

DELEGATED REPORT

Report by Claire Booth	Date of report: 15/09/2023	Ref: 69631/FUL
Registration: 05/05/2023	LDFC: 11/08/2023	Expiry Date: 30/06/2023
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Demolition of rear additions to original building, alterations to rear elevations of remaining buildings and associated hard and soft landscaping incorporating additional car parking.

Location: Bury College Woodbury Centre, Market Street, Bury, BL9 0BG

Description

The application relates to a traditional red brick building located to the rear of the Woodbury Centre (Bury College) which is a single storey dual pitch roof traditional red brick building under a slate roof which was part of the original school, originally used for teaching space. It has been externally altered with window openings altered.

The Woodbury Centre including its associated buildings is considered to be a non-designated heritage asset.

Permission is sought to demolish the above-mentioned traditional building and also a single storey flat roof addition with plant above it, located against the rear elevation of the main Woodbury Centre building. Permission is also sought for alterations to the elevations of remaining buildings and for associated hard and soft landscaping, including the incorporation of 9 additional car parking provision and seeking the replacement of 4 disabled parking bays

Relevant Planning History

45122 - STATIC INFORMATION/IDENTIFICATION SIGNAGE AT WOODBURY, MILLENIUM & PEEL CENTRES - Approve with Conditions 12/10/2005

47882 - CONSTRUCTION OF 10 ALL WEATHER PITCHES WITH ASSOCIATED CLUBHOUSE FENCING, LIGHTING AND PATHWAYS - Withdrawn by Applicant 31/05/2007

48405 - CONSTRUCTION OF ALL WEATHER PITCHES WITH ASSOCIATED PAVILION BUILDING, FENCING, LIGHTING AND PATHWAYS - Approve with Conditions 19/09/2007
51995 - CHANGE OF USE FROM OFFICES TO EDUCATIONAL USE (CLASS D1) - Approve with Conditions 09/02/2010

54361 - Non-material amendment following grant of planning permission 53857 to amend the internal west elevation of the existing Woodbury building from render to brickwork to match the existing elevation - Approve 09/09/2011

54582 - Erection of new two storey building for construction skills - Approve with Conditions 16/12/2011

54973 - New ramped access to replace the existing non compliant ramp and addition of disabled vehicular drop off point. - Approve with Conditions 24/04/2012

55108 - Single storey extension to the internal courtyard; Plant screen to enclose extract ventilation equipment on adjacent building - Approve with Conditions 11/06/2012

55305 - Variation of condition no. 10 of planning permission 53857 to extend the time of the siting of the temporary cabins at the enterprise site and internal courtyard until July 2013 and the temporary cabins at the print unit until December 2017 - Approve with Conditions 06/09/2012

56515 - Erection of a two storey building to be used as a Sports Centre - Approve with Conditions 21/08/2013

57564 - Demolition of the existing Sports Hall / Theatre system-built building and the construction of a new 2 storey Science, Technology, Engineering and Mathematics (STEM) Centre providing workshops, general teaching and LRC accommodation. - Approve with Conditions 31/07/2014

57848 - Non-material amendment following grant of planning permission 56515 for erection of a two storey building to be used as a sports centre: existing two escape doors to be repositioned and incorporation of planning approved public art. - Approve 13/08/2014

62788 - New external lift installation and the formation / reconfiguration of 3 no. existing window openings to enable the installation of new external doors. - Approve with Conditions 28/06/2018

68045 - Erection of a freestanding timber lodge to be used for teaching purposes and associated works including pedestrian access and external lighting - Approve with Conditions 06/06/2022

Publicity

The application has been advertised by Site Notice. No representations have been received to this notification.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to recommended CMP condition.

Conservation Officer - No objections.

G M Archaeological Advisory Service - No objections.

Pre-start Conditions - Applicant/Agent has agreed with the necessary pre-start condition relating to a Construction Management Plan

Unitary Development Plan and Policies

Area	Townside/Market Street
BY7	
CF1	Proposals for New and Improved Community Facilities
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
EN1	Built Environment
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
HT2/6	Replacement Car Parking
HT6	Pedestrians and Cyclists
HT6/2	Pedestrian/Vehicular Conflict
HT6/2	Pedestrian/Vehicular Conflict
NPPF	National Planning Policy Framework

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) and 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 Policy 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 of Development

Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the impact upon residential amenity and the local environment; traffic generation and car parking; the scale and size of the development; accessibility by public and private transport; the needs and requirements of the disabled.

Policy CF2 states that the Council will, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities.

The proposals seek to provide improved buildings for use by students of Bury College. In principle the proposals are therefore supported by Policies CF1/2 and CF2.

Heritage

The Woodbury Centre is a purpose-built technical college building of 1937- 1940, occupied for educational use continuously since 1947. The principal facades of the two main wings (the North Wing and East Wing) are of greatest interest architecturally, with the single surviving historic range to the rear of lower status and characteristically more restrained in its architectural character. The two adjacent modern rear ranges are of interest. Internally, the plan form survives only in part, with very little internal fabric remaining – with the interiors of the former Assembly Hall and Gymnasium no longer recognisable as such.

Overall the Woodbury Centre has some significance at a local level, derived through its role as an educational establishment in the local community, the quality of its neoclassical facades and the prominence of the building that has been created by substantial changes to its setting in the latter half of the 20th century.

The building proposed to be demolished was historically a Sports Hall for the college. It appears to be a traditional building, built at the same time as the host building, the Woodbury Centre. The host building and the building which is proposed for demolition are considered to be Heritage Assets, albeit non-designated assets.

Paragraph 203 of the National Planning Policy Framework states:

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

The application is supported by a comprehensive Heritage Impact Assessment prepared by Donald Insall Associates in July 2023. This detailed document provides a thorough assessment of the historic built environment, establishes the significance of the Bury College buildings and assesses the potential harm of the proposed development to the setting of designated heritage assets in the vicinity, in accordance with Paragraph 194 of the NPPF.

In addition, the Heritage Impact Assessment summarises the historical development of the college buildings and provides detailed written external and internal descriptions coupled with a photographic record of the component buildings. It is concluded that the development proposals 'meet the tests outlined in the National Planning Policy Framework insofar as they relate to the historic environment'.

The proposed demolition is centred on the poor quality Hair & Beauty Wing, enabled by the relocation of this function to the Beacon Centre which recently obtained planning approval for refurbishment to accommodate this department by application 69150. The linked collection of brick buildings constitutes later additions to the original Woodbury Centre and includes teaching accommodation, plant areas, circulation space and ancillary facilities.

The additions do not reflect the quality of the original building. In particular the physical interface with the original building is weak, resulting in problems such as water ingress and structural defects which places a burden on maintenance budgets. The demolition involves a net floor loss of 630 sq.m.

Due to the original Gymnasium building having been changed insensitively over the years, this building has lost much of its heritage significance. Overall, the demolition of the historic gymnasium building is considered to result in less than substantial harm. Its demolition, along with the removal of the external Plant area above a flat roof addition, which appears

very industrial against the classical facade of the Woodbury Centre, the proposed development would clear the visually poor buildings and would improve existing teaching space by providing students and teachers with an outlook, natural light and ventilation.

The Heritage Impact Assessment does not consider the potential for the site to retain below-ground remains of archaeological interest, although Greater Manchester Archaeology Service, having reviewed all the information they have on file, including the Historic Environment Record, are satisfied that the delivery of the proposals would not have any impact on archaeological interests. As such, and given the detail contained in the Heritage Impact Assessment, it is considered that no further consideration of archaeological matters is warranted in this instance.

Design and Amenity

UDP Policy CF1/1, amongst other things, requires the impact of proposals on the local environment to be considered. UDP Policy EN1/2 concerns itself with the design of developments and their impacts on townscape with Policy EN1/1 seeking development that would not have a detrimental impact on visual amenity.

The creation of Angouleme Way in the 1970s truncated the larger island site of which it formed a part and fundamentally altered the setting of the building, elevating its visual presence by the open views created. This has increased the prominence to the north elevation and to the north entrance.

Remaining (and now external) facades of the residual building and the catering wing will have new fenestration added. They will feature aluminium powder coated windows, with solar control glass and canopies to prevent unwanted glare arising from their southerly aspect.

The location of the demolished building will be utilised to create a landscaped social gathering space for the use of students. The intention is to create a semi-private, informal social environment for gathering, study and catering overflow. The removal of the buildings will improve this elevation of the Woodbury Centre.

The Landscape Masterplan shows a raised decked area adjacent to the building, as a design response to cover over the previous basement floor. A series of accessible footpaths surfaced in granite aggregate concrete paving will define the layout, and facilitate accessible movement within and around the site. There will be an enclosed 'Glade' social seating space, cube seating and planting including a wild flower meadow. The raised deck will have additional loose furniture. This is part of a wider approach by the College to provide connected spaces, enhancing the interaction of users with College facilities, along with a desire to enhance sustainable drainage and ecology across the College estate.

Overall, subject to matching materials being used in the proposed changes to the external elevation of the building being retained, which can be secured by planning condition, the proposal is considered to accord with the aforementioned local planning policies.

Parking and Highway Safety

The College is in a highly sustainable location and the proposal would be a reduction in floorspace as a result of the demolition of the Health and Beauty Wing.

According to the submitted Site Plans, 4 disabled parking bays would be relocated into the area formerly occupied by buildings and external plant. 9 additional standard parking spaces are proposed as part of this present application. These are directly adjacent to the existing access road within the larger barrier-controlled car park, and will compensate for the lost spaces in an accessible location with a focus on disabled provision.

Biodiversity

Paragraph 174 requires planning decisions should contribute to and enhance the natural

and local environment by, amongst other things, minimising impacts on and providing net gains for biodiversity.

The location of the site is significant with its proximity to suitable habitats, including Townside SBI and the mature trees that line the local waterways; these are considered good foraging and commuting habitats for bats.

A bat scoping survey of the building to be demolished was undertaken in March 2023 by Simply Ecology Limited. This observed that the building was in use and in a satisfactory state of repair and found that features such as gaps in the mortar under ridge tiles, gaps under slate tiles and within the brickwork conferred possibilities for bats to enter the roof. However, despite a thorough and comprehensive search, both inside and out, no definitive evidence of bat activity was found. Nevertheless, the proximity to suitable habitats and previous recordings of bat activity in the locality has led to a recommendation that additional night time surveys are needed. Two such surveys were carried on 27th August and 9th September 2023. The applicants ecologist concludes that there was no reasonably foreseeable likelihood that bats were present in the buildings due for demolition and reconfiguration in the proposed works and no bat roosts were present or will be impacted by the work. As such, it is recommended that all works to these buildings can continue with no need for any supervision by the Appointed Ecologist. No Natural England licence is necessary in this instance, as no impact upon any bat roost is predicted. This is due to the lack of any signs of current or historical use of the buildings by bats. This will deliver compliance with: Section 9 (1 & 4) of The Wildlife & Countryside Act 1981 (as amended), Part 3 (43; 1 & 2) of The Conservation of Habitats and Species Regulations 2017, Section 11 (179 & 180) of the National Planning Policy Framework (2023).

Moving on, the presence of nesting birds is also a material consideration. On the site there is presence of a nest on the external plant and there is possibility of nesting on the flat roofs within the application site. The existing site therefore clearly presents opportunities for breeding birds. It is recommended that all demolition work should be carried out outside of the bird breeding season (March to August inclusive). Where this is not possible, a suitably qualified ecologist should carry out a check to confirm the absence of nesting birds immediately prior to works commencing. A condition is recommended to this effect to ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended). The bird-nesting season is generally regarded to extend between March and August inclusive.

Conclusion

Subject to the recommended planning conditions, the proposals are considered to accord with all above-mentioned local and national planning policies and are thus recommended accordingly.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This permission relates to the following plans:

Drawing no. P7035WL(00) 01: Location Plan;

Drawing no. 7035W L00- 05 Rev. 01: Proposed Site Plan;
 Drawing no. P7035 L1 40 02: Proposed ground floor plan level 1;
 Drawing no. P7035WL(2-)10: Proposed Elevations Sheet 1;
 Drawing no. P7035WL(2-)12: Proposed elevations sheet 3;
 Drawing no. WBS-ITR-00-XX-DR-L-0003 P01: External levels Strategy;
 Drawing no. WBS-ITR-00-XX-DR-L-001 P04: Landscape Masterplan;
 Drawing no. WBS-ITR-00-XX-DR-L-0002 P01: Landscape Strategy Plan;
 Drawing no. WBS-ITR-00-XX-DR-L-0101 P01: Landscape General Arrangement;
 and
 Drawing no. BCW-ZZ-XX-DR-S-92002 P03: Drainage Layout

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan and the National Planning Policy Framework.

- 3 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Access route for all demolition/construction vehicles to the site from the Key Route Network;
- Access point/arrangements for demolition/construction traffic from Market Street, taking into consideration the need to maintain safe pedestrian/vehicular access to the site and all temporary works required to facilitate access for demolition/construction vehicles;
- If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain safe pedestrian/vehicular access to the site and existing car parking facilities;
- The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway/access to the car park;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Confirmation of hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles, together with storage on site of demolition/construction materials;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of the both periods.

Reason: In the interests of highway safety to mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the demolition/construction periods and that the adopted highways are kept free of deposited material from the ground works operations.

- 4 The external finishing materials for the proposal hereby approved shall match those

of the existing building.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 5 The car parking and pedestrian access arrangements indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority 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.

- 6 No demolition of the buildings shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the buildings to be demolished are not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no demolition of any building(s) shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	15/09/2023		