

BURY COUNCIL
DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

30 May 2023

SUPPLEMENTARY INFORMATION

Item:01 Land off Brownhills Close / Bury Road, Tottington Application No. 67243

Outline application with 'Access' for erection of up to 5 dwellings, and new/improved formal and informal community open space, replacement / improved footpath connections and wider greenspace enhancements

Publicity

Four further objections have been received which raise the following concerns:

Procedural Matters

- Application has been presented in a way that is misleading and is not transparent.

Principle of Development

- Land unsuitable for development with it being designated as a River Valley within the Unitary Development Plan (UDP) and due to having watercourses and steep inclines.
- Questions whether there is a need for 4 bedroom detached properties

Access

- Access to the area off Bury Road is severely restricted - construction vehicles, utility and emergency vehicles, with risks exacerbated by the proposals to install an unpaved road along a footpath
- Infrastructure cannot cope with more traffic

Wildlife and Loss of Habitat

- Proposal would harm the ecosystem/ wildlife - Deer, bats and badgers on the site- video received of badger on Brownhills Close.
- Loss of wildlife habitat

Proposed recreation space

- Recreational space that would be created is not needed as the land already provides recreation space
- The community offer is neither necessary nor substantial.

Impact on residents

- Adversely impact the amenity of surrounding residents by virtue of overlooking/ loss of privacy

Not material planning considerations

- Construction phase would cause disruption
- Contest the assertion the landowner is in liquidation

Response to representations

Procedural matters

The application is made in Outline form with the matter of 'Access', as it is legally entitled to do so. Any Reserved Matters applications would seek to gain permission for Appearance, Landscaping, Layout and Scale.

Reserved matters are items that are excluded from an outline planning application because they will be determined by future planning approval, or have not yet been developed to a satisfactory degree.

If outline approval is given, an applicant has three years to submit a new application to gain approval for the reserved matters left off the previous application.

Principle of Development

The matter raised is discussed in the Principle of Development section of the report.

Access

Issue addressed under the Access section of the main report and by the recommended conditions - nos. 3, 14, and 19.

Proposed recreation space

This issue is addressed in the Principle of Development section of the report and within the Planning Balance.

Wildlife and Loss of Habitat

The impact on the loss of habitat and wildlife/ biodiversity is discussed in the Trees and Biodiversity sections of the report - pages 26 - 28 and by the recommended planning conditions - nos. 4, 6,7, 9, 10, 11 and 13.

Impact on residents

This is an Outline planning permission where the layout details are only shown indicatively. The impact on residents will be properly considered as part of the reserved matters of Appearance, Layout and Scale.

Non-material planning considerations

The last 2 bullet points are not material planning considerations, however, condition no. 21 will secure satisfactory construction management.

Item:02 Land adjacent to 62 Springside Road, Bury, BL9 5JQ Application No. 68815

Outline application for 12 no. dwellings including means of access (all other matters reserved for appearance, layout, scale and landscaping)

Publicity

One further representation received -

- One very large significant point is missing - 4 houses that back on to the land have a gate that has been used for more than 20 years. This gives these residents an informal easement to use the land.
- The applicant has recently tried to prevent this by padlocking the gate at the other end of the field onto the lane and adding barb wire to the fence (we would like these removing as they block our established right of way) Some residents have continued to use this in spite of his measures. To build on this land would remove our established right of way which cannot be rerouted. This was written in some objections but appears to have either got lost in translation or missed in the report.
- We have claimed this informal use of the land and now have legal rights to this. No reference has been made to this. The applicant is aware of this as prior to submitting the planning applications he offered to replace all fencing (removing gates) that back on to the field. He denied this was in preparation for a planning application. I have this in writing.

Response to representation -

- Rights of access are private matters and not material planning considerations.

Item:03 148 Walmersley Road, Bury, BL9 6LL Application No. 69452
Change of use from dwelling (Class C3) to an 8 no. bedroom House in Multiple Occupation (HMO) (Sui Generis)

Nothing further to report.