

Title	Planning Applications
To:	Planning Control Committee
On:	23 July 2024
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, I have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based

upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Development Manager

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

01 Township Forum - Ward: Prestwich - St Mary's

App No. 70449

Location: Longfield Shopping Centre/Car Park, Fairfax Road Car Park and adjoining land at Bury New Road, Rectory Lane and Fairfax Road, Prestwich

Proposal: Hybrid Planning Application constituting EIA Development comprising:

Full application for demolition of existing buildings/structures and erection of phased mixed use development including Community Hub with flexible uses of library, offices, medical/health services (Classes F1 (a-f), F2(b), E(c), E(e), E(g)) & retail uses (Classes E(a), E(b) F2(a)) & Sui Generis (hot food takeaway & bar), new Market Hall (Classes E(a), E(b) & Sui Generis (hot food takeaway and bar)), Commercial Building with flexible uses including retail, offices, gymnasium (Classes E(a), E(b), E(c), E(d), E(g), F2(a), Travel Hub with car parking & cycle parking (Sui Generis), public square & realm, associated landscaping, car parking provision, cycle storage & associated works; and,

Part Outline application (all matters reserved) - mixed use development of residential (Class C3), flexible commercial, business, service, local community & learning uses (Classes E, F) & Sui Generis (hot food takeaway & bar), engineering works to Rectory Lane, new public realm, associated landscaping, car parking provision, cycle storage & associated works

Recommendation: Minded to Approve

Site Visit: N

02 Township Forum - Ward: Prestwich - Sedgley

App No. 70484

Location: Fairways Lodge Hotel, George Street, Prestwich, Manchester, M25 9WS

Proposal: Demolition of existing hotel building and erection of a block of 52 no. retirement living apartments including communal facilities, landscaping and car parking provision

Recommendation: Minded to Approve

Site Visit: N
