

BURY COUNCIL
DEPARTMENT FOR BUSINESS, GROWTH AND INFRASTRUCTURE
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

28 January 2025

SUPPLEMENTARY INFORMATION

Item:01 Former East Lancs Paper Mill & Tower Farm, Church Street East, Cross Lane, Cock Clod Street & Brook Street, Radcliffe, M26 2PG Application No. 70284

Application for reserved matters approval (appearance, landscaping, layout and scale) for the erection of 400 dwellings, relocation of cricket pitch, including a pavilion, practice nets and scoreboard and including all details required to discharge the following conditions from application 67597; 9 (Acoustic Attenuation); 11 (Surface Water Drainage Proposals); 13 (WSI for Archaeology); 14 (Bat Roost Assessment); 15 (Bat Survey for New Cricket Club Site); 16 (Otter Assessment); 18 (Bird Survey for New Cricket Club Site); 19 (RAMS for Badger Habitat); 21 (Water Framework Directive Assessment); 22 (No Negative Impacts on River Irwell Ecology); 23 (Landscape & Habitat Creation Details); 24 (Affordable Housing Scheme); 25 (Recreation Scheme); 27 (Phasing Plan); 28 (Internal Road Pattern Details); 29 (Scheme of Levels, Drainage & Modelling to support Approved FRA); 31 (FFL's of Dwellings); 32 (River Irwell Buffer Zone Details); 37 (Replacement Cricket Club Facilities); 39 (Highway Details); 40 (Scoot at Water Street); 41 (Parking Strategy); 44 (Travel Plan)

Extension of Time - Yes, agreed to 31/01/2025.

Statutory/Non-Statutory Consultations

Traffic Section: No objection, subject to conditions relating to construction traffic, adoption requirements, non-adoption requirements, forward visibility splays/envelopes, implementation of turning facilities, surfacing and availability of car parking and refuse storage.

Advise that the requirements of conditions 28 and 39 are satisfied.

Lead Local Flood Authority: No objection.

Advise that condition 11 is satisfied.

United Utilities: No objection.

Advise that condition 11 is satisfied.

ASSESSMENT OF THE RESERVED MATTERS

Highways issues

The recommended conditions relating to construction traffic, adoption requirements and non-adoption requirements could not be attached to a reserved matters permission.

Condition 26 of outline planning permission 67597 (a pre-commencement of development condition) relates to construction traffic management and adoption issues are not planning matters, but are the remit of highways legislation.

The remaining recommended conditions relating to visibility, turning facilities, car parking and refuse storage would be appropriate and are set out under 'Conditions':

Other matters

Other than the conditions recommended by the Traffic Section, no further conditions are recommended in consultation responses.

Conditions to be added

The following conditions are recommended:

1. The development must be begun not later than the expiration of two years beginning with the date of this permission.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Subject to the requirements of the conditions below, the development hereby permitted shall be carried out in accordance with the plans and documents listed at 'East Lancs Paper Mill, Bury Document List 24.01.2025 Revision U'.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

3. Notwithstanding the submitted details, development above foundation level of the dwellings hereby approved shall not commence until details of all external materials and colour finishes to be used have been submitted to and approved in writing by the Local Planning Authority. No materials or colour finishes other than those approved in accordance with this condition shall be used.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

4. The approved cycle storage provision shall be implemented prior to the occupation of the associated dwellings or apartments.

Reason. To secure satisfactory cycle facilities on site pursuant to Bury Unitary Development policy HT6/1 and Places for Everyone Joint Development Plan Document policy JP-C6.

5. The visibility splays/forward visibility envelopes indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety, pursuant to Bury Unitary Development Plan Policies EN1/2 and HT6/1 and Places for Everyone Joint Development Plan Document Policy JP-C8.

6. The various turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are first occupied and 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 Bury Unitary Development Plan Policies EN1/2 and HT6/1 and Places for Everyone Joint Development Plan Document Policy JP-C8.

7. The car parking indicated on the approved plans shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the each dwelling/part of the site to which it relates being occupied and thereafter maintained at all times.

Reason. To ensure adequate off-street car parking provision in the interests of road safety, pursuant to Bury Unitary Development Plan Policies EN1/2 and HT6/1 and Places for Everyone Joint Development Plan Document Policy JP-C8.

8. Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to Bury Unitary Development Plan Policies EN1/2 and HT6/1 and Places for Everyone Joint Development Plan Document Policy JP-C8.

Condition discharge

All the conditions listed under this heading in the principal report are now confirmed as satisfied. Thereafter, the development would have to be implemented in accordance with the agreed details and the remaining requirements of the conditions.

No changes to the recommendation.

Item:02 Land adjacent to Abbots Hall, Woodhey Road, Ramsbottom, Bury, BL0 9RD Application No. 70937

Retention of section of existing unauthorised access track; retention of public right of way; creation of a new section of permissive footpath; retention of pet memorial; new bin and cycle storage; 9no. additional parking spaces, vehicular manoeuvring area and associated hard and soft landscaping, including fencing and new access gate to facilitate access to/from adjacent field for maintenance purposes.

Extension of Time - Yes - 31 January 2025

A plan of the bin and cycle stores and a photo of the completed pet memorial are attached to this report.

Publicity

The comments below were received during the original consultation period:

- Concern about previous applications on this site by the applicant.
- The planning statement states that the development is unlawful but goes on to suggest that it is too late for the Council to take action. This is not acceptable to me nor should it be to the Council.
- The gravel road was built in 2020 and not 2017 and there are complaints on record, including the objections to 69054.
- The proposed 9 parking spaces would be visually obtrusive. The suggestion that traffic levels would be the same as previous years is ludicrous - there has never been any farm machinery movements.
- If the planning approval cannot be rescinded, the original track to Abbots Hall should be used.
- The BNG and ecology reports are meaningless as the authors cannot know what wildlife/flora/fauna was present on site before the road was created. There could have been protected species whose habitats were destroyed. The notion that you can environmentally destroy a site and then seek permission to develop for your own purposes should be immediately rejected.
- The site contains Japanese Knotweed and GMEU have requested a condition. This is naive as the applicant has no regard for regulatory requirements.

1 letter has been received, which has raised the following issues:

- The pet memorial was built after the plans for conversion of the barn was passed and is a prominent feature and eyesore next to a public footpath and green belt land. There are no comments from the Council about its retention or removal.
- The bin collection store on the access road next to the public footpath is also an eyesore and in full view of the public footpath. Bins should be emptied by the

- property bin stores.
- The road outside Abbots Hall has not been maintained enough to prevent further deterioration since planning application 39509 was approved (see attached photographs). It is not in a fit condition for extra traffic. It has deep potholes and is dangerous to pedestrians and cyclists.
- Access to Abbots Hall already exists so the new unauthorised access created is not needed. There is already another existing gate that leads in to the field on Woodhey Road that could be used for maintenance.
- The 10% net biodiversity gain is only achieved by reinstating the farmland that was destroyed for the access road and large caravan storage area.

Response to objectors

- Consent (69509) has been granted to convert the existing agricultural building into 3 dwellings and is extant. As such, the issues relating to the impact of the proposed dwellings on Woodhey Road, traffic flow, the need for residential dwellings were assessed during the previous application and are not relevant to this application.
- Prior to the access road being constructed, the Public Right of Way (PROW) was grassed. As such, the proposed material would be no worse in terms of accessibility. The Public Rights of Way Officer has no objections to the scheme.
- The ecological reports were not carried out before the development was undertaken. However, the application has been assessed on a worst case basis, which is in accordance with the legislative guidance, has been assessed by GM Ecology Unit, which formulates their response.
- The Town and Country Planning Act states that a building or change of use of the land would become immune from enforcement action after a period of 10 years. As such, the dwelling at Abbots Hall is unauthorised as it has not been built in accordance with the approved plans, but it is lawful as it is immune from enforcement action (4 years as operational development prior to 2024 legislative changes).
- The proposed parking spaces are in the same location and the same number as previously approved under application 69509.
- The nearest cycle store to the Public Right of Way would be 22 metres away and the nearest bin store would be 19 metres away. Given the distance and the existing and proposed landscaping, the proposed bin and cycle stores would not have a significant adverse impact upon the visual amenity of the area.

The objector has been notified of the Planning Control Committee

Item:03 Land at the junction of Hollins Brook Way and Pilsworth Road, Bury, BL9 8RR Application No. 71247

Application for reserved matters approval (appearance, landscaping, layout and scale) for the Zone 2 development of commercial building (Hub building, Use Class E) car parking, internal roads and a multi-purpose all -weather sports pitch and all details required to discharge the following conditions from application 68530; 4 (Remediation Strategy), 8 (Construction Environment Management Plan), 17 (Risk Assessment), 18 (Construction Traffic Management Plan), 27 (Landscaping), 28 (Materials), 30 (EV Charging), 32 (Biodiversity), 33 (Ecology), 35 (Transport)

Extension of Time - Yes - 31/1/25

Nothing further to report

Item:04 1 Mowbray Avenue, Prestwich, Manchester, M25 0LP Application No. 71309

Change of use from Dwelling (Class C3) to Residential Institution (Class C2).

Extension of Time - Yes 31st January 2025

Nothing further to report.

Item:05 Saw Mills, Off Spring Street, Ramsbottom, Bury, BL0 9JQ Application No. 71343

Variation of Condition 2 (approved plans) of planning permission 68578 (Demolition of existing saw mill and associated outbuilding and construction of 5 no. dwellings) - revised site layout

Extension of Time - Yes 31st January 2025

Nothing further to report.

Item:06 25 Thomas Street, Radcliffe, Manchester, M26 2UH Application No. 71353
Change of use from Public House (sui generis) to a 10 Bedroom (single occupancy) HMO

Extension of Time - No

Nothing further to report

Item:07 Eagle And Child, 3 Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0DL Application No. 71359

Retrospective application for the retention of external bar, toilet block/log store and pergola

Extension of Time - Yes - 31 January 2025

Further Representations

A series of audio/video files have been provided from Cheshire Court that seek to show that noise and disturbance occurs from the site to the nearby residential properties virtually every weekend between 2pm and 10pm.

In commenting upon the supporting documentation, the agent states that noise from the lawful beer garden is considered to be legitimate noise which has ignored residents concerns and affected neighbours from using their own gardens.

Item:08 Freisner Day Nursery, Earl Street, Prestwich, Manchester, M25 1GQ Application No. 71388

Variation of Conditions 2, 5, 6 and 7 (approved plans) of planning permission 70070
Change of use from nursery building to 3 no. dwellings with associated car parking & external works – to facilitate the retention of the existing chimney. Removal of condition 14 to allow for retention of existing chimney

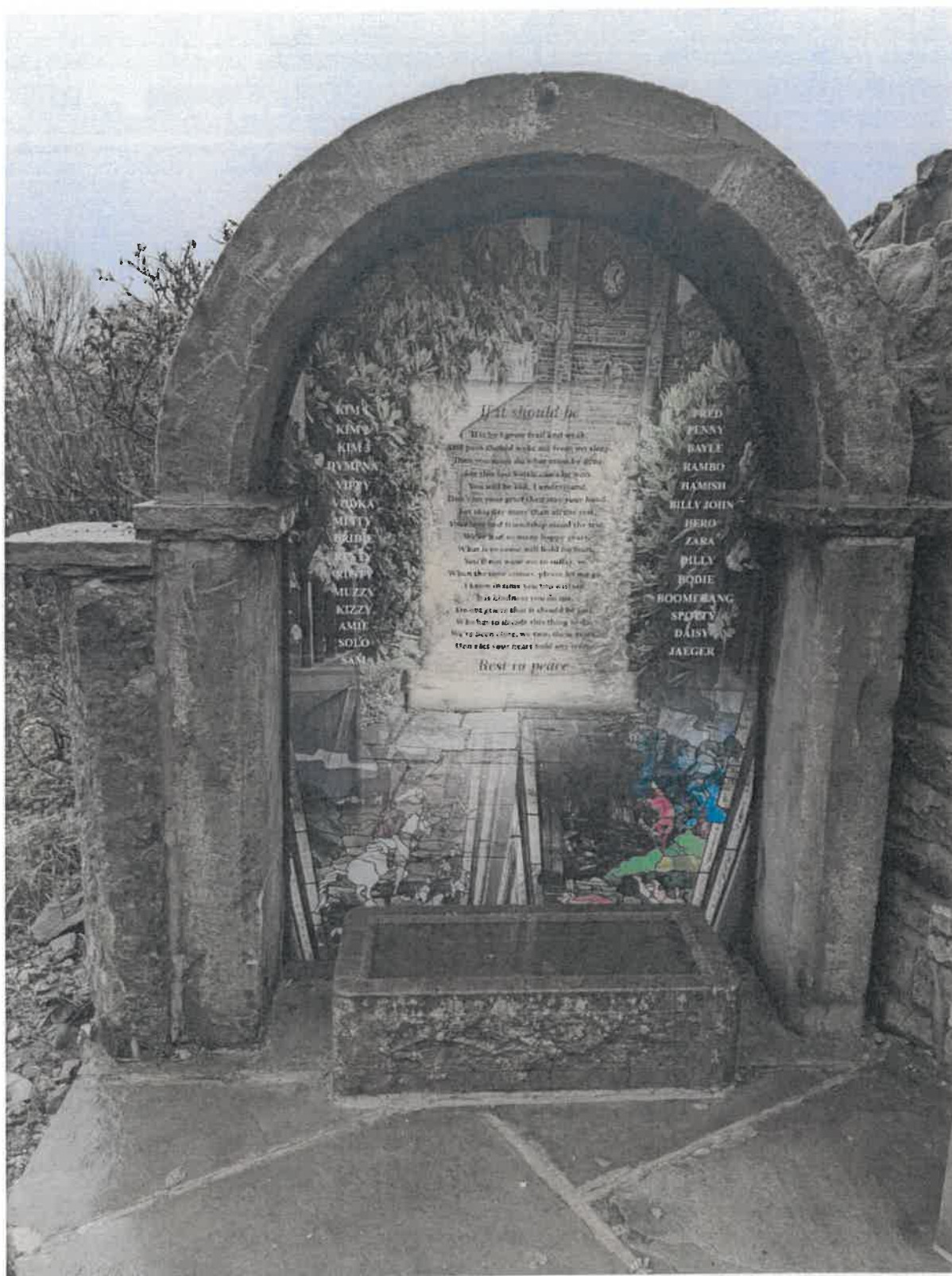
Extension of Time - No

Nothing further to report.

Item:8 - Section 106 obligations

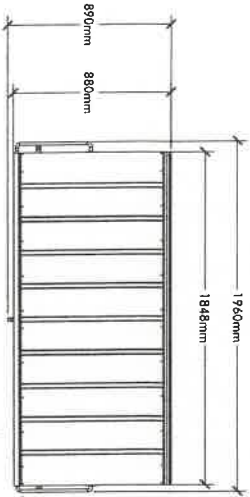
Paragraph 2.7 was duplicated , this has now been removed.

PROPOSED PET MEMORIAL

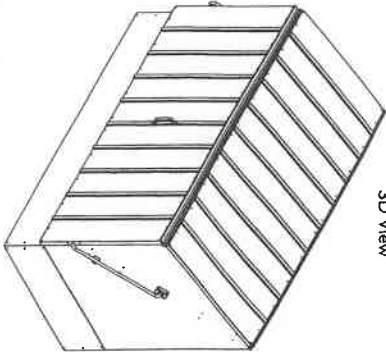


BIKE STORE

Top View



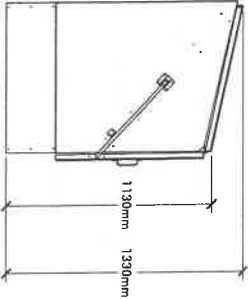
3D View



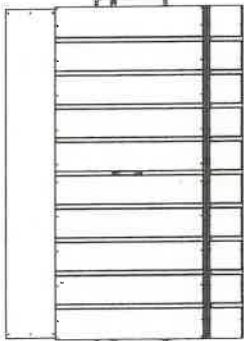
SPECIFICATION NOTES

1. Product - Metal Bike Storage
2. Storage for 3 adult bikes
3. PVC coated and powder coated metal
4. Ronghu and pedlock and floor to be included
5. Colour - Olive and Moorland Green
6. Supplier - Timechels Ltd, <https://www.timechels.co.uk/>, Tel: 01258 459441

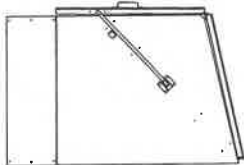
Side elevation



Front elevation

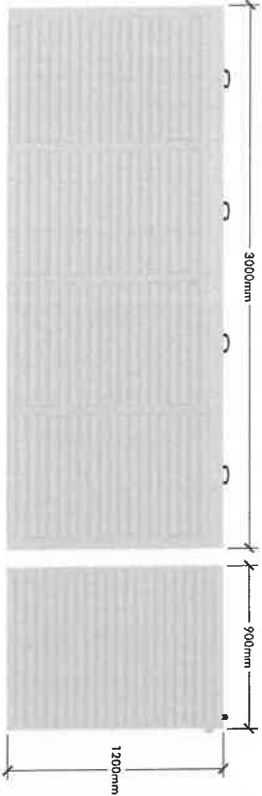


Side elevation



BIN STORE (PLOT 2)

Front elevation



Side elevation



SPECIFICATION NOTES

1. Product - 4 Bin Timber Bin Store
2. Horizontal slatted timber cladding in Douglas Fir
3. Internal framework to be Douglas Fir
4. Timber approved by PFFC and FSC
5. Without lock
6. Roof with opening lids and lid stays
7. Supplier - Slatted Screen Fencing, <https://www.slattedscreenfencing.co.uk/>, Tel: 0161 764 53621

NOTES

Do not scale from this drawing.

Use figured dimensions only.

The content of this drawing remains the copyright of EAT landscape.

All dimensions to be checked on site. Any discrepancies to be reported to the relevant parties.

This drawing must only be used for the purpose for which it is supplied and is not to be used for any other purpose without written consent.

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