury New Road and more than 20m from this dwelling itself. In this case, the relationship of the proposed development is considered acceptable.
- Applications cannot factor in medical conditions or personal situations of every resident who may live near to a development.
- The original representations made to the application have already been addressed in the Officer report.
- A condition requiring the submission of a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam or any other invasive species identified on site would be required prior to the commencement of development.
- An updated response has been received from GMEU with regards to the impact of the proposed development on bats, and specifically to the two trees located to the west of the site. The professional opinion of 3 GMEU team members have all agreed and concluded that the trees would be very low risk due to the presence

of ivy on the hawthorn and the goat willow tree being too far from the building to be impacted. The ivy-covered tree is located far enough back from the proposed building which is in the same location as the existing. Even if the occasional bat did roost in the ivy (or a cavity hidden by the ivy) the building would not obstruct flight lines any more than the existing building as the roosting potential is in the ivy around the trunk which is already behind the existing building. It can therefore be concluded that bat roosting potential would not be affected by the proposed development and no further assessments required.

- A condition requiring the submission of a scheme for the management, storage and disposal of manure has been included (condition 15).
- To note and with reference to the objector/s use of the application site as domestic garden - without the benefit of a planning permission this may be unlawful. Any other additional land not within the domestic curtilage of a dwelling but being used for domestic purposes would require planning permission for a change of use.

Summary

The main Officer Report details the issues of the application and has addressed the reasons for refusal of the previous application ref 67301.

Item:8 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)

Further objections/petition

A petition with 9 signatures has been received, reconfirming the objections that have been summarised in the main report, including concerns about vehicular turning on the access road to the site, public safety and land ownership. The petition was accompanied by photos of the site and surroundings and land registry plan indicating extent of ownership of No.77 Bury New Road- extending across the side road and up to the red edged site.