

DELEGATED REPORT

Report by Helen Pressley	Date of report: 26/09/2024	Ref: 70895/FUL
Registration: 01/07/2024	LDfC: 25/07/2024	Expiry Date: 30/09/2024
Site Visit: 31/07/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: Dec Level: DEL Stat Class: MAOT

Proposal: Variation of condition no. 3 (approved plans) of planning permission 69940: Amendments to car parking layout including addition of 2 no. staff car parking spaces
Location: Whitefield Fire Station, Bury New Road, Whitefield, Manchester, M45 7SY

Description

The application relates to the Whitefield Fire Station site. The site fronts Bury New Road, and is located on a corner plot on the junction of Bury New Road and George Street. The site is currently occupied by a three bay, double height garage with attached single storey, flat roof ancillary accommodation. A six storey training tower is located to the rear of the site. The existing building is set back from Bury New Road with landscaping to the front and corner of the site, with hardstanding areas for vehicles located to the front and rear of the site.

The site is currently accessed from Bury New Road with car parking associated with the fire station currently located to the rear of the main building.

The site is bound by a mixture of uses, with residential properties located to the north, south east, and west of the site and commercial uses located to the south and north west. The dwellings within the vicinity of the site are generally depicted by two storey terraces, or two storey detached dwellings however there are some blocks of three storey flats that directly face the site. The commercial units to the south of the site are larger in scale and massing.

Planning permission has been granted for the demolition of existing fire station and erection of a new fire station including associated external works on the same site, and the provision of a new fire station.

The proposal comprises of two phases, the first being the demolition of the existing fire station and the construction of a temporary fire station to maintain a functional interim station. The proposed temporary station would be a flat roof, modular building and would be two storeys in height. This building would be located within the north east corner of the site and accessed from George Street, with proposals to widen a redundant access to accommodate fire service vehicles. It is proposed that the interim building would be operational from May 2024 to July 2025.

The proposed new permanent building would be two storeys in height and would have a flat roof. The proposed new building would be constructed from grey brickwork and grey colour coated standing seam cladding with curtain walling, red aluminium feature fins, glass look-a-like panels and aluminium framed doors and windows. A new appliance bay will be located to the north side of the building, and will include a canopied wash area. To the rear of the proposed appliance bay it is proposed to site a new fire tower that would be four storeys in height.

The proposed new permanent building would be accessed from Bury New Road. The access from George Street will become redundant once the temporary facility is discontinued and the public footway reinstated across this crossing point.

A non-material amendment was granted under application 70831 to reduce the footprint of the proposed temporary fire station.

The current application seeks to vary condition 3 (approved plans) of planning permission 69940 to amend the proposed car parking layout, including the addition of 2no. staff parking spaces.

Relevant Planning History

02800/E - Demolition of existing fire station and erection of a new fire station including associated external works on the same site - Enquiry completed 03/05/2023

69940 - Demolition of existing fire station and erection of new fire station including new training tower, parking/maneuvering areas, fencing and landscaping; Provision of temporary fire station on site for the duration of the redevelopment - Approve with Conditions 06/03/2024

70831 - Non-material amendment following grant of planning permission 69940: Reduction in size (building foot print area) of the temporary fire station. - Approve 12/06/2024

Publicity

Neighbour letters sent 04/07/2014. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - do not wish to restrict the granting of planning permission

Transport for Greater Manchester - Confirmed no comments from TfGM in respect of this application.

United Utilities (Water and waste) - No objections subject to amending the plan number referenced in the drainage condition.

Pre-start Conditions - Agent has agreed with pre-start conditions

Development Plan and Policies

CF1/1	Location of New Community Facilities
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
JP-P1	Sustainable Places
JP-P3	Cultural Facilities
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-S4	Flood Risk and the Water Environment
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
PFE	Places for Everyone

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

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, it is 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 material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle

UDP Policies JP-P1 and JP-P3 seek to provide a series of series of beautiful, healthy and varied places that protect existing community venues, facilities and uses. Policy CF1/1 confirms that proposals for new and improved community facilities will generally be looked upon favourably. Consideration needs to be given to residential amenity and local environment, traffic generation and car parking, the scale and size, access to shops and

other services, the suitability of the chosen location, accessibility and the needs and requirements of the disabled.

The site is already in use as a fire station, as such the proposal would not change the use of the location. The proposal is therefore considered to be acceptable in principle provided it meets the other policy considerations of UDP Policies CF1 and CF1/1 considered below.

Design and Layout

Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

Permanent Fire Station

The proposed amendment would see the approved ambulance bay removed and replaced with 2no. parking spaces adjacent to the electrical vehicle charging spaces. Due to the introduction of soft landscaping shown on the plans along the western boundary this would actually lead to a net decrease in staff car parking spaces, with 11 spaces proposed rather than the 13 approved.

The parking however would still be located in the same place as previously approved and as such would not have a detrimental impact on the character of the overall development and is therefore considered to comply with UDP Policy EN1/2, JP-P1, JP-P3 and CF1/1.

Temporary Fire Station

The proposed amendment would not impact on the design and layout of the proposed temporary facility.

Amenity

Permanent Fire Station

The proposal would not see an amendment to the location of the proposed parking, rather a re-configuration. As such residential amenity would be maintained when compared to the previously approved scheme.

Temporary Fire Station

The proposed amendment would not impact on the design and layout of the proposed temporary facility.

Highways

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency.

Main Access

The proposal would not amend the proposed access.

Temporary Access

The proposal would not impact on the temporary access.

Parking

In terms of parking standards, in addition to Policy JP-C8 and Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing

requirements . Supplementary Planning Document 11 provides parking standards for developments.

There are no required maximums for parking for the nature of development under consideration. The proposals make provision for both staff (11 spaces) and visitors (2 spaces) within the site. 4no. staff parking spaces are for electric vehicles. 1no. visitor bay is an accessible bay.

The proposed staff parking would be located behind a secure gate, where as the visitor parking would be to the front of the site.

5no. vehicles are shown to be accommodated within the site for the temporary building.

The site is located within a high access area with bus stops located on Bury New Road, and the tram stop within walking distance of the site. The application form indicates that the level of staff parking spaces has been determined following client consultation with firefighting staff. The level of parking proposed is therefore considered to be acceptable.

Ecology

Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by Policy JP-G7 that aims to significantly increase tree cover and requires 2no. replacement trees for each tree lost or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area.

With regards wildlife, GMEU accept the recommendations of the ecological report submitted with the original application that two bird and two bat boxes should be provided. The details of the landscape and biodiversity enhancement measures were conditioned.

The proposed amended layout would see a new area of native scrub and grass for seasonally wet soils. As such it is considered that the proposal would increase the landscaping measures.

Drainage

An amended drainage layout was submitted with the proposal, to ensure that the approved plans correlate with the amendments to the proposed parking. Following a review of the submitted Drainage Strategy, United Utilities confirmed that the proposals are acceptable in principle. Condition 9 has therefore been amended to ensure that the amended foul and surface water drainage design drawing number is referenced.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later 6th March 2027.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 The permission hereby granted for the temporary fire station as shown on drawings WFS-BGH-02-XX-DR-A-0201 Rev P5, WFS-BGH-02-XX-DR-A-0401 Rev P5, WFS-BGH-02-XX-DR-C-0172 Rev P6, WFS-BGH-02-ZZ-DR-A-0301 Rev P5 approved under application 69940 and WFS-BGH-02-XX-DR-A-0201 Rev P6, WFS-BGH-02-XX-DR-A-0401 Rev P6, WFS-BGH-02-ZZ-DR-A-0301 Rev P8 on non-material amendment 70831 is for a limited period only, namely for the duration of the redevelopment , and the use comprising the development for which permission is hereby granted is required to be respectively removed and discontinued at the end of the said period within 3 months of the occupation of the main fire station.
Reason. The development is of a temporary nature only.
- 3 This decision relates to drawings numbered 1978.35.4251 Rev P1, 1978.35.4252 Rev P1, 1978.35.4352 Rev P3, 1978.35.4351 Rev P1, 1978.35.4354 Rev P2, 1978.35.4452 Rev P2, 1978.35.4454 Rev P2, 1978.35.4455 Rev P2, 1978.35.4551 Rev P1, 1978.35.4552 Rev P2, 1978.35.4553 Rev P2, WFS-APP-XX-XX-DR-L-0001 Rev P06, WFS-BGH-01-GF-DR-S-0101 Rev P1, WFS-BGH-01-GF-DR-S-0102 Rev P1, WFS-BGH-02-XX-DR-A-0201 Rev P6, WFS-BGH-02-ZZ-DR-A-0301 Rev P8, WFS-BGH-02-XX-DR-A-0401 Rev P6, WFS-BGH-02-XX-DR-C-0172 Rev P6, WFS-BGH-XX-XX-DR-C-0151 Rev P12, WFS-BGH-XX-XX-DR-A-0203 Rev P10, Q11202 - 01, Q11202 - 02, H4214-H-01 Rev P1, H4182-H-02 Rev P1, H4182-DD-01 Rev P2, H4182-DD-02 Rev P1, H4182-DD-03 Rev P1 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 4 Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground superstructure works being commenced (excluding temporary fire station). Only the approved materials/bricks shall be used for the construction of the development.
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.
- 5 Where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 6 A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 180 of the National Planning Policy Framework and Position Statement J of 'The Environment Agency's approach to groundwater protection'.

- 7 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment

- 8 The Biodiversity Enhancement and Management Plan dated December 2023 hereby approved shall be implemented not later than 12 months from the date the building (excluding the temporary fire station) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 9 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing WFS-BGH-XX-XX-DR-C-0151, Rev P12 - Dated 20.06.24 which was prepared by BGH. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding pursuant to Development Plan Policies JP-S4 - Flood Risk and the Water Environment, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 10 All trees to be retained on and adjacent to the site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction" and the approved Arboricultural Impact Assessment with Arboricultural Method Statement received 27th July 2023. No development shall commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan.

- 11 The details of the formation of the proposed temporary access alterations on George Street, incorporating the reinstatement of the redundant access and all associated highway remedial upon completion of the development shall be implemented in accordance with the details approved under condition 11 of application 69940 with all highway works completed prior to occupation of the temporary fire station hereby approved.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 Walking and Cycling

- 12 The proposal shall be carried out in accordance with the details approved as part of Condition 12 of application 69940 and shall be implemented to an agreed programme with all highway works completed prior to occupation of the development hereby approved.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 Walking and Cycling.

- 13 The Construction Traffic Management Plan approved under condition 13 of application 69940 shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 Walking and Cycling.

- 14 The turning facilities indicated on the approved plans shall be provided prior to the development hereby approved being brought into use 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 and ensure that the turning facilities are not obstructed by parked vehicles pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All and JP-C6 Walking and Cycling.

- 15 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 16 Prior to occupation the applicant shall provide electric vehicle (EV) charging points for 20% of the proposed parking spaces. EV chargepoints shall be 7kW* as a minimum.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at

<https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
		DM -	26/09/2024