

DELEGATED REPORT

Report by Claire Booth	Date of report: 07/03/2023	Ref: 69150/FUL
Registration: 05/12/2022	LDfC: 27/01/2023	Expiry Date: 30/01/2023
Site Visit: 19/01/2023	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: PI
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIOT

Proposal: Alterations to external elevations, provision of new public entrance with pedestrian walkway and associated landscape works

Location: Beacon Centre, Block B, Bury College, Market Street, Bury, BL9 0AT

Description

The application site forms part of the Beacon Centre for Bury College, which is located within the centre of the college complex, off Market Street. Bury College is centrally located near the town centre within walking distance of the Bury Metrolink station and the Bus Station.

Block B of the Beacon Centre is primarily a three storey flat roof building with brick to the top of the second storey. The third storey of the building is rendered white. A link addition exists to the west gable which forms an entrance area which provides a link to both Building A located to the west of the site, and the Block B, the application site. The south of the site borders the football pitches and playing fields which extend to Wellington Road.

The existing building is positioned fairly centrally within the college campus. It adjoins the Endeavour building to the west, the Innovation and Prospects centres to the north and the Millennium Building to the east. Football pitches operated by Powerleague are located to the south.

The nearest residential property is to the north west of the application site, but is physically separated due to the presence of other buildings on the campus.

There are three strands to this proposal:

1. Alterations to the external appearance of the three storey main building by adding 'Brise Soleil', an architectural feature of a building that reduces heat gain within that building by deflecting sunlight, to all windows. In addition, a half louvered and half glazed frame will be used in existing windows to address ventilation requirements;
2. Creation of a new entrance on the south facing, current rear, elevation; and,
3. Removal of 9no. car parking space to create a pedestrian walkway to the proposed new entrance.

During the course of the application, the submitted Site Plans have been amended to provide greater detail relating to the parking spaces being sought for removal.

Relevant Planning History

61891 - Erection of aluminium canopy store structure - Approve with Conditions 10/10/2017

Publicity

The proposal has been advertised by Site Notice which was erected on a street lamp

located on Market Street close to the entrance of the Millennium Centre, which you have to walk through to get to the Beacon Centre. The Site Notice was posted on the 11 January 2023.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

Area	Townside/Market Street
BY7	
CF2/1	Bury College
EN1/2	Townscape and Built Design
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.

ASSESSMENT

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 will result in the improvement and dual use of Building B which are being put forward to create a building dedicated to providing hair and beauty qualifications. In principle the proposals are therefore supported by Policies CF1/2 and CF2.

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 and Policy EN1/1 seeking development that would not have a detrimental impact on visual amenity.

The proposals put forward, including the proposed materials for the new entrance doors are considered to be sympathetic to the application building. The proposed new entrance would provide a focus to the relatively blank south facing elevation of the building. This would result in a visual improvement to the elevation, which is visible from Wellington Road.

In terms of the proposed changes to the windows to provide ventilation and shade from the sun, these proposals will not cause demonstrable harm to the appearance of the building.

Overall, the proposals are considered to accord with the requirements of the aforementioned policies.

The submitted drawings indicate new signage proposed above the proposed new entrance and to the east elevation of the building. This planning permission does not grant consent for any signage shown on the approved plans, nor should it be construed or assumed that the indication of such signage on the approved plans will result in the grant of advertisement consent. It is suggested that an informative be imposed making the applicant aware of this and to remind the applicant that they may need to make a separate application for advertisement consent to the Local Planning Authority in accordance with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) in order to obtain permission for any signage before this is erected.

Highway Safety

The third strand of the proposal involves removing 9 existing car parking spaces to create a safe pedestrian route from Millennium House to this part of the Beacon Centre.

Currently there is no defined pedestrian route from the Millenium Centre to the south side of the application building. UDP Policy HT6/2 concerns itself with taking measures to minimise pedestrian and vehicle conflict. UDP Policy CF1/1, amongst other things, requires car parking provision to be considered.

The Highway Authority has been consulted on the proposals and have been made aware of

the proposed removal of 9 existing car parking spaces from the college site. They have raised no objections as the proposals will improve pedestrian safety to the building. They also consider the loss of parking spaces to not cause conditions detrimental to highway safety given the accessibility of the college from the public transport network available in the Town Centre.

To conclude, the proposals accord with the relevant aspects of Policies CF1/1, CF1/2 and HT6/2 of the adopted Local Plan, the UDP.

Residential Amenity

The nearest residential properties are located approximately 150-155m to the south of the Beacon Centre on Wellington Road.

The proposals would result in the south elevation of the Beacon Centre being used as a public and student entrance to the building, rather than being accessed via the Millennium Centre positioned to the east of the application site. Given the separation distance between the application site and the nearest residents, the impact on the amenity of the nearby residents, would be minimal. The proposals are thus considered to be acceptable in this regard.

Conclusions

For all of the above reasons, the proposals are considered to be acceptable and thus it is recommended that planning permission be granted.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. 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 than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This permission relates to the following plans:

Dwg. No.7035B L(00) 00 Rev. 02: Location Plan, received at time of application;
Dwg. No. 7035B L(00) 02 Rev. 04: Site Plan Proposed, received 09 February 2023';
Dwg. No. 70358 L(2)-02 Rev 01: Elevations Proposed, received at time of application; and,
Dwg. No. BEA-ITR-00-XX-DR-L-0001 Rev. P02: Landscape Masterplan.

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 listed.

- 3 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans (drawing no. Dwg. No. 70358 L(2)-02 Rev 01).

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Policies CF1/1, EN1/1 and EN1/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	07/03/2023	DM	07/03/2023