

BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

21 May 2019

SUPPLEMENTARY INFORMATION

Item:01 Barns 1 & 2, (adjacent to 1 Summerseat Lane), 27 Pot Green, Ramsbottom, Bury, BL0 9RG Application No. 63038
Change of use of existing barns to yoga and leisure use including glass link between the barns for domestic use

A further objection has been received from 5 Tree Tops - More vehicles will cause problems 're parking etc in Summerseat Lane. Car already been damaged. Don't understand who will be using this, think it will be used as accommodation only no yoga studio. Works have already started and wall of barn already demolished. They have previously got permission to change other barns for physiotherapy practice use believe that is being used for other things.

Response - These issues are responded to within the report.

Item:02 Barns 1 & 2, (adjacent to 1 Summerseat Lane), 27 Pot Green, Ramsbottom, Bury, BL0 9RG Application No. 63039
Listed building consent for change of use of existing barns to yoga and leisure use including glass link between the barns for domestic use

Nothing further to report.

Item:03 Land to the west of Manchester Road, Ramsbottom, Bury, BL0 0BZ Application No. 63617
Reserved matters application relating to outline planning application - 60370 for the erection of 35 no. dwellings with approval sought for the remaining matters

Consultations

Traffic Section - Recommend the addition of one further condition and five informatives as follows:

Condition

Condition 8 added to read:

Prior to first occupation of the development hereby approved, details of the proposed arrangements for future management and maintenance of the proposed estate road within the development shall be submitted to and approved by the Local Planning Authority. The estate road shall thereafter be maintained in accordance with the approved management and maintenance details subsequently approved, or until such time as a private management and maintenance company has been established.

Reason. To ensure that the unadopted estate road serving the development is maintained to an acceptable standard in the interest of residential/highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway, pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

Informatives

This recommendation is made on the understanding that all relevant highway pre-commencement conditions attached to the grant of planning permission 60370 are still required to be fully discharged prior to commencement of the development.

It is brought to the attention of the applicant that the proposed estate road would not be eligible for adoption by the Council.

The applicant's attention is drawn to the existence of Public Right of Way No. 103, Ramsbottom (Old Engine Lane), across part of the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order.

The applicant's attention is drawn to the need to consult the Department for Resources and Regulation regarding the specification for and implementation of the required highway and street lighting works on the adopted highway. The cost of the works will be the responsibility of the developer.

The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system.

Drainage Section - No further comments received.

Publicity

1 letter has been received from the occupiers of 32 Manchester Road, which has raised the following issues:

- There are many bluebells growing in the area the development is proposed to go.
- A neighbour (40 Manchester Road) was prevented from building a driveway due to the presence of bluebells.
- Concerned that two of the proposed houses will look directly into my property. Due to the height difference, this will not be able to be prevented unless the houses are positioned differently.

Ecology - Edgars Field is a Grade C site of biological interest.

The main report incorrectly cites para 70 of the NPPF on p.36. It should read:

Para 170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality,

taking into account relevant information such as river basin management plans; and

(f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Bullet point (d) is of particular reference.

Para 54 of the National Planning Policy Framework states “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions”.

When used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems.

In consideration of this, the response from GMEU and the weighting of ecological issues now affecting the site, the development can still be supported through the imposition of a planning condition, which is set out in the main report (condition 4).

Response to objectors

- The ecology issues are covered in the main report and the decision makers must balance the competing demands that affect the site. GMEU did not object to the proposals but rather felt that the proposals were insufficient. Commentary on this is set out above.
- The rear of No. 32 Manchester Road is three storeys in height and there would be a levels difference between the application site and the garden to No. 32 Manchester Road. As such, the aspect standard should be 26 metres. There would be 22.9 metres between the proposed dwelling and the single storey element of No. 21 Manchester Road and 29.9 metres between the proposed dwelling and the two storey part of the dwelling. As such, the proposed development would comply with the aspect standards and would not have a significantly adverse impact upon the amenity of the neighbouring properties.
- There is no mandatory requirement for a highway to be adopted and is a matter for a developer and the local Highway Authority to determine the layout and construction in relation to adoption standards.

Conditions have been agreed by the applicant's agent.

Item:04 Elton High School, Walshaw Road, Bury, BL8 1RN Application No. 63785

Creation of new artificial grass pitch (AGP) and installation of new 4.5m high ball stop fencing and entrance gates to AGP perimeter, new 2.0m high and 1.2m high pitch perimeter barrier and entrance gates within AGP enclosure, new hard standing areas, new floodlight system and new maintenance equipment store located within AGP enclosure

The Development Manager recommended a site visit be carried out prior to the Planning Control Committee meeting.

Supporting Information

The applicant has submitted additional information and floodlight calculations to support the proposal for the 15m high floodlights comparatively to 10m/12m. In summary, it is stated that neither the 10m or the 12m high options would satisfy The Football Association technical requirements for uniformity. The necessary diversity ratio is >0.50 and these options would achieve 0.46 with 12m high masts and 0.31 with 10m high masts, which would not be compliant.

The problem is purely down to how far light must be projected into the centre of a 11v11 football pitch from luminaires, which cannot be adequately solved with 10m or 12m high masts. Essentially, lower mast heights demand an increased aiming angle (tilt) to each floodlight; which reduces the delivered lumens to the centre of a football pitch which the results in lower uniformity.

For obtrusive calculations, the 14m high mast option has the lowest vertical levels and cd (candela) measurement to the observers and conversely, the 10m high mast option the highest. Therefore light pollution is less noticeable or as problematic to observers from the higher mast.

It can therefore be concluded that the proposed development for 15m would be the most acceptable and appropriate for the illumination of the proposed AGP.

Consultation Responses.

Design for Security Team - No objection subject to the inclusion of security measures within the scheme which will be included as informatives as follows:

- Perimeter fencing should be a minimum of 2500mm in height and comprise a welded wire mesh construction.
- There should be minimal ground clearance beneath the fence, to reduce the potential for crawling in to secure areas.
- Proposed 4500mm boundary treatments surrounding the 3G pitch are acceptable. The entrances should be in keeping with the height of adjacent boundary fencing and should incorporate either:
 - A pad lockable bolt to the midpoint of the internal face or,
 - A key operable deadlock
- The proposed floodlights should not be capable of being used as a climbing aid in order to scale the boundary treatments.
- The proposed equipment should be of robust construction and no items of value should be stored within it overnight.

Item:05 **Land north of Green Street, Bury, BL8 1TF** **Application No.** 63834
Erection of 2 no. semi-detached dwellings

Nothing further to report