

BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

21 April 2015

SUPPLEMENTARY INFORMATION

Item:01 Land off Salisbury Road, Radcliffe, M26 4WG Application No. 58233
Residential development for 85 dwellings and associated infrastructure

Publicity

Two letters were received from the occupiers of 11 Northlands and the Rochdale & Bury Bridleways Association, which have raised the following issues:

- The recreational route proposed could form part of a circular route, which Rochdale Bury Bridleways Association is in the process of developing.
- The development of this recreational route would be in accordance with the Bury MBC's policy on the Daisyfield Greenway NCN6 and would provide a safe off-road greenway for all user groups.
- Request that a condition should be included on the planning consent that the recreational route be opened before any houses can be occupied to avoid the problem from the previous consents.

The neighbouring properties were notified of revised plans by letter on 10 April 2015. No further comments were received.

Consultations

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to the implementation of the Reasonable Avoidance Measures statement, nesting birds, Himalayan Balsam and Japanese Knotweed and details of planting for the landscaping scheme and an informative relating to bats.

Traffic Section - No objections, subject to the inclusion of conditions relating to access arrangements including traffic calming measures, construction management plan, visibility splays, turning facilities, driveway lengths, parking for operatives and measures to prevent mud from passing onto the highway.

Issues

Principle (Residential) - Following revocation of the North West Regional Strategy on 20 May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

In the meantime, the National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located within and on the edge of the urban area and is in a residential area. As such, the proposed development would not conflict with the surrounding land uses and would be located in a sustainable location with good access to public transport and services. The site was a former railway cutting, which has been infilled and as such is previously developed land. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Ecology

Additional information was submitted by the applicant with regard to Great Crested Newts. It was confirmed that there are physical barriers that would increase the distance that the newts would have to travel to get to the site, which would be likely to deflect the newts to other optimal habitats away from the development site. A Reasonable Avoidance Measures (RAM) statement was also submitted, which identifies the measures required during the development to mitigate the impacts upon the newts. GM Ecology Unit have assessed the additional information and have no objections to the proposal, subject to the inclusion of conditions relating to the implementation of the RAM statement and details of the planting for the landscaping scheme. Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The applicant has provided details of a traffic calming scheme for Salisbury Road and its junction with Northlands, which would be secured by means of a condition along with appropriate public consultation. The proposed development would be located beyond the 250 metre cul-de-sac length limit used by the emergency services. A secondary emergency access would be provided alongside the main access via Leander Close and this would be secured by a condition. The Traffic Section has no objections, subject to the inclusion of conditions relating to access arrangements, traffic calming measures, construction management plan, visibility splays, turning facilities, driveway lengths, parking for operatives and measures to prevent mud from passing onto the highway. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and H2/2 of the Bury Unitary Development Plan.

Planning obligations - As of 6 April 2015, the Community Infrastructure Regulations 2010 (as amended) have imposed restrictions on pooling Section 106 contributions, preventing obligations being entered into that result in the pooling of more than five Section 106 obligations for a project or type of infrastructure. As a result of this change, all Section 106 agreements signed after 6 April 2015 must specify exactly what project each contribution will be spent on.

The £100,000.00 for recreation provision would be spent on the Bury Bolton Railway path and on Bolton Road Park. The specific details for the projects will be set out in the Section 106 agreement.

Response to objectors

The issues relating to Green Belt, the development of brownfield sites, the increase in traffic, the proposed access and alternatives are addressed within the main report. The application is being presented to the Planning Control Committee and as such, the decision is not being made by officers. The current proposal would supercede the previous consents on the site. The current proposal includes provision for the recreational route, which would be secured through a condition and the Section 106 agreement.

Conditions

Therefore, conditions 12 - 23 should be added in relation to access arrangements including traffic calming measures, construction management plan, visibility splays, turning facilities, driveway lengths, parking for operatives and measures to prevent mud from passing onto the highway, implementation of the Reasonable Avoidance Measures statement, nesting birds, Himalayan Balsam and Japanese Knotweed and

details of planting for the landscaping scheme.

12. Notwithstanding the details indicated on approved plan reference BHM012/01 Revision L, no development shall commence unless and until full details of the following and a programme of works have been submitted to and approved in writing by the Local Planning Authority:

- Reconfiguration of Leander Close to form the access to the site from Salisbury Road, incorporating a 6.5m wide carriageway from its junction with Salisbury Road to the first internal junction, 1.8m (min) westerly footway, easterly parallel emergency access of a width to be determined with no physical obstructions located within it, such as street lighting columns, statutory undertakers cabinets, etc, and revised alignment of the easterly kerblines adjacent to Plot 26 to improve the transition between carriageway widths;
- All highway works affecting Public Footpath No. 35a St. Andrew's, Radcliffe opposite/adjacent to Plots 10-17 & 26-28 at an appropriate scale to demonstrate that acceptable levels and arrangements at the interface between the replacement footway and area of footpath to be retained can be provided;
- Revised driveway/access arrangements for Plots 30, 41 and 50 to ensure that visibility splays of 2.4m x 25m can be achieved at the junctions with the proposed estate road;
- Measures to prevent vehicular use of the 3 No. 'Recreational Routes' at all interfaces between the proposed and existing adopted highways
- The 20mph traffic calming scheme for the new residential development including details of proposed materials, road markings and signage;
- Street lighting scheme for the residential development including any 'Recreational Routes' to be adopted, incorporating the parallel emergency access restrictions above;
- Swept path analysis of the proposed estate roads to ensure a refuse collection vehicle can pass a private car.

The details subsequently approved shall be implemented in accordance with the agreed programme.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

13. No development shall commence unless and until a detailed scheme for traffic calming measures shown indicatively on approved plan reference PB2617/SK007 Revision A has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-

- Detailed designs of the measures proposed;
- All necessary modifications to affected kerblines, road markings, highway drainage and street furniture;
- Phasing details;
- A timetable for implementation

Reason. To mitigate the impact of the traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

14. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by the

Local Planning Authority. The approved plan shall be adhered to throughout the construction period and shall provide for:

- Access route for construction traffic from the adopted highway along Salisbury Road;
- Temporary warning/speed limit signage on the access route;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site.]

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, in the interest of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

15. The visibility splays, forward visibility envelopes and pedestrian visibility splays at the back edge of the footway indicated on approved plan references PB2617/SK009 Revision A and BHM012/01 Revision L shall be implemented before the relevant parts of the development in which they are located are first occupied 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 the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

16. The turning facilities on the proposed adopted highways and private driveways indicated on approved plan reference BHM012/01 Revision L 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 the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

17. Minimum hardstandings lengths of 5.5m measured between the highway boundary and any proposed garage doors or 5.0m at dwellings without garages shall be provided and thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

18. The Developer, within one week of the commencement of development, shall ensure that there is provision to be made for the parking on site of operatives' and construction vehicles together with storage on site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and the areas identified shall not be used for any other purposes other than the parking of vehicles and storage of construction materials respectively.

Reason. To ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway

safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design.

19. Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

20. No development shall commence unless or until the measures identified in the Reasonable Avoidance Measures (RAMS) Method Statement, received on 20 April 2015 have been implemented and all measures shall remain in situ until the development hereby approved has been completed.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

21. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

22. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

23. Notwithstanding the submitted landscaping plan, no built development shall commence unless or until a landscaping scheme, including details of the proposed planting, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 –

Woodland and Tree Planting of the Bury Unitary Development Plan.

- Item:02 Land off Plumpton Drive, Bury, BL9 5HH Application No. 58261**
Reinstatement of garage colony with 35 no. single garages; Erection of 2.4 metre high mesh fence and gate; Extended garden to 26 Plumpton Drive

Consultation responses

Traffic Section - Recommends conditions as follows:

Condition 6 added to read:

No development shall commence unless and until a scheme has been submitted to and approved by the Local Planning Authority which details a timetable for the implementation of the garage colony and footpath hereby approved. The approved scheme only shall be implemented.

Reason. To ensure good highway design and in the interests of public safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and EN1/2 - Crime Prevention.

Condition 7 added to read:

The development hereby approved shall not be brought into use unless and until the passing place and convex mirror have been provided and existing gate at the junction of the site access with Plumpton Drive has been removed as indicated on approved plan reference 104.02 Revision M and to the written satisfaction of the Local planning Authority.

Reason. To ensure good highway design and the intervisibility of the users of the site and the site access, in the interests of road safety pursuant to Bury Unitary Development Plan Policies HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

Condition 8 added to read:

The turning facilities indicated on approved plan reference 104.02 Revision M shall be provided before the development hereby approved is brought into use and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway and access by ensuring that adequate turning facilities are provided within the curtilage of the site, in the interests of road safety pursuant to Bury Unitary Development Plan Policies HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

Publicity

Letter received from No 26 Plumpton Drive, who would like to confirm that in their original comments on the application, they had raised a concern about the proposal rather than an objection.

- Item:03 Taskers, 45 - 47 Church Street West, Radcliffe, Manchester, M26 9SP**
Application No. 58363
Change of use of first floor and second floor to form eight flats, external alterations and extension of internal staircase at rear

Nothing further to report.

Item:04 **1 Outwood Road, Radcliffe, Manchester, M26 1AQ Application No. 58411**
Change of use from A1 (retail) to restaurant and take away (A3/A5) with external flue and two new windows to side elevation

Revised Plans

Revised elevations have been submitted indicating the flue extending out the roof at the rear rather than towards the front of the building.

Traffic comment

Any lack of parking provision and loss of the dedicated servicing facilities associated with this development may lead to the obstruction of, and parking on, the adjacent highways and access to the site. However, notwithstanding the highway issues raised, the proposed parking provision is considered to be acceptable to the Local Planning Authority at this location on the edge of Radcliffe town centre

Item:05 **401 Bury New Road, Prestwich, M25 1AJ and 2 Church Lane, Prestwich, Manchester, M25 1AA Application No. 58412**

External alterations to 401 Bury New Road, Prestwich and 2 Church Lane, Prestwich

Consultations

Traffic Response - no objections

Item:06 **Land adjacent to 411 Manchester Road, Bury, BL9 9RY & 10 Fletcher Fold Road Bury, BL9 9RX Application No. 58427**

Change of use of land (Goshen Lane) adjacent 411 Manchester Road and 10 Fletcher Fold Road; New boundary fences, walls and railings

Additional objections

The occupier of 8 Fairy Street believes the lane should not be given to someone who just wants a bigger garden and to build on in the future. It should be left as public land for all local residents to make use of.

Further comments from objector at 6 Fletcher Fold Road.

- There is no vehicular access to the garage at 10 Fletcher Fold Road other than Goshen Lane.
- How can the Council give permission for the land to be used as anything other than Goshen Lane?
- There are regular heavy goods vehicles bringing building equipment and machinery to land at the rear of the Manor House, damaging the road surface and putting people and cars at risk.
- It would be sensible to construct the footway adjacent to the southern boundary of the houses. This would be less claustrophobic and safer.
- How would the applicant be made to maintain the footway which is not owned by him? Several local people have maintained the land in the past and would be happy to do so again as long as it is not taken over by the applicant.
- The nine objections in the officer report do not reflect the true comments of the objectors and the residents have been ignored.
- Pruning the hawthorne hedge would be extremely detrimental to its wellbeing.
- The local ward councillors should visit the site and speak to the local residents.

Additional condition

Notwithstanding the details indicated on the submitted plans, no development shall commence unless and until full details, on a topographical survey base, of the following have been submitted to and agreed in writing with the Local Planning Authority:

- proposals to provide a clear 2.0m wide footpath to the north of the retained hawthorn hedge in a surfacing material to be agreed;
- proposals to reinstate the redundant vehicular access to adjacent footway levels, incorporating the provision of a new footway crossing to serve No. 411 Manchester Road in an agreed position and all associated remedial works to the footway and highway verge.

The details subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority before the use hereby approved commences.

Reason. To ensure good highway design, maintain adequate pedestrian facilities between Manchester Road and Fletcher Fold Road/Goshen Lane in the interests of pedestrian safety and maintain the integrity of the adopted highway in the interests of highway safety pursuant to UDP Policy HT6/1 Pedestrian and Cyclist Movement.

Item:07 398 Brandlesholme Road, Bury, BL8 1HJ Application No. 58431
Erection of detached dormer bungalow (revised house type)

Nothing further to report.

Item:08 11 St Johns Gardens, (Units B17/B16, The Rock Shopping Centre), Bury, BL9 0NN Application No. 58489
Change of use from retail (Class A1) to public toilets

Additional Objection

Two further objections have been received from the occupiers of No.46 St Johns Gardens.

- The change of use would seriously reduce the visual amenity of what is presently a nice place to work, socialise and more importantly to live.
- I believe that the change of use would increase the noise and disturbance in what is at present a tranquil part of The Rock.
- It may also increase anti-social behaviour and present hygiene issues.
- It is my understanding that the toilets will be open within the opening hours of the retail units on The Rock, of which many provide customer toilets which are within walking distance of Units B17/B16. It, therefore, does not make sense to erode a part of The Rock which is considered a garden? and also a memorial garden, with a public toilet.
- How would you feel if your front door was next to a public toilet?

Item:09 59 Greenbank Road, Radcliffe, Manchester, M26 4FR Application No. 58532

Change of use of conservatory to part time dog groomers

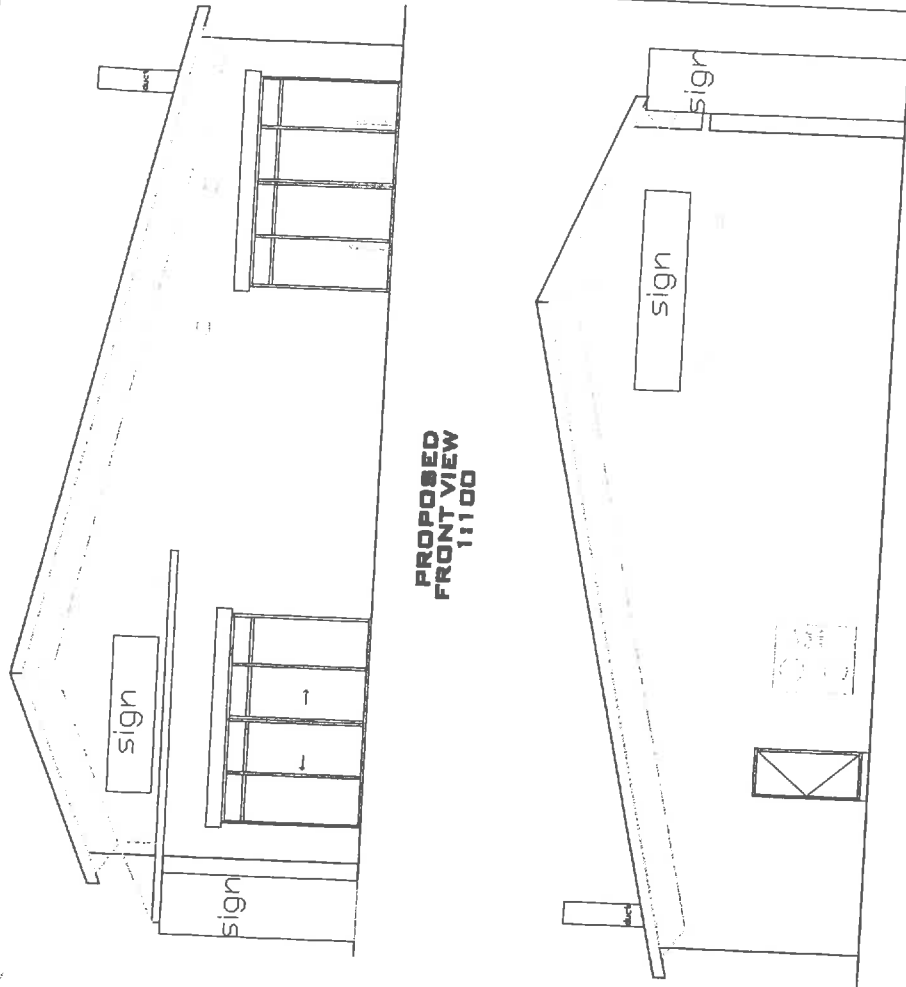
Publicity

Further correspondence has been received from No.55 Greenbank Road including a copy of the Land Registry title from No.59.

The issue raised is that the property is leasehold and there is a restrictive covenant attached to it which restricts the use to private residence only and also one to state nothing should be carried out on the property which may be or become a public or private nuisance to neighbours.

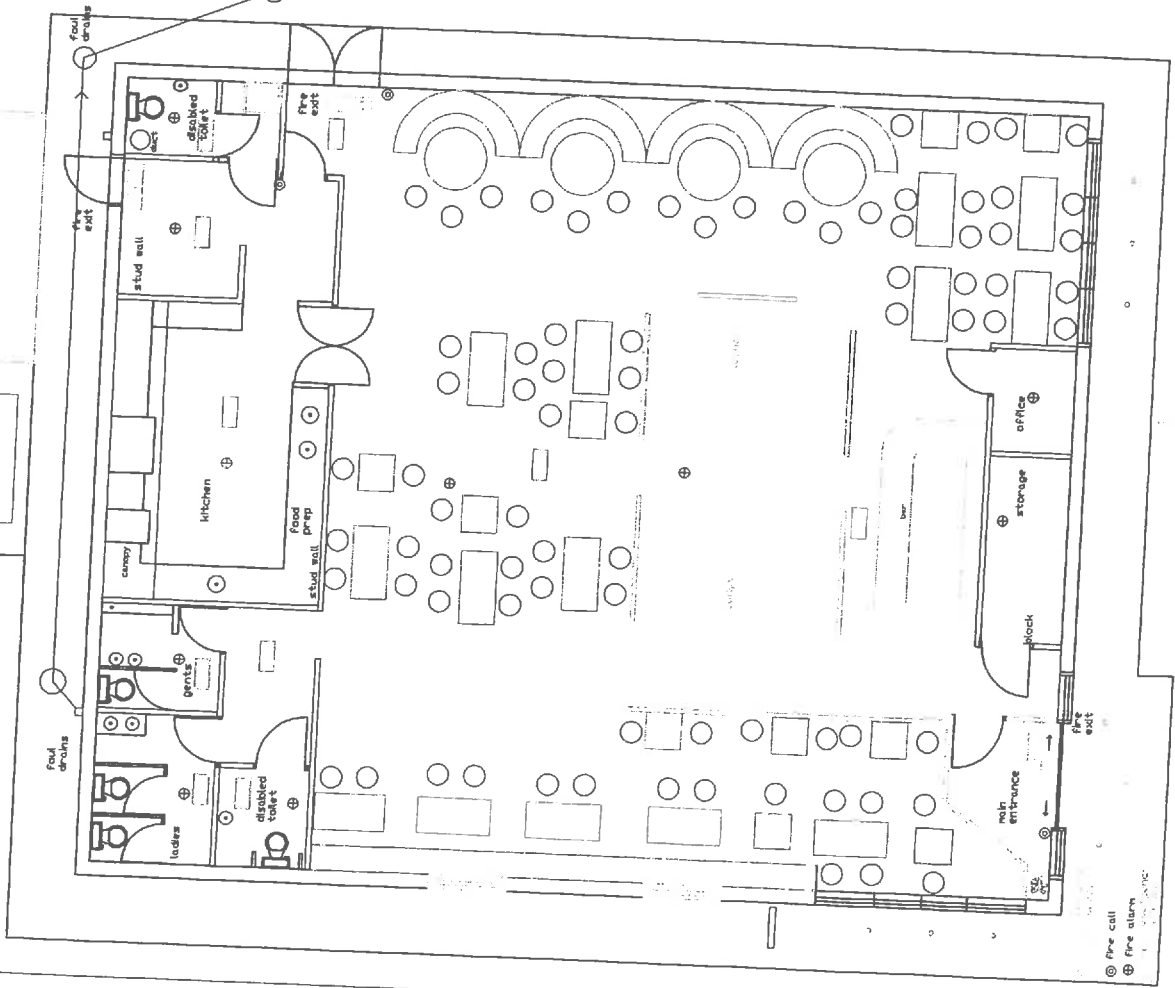
Response to objection - The application is assessed and can be determined on planning matters. Covenants within a lease are a separate private legal matters.

REVISED



PROPOSED FRONT VIEW
1:1100

PROPOSED REAR VIEW
1:1100



PROPOSED GROUND FLOOR LAYOUT
1:1100

PLEASE DO NOT SCALE OF THIS DRAWING TAKE ALL DIMENSIONS ON SITE.
 Builders Note:
 Do not start any works until all the approvals have been obtained.
 Any discrepancy to be reported to Plans Drawn as soon as possible.

drawn: DRW
 checked: MOHAMMED MIAN
 1, BULLYWOOD ROAD,
 M36 1AB,
 TEL: 07973412103

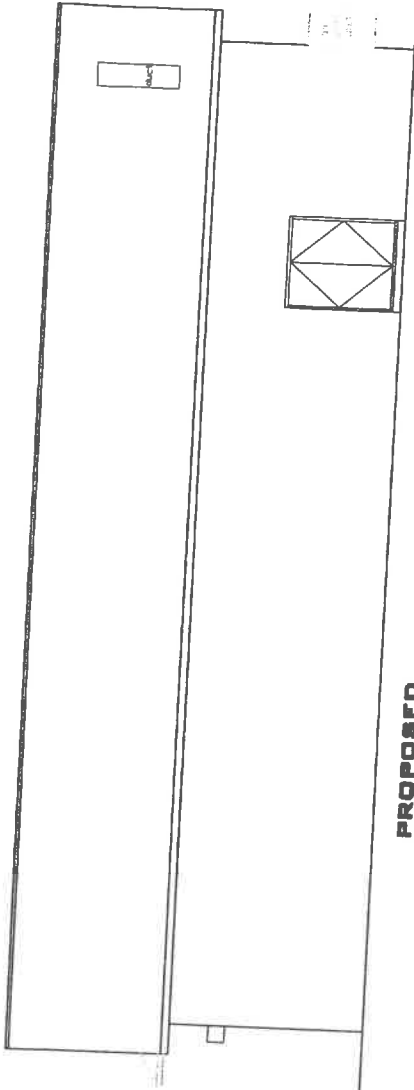
DO NOT CHANGE OR USE TO RESTAURANT AND TAKE AWAY WITH REAR EXTRACT AND WITH INTERNAL ALTERATIONS AND OFF STREET PARKING

Project: BULLY WOOD BOROUGHS PLANNING AND BUILDING CONTROL APPLICATION

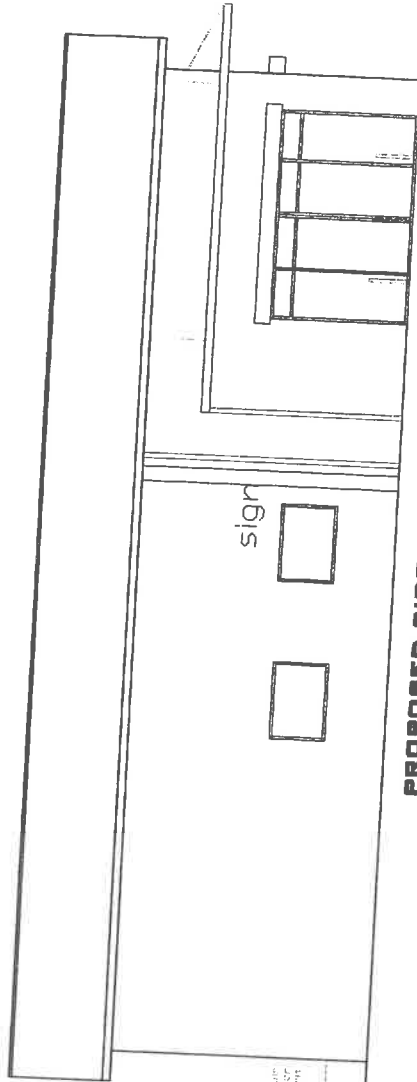
Plans Drawn:
 tel: 07973412103
 07856609593
 email: Bawinterbottom@aol.com
 PlansDrawn01@aol.com
 www.plansdrawn.org

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REMOVED



PROPOSED SIDE VIEW B
1:1100



PROPOSED SIDE VIEW A
1:1100

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drawn by: **DRW**
SIGNMANED MAH
1 HOLLYWOOD ROAD,
WIMBORNE,
DORSET, DT9 8JF,
TEL: 07912418182
DRAWING TITLE:
CHANGE OF USE TO RESTAURANT AND TAKE AWAY WITH REAR EXTRACT AND WITH INTERNAL PATIATIONS AND OFF STREET PARKING.

Project: **CITY MET BOROUGH**
CONTRACT
PLANNING AND BUILDING CONTROL APPLICATION

Plans Drawn:
tel.no.07952934281
07856609593
email: Ba@plansdrawn.com
PlansDrawn01@aol.com
www.plansdrawn.org

date: **JAN. 2018**
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Appendix 1.1 – Planning Enforcement Annual Report

27 Hazel Road, Whitefield – Before and after photographs

