

AGENDA FOR

PLANNING CONTROL COMMITTEE

Contact:: Keren Murphy
Direct Line: 0161 253 5130
E-mail: k.m.murphy@bury.gov.uk
Web Site: www.bury.gov.uk

To: All Members of Planning Control Committee

Councillors : T Holt, J Black (Chair), T Cummings,
S Haroon, C Preston, R Skillen, J Harris, I Schofield,
Y Wright, M D'Albert and S Nuttall and J Walker

Dear Member/Colleague

Planning Control Committee

You are invited to attend a meeting of the Planning Control Committee which will be held as follows:-

Date:	Tuesday, 31 July 2018
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted. The Head of Development Management will brief the Committee on any changes to be made to the Planning Applications since the publication of the Agenda. This information will be circulated to Members and made available to the public on the Council's website on the day of the meeting.
Notes:	Food will be available from 5.00 pm (Lancaster Room). Pre-meeting briefing/virtual site visits at 6.00 pm (Lancaster Room). Details of site visits/member training will be circulated separately to Members and Officers.

The Agenda and Reports for the meeting are attached.

The Agenda and Reports are available on the Council's website at www.bury.gov.uk – Council and Democracy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. N. Kenyon', with a long horizontal flourish extending to the right. The signature is centered within a light gray rectangular box.

Stephen Kenyon CPFA
Interim Executive Director of Resource and Regulation

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of the Planning Control Committee are asked to consider whether they have an interest in any of the matters on the Agenda and, if so, to formally declare that interest.

3 MINUTES OF THE MEETING HELD ON 19TH JUNE 2018 *(Pages 1 - 4)*

4 PLANNING APPLICATIONS (INCL. SUPPLEMENTARY INFORMATION) *(Pages 5 - 216)*

5 DELEGATED DECISIONS *(Pages 217 - 232)*

A report from the Head of Development Management on recent delegated planning decisions since the last meeting of the Planning Control Committee.

6 PLANNING APPEALS *(Pages 233 - 246)*

A report from the Head of Development Management on recent planning appeal decisions since the last meeting of the Planning Control Committee.

7 URGENT BUSINESS

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

This page is intentionally left blank

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 19th June, 2018

Present: Councillor C Preston (In the Chair)
Councillors A Cummings, M D'Albert, J Harris, S Haroon, M Hayes, S Nuttall, I Schofield, J Walker and Y Wright

Public attendance: There were 9 members of the public were in attendance

Apologies for absence: Councillors R Skillen and K Thomas

PCC.01 DECLARATIONS OF INTEREST

Councillor Nuttall declared a personal and prejudicial interest in planning application 62473 as Councillor Nuttall is known personally by a member of the family of the applicant.

PCC.02 MINUTES

Delegated decision:

That the Minutes of the meeting held on 22nd May, 2018 be approved as a correct record and signed by the Chair.

PCC.03 PLANNING APPLICATIONS

A report from the Development Manager was submitted in relation to the applications for planning permission. Supplementary information was also submitted in relation to planning applications .

The Committee heard representations from applicants and/or objectors in respect of the applications submitted. This was limited to three minutes for each speaker. Councillors spoke as ward representatives in relation to planning application

Prior to the Committee meeting, a site visit took place in respect of planning application 62473.

Delegated decisions:

1. That the Committee **Approve** the following applications in accordance with the reasons put forward by the Head of Development Management in the report and supplementary information submitted and subject to the conditions included:-

62750 22 Newlands Drive, Prestwich, Manchester – Prestwich – Holyrood Ward

Raised timber deck at rear (approx. 800 mm above ground level) with steps to garden level

62751 34-36 Fountain Place & Aldi Foodstore Ltd, Higher Lane, Whitefield, Manchester – Whitefield & Unsworth – Pilkington Park Ward

Demolition of 34-36 Fountain Place and the extension of existing car park

2. That the Committee make a **Split Decision** on the following applications in accordance with the reasons put forward by the Head of Development Management in the report and supplementary information submitted and subject to the conditions included:-

62166 Land at Hutchinson Way, Radcliffe, Manchester – Radcliffe West Ward

Proposal A: Erection of 7 dwellings

Proposal B: Erection of 1 dwelling (plot 8)

Note: The Officer recommendation was a **Split Decision** to Approve with Conditions Proposal A: Erection of 7 dwellings and to Refuse Proposal B: Erection of 1 dwelling (plot 8). The Committee voted in favour of the Officer recommendation.

62473 Bramley Fold Farm, Hawkshaw Lane, Tottington, Bury – North Manor Ward

Proposal A: Alterations to existing shed

Proposal B: Two storey extension at rear and two storey extension at side

Note: The Officer recommendation was a **Split Decision** to **Approve with Conditions** Proposal A: Alterations to existing shed and to **Refuse** Proposal B: Two storey extension at rear and two storey extension at side. The Committee voted in favour of the Officer recommendation.

Note: Councillor Nuttall, having declared a prejudicial interest left the room during consideration of this application.

PCC.04 DELEGATED DECISIONS

A report from the Head of Development Manager was submitted listing all recent Planning application decisions made by Officers using delegated powers.

Delegated decision:

That the report be noted.

PCC.05 PLANNING APPEALS

A report from the Head of Development Management was submitted listing all recent Planning Appeal decisions since the last meeting of the Planning Control Committee.

Delegated decision:

That the report be noted.

PCC.07 PLANNING COMMITTEE TRAINING PROGRAMME

A report from the Head of Development Management was submitted setting out the proposed training programme for Planning Control Committee Members during the 2018/19 Municipal year. Members were requested to contact Mr Marno with suggestions for the next Outcomes Tour.

Delegated decision:

That the report be noted.

PCC.08 TREE PRESERVATION ORDER CONFIRMATION

The Head of Development Management submitted a report on the confirmation of a temporary Tree Preservation Order currently made on 44 Rectory Lane and 12A Branksome Avenue. Members were requested to note the representation from the owner of 44 Rectory Lane which was included on the Supplementary Agenda.

Delegated decision:

That the Committee confirm, with modifications as detailed in the report, the extant temporary Tree Preservation Order (No.342) designated as 44 Rectory Lane and 12A Branksome Avenue.

**CHAIR
COUNCILLOR C Preston**

(Note: The meeting started at 7.00 pm and ended at 7.55 pm)

This page is intentionally left blank

Title	Planning Applications
To:	Planning Control Committee
On:	31 July 2018
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

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, I have 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 Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Development Manager

Background Documents

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

01	Township Forum - Ward:	Radcliffe - East	App No.	60418
	Location:	Land at Bury Road / York Street, Radcliffe, Manchester, M26 2WH		
	Proposal:	Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to: 20&35- surface water drainage scheme, 27- samples of materials, 28- lifetime homes, 29- footpath and cycle route to vary the timing of submission for implementation		
	Recommendation:	Minded to Approve	Site Visit:	N
02	Township Forum - Ward:	North Manor	App No.	62132
	Location:	10 Vernon Road, Tottington, Bury, BL8 4DD		
	Proposal:	Change of use from shop (Class A1) to cafe (Class A3); New shop front and installation of flue at rear		
	Recommendation:	Approve with Conditions	Site Visit:	N
03	Township Forum - Ward:	Ramsbottom and Tottington - Ramsbottom	App No.	62607
	Location:	15 Bridge Street, Ramsbottom, Bury, BL0 9WN		
	Proposal:	Conversion of first floor and second floor roof space of former bank to 2 apartments, including first floor rear extension and roof terrace on front elevation and erection of bin store to Garden Street elevation		
	Recommendation:	Approve with Conditions	Site Visit:	N
04	Township Forum - Ward:	North Manor	App No.	62715
	Location:	31 Quarlton Drive, Tottington, Bury, BL8 4JY		
	Proposal:	Demolition of existing dwelling house and erection of replacement dwelling house with detached garage		
	Recommendation:	Approve with Conditions	Site Visit:	N
05	Township Forum - Ward:	Bury East - Redvales	App No.	62777
	Location:	626 Manchester Road, Bury, BL9 9SU		
	Proposal:	Removal/Variation of condition no. 4 (implementation of traffic regulation order) of planning permission 61687		
	Recommendation:	Approve with Conditions	Site Visit:	N
06	Township Forum - Ward:	Ramsbottom + Tottington - Tottington	App No.	62780
	Location:	Tottington Motor Co, Market Street, Tottington, Bury, BL8 3LS		
	Proposal:	Variation of condition 2 (approved plans) of planning permission 60264 to revise the store building to provide an enclosed goods access, a		

basement and revisions to elevations; amendments to layout including forecourt levels, fuel pumps and car parking

Recommendation: Approve with Conditions

Site Visit: N

07 Township Forum - Ward: Whitefield + Unsworth - Unsworth **App No.** 62835

Location: Land off Roach Bank Road, Bury, BL9 8RY

Proposal: External lighting scheme and baffling

Recommendation: Approve with Conditions

Site Visit: N

08 Township Forum - Ward: North Manor **App No.** 62860

Location: 20 Hillstone Close, Tottington, Bury, BL8 4EZ

Proposal: First floor extension at rear, new rear dormer and balcony structure with glazed balustrade at rear; Pitched roof over existing integral garage at front

Recommendation: Approve with Conditions

Site Visit: N

09 Township Forum - Ward: North Manor **App No.** 62867

Location: Kay Street Bridge, Summerseat, Ramsbottom, Bury, BL9 6BU

Proposal: Widening works on the upstream side of Kay Street Bridge, Summerseat, to provide a segregated single carriageway and pedestrian footway (Bridge Extension)

Recommendation: Approve with Conditions

Site Visit: Y

10 Township Forum - Ward: Prestwich - Sedgley **App No.** 62914

Location: 48 Parkway, Prestwich, Manchester, M25 0JB

Proposal: Erection of 1 no. dwellinghouse with basement and detached garage

Recommendation: Approve with Conditions

Site Visit: N

Ward: Radcliffe - East

Item 01

Applicant: PIN Property Consultancy

Location: Land at Bury Road / York Street, Radcliffe, Manchester, M26 2WH

Proposal: Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to: 20&35- surface water drainage scheme, 27- samples of materials, 28- lifetime homes, 29- footpath and cycle route to vary the timing of submission for implementation

Application Ref: 60418/Full

Target Date: 22/11/2016

Recommendation: Minded to Approve

The Recommendation is Minded to approve subject to s106 Deed of Variation (56744) for employment commuted sum (£514,800) and the signing and completion of a Section 106 agreement for the timing and delivery of employment land and floorspace OR compensatory payment in accordance with SPD 14, which will require the delivery of 7435m2 of employment floorspace within 5 years or commuted sum payment of £514,800.00 (pro rata to floorspace delivered) pursuant to EC1/1/15 – Dumers Lane Employment Generating Area. Additionally, the construction, laying out, planting, timing and maintenance of 1.4ha of land for recreation provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan; and 15 affordable housing units in accordance with Policy H4/1 of the adopted Bury Unitary Development Plan. Should the agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the Development Manager.

Description

The overall application site covers 10 ha. falls into two main parcels of land to the east of the River Irwell. The first comprises land formerly occupied by Unifi Dyed Yarns Ltd. which sits to the south of an existing unit (currently occupied by Wincanton) and is accessed via York Street. This part of the site has now been cleared. The second comprises open land sitting to the north of the existing Wincanton unit and is accessed via Bury Road.

To the west of the site is Bealy's Goit and Swan Lodge and York Street to the south comprises mainly residential properties. The river runs along the easterly and northerly boundary of the site and further to the north across the river is a primary school and an extensive residential area.

56744 was a hybrid planning application with outline permission being sought for the employment buildings, and full permission for the development platform for the employment and for 153 dwellings. The residential development would be located on the land to the south of the Wincanton unit, accessed via York Street, and the employment element to the north, accessed off Bury Road.

The access into the residential area would be taken from York Street but would not connect through, for day to day purposes, to the industrial northerly part of the site. The scheme would retain the Bury Road access for Wincanton. There would be an emergency access available through from the residential area and footpath connections would link York Street, along the goit through to Bury Road.

Planning permission was granted subject to conditions, some of which were pre-commencement conditions. However the applicant would need to carry out ground works to create the development platform in relation to the housing and employment.

This application seeks the Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to:

20&35- surface water drainage scheme,
27- samples of materials,
28- lifetime homes,
29- footpath and cycle route

to permit mainly ground works to commence but no housing can commence until details are finalised. The current wording says "no development can commence...". However application seeks to say in essence that 'No housing development can commence...'

Relevant Planning History

01354/E - Mixed use residential and commercial development (hybrid) - Enquiry completed 04/12/2013

53645 - Outline planning for mixed use scheme including erection of 200 dwellings; new warehouse (7435 square metres) and land remediation and raising of land; raised emergency access to Bury Road; open space and car parking - Approve with Conditions 20/04/2011

55811 - Variation of condition no. 3 requiring substantial completion of warehouse extension of planning permission 53645 (Outline for mixed use scheme including erection of 200 dwellings; new warehouse (7435 sq.m) and land remediation and raising of land; raised emergency access to Bury Road; open space and car parking) to completion of groundworks and permitting up to 50 dwellings to be occupied - Withdrawn by Applicant 17/01/2014

56743 - Outline - erection of a Class B1 / B2 / B8 development (7,435 square metres maximum) - Withdrawn - Invalid 04/12/2013

56744 - Hybrid full planning application for the erection of 153 no. dwellings together with associated works including the laying out of public open space, and the undertaking of engineering operations to remediate the site, raise the levels, construct an emergency access and development platform for future commercial development; Outline planning application for erection of a Class B1/B2 & B8 development of 7435 m2 - Approve with Conditions 09/10/2015

10/0383 - Untidy land and buildings - 20/04/2011

12/0392 - Untidy site - 04/12/2012

13/0384 - Engineering operation - 09/04/2014

16/0086 - Breach of conditions - 20/08/2016

Publicity

Site Notice placed on and around the site on 18/10/16. 67 Neighbouring properties were informed by letter on 13/10/16. As a result of this publicity, no objections have been received.

Consultations

Borough Engineer - Drainage Section - Concern is expressed in relation to the Flood risk assessment being superseded by flood events in 2015. However, as the lawful position with regard to the extant planning permission and the fact that a fresh scheme is being worked upon in partnership with the Environment Agency to leave land undeveloped and to become flood storage, raises no objections to the scheme (see 56744)

Environment Agency - Originally objected as the drainage scheme subject to the condition discharge request should prove no worsening of flood effects downstream. However, following legal advice, the extant planning permission is prevalent and therefore could not raise an objection. The Environment Agency has been a partner to discussions with the owner of the site and agreement is close to create flood storage capabilities within the site as part of the Radcliffe South Flood Defence Scheme (see 56744).

Traffic Section - No objections

Public Rights of Way Officer - No objections

Unitary Development Plan and Policies

EC1 Employment Land Provision

EC1/1	Land for Business (B1) (B2) (B8)
EC2	Existing Industrial Areas and Premises
EC2/1	Employment Generating Areas
EC6/1	New Business, Industrial and Commercial
H1	Housing Land Provision
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN9	Landscape
OL5/2	Development in River Valleys
OL5/3	Riverside and Canalside Development in Urban Areas
RT1/1	Protection of Recreation Provision in the Urban Area
RT2	New Provision for Recreation in the Urban Area
RT2/1	Provision of New Recreation Sites
RT2/2	Recreation Provision in New Housing Development
HT5/1	Access For Those with Special Needs
SPD1	DC Policy Guidance Note 1: Recreation Provision
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD4	DC Policy Guidance Note 4: Percent for Art
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD16	Design and Layout of New Development in Bury
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

The approved consented planning permission is restrictive in that the wording of the conditions require 'no development' to take place until respective details have been provided. Wording as existing on Planning Permission 56744 and as proposed is set out below:

Conditions 20 & 35- surface water drainage scheme: Currently states

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
- details of how the scheme shall be maintained and managed after completion

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

Proposed

No dwellings shall be constructed on site until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
 - details of how the scheme shall be maintained and managed after completion
- The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Condition 27- samples of materials: Currently states

Details/Samples of the (materials/bricks) 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 before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

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.

Proposed

No dwellings shall be constructed on site until Details/Samples of the (materials/bricks) 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 before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Condition 28- lifetime homes: Currently states

Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved commencing. The development shall then be carried out incorporating the measures in accordance with the approved scheme.

Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies UDP policies HT5/1 – Access for Those with Special Needs, PPS25 - Development and Flood Risk (exceptions test) and SPD 16 Design and Layout of New Development.

Proposed

Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the construction of any dwellings on site ~~development hereby approved commencing~~. The development shall then be carried out incorporating the measures in accordance with the approved scheme.

Condition 29- footpath and cycle route: Currently states

Notwithstanding the submitted proposals, no development shall commence unless and until full details of the proposed mitigation measures comprising of the upgrading of the definitive footpath to a cycle route and new connection onto Bury Road have been submitted to and approved in writing with the Local Planning Authority. The approved measures shall be implemented before the development hereby approved is first brought into use.

Reason - To ensure that the development provides for sustainable transport objectives in pursuant to NPPF Chapter 4 - promoting Sustainable Transport and in the interests of highway safety pursuant Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

Proposed

Notwithstanding the submitted proposals, no dwellings shall be constructed on site ~~development shall commence~~ unless and until full details of the proposed mitigation measures comprising of the upgrading of the definitive footpath to a cycle route and new connection onto Bury Road have been submitted to and approved in writing with the Local Planning Authority. The approved measures shall be implemented before the development hereby approved is first brought into use.

Context

There has been a commencement on the site involving the demolition of industrial buildings

and engineering works to the site. As such, the development is technically in breach of these conditions. The application is seeking to vary the permission to allow the engineering ground works to continue without threat of the condition precedents triggering enforcement and potentially permit the development platforms for the residential and employment land to be constructed in accordance with the full planning permission that exists in relation to these two elements.

In terms of the proposals, in relation to the respective development platforms, the details relating to 27- samples of materials, 28- lifetime homes and 29- footpath and cycle route have no bearing upon the actual implementation of the development platforms and instead do have a relationship to the development of the housing. As such, the request to not to require these details until a point that housing is seeking to commence is reasonable.

Conditions 20 and 35 would allow the development platforms to be constructed and again are proposed to have a preventative measure not permitting the housing until details relating to the surface water drainage of the site have been approved. This aspect has been closely linked to the applications to discharge the planning conditions on the original consent 56744.

On consultation with the Environment Agency, they had been key respondents to the original application (as the lead flood authority at that time) to the consideration of land levels (see condition 21 of 56744) and as set out in conditions 20 and 35, the need to tie the details to the Flood Risk Assessment approved under 56744. This decision and FRA pre-dates the floods of Boxing Day 2015.

The applications submitted to Discharge of Conditions (DoC) 56744 and s73 variation application 60418, were submitted post the floods. The Environment Agency had taken the stance that the FRA needed to be revisited as empirical evidence and newer up to date flood modelling was required. The older and approved FRA would have now in fact created a greater flood concern downstream.

In the intervening period from submission to determination of this application and DoC's, numerous meetings have taken place between the Environment Agency, Local Planning Authority and the applicant to determine whether the development could be amended in a way to reduce or eliminate the risk of downstream flooding that is potentially to occur if this development as approved was implemented.

The applicant's technical flood advisor has confirmed that small changes would make no difference to downstream flood risk, but does acknowledge that there is a risk downstream. Whilst some work had been done evidentially arising through additional submissions from the applicant's flood risk consultant, it is also evident that there has not been any significant movement by the applicant. Despite requests and meetings, the scheme remains unaltered and the Environment Agency maintained their position.

The applicant sought legal planning advice from Richard Kimpton QC on the stance that the Environment Agency had taken in relation to seeking a new FRA. He confirmed that the condition was clear in that the development shall not only be carried out in accordance with the approved FRA, but also bound by the terms of that permission. The process relating to the discharge of condition was equally bound. This view has been shared with both the Environment Agency and the Council's own legal teams. All are in agreement and as such the Environment Agency have accepted this. Notwithstanding the legal opinion that there is no scope to seek a new FRA, the DoC's stand on their own and would have to be carried over to the variation of condition application.

Equally, the original permission of 56744 has a related s106 agreement to it to ensure that the employment development comes forward within a fixed period of time or provides a compensatory contribution to the Employment Generating Fund. This agreement must be updated to reflect this latest variation of condition application accordingly.

On the basis of the DoC applications being accepted, that the pre-commencement elements are accepted, in relation to conditions 10, 11, 18, 20, 30, 37, 39, 41, 43 and 45, the variation of condition application effectively would allow the engineering works to commence and the platforms to be created, with no housing to commence until the remaining details required under conditions 20,27,28,29 & 35 is so approved. These details would be required when the housing developer is on board.

Conclusion

Despite the desire of the Environment Agency to seek a new flood risk assessment under conditions 20 and 35, such a stance is not a lawfully supportable position to take and as such, the DoC's and variation of conditions application has to be made on the basis of a lawfully approved planning position and the respective documents as set out in the conditions. As such, the current application must be allowed to proceed on a planning law basis.

Despite this, the land owners and their agents are entirely aware that to implement effectively an outdated development in relation to flood risk levels would put existing housing at risk and should revisit the approved position.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Minded to Approve

Conditions/ Reasons

1. **Conditions Relating to the OUTLINE PLANNING PERMISSION for the Employment Provision Part of the Site**
2. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, appearance, access and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

4. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011), has been submitted to and approved in writing by the local planning authority. The scheme shall

subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
- details of how the scheme shall be maintained and managed after completion

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

5. As part of the submission of the first reserved matters for the employment site, an Air Quality Assessment report of the impact of the development both during and after the construction phase on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall determine measures to minimise the impacts upon air quality arising from the development and the measures as approved shall be incorporated into the development.
Reason - The roads leading to the planned development are within the Air Quality Management Area (AQMA). The AQMA in this locality is an area predicted to exceed the objectives for nitrogen dioxide as detailed in the Air Quality Regulations 2000 and (Amendment) Regulations 2002. UDP Policy EN 7/1 - Atmospheric Pollution considers that it is a requirement that this development does not lead to, or significantly add to predicted exceedences of any of the objectives detailed in the Air Quality Regulations 2000 and (Amendment) Regulations 2002.
6. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) and Giant Hogweed (*Heracleum Mantegazzianum*) including measures to ensure that no harm occurs to otters, 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. This condition can be satisfied in phases.
Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape.
7. No development shall take place until an area of land has been defined and an otter habitat enhancement plan produced for otters. The scheme including details of holt construction, timing for implementation and maintenance thereof shall be submitted before any groundworks to the employment platform are commenced and the holt shall be available for use in accordance with the approved timetable.
Reason - To ensure that appropriate steps are employed to mitigate any potential impacts upon otters their resting points, habitat and wellbeing pursuant 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.

8. No works shall be carried out to the trees that would disturb nesting birds between

1st March and 31st August inclusive in any year unless otherwise agreed in writing with the Local Planning Authority.

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.

9. No development shall take place until a detailed biodiversity mitigation and enhancement proposal and master plan including avoidance, timing of implementation and habitat creation and enhancement has been submitted and approved in writing by the Local Planning Authority. The plan shall include:
- Details of replacement water bodies including location design, construction and landscaping;
 - Details of proposed grassland, scrub, and woodland enhancement and creation for the entire site including large scale plan and species composition;
 - Measures to protect and enhance the local amphibian population including timing of works and habitat creation;
 - The design, quantity, location and implementation of artificial bat roosts;
 - Specific species measures including kestrel nesting sites, translocation of soft shield fern, introduction of black poplars and habitat management for reed bunting;
 - Measures to ensure the integrity of the wildlife corridor is maintained; and
 - Buffering of the Site of Biological Importance.

Reason - To ensure that appropriate steps are taken to mitigate any potential impacts upon the ecological habitat and that the enhanced ecological biodiversity proposals are carried out pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

10. The development shall be carried out in accordance with E3P Construction and Environment Management Plan Rev A. mitigation measures during the process of demolition, earth works and site clearance associated with the employment platform.

Reason - to ensure that measures and mitigations are in place to deal with ecology and wildlife enhancement pursuant to UDP Policies EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

11. The development relating to land works for the employment building platform shall be carried out in accordance with the Information submitted as part of biodiversity management and monitoring plan namely Bowland Ecology Management plan May 2017 (BOW17_798 Bury Road Application 56744 Report in respect of Conditions 10 and 11 Ecological Measures 25_5_17), Otter holt method statement July 2016 (Otter-10-748-L2-Otter Holt Design) and repositioned holt Rachel hacking Ecology Updated proposals 18 Dec 2017 (Rachel Hacking – RHE Ltd – L001 Discharge of Condition 11 at York Street Radcliffe Bury 2017 – Rev C).

Reason - To ensure the longevity of the ecological enhancement areas pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

12. Details relating to a scheme for a travel plan shall be submitted as part of the reserved matters relating to the layout of the site. The development shall be carried out in accordance with the approved scheme and the travel plan shall accord with the Travel Plan Frameworks, which establishes the developer and occupier travel plan objectives and targets and includes an implementation programme. The approved scheme and its measures shall be implemented before each phase of the development is brought into use and retained thereafter unless

otherwise agreed in writing by the Local Planning Authority. This condition can be satisfied in phases.

Reason - In order to deliver sustainable transport objectives in pursuant to NPPF Chapter 4 - Promoting sustainable transport.

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:

- The buildings are located away from the 20 metre easement as per section 3.1.2.
- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
- Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
- Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant to UDP Policy EN5/1 - New Development and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

14. No development shall take place until a scheme for the provision and management of an 20 metre wide undeveloped buffer zone alongside the River Irwell shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be approved in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme including planting schedule largely based on native species.
- details demonstrating how the buffer zone will be protected during development
- details of any proposed footpaths, fencing, lighting etc.

Reasons - Development that encroaches on watercourses and linking riparian greenspace has a potentially severe impact on their ecological value. New built encroachment of river corridor can inhibit riparian species movement along key ecological network pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

15. No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail of all land reprofiling works within existing greenspace and riparian corridor to accommodate flood risk issues.
- detailed site soil management strategy which integrates the ecological, recreational and flood risk issues of site.

- details of maintenance regimes
- details of any new habitat created on site
- details of any new surface water treatment from commercial site that is preferably based on Sustainable Urban Drainage principles.
- details of long term management responsibilities including adequate financial provision and named body responsible for management plus production of detailed conservation management plan.

Reason - To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

16. Conditions relating to the FULL PLANNING PERMISSION relating to the Housing Site and Employment Platform

17. In relation to the proposed housing part of the site and the employment platform, 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.

18. In relation to the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) and Giant Hogweed (*Heracleum Mantegazzianum*), the development shall be carried out in accordance with E3P Construction and Environment Management Plan Rev A. and invasive species report and management plan produced by EP3 reference 10-748-R2 Rev A January 2018: The management plan shall incorporate measures to prevent the capability of any on site stored materials in relation to invasive species to be prevented from washing downstream in the event of the site flooding.

Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 – Landscape, National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

19. The employment platform shall be implemented and available for unit construction and its services before the commencement of housing development.

Reason - To ensure the employment proposals are brought forward at the earliest stage in relation to the case argued by the planning proposals and the designation of the land pursuant to UDP Policy EC2/1 - Employment Generating Areas.

20. In relation to the surface water drainage scheme for the site, the development shall be carried out in accordance with the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) as updated by Weetwood Report Dated 20/10/17 (2017 – 10 – 20 3446 DoC 20-35 Final V1.1). The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and be available for use/operable before first occupation of the housing or indicated phase of the site.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk

21. • The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following

mitigation measures detailed within the FRA:

- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
- Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
- Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

22. The approved emergency route shall be available for use on first occupation of any dwellings and it shall be available for use at all times whilst the residential development is reliant upon this access for an emergency purpose and constructed in accordance with the approved details 18.01.11HC – 17243 (40) – 01C)

Reason - To ensure that the emergency access route is delivered to serve the residential development hereby approved, pursuant to UDP Policies EN1/5 - Crime Prevention and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

23. The site shall be developed in relation to the ecology proposals in the following manner :

- The phasing in relation to the ecology shall be implemented in accordance with the provisions to be satisfied within conditions 7 to 11 inclusive;
- The phasing in relation to the remediation of the existing former Unify Dyeing Site and land raising thereto, shall be implemented in accordance with the provisions to be satisfied within conditions 7 to 11 inclusive;

Reason - To ensure that measures and mitigations are in place to deal with ecology and wildlife enhancement pursuant to UDP Policies EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

24. The residential development hereby approved shall not be occupied unless and until the site access improvements to York Street have been implemented to an approved specification and to the written approval of the Local Planning Authority.

Reason - To ensure good highway design in the interests of road and pedestrian safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

25. The visibility splays indicated on the approved plans, shall be implemented and be available for use before first occupation of the housing hereby approved and subsequently be 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 Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

26. Notwithstanding the provisions of the approved plans, the timber fencing between the residential plots and the open space only (all other fencing otherwise is as proposed) shall be 2.1m high and not 1.8m as shown.

Reason - To minimise the effects of crime upon residential plots that adjoin the open space pursuant to NPPF Chapter and UDP Policy EN1/5 - Crime Prevention and SPG3 - Planning out Crime in new Development.

27. No dwellings shall be constructed on site until Details/Samples of the (materials/bricks) 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. Only the approved materials/bricks shall be used for the construction of the development.
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.
28. Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the construction of any dwellings on site. The development shall then be carried out incorporating the measures in accordance with the approved scheme.
Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies UDP policies HT5/1 - Access for Those with Special Needs, Chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the National Planning Policy Framework (exceptions test) and SPD 16 Design and Layout of New Development.
29. Notwithstanding the submitted proposals, no dwellings shall be constructed on site unless and until full details of the proposed mitigation measures comprising of the upgrading of the definitive footpath to a cycle route and new connection onto Bury Road have been submitted to and approved in writing with the Local Planning Authority. The approved measures shall be implemented before the development hereby approved is first brought into use.
Reason - To ensure that the development provides for sustainable transport objectives in pursuant to NPPF Chapter 4 - promoting Sustainable Transport and in the interests of highway safety pursuant Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.
30. Notwithstanding the details indicated on approved plan reference SK346-PL01 Revision E, no dwellings shall be constructed on site unless and until full details of the following have been submitted to and approved by the Local Planning Authority:
- Timing, routing and access arrangements for construction traffic associated with the land raising operation;
 - Visibility splays appropriate for a speed of 20mph in accordance with the standards in Manual for Streets at the junctions of the site accesses with York Street, at all internal junctions and at the junctions of the driveways serving Plots 140 - 150 with the proposed estate roads, with no obstructions above the height of 0.6m within the splays;
 - A 20mph traffic calming and white lining scheme on the proposed estate roads including the existing adopted highways used to access the site (York Street & Bealey Avenue);
 - Vehicle restraint measures/barriers between the turning head/private driveways fronting York Street and the amenity land/adopted highway in view of the anticipated level differences;
 - Long sections through the proposed accesses onto York Street confirming gradients on and at the interface with the adopted highway.
 - Street lighting scheme for the residential development and the section of York Street abutting the development;
 - 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 to the written satisfaction of, and to a programme approved by, the Local Planning Authority.

Reason - To ensure the intervisibility of the users of the site and the adjacent highways, to ensure good highway design and to maintain the integrity of the adopted highway in the interests of highway safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

31. The car parking indicated on the approved plan SK346-PL01 Rev. E received 23/9/14 shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.

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.

32. For dwellings with a garage, a minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors. In the event of no garage being constructed, a minimum hardstanding length of 5.0m, sufficient to accommodate a vehicle clear of the adjacent footway, shall be provided within the curtilage of each dwelling.

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.

33. The turning facilities indicated on the approved plans (or similar alternative provision that enables construction traffic to enter and leave the site in a forward gear agreed in writing with the Local Planning Authority) shall be provided before construction of the dwellings is commenced and 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 Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

34. 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 that area shall not be used for any other purposes other than the parking of vehicles and storage of construction materials respectively.

Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

35. In relation to the surface water drainage scheme for the site, the development shall be carried out in accordance with the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) as updated by Weetwood Report Dated 20/10/17 (2017 – 10 – 20 3446 DoC 20-35 Final V1.1).. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and be available for use/operable before first occupation of the housing or indicated phase of the site.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

36. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref

1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:

- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
- Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
- Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

37. The Development shall be carried out in accordance with (details outlined within River Irwell buffer zone detail (Weetwood, 3446/200/P5) and Construction Environmental Management Plan (e3p, Jan 2018)) relating to a scheme for the provision of a minimum 12 metre wide buffer zone alongside the River Irwell. Following commencement of the housing plateau and before the construction of any housing, a scheme details relating to The buffer zone enhancement, which shall be free from built development including lighting, domestic gardens and formal landscaping, shall be submitted that provides new or retained grassland habitats on periphery of site. areas of required ecological enhancement works as identified in habitat survey report (REC, 11th July 2013) and potential flood alleviation/compensation works highlighted in updated Flood Risk assessment (REC, June 2013 and subsequent Weetwood Report Dated 20/10/17 (2017 – 10 – 20 3446 DoC 20-35 Final V1.1). - surface water drainage scheme); and ecological enhancement opportunities these other works associated with development within the semi-natural greenspace or ecological networks.

Reason - To ensure that the Development would not encroaches on watercourses to have an impact on their ecological value by impacting on key ecological networks and reducing its value as a key wildlife corridor pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

38. **CONDITIONS IN RELATION TO ALL PARTS OF THE PLANNING APPLICATION SITE**

39. The development in relation to contaminated land, shall be carried out in accordance with -
- Phase II Remediation Specification for Land at York Street, Bury, REC, Reference: 43993p6r3, July 2014; and
 - 1st Phase Demolition Validation Report for Proposed Residential Development, Expert Logistics, Bury Road, Radcliffe, REC, Reference: 43993p5r1, July 2014
 - Remediation and Enabling Works Performance Specification for York Street. Bury, M26 2QQ, E3P, Reference: 10-748-R1-rev3, July 2016.
 - Construction Environmental Management Plan for York Street. Bury, M26 2QQ, E3P, Reference: 10-748-R2 Final, July 2016.
 - Treatment Certificate for York Street, Bury, Complete Weed Control, 14 October 2015.
 - E3P Plan and report 11-868-R2 showing the location of Japanese Knotweed at York Street, Bury, and method statement,
 - Treatment Certificate for York Street, Bury, Complete Weed Control, 6 October 2014.
 - Plan showing the location of Japanese Knotweed at York Street, Bury,

Reference:43993-002, 15 October 2015

- Phase II Remediation Specification for Land at York Street, Bury, REC Ltd, Reference: 43993p6r3, July 2014.
- Method Statement for the Controlled Excavation and Treatment of Himalayan Balsam/Giant Hogweed Contaminated Soils, E3P, Reference: 10-748-L1, 18 July 2016
- Surface Water Sampling, REC, Reference: 104467p1r0, October 2017
- Letter from Environment Agency regarding Discharge of Condition 37 and 39, Land at Bury Road/York Street, Radcliffe Manchester, M26 2WH, Reference: SO/2018/117857/01-L01, 29 January 2018
- REC ref: 104467P1R0
- Construction Environmental Management Plan (Ref: 10-748-R2 Rev A January 2018

This condition can be satisfied in phases and validation shall be provided at the end of each phase or on completion of the development but before first occupation of the site.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

40. Following the provisions of Condition 39 of this planning permission, 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.

This condition can be satisfied in phases and validation shall be provided at the end of each phase or on completion of the development but before first occupation of the site.

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 11 - Conserving and enhancing the natural environment.

41. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;

The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use. This condition can be satisfied in phases and validation shall be provided at the end of each phase or on completion of the development but before first occupation of the site.

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 11 - Conserving and enhancing the natural environment.

42. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

This condition can be satisfied in phases.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

43. The development shall be carried out in accordance with the provisions set out from the respective reports satisfying condition 39 and Part discharged in accordance with Phase II Remediation Specification (Ref: 43993p6r3, July 2014) and Remediation and Enabling Works Performance Specification (Ref: 10-748-R1-rev3, December 2015) risk assessment that identifies where actual / potential remediation / protection measures are required and gas risks have been identified, containing detailed site investigation(s), ground gas monitoring and suitable risk assessment(s); and Post ground works remediation, where remediation / protection measures are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

This condition can be satisfied in phases.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

44. Following the provisions of Conditions 39 to 44 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved 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.

This condition can be satisfied in phases.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

45. In relation to both the residential and employment sites, the development shall be carried out in accordance with REC Report Construction Management Plan Ref: 10-748-R2 Rev A, Jan 2018 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 unless otherwise agreed in writing by the Local Planning Authority.

This condition can be satisfied in phases.

Reason - To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement.

46. This decision relates to reports and drawings numbered

Reports

SK346-SS-01 - Proposed Street scenes - REV A
Proposed site plan and sections- PPC_02-AS227-02
Existing Site plan and Sections - PPC_01-AS227-01
Proposed site plan and levels - PPC_04-AS227-04
Access and egress levels and sections - PPC_05-AS227-05
Proposed new build scheme (dwg no. PPC74-01)
Flood risk assessment
Flood Risk Assessment - 03/04/2014
Proposed site plan (dwg no. SK346-PL01 rev E)
Planning Statement
Geo-Environmental Assessment, May 2007
Geo-Environmental Assessment, Rev A, January 2011
Extended Phase I Habitat Survey 03/04/2014
Proposed Site Levels (Dwg No: PPC87_04)
Phase I & Phase II Geo-Environmental Site Investigation
Existing Site Plan and Sections (Dwg No: PPC87_01 Rev: A)
Coal Mining Risk Assessment (Residential)
Access and Egress Sections (Dwg No: PPC87_05)
Phase II Remediation Specification
Air Quality Assessment
Coal Mining Risk Assessment (Commercial) - 03/04/2014
Transport Assessment Appendices - 06/12/2013
Crime Impact Statement
Noise impact assessment - residential
Noise impact assessment - commercial
Invasive species remediation method statement
Ground investigation - residential area
Supporting Document, Design and Access statement

Sustainable Drainage Report

2017 – 10 – 20 3446 DoC 20-35 Final V1.1

Invasive Plant Species Eradication Strategy letter

Treatment certificate and plan setting out extent of treatment undertaken for Japanese Knotweed and timetable for implementation of future works

Treatment certificate and plan setting out extent of treatment undertaken for Japanese Knotweed and timetable for implementation of future works

Treatment certificate and plan setting out extent of treatment undertaken for Japanese Knotweed and timetable for implementation of future works

Otter Holt Method Statement (Otter-10-748-L2-Otter Holt Design)

Highways Technical Note (once agreed)

Construction Environmental Management Plan

Remediation and Enabling Works Performance Specification (Ref: 10-748-R1-rev3)

Construction Environmental Management Plan (Ref: 10-748-R2, July 2016)

Plans

Location Plan, SK346-LOC-01

Proposed street scenes; SK346-SS-01 Rev B

Topographical survey; SK346-TOPO-01

Ecological enhancements & monitoring plan

LIFE - 3B5P(90) ELEVATIONS 6.0; LIFE-3B5P(90)6.0/04

LIFE FLOOR PLANS; LIFE 3B5P(90)01

LIFE ELEVATIONS; LIFE-2B4P(77)05

LIFE ELEVATIONS; LIFE 3B5P(90)02.SA

LIFE FLOOR PLANS; LIFE3B5P(90)01.SA
Life floor plans; LIFE 2B4P(77)01 Rev A

The Lyn Elevations
The Lyn floor plans; LYN 01
The Lyn Elevations 6.0 Brick (Detached); LYN-6.0-DET
The Lyn Elevations 6.1 (Semi); LYN-6.1(SEMI)(A)

Nash (14)- 6.1 FCT brick render elevations
Nash (14) 01 ground floor plan
Nash (14) 02 first floor plan
Nash (14)6.1 FCT brick render elevations
Nash (14)6.01 semi (A)
Nash(14)6.1 brick render elevations

The Weaver elevations; WEAV-6.1-SEMI
The Weaver floor plans; WEAV-01
The Weaver elevations; WEAV-6.0-DET
The Weaver elevations semi; WEAV-6.0-SEMI

Long (14)-6.0 brick elevation
Long (14)-6.1 semi A Render elevation

The Longford 6.2 Elevations (Detached); LONG/6.2/D/02 Rev C
The Longford 6.0 elevations (Detached); LONG/6.0/D/04 Rev B
Long(14)-6.1 render elevation
Long (14)-6.0 brick elevation semi
LONG(14)-01 FLOOR PLANS

The Wallbrook elevations; WALB-6.0-SEMI
The Wallbrook elevations; WALB-6.0-4MEWS(A)
The Wallbrook elevations; WALB-6.0-3MEWS(A)
The Walbrook floor plans; WALB-01

COLN (14)-01 floor plans
COLN (14)-6.0 BRICK ELEVATION

The New Severn FCT 6.1 Elevations; NEWSEV/FCT/6.1 Rev C
The New Severn FCT 1st floor plan; NEWSEV/FCT/02 Rev C
The New Severn FCT Ground Floor Plan; NEW SEV/FCT/01 Rev B

Ashwood (14)-01 FCT Ground floor plan
Ashwood (14)-6.1 FCT Render elevation
Ashwood - 02 (SIG) 1st floor plan

Ashwell elevations; Drawing no. ASH/03/6.1 Rev B
Ashwell 04 (first floor plan); Ashwell 04 Rev A
Ashwell FCT (and; bay)- ground floor plan; Drawing no. Ashwell 03 Rev A
Ashwell elevations 6.0; Ashwell/07 Rev A

Ellesmere floor plans; 14-01
Ellesmere elevations 6.1;
Ellesmere 6.1 SEMI (A)
Ellesmere (14)-6.01 SEMI (A)

Dunham ground and first floor plan; DUN/01 Rev C
Dunham 2nd floor plan; DUN/02 Rev D

Grantham elevations 6.1; GRANT-6.1-DET

Grantham; GRANT 01
Grantham elevations 6.1; GRANT-6.1-SEMI

Dunham 6.2 Elevations; DUN/04 Rev A
Dun(14) - 01
DUN(14)-02

Cycle Path Details (reserved matters detail)
Emergency Access Details 18.01.11HC – 17243 (40) – 01C)
Site Access and Layout Plans (reserved matters detail)
Other highways plans (reserved matters detail)
Buffer Zone plan showing the extent and layout of the greenspace buffer zone
(PPC-08-AS227-07)
Standard Retaining Wall Details showing the buffer zone protective fencing (Ref:
3018/RW/1800/1.8 [Sheets 1 and 2]).

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.

47. No putrescible waste shall be brought onto the site at any time for the purposes of
land raising or ground works.

Reason - In the interests of environmental amenity pursuant to UDP
Policy MW3/2 Waste Recycling, MW4/1 Assessing Waste Disposal Proposals
and MW4/2 Development Control Conditions (Waste).

For further information on the application please contact **Dave Marno** on **0161 253 5291**



LEGEND

- FOOTPATH AND PATTER TO BE UNIMPAIRED PENETRATION ABOVE 400mm RIGIDLY REINFORCED GLASS BUT Joints, OVERMIN 75mm THICK BASED ON 100mm THICKNESS OF WELL CONSIDERED HANDRONE.
- 1400mm HIGH OVERMIN TO FINISHES, BLACK WITHIN MACADAM WEARING SURFACE TO LOCAL AUTHORITY STANDARDS, REFER TO CIVIL ENGINEERING SURVEY.
- HATCH CONTOURS TO BE PLANNED, REFER TO SURVEY/ART CONTRACTORS DRAWING
- 1400mm HIGH BRICK WALL, SEE BIDS 0051, 101
- 1100mm HIGH HOOD TOP METAL RAIL, SEE BIDS 0021
- 1400mm HIGH TIMBER FENCE 1400mm FENCE PANEL ON 300mm CONCRETE UPRIGHTS AND POSTS, OVERMIN 100mm THICK
- 1400mm HIGH CLOSE BORDERED GATE, BLANK TO LOOK WITH 1400mm HIGH GLASS OR TIMBER WITH 1400mm HIGH BLANK TO LOOK WITH DOORHANDLE, ACCESSORY
- 1400mm HIGH GLASS DOORS, DOORS TO HAVE TIMBER THRESHOLD UNLESS NOTED OTHERWISE OTHERWISE 100mm x 100mm x 15mm
- DOOR HATCH DETAILING TO BE AS SHOWN
- PATIO / FRENCH DOORS, ALL DOORS TO HAVE FLUSH THRESHOLDS
- 1400mm HIGH FARM GARDEN TIMBER RASHED POSITION ON WINDOW, TO INCLUDE CYCLE RACK
- 14m WATER RAIN
- COMPOSITE SLAB
- HAZARDISING ZONE SEE SITES LAWS PROVISIONS SEE BIDS 001
- ROTARY ENTRY - SEE SITES LAWS PROVISIONS SEE SPECIFICATION DETAIL - CIRCLES 1, 2

- CAR PARKING IS AFFORDABLE UNITS HAS BEEN PROVIDED TO ALLOW FOR FUTURE EXPANSION TO MEET HOMEOWNER STANDARD.
- PATHS GENERALLY TO BE ACCESS WIDE.
- PATIOS GENERALLY TO BE 2700 x 1500mm UNLESS INDICATED OTHERWISE.
- PAYING SLABS TO ADJUT HOME WHERE FOOTPATH OR PATIO TO ADJACENT TO DWELLING.
- MOVING STUFF TO BE PROVIDED WHEN TURNED AREAS ADJUT HOME, TO COVER OF 150mm WIDE WHITE CHALK CHIPPINGS.
- GROUND LEVEL ADJACENT TO HOUSE TO BE 150mm BELOW FINISH UNLESS OTHERWISE NOTED.
- ALL DWELLING ENTRANCES TO HAVE LEVEL THRESHOLD, ALL ENTRANCES TO AFFORDABLE UNITS TO HAVE LEVEL THRESHOLDS.

NATURAL RESOURCES

6.6 = 6" INCH
6.5 = 5" INCH, 1/2 INCH

METER INDICATOR

G = GAS METER
E = ELECTRIC METER
C = CABLE

B	13-13-93	QSP	Mail returned to reduce number of January 8 LTRs; however, PPS indicated change to the Addendums.
B	17-13-93	QSP	This revised and held number of units returned in EDL.
B	1-14-93	QSP	Units are provided, second number of units returned by EPA - schedules of re contamination applied to second.
B	09-04-93	QSP	Final LTR returned recontaminated following site-specific final meeting with EPA - recontaminated phase discussed; 1416 units subject to enhanced phase 2 units determined via enhanced phase 2 PPS & Signage Units.
A	31-06-93	QSP	Printed sheets in Photo 67 - 24 re-cont. sign subject to January 8 LTRs 130 - 131 provided in PPS; recontaminated of contamination applied to second.

Countryside Properties

Countryside Properties (UK) Limited
Burgessway House
Countryside House
Lutonville Drive
Gosport Heath
Hartley Wintney RG27 9JQ
Tel: 01535 546800 Fax: 01535 546801
www.countryside-group.co.uk

**York Street
Radcliffe**

00001
**Proposed
 Site Plan**
 (SIGMA VERSION - FOR INTERNAL USE ONLY)

scale:	1:500	drawn by:	GWP
date:	July 2013	checked:	


 drawing not
SK346-PL01
 sheet (of)
 Sheet 1 of 1
 revision:
 F

Ward: North Manor

Item 02

Applicant: Mrs Claire Balesi

Location: 10 Vernon Road, Tottington, Bury, BL8 4DD

Proposal: Change of use from shop (Class A1) to cafe (Class A3); New shop front and installation of flue at rear

Application Ref: 62132/Full

Target Date: 24/05/2018

Recommendation: Approve with Conditions

Description

The application relates to a vacant shop unit within a terraced shopping parade with flats above. The red brick two storey property is within a Neighbourhood Shopping Centre with public parking to the front and side and a service yard to the rear. There is a butcher's shop on the west side and a hair salon on the east side. The shopping centre itself is surrounded by residential properties.

The proposal is to change the use of the ground floor unit (73sqm) to a cafe and install a new shopfront. The public seating area would be situated towards the front with a small kitchen and toilet at the rear. Plans indicate that there is an intention to have a small area for outdoor seating on the small forecourt at the front. Hours of opening would be 7am to 7pm daily.

The applicant states that there is now no need for a new flue extending above the eaves to disperse cooking fumes/ odours as a specialist air intake and extractor system would be installed internally with two louvered openings on the rear elevation.

A Noise Impact Assessment and an Odour Assessment have been submitted in support of the application.

Relevant Planning History

12 Vernon Road - 38474 Change of use from medical centre to hot food takeaway (with opening hours to 11.30pm) - Refused on grounds that the takeaway would be seriously detrimental to the residential amenities of nearby occupiers by reason of the noise, smell, disturbance and general activity associated with the proposed use. There was also insufficient information on the flue/ extractor system.

Publicity

The following 20 neighbours were notified by initial letter dated 03/04/18: Nos1-5(odd) and 2-12(even) Vernon Road, 1 Sandringham Drive, 1 Newton Drive.

Seven representations objecting to the proposal received from 2 Sandringham Drive, 12 Longsight Road, 3, 7, 9 and 12A Vernon Road. Concerns are summarised below:

- The proposal will create considerably more traffic compounding existing parking problems.
- Increased noise and disturbance from customers.
- Previous application for a hot food takeaway (at No.12) was refused.
- All shops on the parade close by 6pm. Late opening and possible alcohol sales would create problems.
- Cooking smells.
- Health and safety concerns and fire risk.

The seven initial objectors were re notified of alterations to the scheme by a 7 day letter dated 12/07/18. Three further comments, from 7 and 9 , have been received, from No.5, 7 and 9 Vernon Road and 2 Sandringham Drive. The residents maintain their basic objections on the following grounds:

Out of character with area.

- The applicants could apply to extend the hours at a future time and obtain an alcohol licence.
- Increased risk of fire.
- There will still be noise and odour problems arising.
- Drainage and flooding issues - health and safety risks
- Parking and problems remain.
- HGV vehicles/ delivery vehicles causing problems.

Those making representations have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Environmental Health - There were initial concerns about later hours of opening causing noise and disturbance to surrounding residents. The revised opening hours and detailed reports on noise and odour are welcomed. No objection subject to conditions regarding opening hours, noise levels, closing windows and doors at closing time and details of the extractor system.

Waste Management - No objection.

Unitary Development Plan and Policies

S1/5	Neighbourhood Centres and Local Shops
S2/6	Food and Drink
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
NPPF	National Planning Policy Framework
EC4/1	Small Businesses
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs

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.

Policy - NPPF supports small businesses

UDP Policy S1/5 - Neighbourhood Centres and Local Shops. The Council will seek to retain retailing (Class A1), as the predominant use in small neighbourhood centres and in new or existing local shops, to cater primarily for the day to day needs of residents and businesses.

UDP Policy S2/4 - Control of Non-Retail Uses in All Other Areas. Outside the main shopping area of town and district centres, changes of use, or redevelopment, from a retail shop (Class A1) to a non-retail use will be permitted

In considering proposals for a non-retail use the following factors will be taken into account:

a) that the proposal is appropriate in scale and character to the requirements of the area and necessary to serve local needs which would not otherwise be met;

- b) that the new non-retail use would not result in an over concentration or grouping of uses which could result in a long term loss of trade from a centre compared with a continued Class A1 use;
- c) the length of time the unit has remained vacant and the viability of a continued Class A1 use;
- d) whether or not the locality is adequately served by alternative local shopping facilities within reasonable walking distance;
- e) that a display window is retained or provided, where appropriate;
- f) that access is provided for the mobility impaired, where appropriate;
- g) that adequate provision is made for car parking and servicing.

UDP Policy S2/6 - Food and Drink. The Council in considering all proposals which involve restaurants, hot food takeaways, cafes, snack bars, wine bars and public houses, together with any other uses contained within Class A3, will have regard to the following factors:

- a) the amenity of nearby residents by reason of noise, smell, litter and opening hours;
- b) whether or not the proposal would result in an over concentration of Class A3 uses, which could adversely change the nature or character of a centre as a whole;
- c) parking and servicing provision associated with the proposed development and its effects in terms of road safety, traffic generation and movement;
- d) provision for the storage and disposal of refuse and customer litter;
- e) the environmental impact of any ventilation flues and/or ducting.

UDP Policy EN7/2 - Noise Pollution. In seeking to limit noise pollution the Council will not permit:

- a) development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users;
- b) development close to a permanent source of noise.

Use - Although the change of use would mean the loss of a retail unit, it is noted that it has been vacant for over 6 months. The proposed development would bring the vacant unit back into use and would have a high level of activity during the day. As such, the proposed development would not harm the vitality and viability of the Neighbourhood Shopping Centre. A small cafe is a use normally found within shopping centres and would be considered acceptable in principle subject to appropriate design and appearance and amenity issues being suitably addressed.

Visual amenity - It is considered that the proposal to change the use to cafe with a new active frontage would have a positive impact on the character of the Neighbourhood Shopping Centre and wider streetscape by maintaining an appropriate use in an otherwise empty premises.

The existing shopfront would be replaced with a new shopfront comprising bi folding doors with full height glazing either side of the main door. The new shopfront would improve the appearance of the unit and give a more contemporary feel to the shopfront. The retention of the central door would reflect the existing shopfronts in the row. Any proposed signage would need to comply with the advertising regulations, if permitted or otherwise require a separate advert application.

The proposal, in terms of visual amenity is considered to be acceptable and would comply with the NPPF and UDP Policies EN1/2 Townscape and Built Design and EN1/9 Shopfronts.

Residential amenity - Within a Neighbourhood Shopping Centre, the property adjoins commercial premises on either side (butchers and hair/beauty) with residential above and the impact on these residents and other neighbours needs to be assessed against criteria in UDP Policy S2/6 Food and Drink.

The Noise Impact Assessment (Clement Acoustics, 28th June 2018) addresses both noise from plant/machinery and general cafe noise. With regard to noise from plant, it is

considered that, with appropriate silencers, noise levels of 45dB(A) would be achieved at the nearest noise receptor, in this case the flat above the unit. This is considered to be acceptable.

With regard to general noise generated within the unit, a more onerous target of 25dB(A) would be considered acceptable given it has potential to cause more disturbance. It is considered that the acceptable level of noise, below the 25dB(A) could be achieved with suitable insulation and other impact mitigation measures.

Levels of noise both externally and internally would be controlled by a suitable noise management plan which would include restricting music to 'background' levels and signage on the premises reminding patrons to be mindful of residents with regard to noise.

With regard to odour, given the nature of the site, close to residential properties and the level of the extractor vent on the rear elevation, the Odour Assessment report (REC July 2018) set the odour abatement criteria at a relatively high level. It concludes that, with the recommended mitigation measures, the extractor system proposed would not cause undue amenity issues to surrounding residents.

Given the modest scale of the proposed new cafe/restaurant, restricted opening hours to 7pm, together with any appropriate mitigation measures regarding noise and odours, there would be no serious residential amenity issues relating to the proposal. Conditions would be attached to any approval that would control opening hours, the extractor system and any sound insulation to the premises, should it be required.

With regard to concerns about possible conversion of the premises to a hot food takeaway or the extension of opening hours further into the evening/night time, the change of use or change of hours would need further planning approval.

In addition to the planning conditions, the cafe would also be subject to current Environmental Health Legislation relating to noise and disturbance, odours and health and safety.

The proposal, in terms of residential amenity would be acceptable and would comply with UDP Policies EC4/1 Small Businesses, S2/6 Food and Drink, EN7/1 Atmospheric Pollution and EN7/2 Noise Pollution.

Traffic - The proposed cafe unit would be modest in nature and within the Neighbourhood Shopping Centre where there is dedicated parking for shoppers.

The existing A1 shop use would generate a certain amount of traffic and this could potentially be over a much longer period within a day than the proposed cafe use as the existing opening hours are unrestricted. It is considered that the proposed cafe use with restricted hours, would not cause significantly more parking problems than the A1 shop use and may even generate less traffic.

With regard to servicing, access to the rear for bins would be as existing and this is considered to be acceptable.

There are no objections from the Highways Section as the proposal complies with UDP Policies S2/6 and HT2/4 in relation to parking and access.

Access - The new shopfront would be designed to facilitate level access from the adjacent pavement and this would be welcome and comply with UDP Policy HT5/1 Access for those with Special Needs.

Servicing - The unit would be serviced from the rear service yard as with the previous shop use. Bins would be stored at the rear as with the rest of the units and this is considered acceptable and complies with UDP Policy S2/6 Food and Drink.

Drainage - It is proposed to use the existing drainage system that has been in place for the previous use and this is considered acceptable.

Representations - The planning related concerns raised by the objectors have been addressed in the above report. Health and safety and fire risk are issues that would be addressed under separate legislation (Environmental Health and Fire Safety). It is noted that the Co-op at the end of the row of shops is open until at least 10pm.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings numbered 10434/P/L01, L02, L03, E01, P01, P02, 10434/P/E02/B and 1120EX(A) 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.
3. Noise levels shall not exceed the following:
The noise level associated with the proposed plant/air intake/ extractor shall not exceed NR45dB(A) as measured outside the closest residential window.
The noise level associated with activities within the cafe shall not exceed 25dB(A) as measured from the closest residential window.
Reason. In the interests of residential amenity pursuant to the NPPF and UDP Policies S2/6 Food and Drink, EN7/2 Noise Pollution.
4. The recommendations within the Noise Management Plan, detailed in the Noise Impact Assessment (Clement Acoustics, dated 29/06/2018) shall be implemented and thereafter maintained for the duration of the use hereby approved.
Reason. In the interests of residential amenity, pursuant to the NPPF and UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.
5. The cafe/restaurant hereby permitted shall not be open to customers outside the following times: 0700hrs to 1900hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.
6. All doors and windows shall be closed after 7pm.
Reason. In the interests of residential amenity pursuant to UDP Policy S2/6 Food and Drink and EN7/2 Noise Pollution.
7. The use hereby approved shall not commence unless and until a scheme for

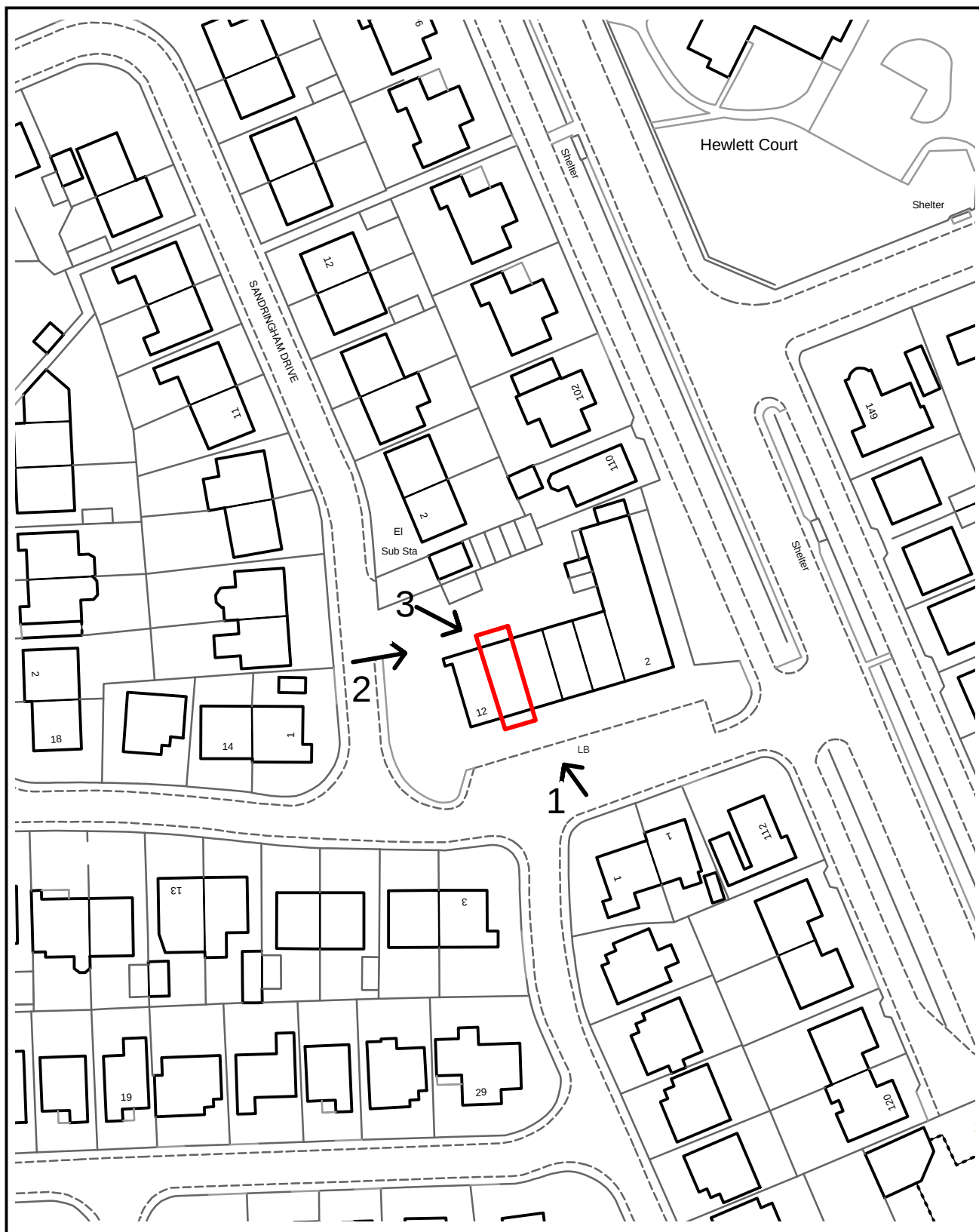
treating fumes and odours and associated noise, has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds the 'Minimum Requirements For Odour Control' provided by the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if applicable such superseding guidance as shall prevail at the time of commencement of the development). The scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements.

The scheme as approved shall be implemented and maintained in accordance with the approved scheme.

Reason. To protect the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to the NPPF and UDP Policy S2/6 - Food and Drink.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62132

**ADDRESS: 10 Vernon Road
Tottington**



Bury
COUNCIL

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

62132

Photo 1



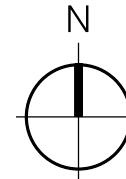
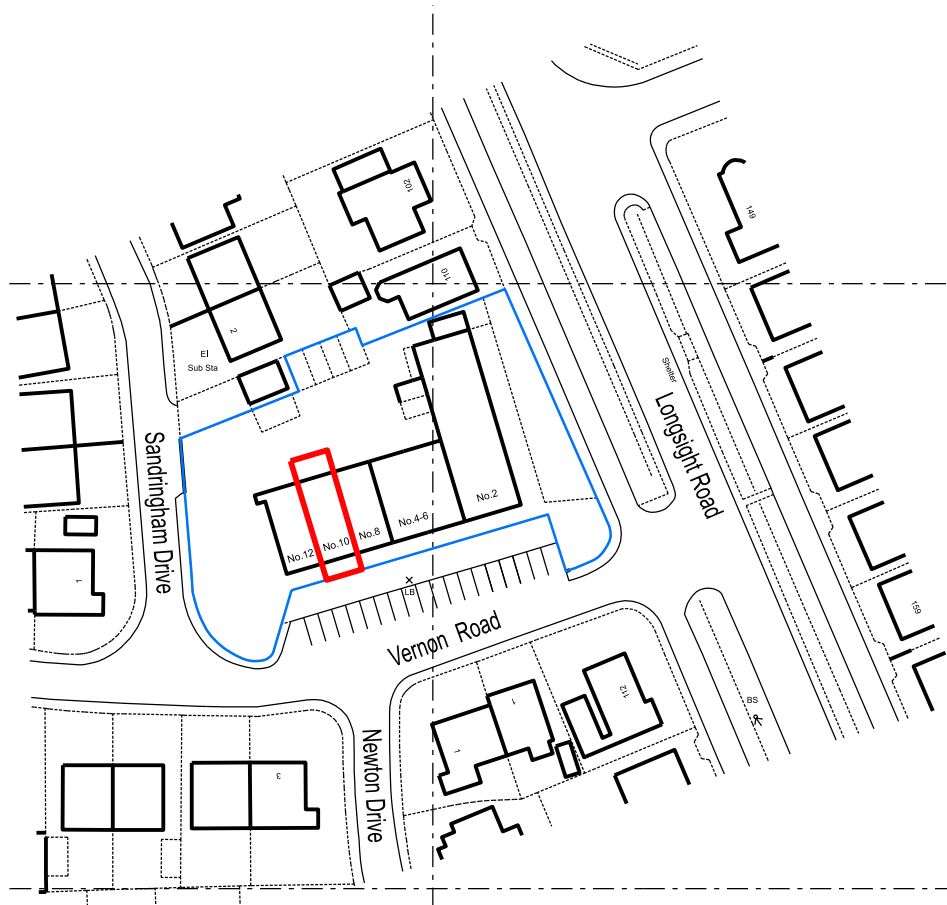
Photo 2



62132

Photo 3





THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R G PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

ORDNANCE SURVEY LICENCE

REPRODUCED FROM ORDNANCE SURVEY MASTERMAP DIGITAL DATA BY PERMISSION OF ORDNANCE SURVEY®. ON BEHALF OF HER MAJESTY'S STATIONARY OFFICE. © CROWN COPYRIGHT 2010. ALL RIGHTS RESERVED. REFERENCE NUMBER 100006806.

NOTES

- APPLICATION BOUNDARY
- OWNERSHIP BOUNDARY

REV. DATE NOTES INIT.

CLIENT / PROJECT

MRS CLAIRE BELES
10 VERNON ROAD
GREENMOUNT, BURY

DRAWING TITLE

EXISTING LOCATION PLAN

STATUS

PLANNING

DATE	DRAWN	SCALE @ A4
10.01.18	MB	1:1250

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER

DRAWING NO.

10434 P L01 -

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix: Colour	C

THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

CLIENT / PROJECT

MRS CLAIRE BELESİ

10 VERNON ROAD

GREENMOUNT, BURY

DRAWING TITLE

PROPOSED SITE PLAN AND

GROUND FLOOR LAYOUT

DATE	DRAWN	SCALE @ A3
24.01.18	SW	1:200

DRAWING NO.

10434 P L03

THE RATCLIFFE GROVES PARTNERSHIP

MANCHESTER

105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



Sandringham Dr

Page 41

05/01/2018 12:11:32 P:\0dgm\10000\10400-10499\10434\1-Sheets\PLANNING\10434-P-L03.dgn

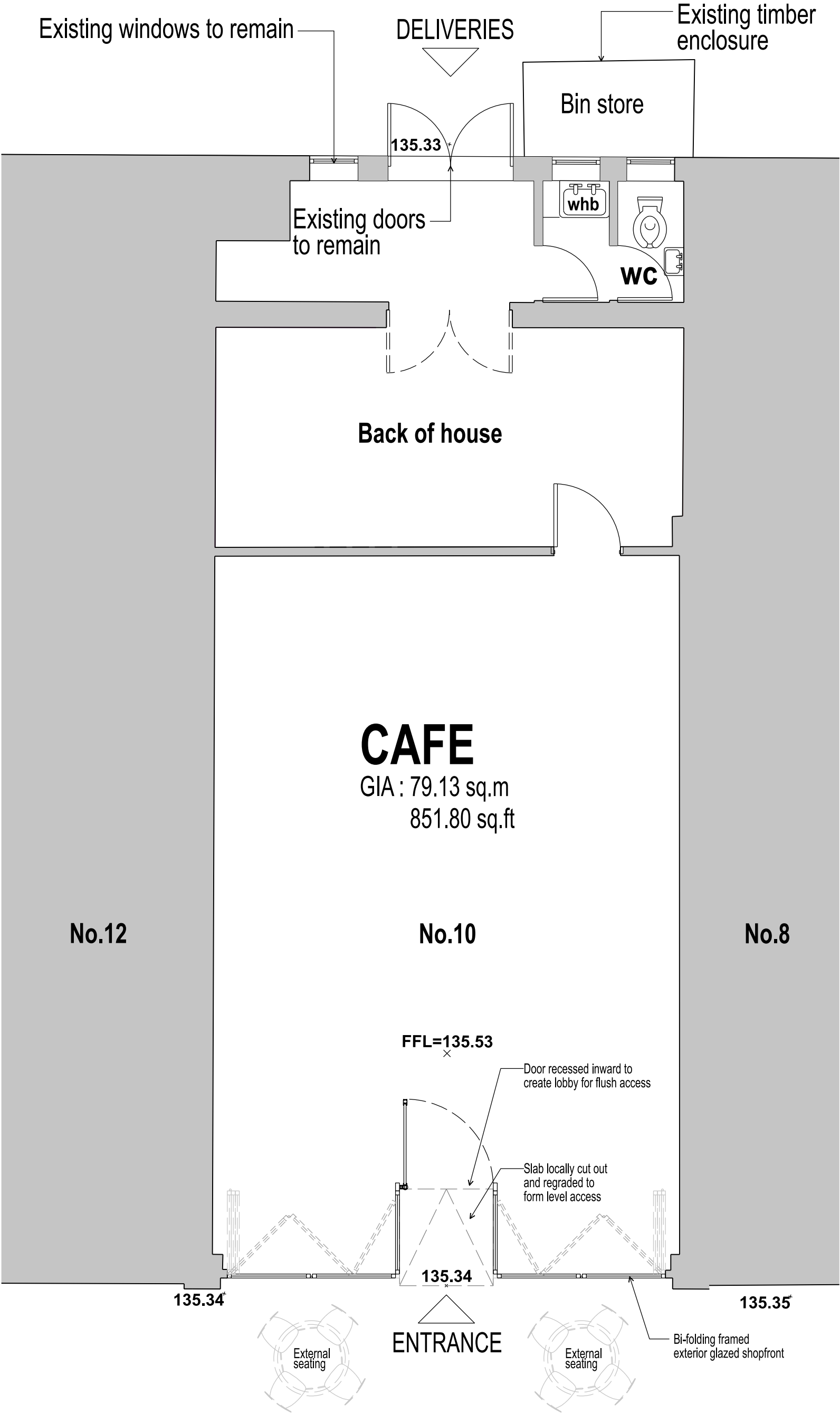
BURY, NO. 10 VERNON ROAD

sam.wilson

SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

Note :
Drawing is based on Site Surveying Services Survey drawing no. sss-7907



REV.	DATE	NOTES	INIT.
------	------	-------	-------

CLIENT / PROJECT
MRS CLAIRE BELES
10 VERNON ROAD
GREENMOUNT, BURY
DRAWING TITLE
PROPOSED GROUND FLOOR PLAN

STATUS
PLANNING

DATE	DRAWN	SCALE @ A3
24.01.18	SW	1:100

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER
----------------	--------------	---------------	---------------	-----------------

DRAWING NO.	10434	P	P02
-------------	-------	---	-----

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix; Colour	C

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

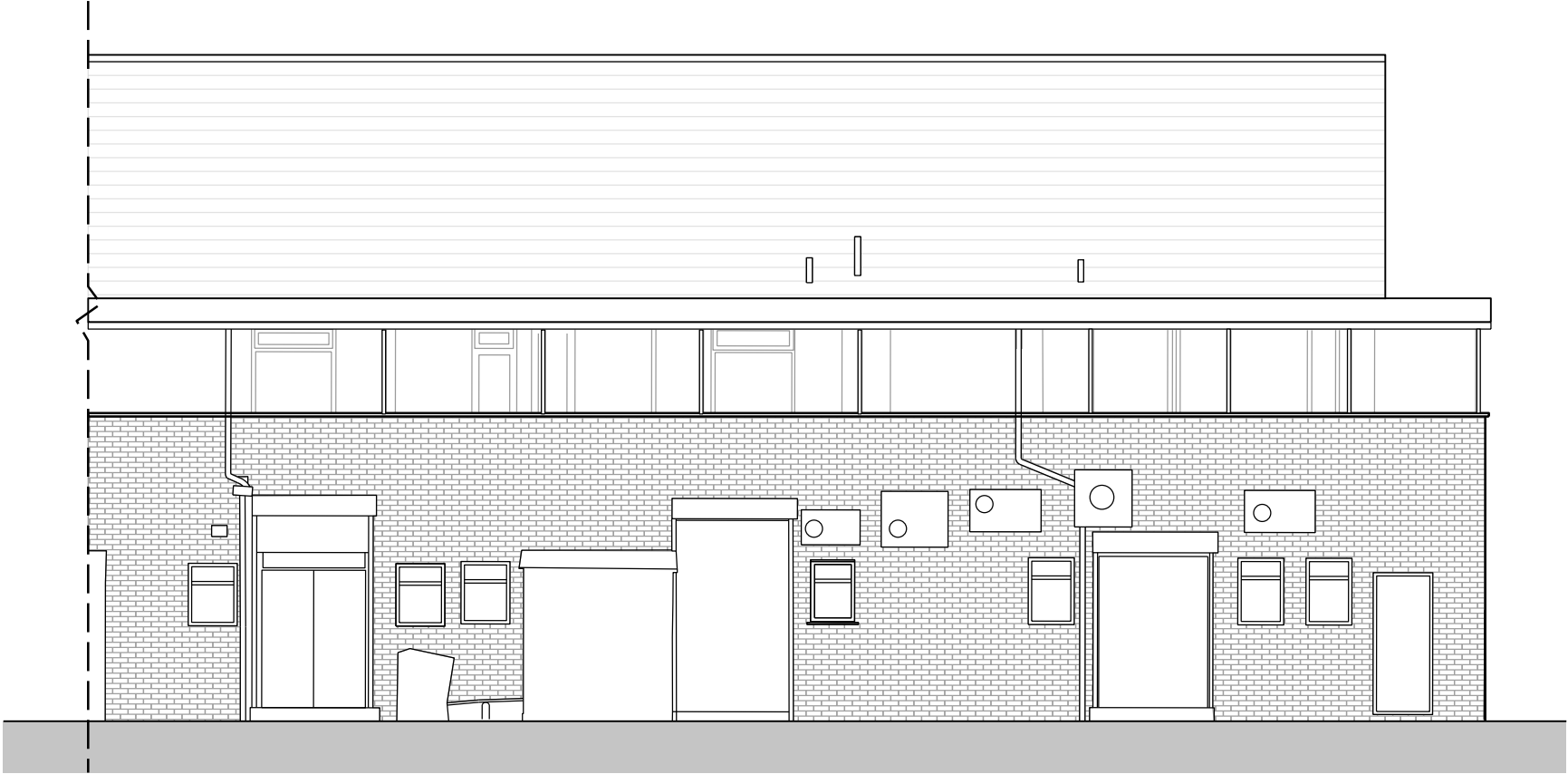
LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com





No.12 No.10 No.8

FRONT ELEVATION



No.8 No.10 No.12

REAR ELEVATION

THIS DRAWING IS PROTECTED BY COPYRIGHT AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF R G PARTNERSHIP LIMITED. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. ALL DIMENSIONS AND SIZES TO BE CHECKED ON SITE. NORTH POINTS SHOWN ARE INDICATIVE. ©

SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:

Note :
Drawing is based on Site Surveying
Services Survey drawing no. sss-7907

REV. DATE NOTES INIT.

CLIENT / PROJECT
MRS CLAIRE BELES
10 VERNON ROAD
GREENMOUNT, BURY
DRAWING TITLE
EXISTING ELEVATIONS

STATUS
PLANNING

DATE 24.01.18 DRAWN SW SCALE @ A3 1:100

PROJECT UNIT CI / SFB TYPE & REVISION
NUMBER / BLOCK CODE NUMBER LETTER

DRAWING NO.
10434 P E01

Site Location Plans L GA Plans P Elevations E
Sections S Details D Prefix: Colour C

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



SITE SPECIFIC HAZARDS

IN ACCORDANCE WITH THE REQUIREMENTS OF THE CDM REGULATIONS 2015 THE FOLLOWING SIGNIFICANT RESIDUAL HAZARDS HAVE NOT BEEN DESIGNED OUT OF THIS PROJECT AND MUST BE TAKEN INTO CONSIDERATION BY CONTRACTORS PLANNING TO UNDERTAKE THE WORKS SHOWN ON THIS DRAWING:



No.12 No.10 No.8

FRONT ELEVATION



No.8 No.10 No.12

REAR ELEVATION

Note :
Drawing is based on Site Surveying Services Survey drawing no. sss-7907

B	02/05/18	Ventilation details updated	AM
A	29/03/18	Ventilation details added	AM
REV.	DATE	NOTES	INIT.

CLIENT / PROJECT
MRS CLAIRE BELES
10 VERNON ROAD
GREENMOUNT, BURY
DRAWING TITLE
PROPOSED ELEVATIONS

STATUS				
PLANNING				
DATE	24.01.18	DRAWN	SW	SCALE @ A3 1:100
PROJECT NUMBER		UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER
DRAWING NO.	10434	P	E02	B
Site Location Plans	L	GA Plans	P	Elevations
Sections	S	Details	D	Prefix: Colour

THE RATCLIFFE GROVES PARTNERSHIP
MANCHESTER
105 MANCHESTER ROAD
BURY LANCASHIRE BL9 0TD
T. 0161 797 6000 E. manchester@rgp.uk.com
www.rgp.uk.com

LONDON
19 BEDFORD ROW
LONDON WC1R 4EB
T. 020 7600 6666 E. london@rgp.uk.com



Ward: Ramsbottom and Tottington -
Ramsbottom

Item 03

Applicant: Adonstar (UK) LLP

Location: 15 Bridge Street, Ramsbottom, Bury, BL0 9WN

Proposal: Conversion of first floor and second floor roof space of former bank to 2 apartments, including first floor rear extension and roof terrace on front elevation and erection of bin store to Garden Street elevation

Application Ref: 62607/Full

Target Date: 22/05/2018

Recommendation: Approve with Conditions

Description

The building is located on the corner of Bridge Street and Garden Street in Ramsbottom town centre. The substantial building was last in use as a bank and is located in the Ramsbottom Conservation Area. The building is accessed by the door on the corner of the building and is two storeys in height with a slate roof and 2 chimneys. An application to infill the ATM aperture on the front elevation was approved recently and the infill material approved as stone.

There are residential properties to the north and commercial properties to the east and south. The site to the west is vacant after the former police station was demolished. It is currently in use as a car park. The Grade II listed church, St Pauls is located to the north west.

The proposed development involves the erection of a first floor extension at the rear and the conversion of the first floor and loft space to provide 2 apartments. A Juliet balcony would be created on the rear elevation. 2 no. velux cabrio rooflights would be installed on the front elevation, which when open, would create a small roof terrace. The chimney on the side elevation would be retained. A bin store would be provided at the rear of the property and would be accessed from Garden Street. No car parking would be provided.

Relevant Planning History

58614 - 2no. halo illuminated fascia signs; 1no. non illuminated projecting sign; 1no. Internally illuminated ATM Tablet; 1no. non illuminated ATM cladding at 15 Bridge Street, Ramsbottom. Approved with conditions - 18 May 2015

60327 - Creation of DDA entrance on southern elevation at 15 Bridge Street, Ramsbottom. Approved with conditions - 8 September 2016.

61638 - Remove existing Nat West brand signage and ATM and infill existing ATM apertures with matching stone work at 15 Bridge Street, Ramsbottom. Approved with conditions - 24 July 2017

Publicity

The neighbouring properties were notified by means of a letter on 28 March and a press notice was published in the Bury Times on 5 April 2018. Site notices were posted on 6 April 2017.

5 letters have been received from the occupiers of 16 Bridge Street, 7 Garden Street and Ramsbottom Heritage Society, which have raised the following issues:

- The roof terrace would be an invasion of our privacy and will directly overlook our

lounge as well as the proposed apartments.

- The first floor windows are directly opposite my property. When the bank was in use, these were seldom used and definitely not after closing time.
- Where will people park their cars?
- The proposed bin storage would interfere with the pavement. Where will the many bins required be stored?
- Garden Street is already congested with HGVs and the pavement is continually damaged.
- The pavement is blocked frequently and I have to walk in the road.
- Continuous noise, dust and dirt.
- Object to the removal of the chimney stacks.
- Object to the creation of a terraced accessed from full height doors in the roof on the front of this building. The proposed development would greatly detract from the appearance of one of the most prominent and attractive buildings in the centre of the town.

An objection has been received from Cllr Hodkinson, which has raised the following issues:

- I do not support the removal of the existing chimneys or the proposed roof balcony and doors. The changes would be out of keeping with the surrounding buildings and would change the character of the building.
- The changes to the north elevation (covered terrace and bi-fold doors) would directly overlook the neighbouring land which is not in the ownership of the applicant.
- The proposed plans show the bin store on land which is not owned by the applicant.

The neighbouring properties were notified of revised plans on 12 June 2018.

An objection has been received from Councillor Hodkinson, which has raised the following issues:

- I object to the use of the land on the north side of the building for a bin store,
- The plans make reference to a covered passageway owned by the bank, which led to a privy. The passageway was accessed from Garden Street and is shown as half the length of the northerly boundary of the bank.
- The existing elevations indicate that the entrance to the privy was 5.8 metres from the easterly corner of the northerly wall. This ground is sloping and there is a retaining wall on the north side of the passageway.
- The plans show 4 bins in the position where the covered passageway would have been. The bins would restrict access to Garden Street and would be sited on the slope.
- The gate on Garden Street not only provides access for the bank but access for the recently approved building on Bridge Street providing 8 apartments and 2 commercial properties (60708). Both domestic and commercial bins would need to have access through the gate on Garden Street.

Consultations

Traffic Section - No objections, subject to the inclusion of a condition relating to bin storage.

Drainage Section - No response

Waste Management - No response.

Conservation Officer - No objections, subject to the inclusion of conditions relating to the detail of the rooflights and a section.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control

EN2/3	Listed Buildings
EN7	Pollution Control
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
TC2/1	Upper Floors
Area	St Paul's/Crow Lane
RM2	
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
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.

Principle - 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.

Policy TC2/1 states that the Council will support proposals which bring underused and vacant space on upper floors of premises into beneficial use.

The site is located within the urban area and would bring the upper floors into use. There are a mix of uses in the area, including residential, a school, nursing home and nursery in the locality. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with regard to services and public transport. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design, layout and impact upon the conservation area - Sections 66 and 72 of the Town & Country Planning (Listed Buildings & Conservation Areas Act) 1990 imposes a statutory duty upon the Local Planning Authority (LPA) to recognise, positively manage and ensure the preservation or enhancement of Listed Buildings and Conservation Areas.

Chapter 12 of the National Planning Policy Framework (NPPF) sets out the Government's planning policy position in relation to development involving heritage matters. Paras 128 to 141 set out how the significance of listed buildings and Conservation Areas must be considered in relation to development proposals including, but limited to, the judgement of harm, significance, loss to heritage assets (Designated ones and non-designated ones).

UDP Policies EN2/1, EN2/2 and EN2/3 seek to protect the character of listed buildings and

conservation areas and to ensure that proposals preserve or enhance the character of such sensitive buildings and areas. In applying the tests of the policy to proposals, nature of the development, materials, relationships between visual qualities and the surrounding areas et al form part of the assessment process to ensure a high, conservation approach is adopted that is designed to preserve or enhance.

The proposed development would not impact upon the ground and first floor of the building at the front and side elevations. The existing windows and doors would be retained and the revised plans have confirmed that the chimney on the gable elevation would be retained. As such, the proposed development would be in accordance with Policy 8 of the Ramsbottom Conservation Area Management Plan.

The proposed development would provide a rooflight in the gable elevation and 2 velux cabrio rooflights in the front elevation. The cabrio rooflights are designed to open at the top and bottom and when opened, would create a small area of open space within the existing footprint of the proposed apartment. The Conservation Officer has no objections, subject to the inclusion of conditions requiring further details and a section of the rooflight when open. The design of the proposed development would not be a prominent feature in the streetscene and would preserve the character of the building and the surrounding conservation area.

The proposed first floor extension at the rear would be more modern in design, with floor to ceiling glazing and a juliet balcony. The proposed extension would be located at the rear and would be a clear modern addition to the building. It would be constructed from render and slate, which would match the existing building. As such, the proposed development would not be a prominent feature and would preserve the character of the building.

The proposed development would provide bin storage in the area at the rear of the building. There is an existing footpath which connects to Garden Street, where the bins would be emptied from.

The proposed development would not be seen in conjunction with the Grade II listed church due to the location and angle of the applicatoin site. As such, the proposed development would not harm and would preserve the character of the listed building and associated war memorial in the gardens.

Therefore, it is considered that the proposed development would preserve the character of the Ramsbottom conservation area and the nearby listed building and would be in accordance with Policies EN1/2, H2/1, H2/2, EN2/1, EN2/2 and EN2/3 of the Bury Unitary Development Plan and the NPPF.

Impact upon residential amenity - SPD6 provides guidance on aspect standards for residential properties and is used as guidance for assessing new buildings in relation to residential properties. As such, SPD6 would be relevant in this case.

There would be 13 metres between the front elevation of the building and the properties opposite on Bridge Street. The proposed development would utilise the existing openings in the building and as such, the impact of the proposed development would be no more significant than the existing use of the building.

There would be 13.1 metres from the proposed rear extension to the blank gable of Nos 5 - 7 Garden Street, which would be in excess of the 6.5 metre aspect standard.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

Highways issues - The proposed development would be accessed via the existing door in the gable elevation in Garden Street, which would not cause any highway safety issues.

There is no car park associated with the building and no additional parking would be provided as part of the proposed development. The existing use of the building as a bank would create more demand for parking than the proposed development of 2 apartments. In addition, the site is located in the town centre and has good access to services, shopping and public transport. As such, the level of parking provision would be acceptable in this instance. The Traffic Section has no objections, subject to the inclusion of a condition relating to bin storage. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1, H2/2 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The issues of traffic, parking, bin storage and the impact upon privacy have been addressed in the report above.
- The applicant has served certificate B on the adjacent landowner. As such, the use of the bin store area is a private matter between the applicant and the landowner.
- The roof terraces have been removed from the scheme and the chimney on the east elevation would be retained.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

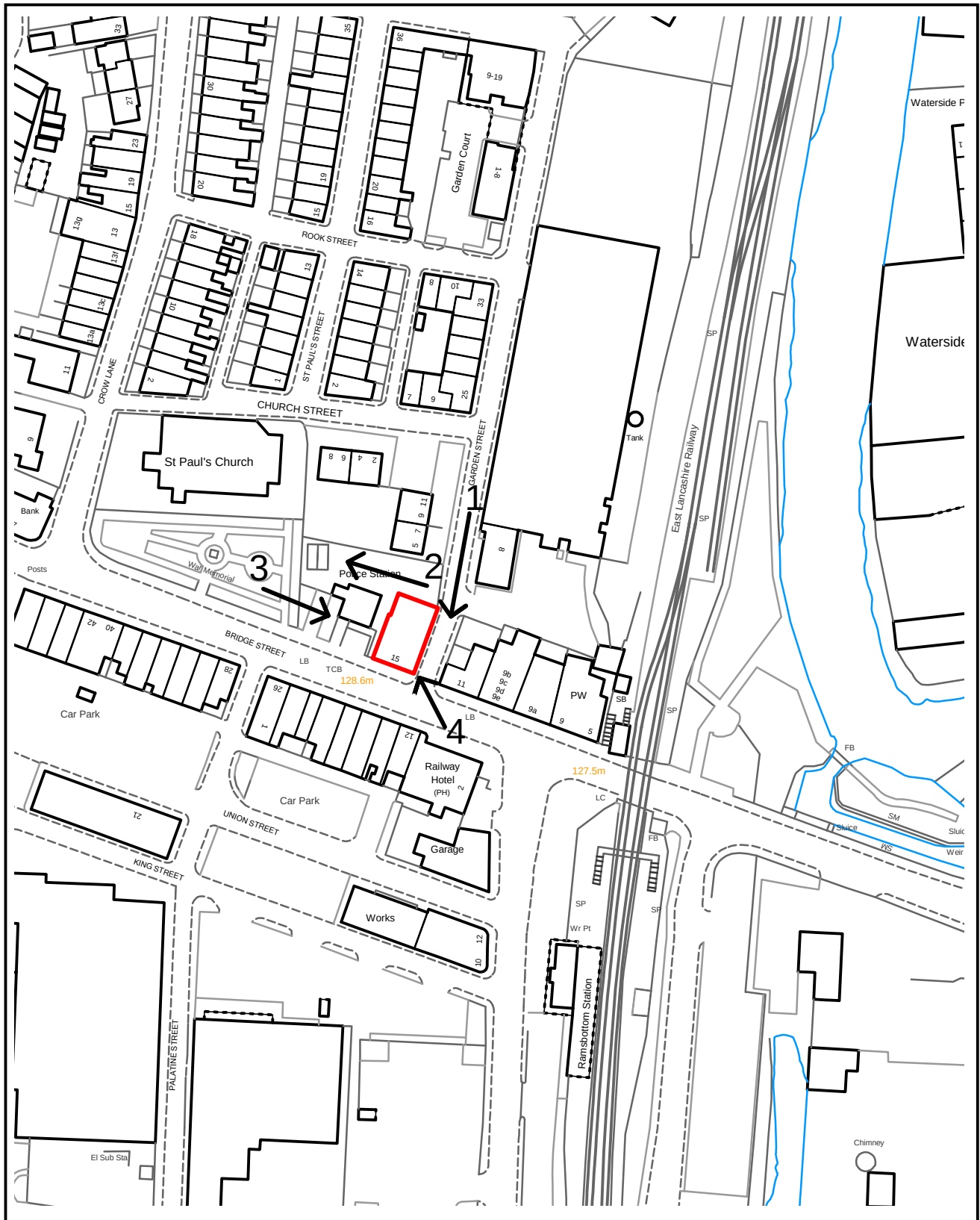
Conditions/ Reasons

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 decision relates to drawings numbered TB24-00, TB24-01, TB24-02, TB24-03A, TB24-04A 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.
3. 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.
4. Detailed drawings of the Velux Cabrio rooflights at no less than 1:20 scale shall be submitted to and first approved in writing by the Local Planning Authority before any development is commenced.
Reason. To ensure a satisfactory form of development pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - .Conservation Area Control.

5. The chimney stack on the eastern elevation shall be retained.
Reason. In order to preserve the special architectural or historic interest of the building pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - .Conservation Area Control.
6. The refuse storage facilities indicated on the approved plans reference TB24-03A shall be implemented and made available for use prior to the apartments hereby approved being first occupied and shall be maintained for this purpose and for no other use.
Reason - In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to the following Unitary Development Plan Policies:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.

For further information on the application please contact **Helen Longworth** on **0161 253 5322**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62607

**ADDRESS: 15 Bridge Street
Ramsbottom**

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

62607

Photo 1



62607

Photo 2



62607

Photo 3



Photo 4

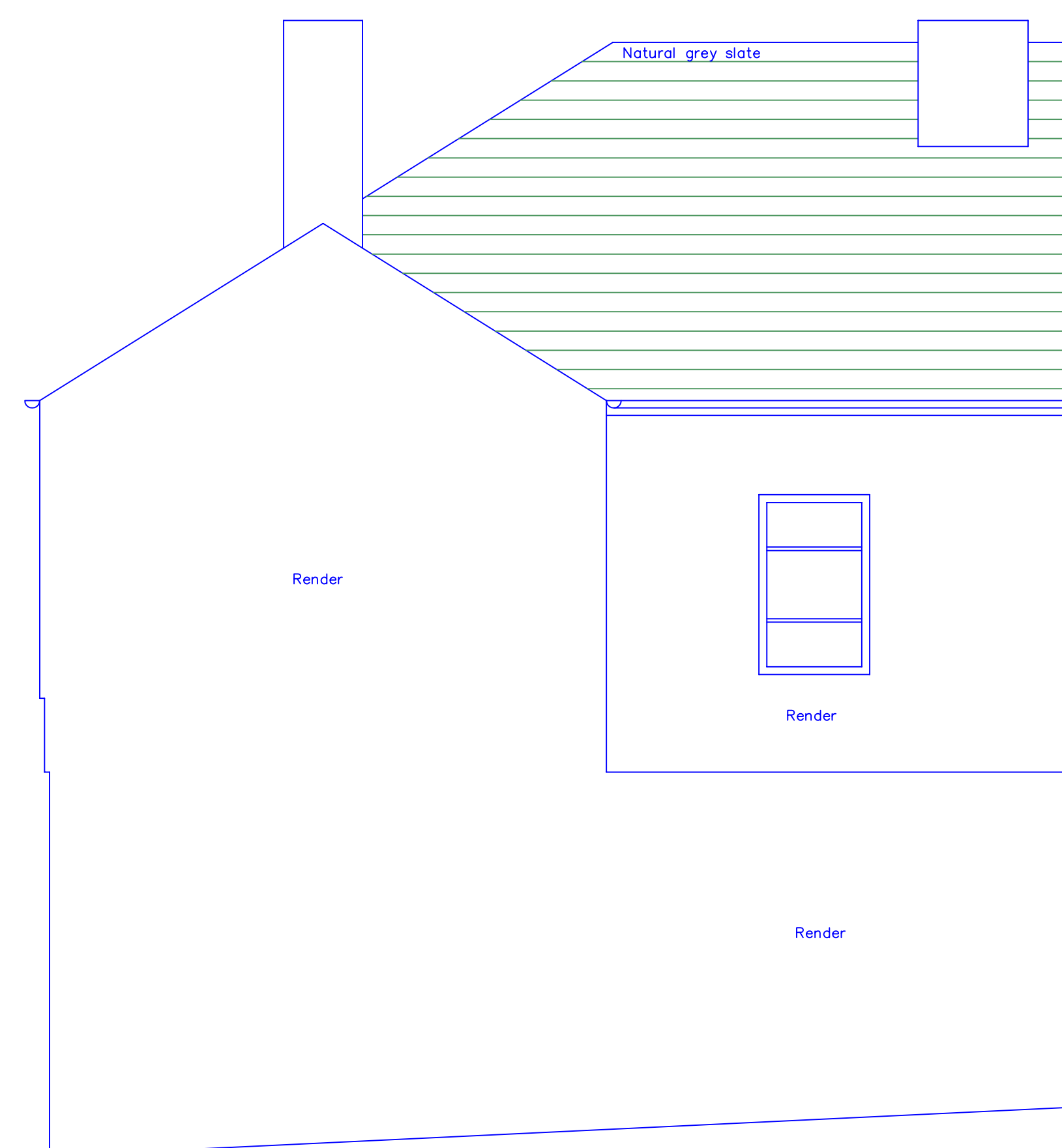




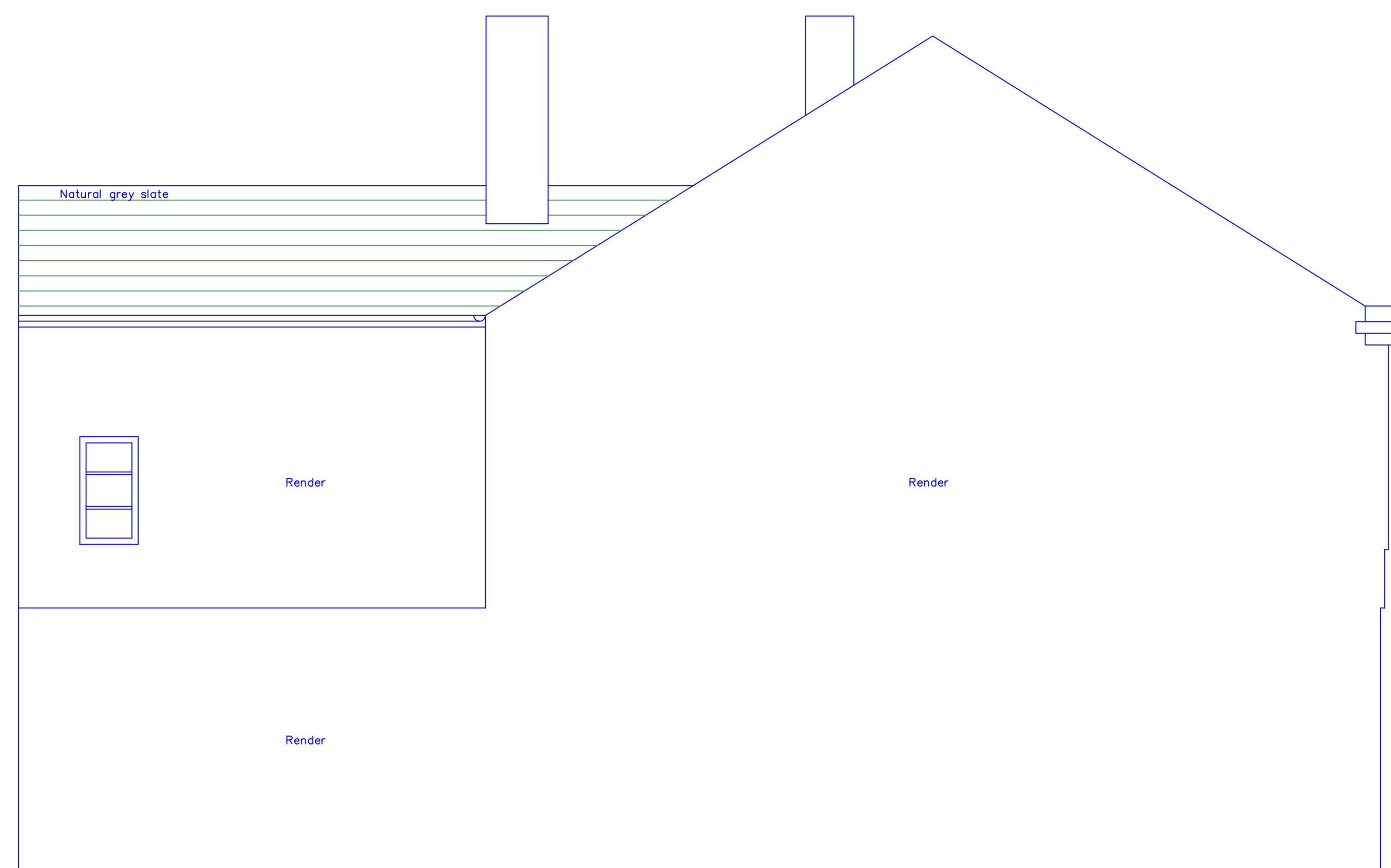
EXISTING SOUTH ELEVATION along Bridge Street



EXISTING EAST ELEVATION along Garden Street



EXISTING NORTH ELEVATION



EXISTING WEST ELEVATION

This drawing and design concept is the property of PPY design. It should not be reproduced without written permission

0 1 2 3 m

scale 1:50@A1
March 2018

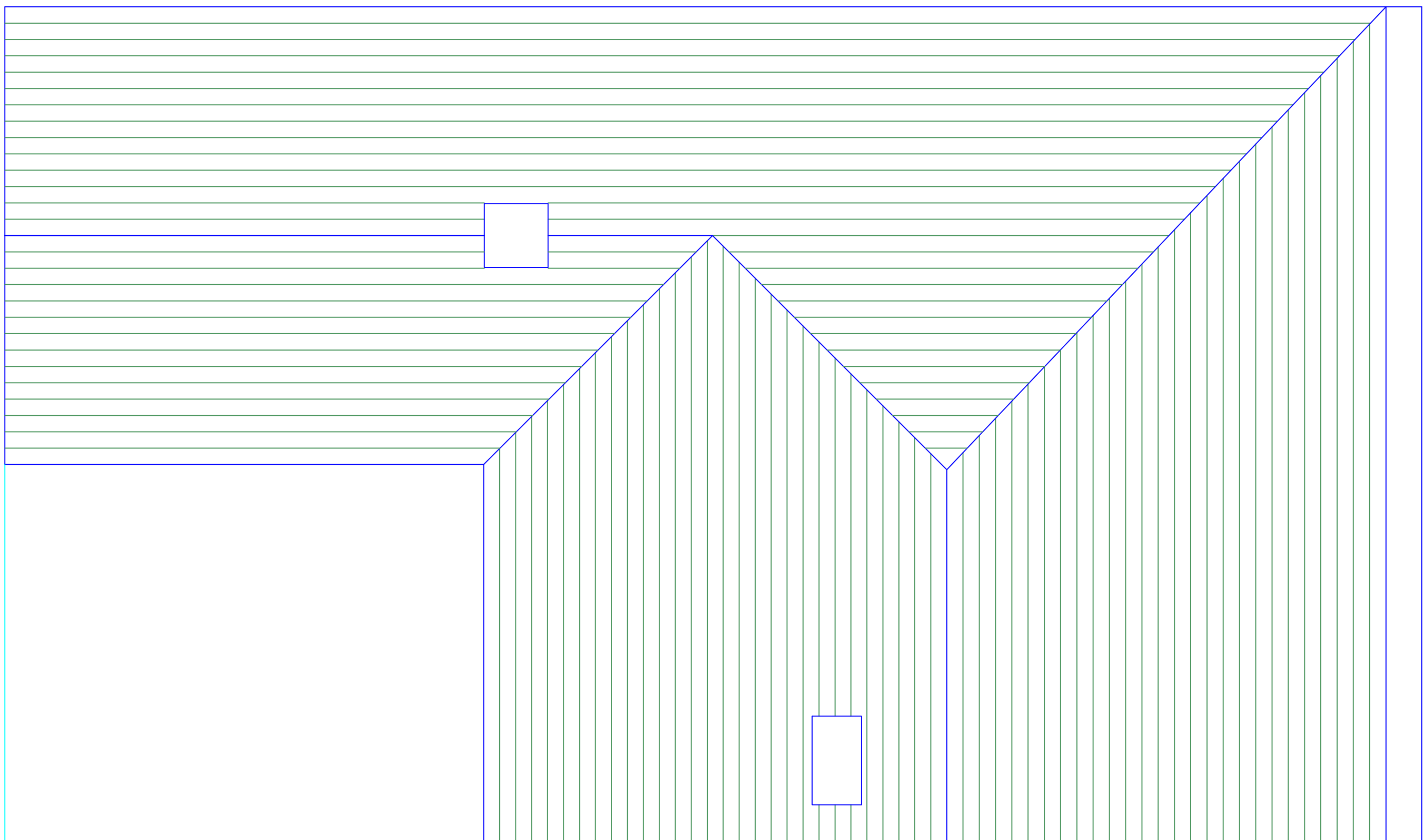
Ex Nat West Bank
15 Bridge Street
Ramsbottom
BL0 9WN

TB24-02 Existing Elevations

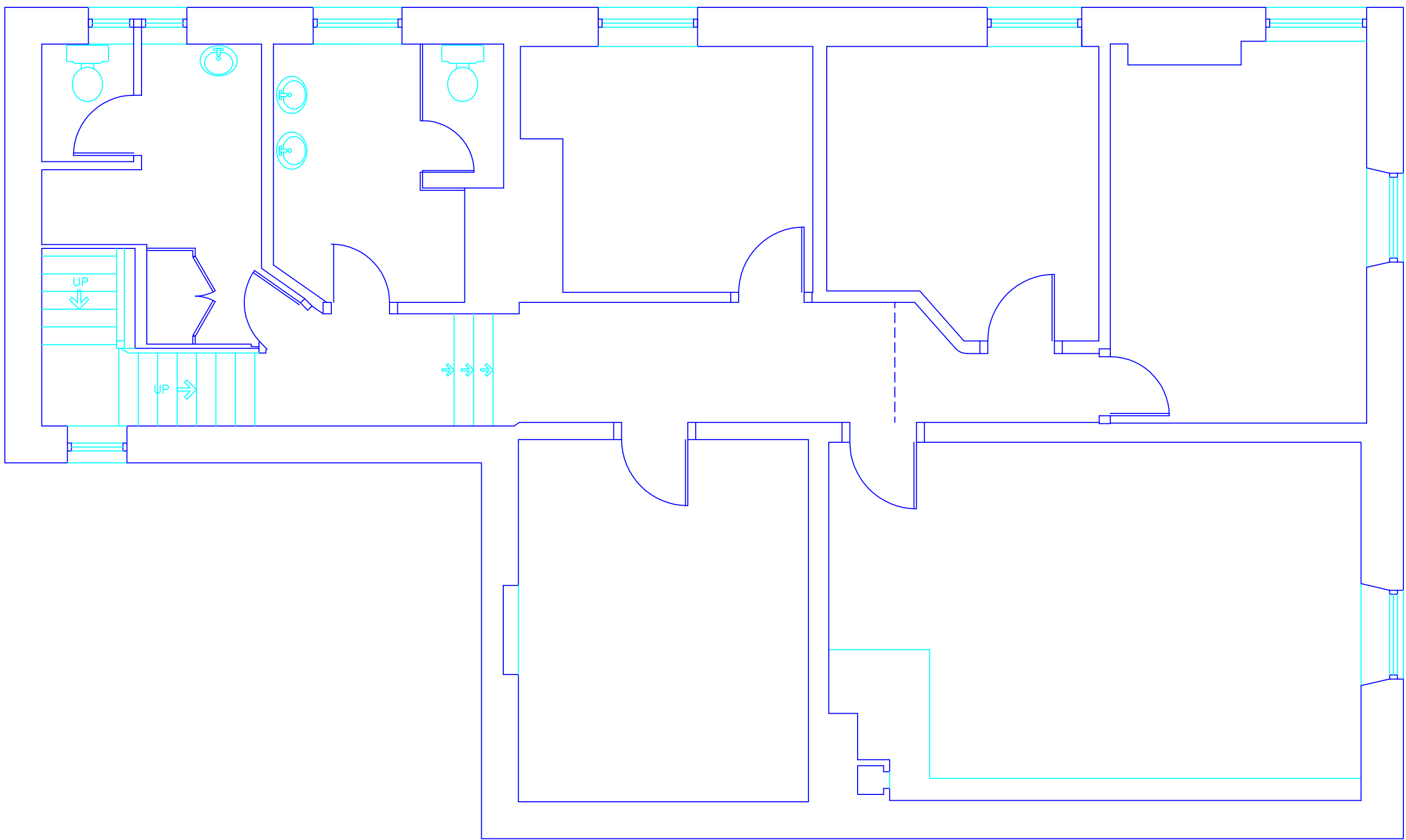
PPY design Ltd

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

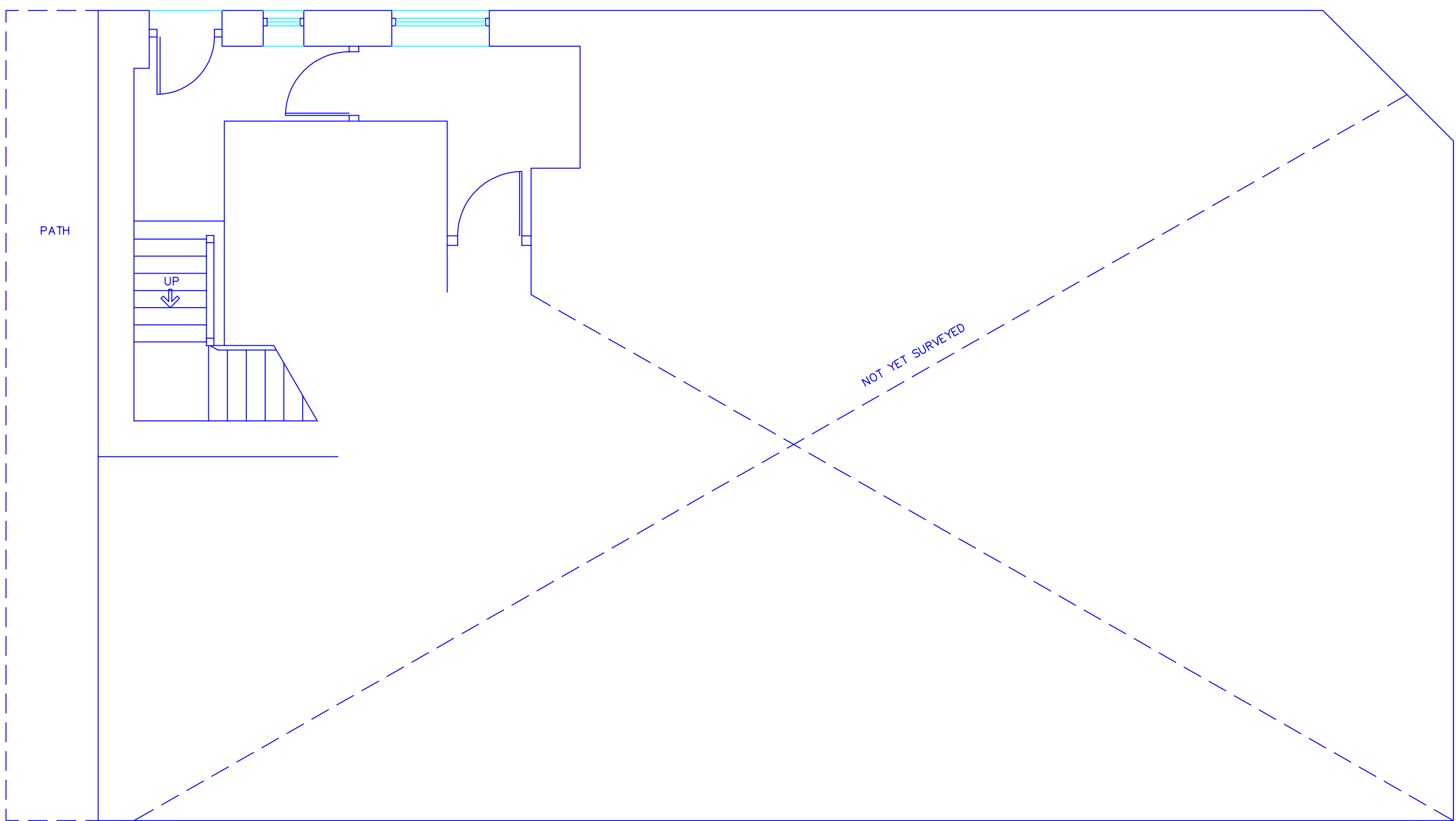
Gary Dearden BAC(hons) DipArch RIBA
gary@ppy-design.co.uk www.ppy-design.co.uk
T. 01706 822731 M. 07712 669482



EXISTING PLAN
LOFT SPACE



EXISTING PLAN
FIRST FLOOR



EXISTING PLAN
GROUND FLOOR

This drawing and design concept is the property of PPY design. It should not be reproduced without written permission

0 1 2 3 m

Ex Nat West Bank 15 Bridge Street Ramsbottom BL0 9WN	scale 1:50@A1 March 2018
TB24-01	Existing Plans
PPY design Ltd	

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

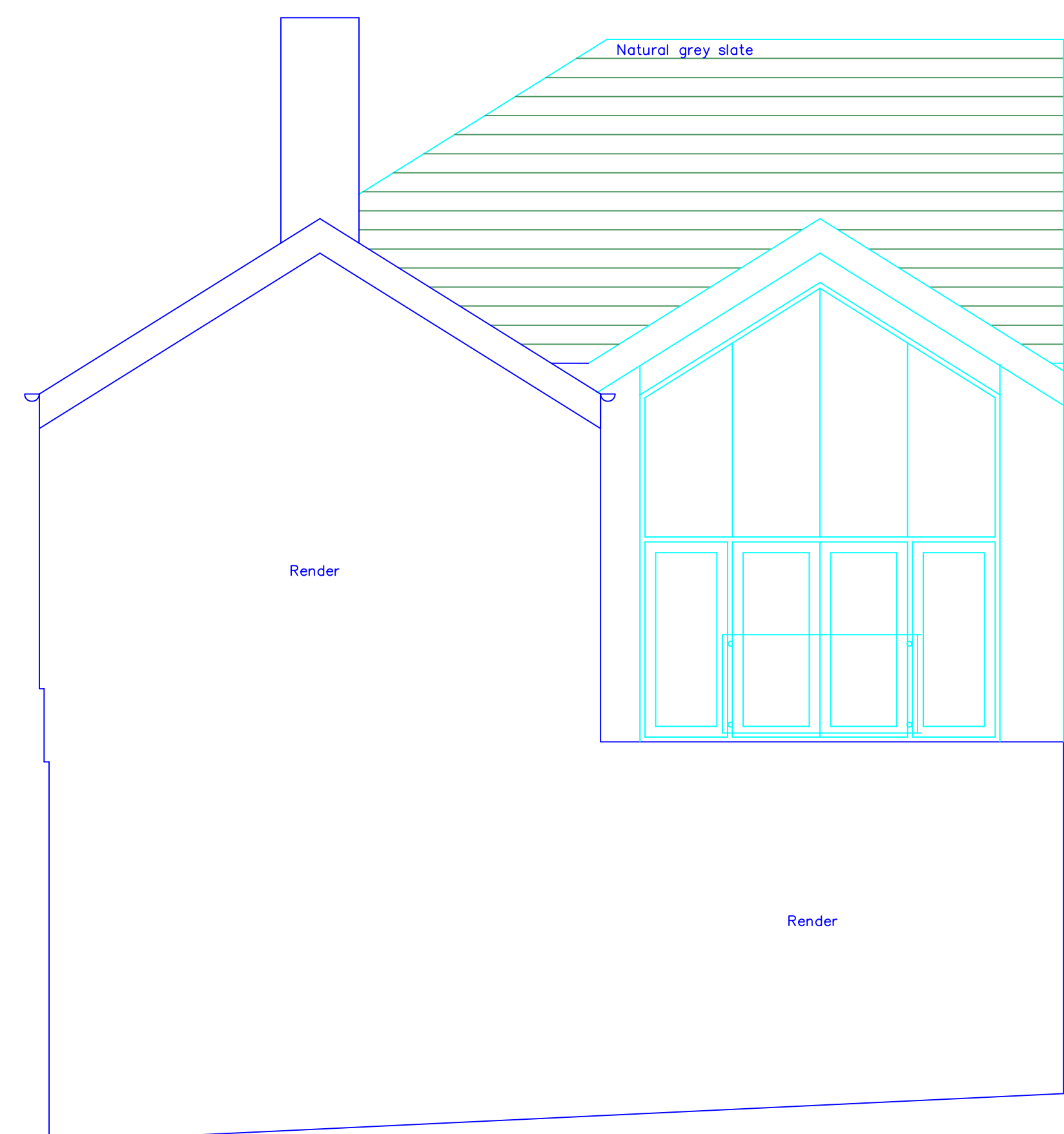
Gary Dearden (BA(hons) DipArch RIBA
gary@ppy-design.co.uk www.ppy-design.co.uk
T. 01706 822731 M. 07712 669482



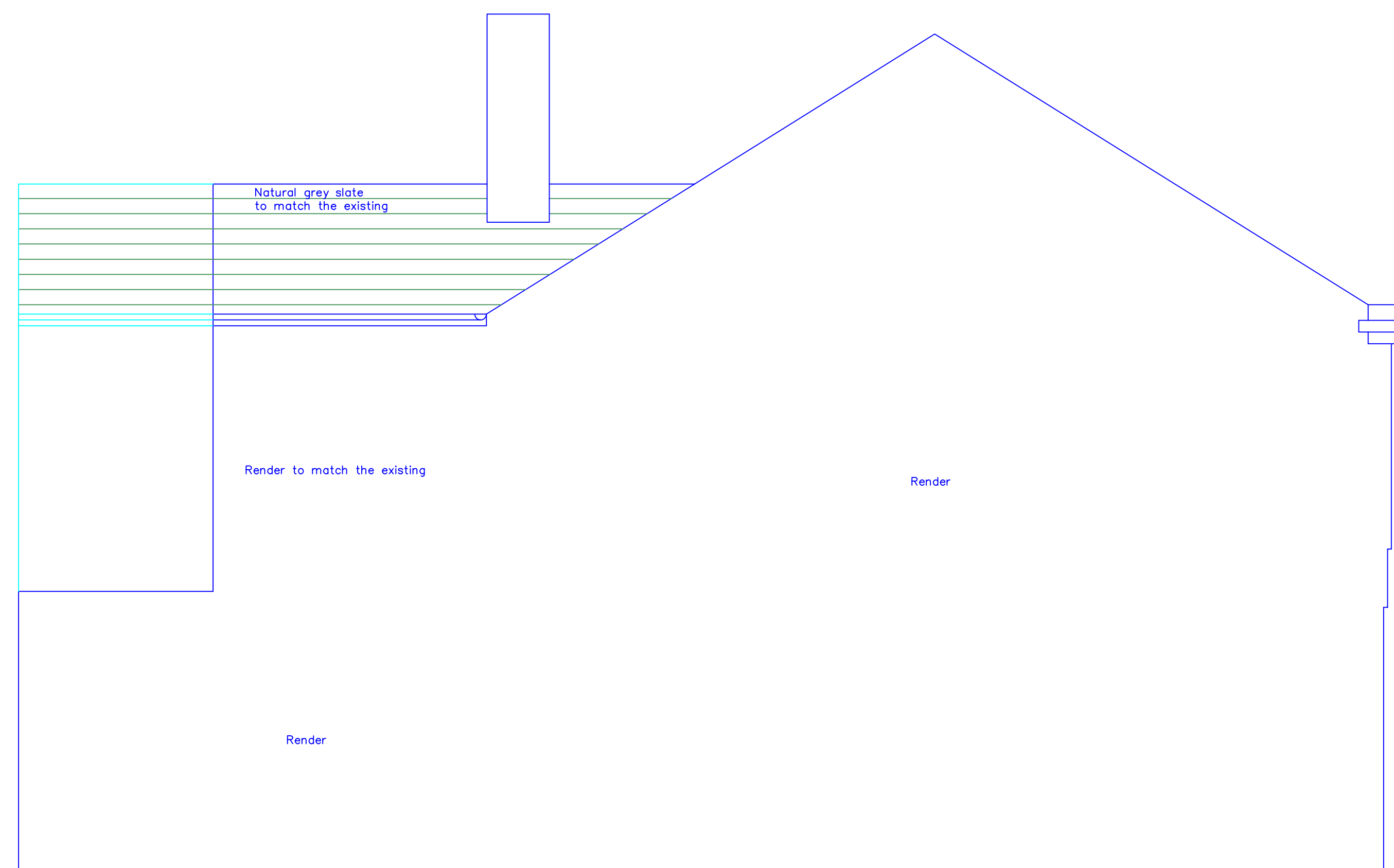
PROPOSED SOUTH ELEVATION along Bridge Street



PROPOSED EAST ELEVATION along Garden Street



PROPOSED NORTH ELEVATION



PROPOSED WEST ELEVATION

A As planning e-mail 31st May 04.06.2018

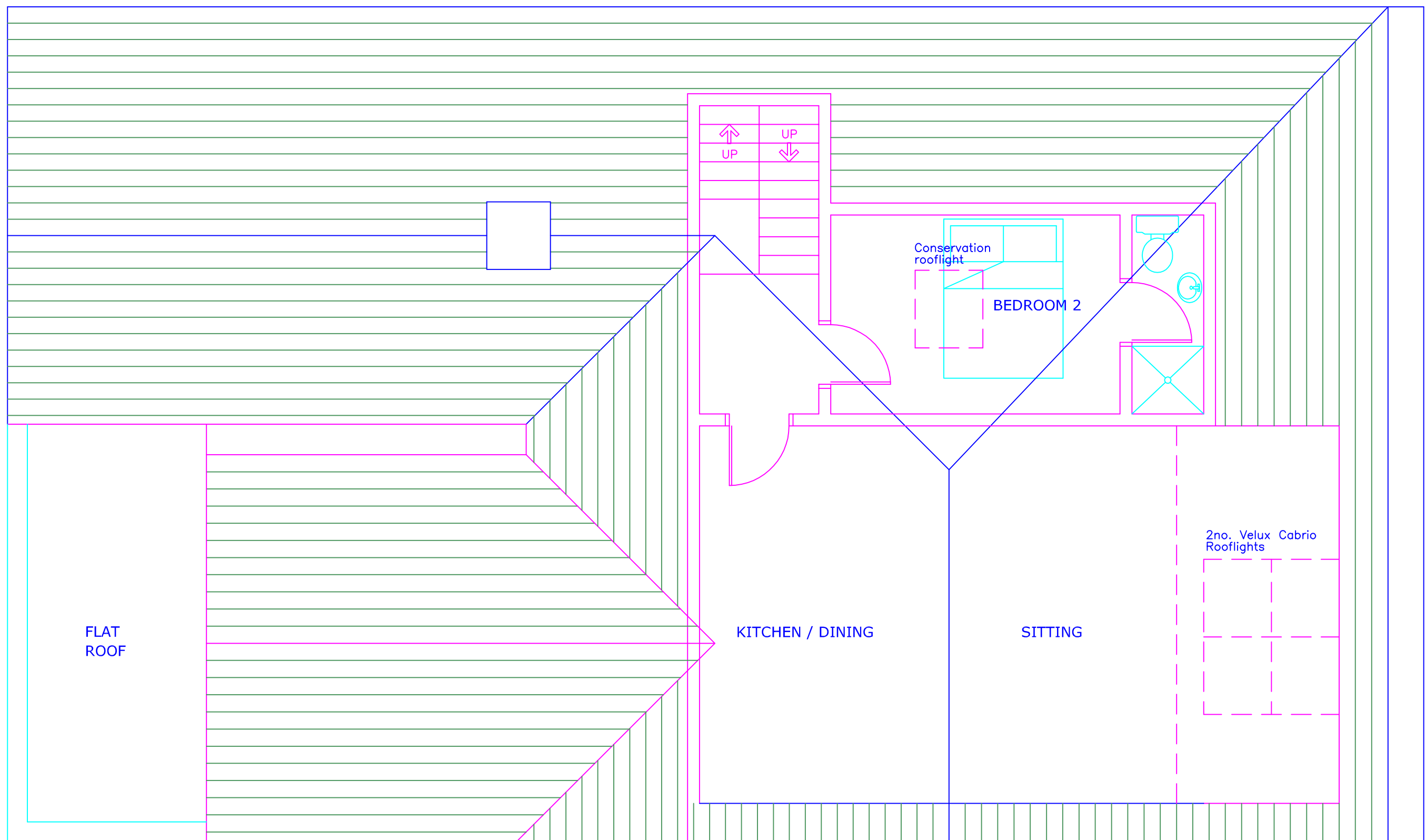
This drawing and design concept is the property of PPY design. It should not be reproduced without written permission

0 1 2 3 m

scale 1:50@A1 March 2018	
Ex Nat West Bank 15 Bridge Street Ramsbottom BL0 9WN	
TB24-04A	Proposed Elevations
PPY design Ltd	

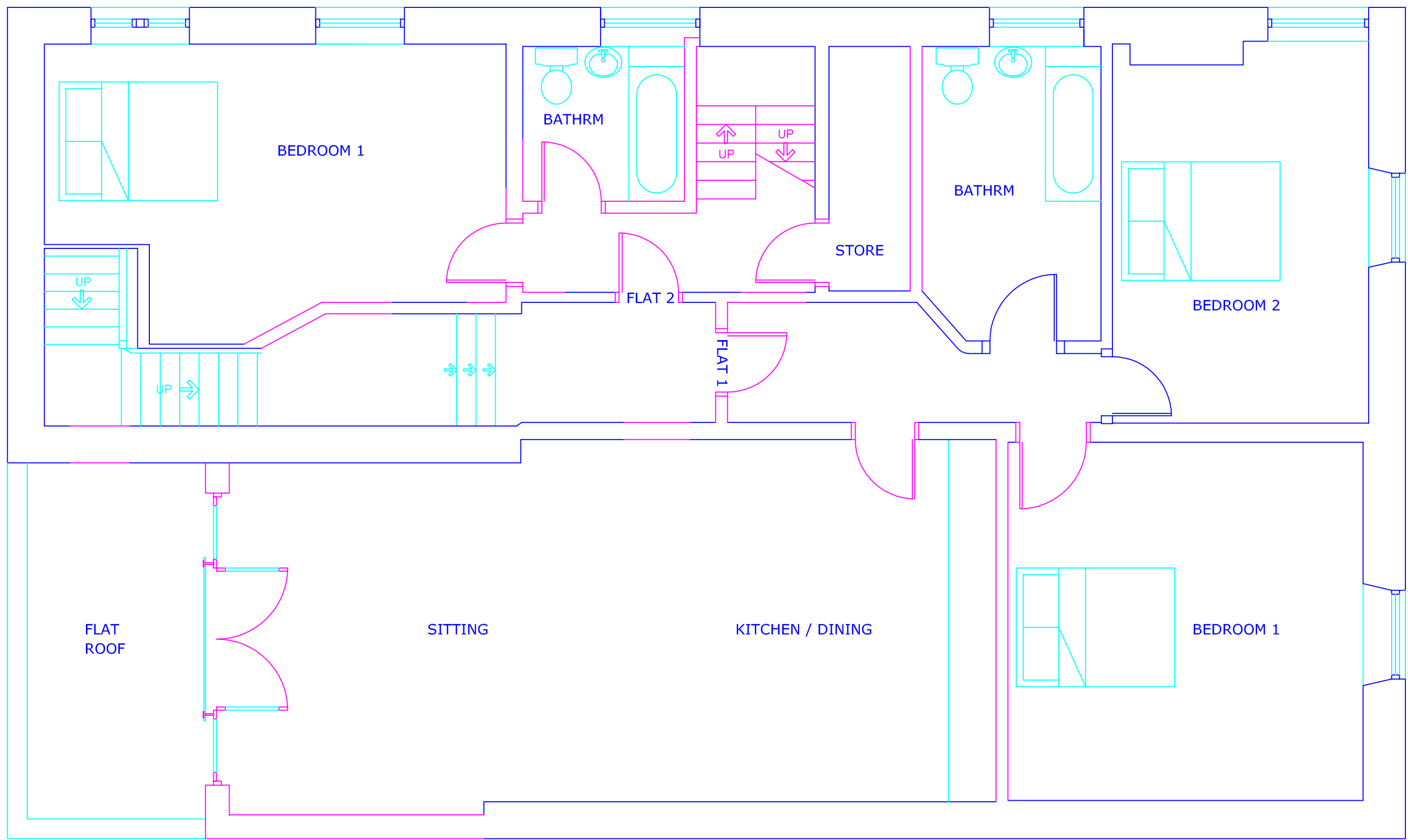
2 Helmsore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

Gary Dearden BAC(hons) DipArch RIBA
gary@ppy-design.co.uk www.ppy-design.co.uk
T. 01706 822731 M. 07712 669482



PROPOSED PLAN
LOFT SPACE

DORMERS OR ROOFLIGHTS SUBJECT TO PLANNING

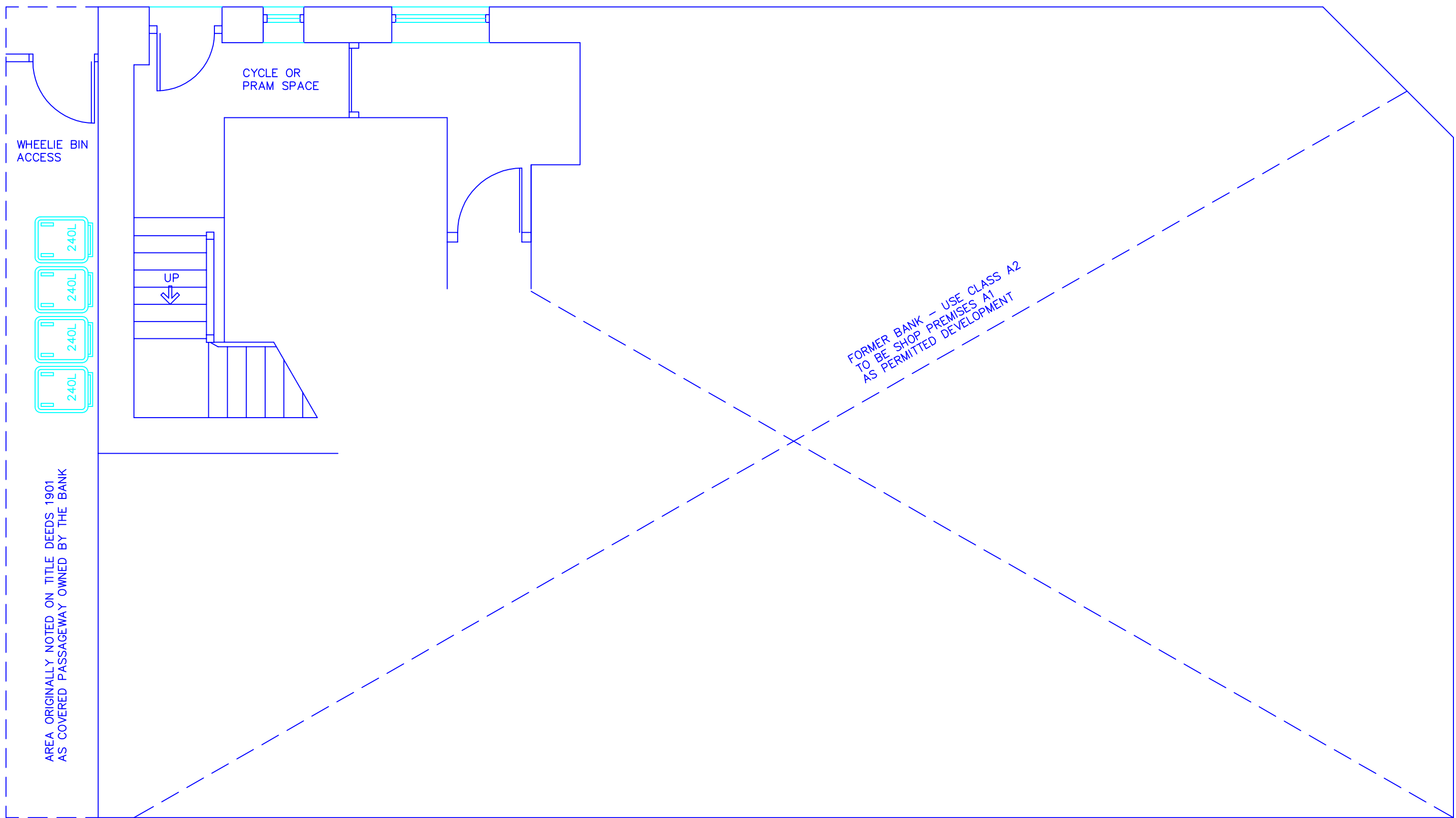


PROPOSED PLAN
FIRST FLOOR

Flat 1 109 sq.m
1172 sq.ft

Flat 2 91.7 sq.m
986 sq.ft

Landlords Area
20.9 sq.m
225 sq.ft



PROPOSED PLAN
GROUND FLOOR

A As planning e-mail 31st May 04.06.2018

This drawing and design concept is the property of PPY design. It should not be reproduced without written permission

0 1 2 3 m

Ex Nat West Bank
15 Bridge Street
Ramsbottom
BL0 9WN

TB24-03A

PPY design Ltd

scale 1:50@A1
March 2018

Proposed Plans

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

Gary Dearden BAC(hons) DipArch RIBA
gary@ppy-design.co.uk www.ppy-design.co.uk
T. 01706 822731 M. 07712 669482

Ward: North Manor

Item 04

Applicant: Mr Khawar

Location: 31 Quarlton Drive, Tottington, Bury, BL8 4JY

Proposal: Demolition of existing dwelling house and erection of replacement dwelling house with detached garage

Application Ref: 62715/Full

Target Date: 02/08/2018

Recommendation: Approve with Conditions

Description

The application site is located in the Green Belt and contains a detached, two storey dwelling. The dwelling sits within an L-shaped plot with a large expanse of garden located to the west of the dwelling. The dwelling is located at the end of the cul-de-sac (Quarlton Drive) and is at a slightly elevated height compared to the highway that leads up to the site. There is an existing driveway accessed off Quarlton Drive, which leads to a single storey garage, which is attached to the main dwelling. There is garden space to the front, rear and sides of the dwelling. The residential estate is depicted by detached dwellings set back from the main highway.

There are residential properties to the east and west of the application site and open fields to the west of the garden associated with the application site. There is a public right of way along the northern boundary with a residential property and open fields beyond.

Planning permission is sought for the demolition of the existing dwelling, and for the construction of a new detached dwelling and separate detached garage. The proposal is for a two storey dwelling with additional floorspace in the roofspace. The proposed dwelling includes a gable feature to the front elevation, which extends to the rear and side of the proposed dwelling, towards the north west boundary.

The dwelling is set back from the main highway, with a double driveway proposed to the front that leads to a detached garage. The proposed garage is of a pitched roof design, and would be sited in the north east corner of the site. The proposed garage would reach a maximum height of approximately 4600mm. Garden areas are proposed to the front, side and rear of the dwelling.

Relevant Planning History

01901/E - Pre - app enquiry for replacement dwelling at 31 Quarlton Drive, Hawkshaw.
Enquiry completed - 09/11/2016

Publicity

13 letter were sent to the neighbouring properties on 07/06/2018.

2 letters have been received from the occupants of Bramley Fold Farm and 29 Quarlton Drive, which have raised the following issues:

- Would like assurance that the building does not come within 1 metre of the boundary fence of No. 29.
- How will the proposed drainage connect to the existing ordinary watercourse on the property which links to the drains to the north of the property boundary.
- Would like to ensure flow is not affected by the proposed work and that the risk of flood to properties is not increased.

The neighbouring properties and the objectors were notified of revised plans by means of a letter on 09/07/2018.

1 letter was received from the occupiers of No. 10 Quarlton Drive, which have raised the following issues:

- Will the new house be built on the height of the ground of the old one or will the land be levelled to street level.
- If the proposal is not lowered this would be extremely imposing.
- Lots of grey and glass in the design.
- Particular notice needs to be given to water problems, and field drains.
- Concerns relating to noise and dirt during construction period.

The objectors have been notified of the Planning Control Committee meeting.

Consultations

Traffic Section - No objection subject to conditions requiring a Construction Management Plan and that access and driveway alterations are provided prior to the dwelling being occupied.

Drainage Section - No objections to the proposed development subject to a conditions requiring details of surface water drainage

Public Rights of Way Officer - No objections

Ecology Unit - No significant ecological constraints identified by ecological consultant. No objection subject to conditions requiring a new bat assessment if demolition does not commence before 30th April 2019, no tree works between 1st March and 31st August and the submission of a landscaping scheme

Environmental Health - Contaminated Land - No objection subject to a condition requiring a contaminated land preliminary risk assessment, site investigation, detailed risk assessment and remediation strategy and following this a condition that requires a remediation strategy and site verification report.

United Utilities (Water and waste) - No objections subject to a condition ensuring that surface and foul water shall be drained on separate systems in line with the hierarchy of drainage options in the National Planning Practice Guidance (NPPG).

Unitary Development Plan and Policies

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL1/3	Infilling in Existing Villages in the Green Belt
OL7/2	West Pennine Moors
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN5/1	New Development and Flood Risk
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN9/1	Special Landscape Areas
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
H1/2	Further Housing Development
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Principle (Green Belt)

The application site is located in the Green Belt. Paragraph 89 of the National Planning Policy Framework (NPPF) states that the construction of new buildings within the Green Belt are inappropriate. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building providing it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The NPPF continues that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages.

Policy OL1/3 - Infilling in existing villages in the Green Belt seeks to ensure that infilling in existing villages in the Green Belt is both in scale and would not affect its character or surroundings.

This is further supported by Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt which provides further guidance and stating that replacement dwellings within the Green Belt should reflect the original dwelling in terms of massing, siting, area of footprint and height. To assist in what can be considered to be disproportionate, SPD 8 considers additions of up to a third (33%) of the volume of the original dwelling acceptable and this can be applied when assessing whether the replacement is materially larger. However, that is not to say something larger, or smaller than 33%, would not be supported as each case is considered on its own merits.

The planning statement submitted with the application states that the replacement dwelling would be 30.05% larger than the existing dwelling, and as such below the 33% guidance given within SPD 8. As such, the overall volume increase of the proposal is considered to be acceptable.

Whilst the proposed dwelling would be 1.8 metres higher than the one it replaces, at the highest point, it still maintains the impression of a two storey dwelling with the roof, and loft space of the feature gable utilised to provide the additional living accommodation required. The dwelling maintains a set back from the road and is located centrally within the plot replicating the position of the existing dwelling at the head of the cul-de-sac. There are a mixture of materials present within the immediate street scene and as such it is considered that the use of render, and facing brickwork would be in keeping with the character of the residential estate. In addition to this, the dwelling is located within a ribbon of existing

residential development, at the end of a cul-de-sac rather than in an isolated position within the Green Belt, and would therefore be read in within the context of an established development.

It is noted that SPD 8 states that garages are an urban addition, not usually acceptable within Green Belt locations. However as previously stated the site is located within an established residential development and it is not uncommon to expect outbuilding and garages within this context. The proposed garage is located to the rear of the site, and would be largely screened from public views by the proposed dwelling. The proposed garage would have a pitched roof, and would be constructed from materials to match the proposed dwelling and is therefore considered to be acceptable.

In this instance it is considered that the proposal would comply with NPPF paragraph 89, OL1/2 - New Buildings in the Green Belt, OL1/3 - Infilling in existing villages in the Green Belt and Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt and would therefore not impact on the openness of the Green Belt.

Principle (Residential)

Policy H1/2 - Further Housing Development 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 surrounding land uses.

The proposed site is located within the curtilage of an existing residential dwelling, on a residential estate and would result in the replacement of this property. As such, the proposal would not conflict with the surrounding land uses. Therefore the proposal would be acceptable in principle and would be in accordance with Policy H1/2 and of the Bury UDP and the NPPF.

Design and Layout

Policy H2/1- The Form of New Residential Development requires all new residential development to make a positive contribution to the form and quality of the surrounding area. Policy H2/2 - The Layout of New Residential Development seeks to ensure that new residential development will be acceptable in terms of layout in order to provide a good quality residential environment. In addition to this, 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.

The proposal is for a replacement dwelling, within an established residential street with the immediate street scene depicted by detached dwellings, set back from the highway with gardens and parking to the front. There have been a number of extensions and alterations to the dwellings within the immediate vicinity of the site, and as such no one style of property prevails. Of particular note are the contemporary additions to No. 13 Quarlton Drive which include rendered elevations and a glazed entrance, and the partial demolition and extension of No. 7 Hawkshaw Lane which has led to a dwelling of cuboidal form.

The proposed dwelling would be set back from the highway, within a similar position to the footprint of the existing property and is set centrally within the site at the end of a cul-de-sac maintaining the existing character of the street scene. The proposal seeks to use a mixture of materials, with render, glazing elements and brickwork proposed. The proposed windows are suitably aligned, and the large expanses of glazing have been restricted to the rear elevation so that they are not visible from public vantage points. Due to the mixture of materials, and additions to the dwellings visible within the immediate vicinity of the site the use of materials and contemporary design of the proposal is considered to be acceptable in this context.

The proposed dwelling would retain the form of a two storey detached dwelling, utilising the

loft space to create a second floor. The proposed dwelling has a pitched roof gable feature to the front and due to the natural topography of the site the gable feature steps up at the rear, turning towards the north west boundary. The dwelling has been designed to reflect the topography and shape of the site and as such, whilst the gable element does increase in height towards the rear of the property, this would largely be screened from the main street and public view points by the proposed front elevation of the dwelling.

The proposal is therefore considered acceptable in terms of visual amenity and complies with UDP Policies H2/1- The Form of New Residential Development, EN1/2 -Policy EN1/2 - Townscape and Built Design and H2/2 - Policy H2/2 - The Layout of New Residential Development.

Impact on Residential Amenity

UDP Policy H2/1 seeks to ensure that the position and proximity of proposals does not impact on the residential amenity of neighbouring properties. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

Due to the orientation of the site in relation to the neighbouring properties, the proposal is set behind the side walls of No. 12 and No. 29 Quarlton Drive, as such it is considered that the proposal would not impact on the principal front and rear elevations of the immediate neighbours.

The proposed front windows would have an onward view of the highway rather than existing residential dwellings, with no directly facing habitable room windows within 20 metres complying with aspect standards contained within SPD 6. The closest dwelling to the rear of the site is Melrose. This property is located approximately 21 metres from the proposed rear elevation and as such, exceeds the 20 metre aspect standards required by SPD 6. The large rear glazing relating to the living area at ground floor, master bedroom at first floor and bedroom at second floor are recessed within the walls of the dwelling and would have an onward view of fields rather than gardens or dwellings and are therefore considered to be acceptable.

There is a single ground floor window facing towards the boundary with No. 29. The principal window for this space would be located on the front elevation, with boundary treatments also providing a screen as such no detrimental loss of privacy is expected from this window. The first floor windows facing towards the boundary with No. 29 relate to an ensuite, which is a non-habitable room, and secondary windows for the guest bedroom. As the windows are narrow secondary windows, or relate to a non-habitable room no overlooking is foreseen. No windows are proposed at second floor facing towards the boundary with No. 29.

No side windows are proposed facing towards the boundary with No. 12. Due to the nature of rooflights, no overlooking is foreseen from the side and front rooflights proposed.

The proposed garage is located adjacent to the boundary with No. 12, adjacent to the front corner of the side garden of this property. The garage is located away from the principal elevations of the adjacent dwelling, adjacent to the corner of the side garden, and to the west of the shared boundary limiting any impact in terms of overshadowing. As such, the location of the proposed garage is considered to be acceptable.

In this instance it is considered that the proposal complies with UDP Policy H2/1- The Form of New Residential Development.

Highways

Public footpath no. 3 Tottington runs along the outside of the northern boundary of the red edged site. As there appears to be no proposals to carry out works to this boundary no objections have been raised by the public rights of way officer.

Policy HT2/4 - Car Parking and New Development requires all applications for development to make adequate provision for their car parking and servicing requirements. The proposal seeks provision for a driveway to the front, and side of the dwelling. During the application process amendments to the access to the site have been sought, to ensure that the existing lighting column and the access to no. 12 are not impeded. As a result of these amendments no objections have been raised by the Traffic Section subject to conditions requiring a Construction Management Plan and that access and driveway alterations are provided prior to the dwelling being occupied. As such the proposal is considered to comply with UDP Policy HT2/4.

Drainage

There is an ordinary watercourse adjacent to the plot which would, in accordance with NPPF guidance, be a suitable place to put the surface water discharge created by the development. The applicant would need to apply for Ordinary Watercourse Consent to do this. It is considered by the LPA's Drainage Engineer that it is unlikely that this would have any adverse effect and the applicant is obliged to check the suitability of this method of surface water drainage. As such a condition has been attached to ensure that details of surface water drainage are based on the hierarchy of drainage options in the National Planning Practice Guidance and would be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015).

Any drainage scheme should include separate foul and surface water disposal rather than replicating the existing combined system. It is considered that United Utilities would refuse to take any surface water unless the exercise to investigate disposal of surface water via the ordinary watercourse has been undertaken.

Ecology

Greater Manchester Ecology Unit have been consulted as part of the application process and noted that no significant ecological constraints were identified by the developer's ecological consultant.

An assessment and two emergence surveys failed to find any evidence of bats roosting within the property. It was therefore concluded the property was low risk, however should demolition not commence before the 30th April 109 then the building will need to be reassessed. An informative will also be added to ensure that if a bat is found during demolition works the applicant is aware that Natural England should be contacted..

The building was assessed as not providing bird nesting opportunities but tree and shrubs will be lost as part of the development and as such potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A condition will therefore be attached to ensure no works to trees or shrubs between the 1st March and 31st August.

Section 109 NPPF states that the planning system should contribute to and enhance the natural and local environment. The development will result in the loss of a number of trees and shrubs, primarily semi-mature, ornamental and non-native. GMEU are therefore satisfied that the overall impact is negative at the site level only, and can be mitigated through new soft landscaping associated with the property. A landscaping scheme will be conditioned.

Neighbour Objections

The front corner of the proposed dwelling is the closest part of the dwelling to the boundary with No. 29. The proposed site plan shows a distance of approximately 1.2 metres is provided. The impact of the proposal on the residential amenity of No. 29 has been assessed within the main body of the report.

The LPA's drainage engineer, and United Utilities have been consulted as part of the application and have recommended a condition be attached that requires that details of surface water drainage are based on the hierarchy of drainage options in the National

Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) rather than replicating the existing combined system. This scheme will be required prior to commencement of development and the suitability of the scheme will be assessed by the required consultees.

Site sections have been provided with the application which show that the levels of the site will be maintained as existing. The impact of the proposal in terms of visual amenity has been assessed within the main body of the report. Problems arising from the construction period of any works eg noise and dust are covered by the Control of Pollution Acts, and as such are non-material planning considerations not relevant to the decision.

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 pre-application discussions 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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings numbered 303BUR-111, 303BUR-100, 303BUR-101H, 303BUR-102, 303BUR-103, 303BUR-104, 303BUR-105E, 303BUR-106E, 303BUR-107D, 303BUR-108C, 303BUR-109 and 303BUR-110 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.
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:
 - Hours of operation and number of vehicle movements;
 - Parking on site or on land within the applicant's control of operatives' vehicles together with storage on site of demolition/construction materials.
 - 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 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 both periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

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 Policies H2/2 - The Layout of New Residential Development and HT2/4 Car Parking and New Development of

the Bury Unitary Development Plan.

4. The proposed access and driveway alterations indicated on approved plan reference 303BUR-101 Revision H, incorporating the provision of a footway crossing extension, all associated highway remedial works and 5.0m minimum length hardstanding in a porous paving material, shall be implemented prior to the dwelling hereby approved 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 policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
5. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
6. Details/Samples of the (materials/bricks) 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 before the development is commenced. 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 Policies EN1/1 Visual Amenity, H2/1- The Form of New Residential Development and Supplementary Document 8 - New Buildings and Associated Development in the Green Belt.
7. If the demolition hereby approved does not commence before the 30th April 2019, the building will need to be reassessed for bat roosting potential and the finding supplied to and 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 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.
8. 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 birds are present.
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.
9. A landscaping scheme shall be submitted to, and approved by the Local Planning

Authority prior to the commencement of the development. It 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.

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.

10. No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

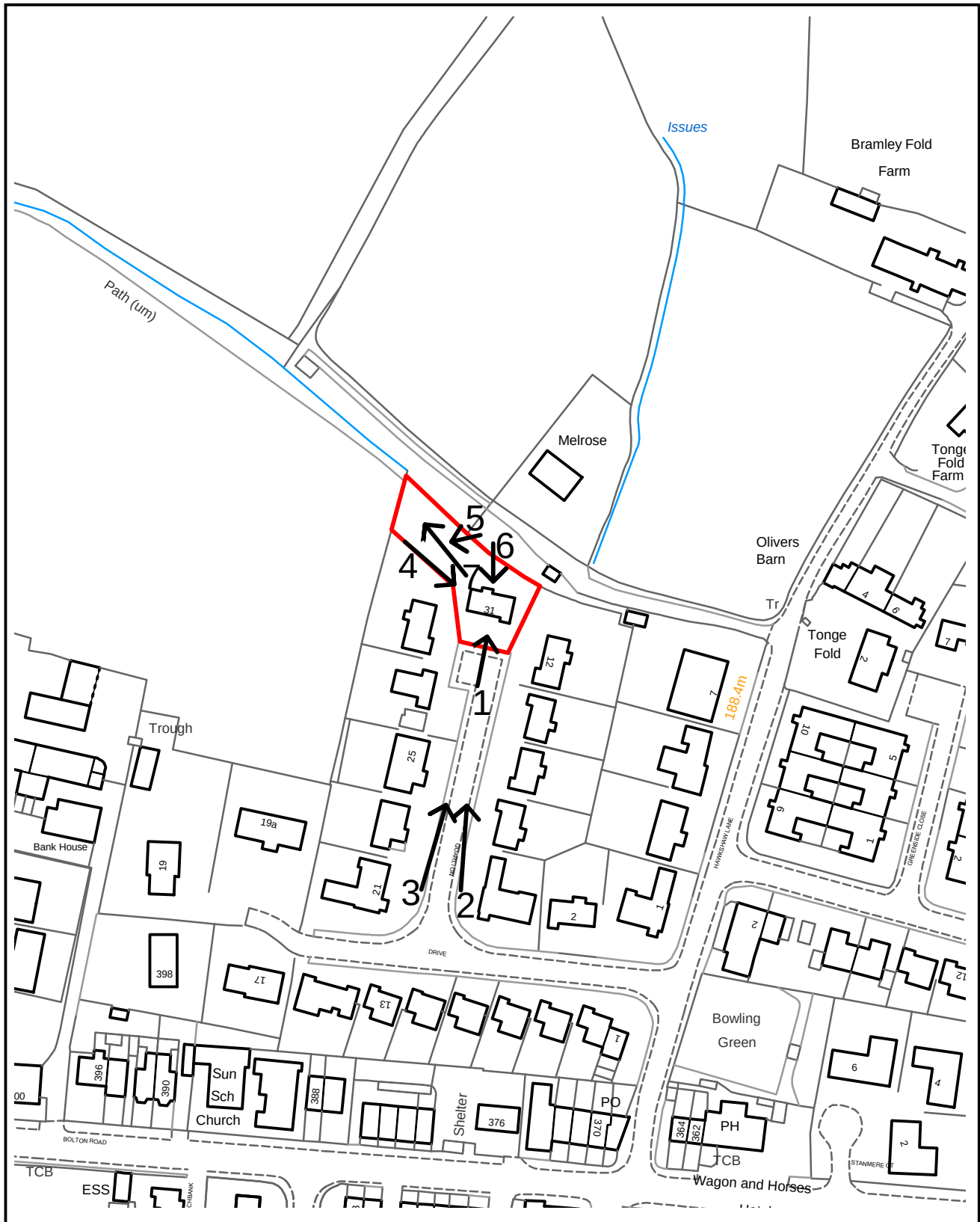
Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

11. Following the provisions of Condition 10 of this planning permission, 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 11 - Conserving and enhancing the natural environment.

For further information on the application please contact **Helen Goldsbrough** on **0161 253 5277**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62715

**ADDRESS: 31 Quarlton Drive
Tottington**

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

62715

Photo 1



Photo 2



62715

Photo 3



Photo 4



62715

Photo 5



Photo 6



62715

Photo 7



ALL DIMENSIONS ARE FOR REFERENCE PURPOSES ONLY DISCRPENCIES ARE TO BE REPORTED TO THE DRAWINGS AUTHOR. DO NOT SCALE FROM DRAWING.

Topographical Survey Legend

- B

Bin

BS

Bus stop

BT

British telecom ic

CPS

Concrete paving slabs

CTV

Cable television cover

DR

Drain

Elec

Electrical ic

EP

Elec. pole

ER

Earth rod

FP

Flagpole

FT

Floodlight

G

Gully

GP

Gate post
- GV

Gas valve

Hyd

Hydrant

IC

Inspection cover

JB

Junction box

KO

Kerb outlet

LB

Letter box

LP

Lamp post

Mkr

Utility marker

MP

Mile post

NP

Name plate

P

Post

PM

Parking meter

RE

Rodding eye

RS

Road sign
- rwp

Rain water pipe

SP

Soil pipe

ST

Stop tap

Stoy

Cable stay

SV

Stop valve

TCB

Telephone call box

TL

Traffic light

TP

Telegraph pole

TPS

Tactile paving slabs

VP

Vent pipe

WM

Water meter

WO

Water outlet

UTL

Unable to lift
- AL

Arch level

BL

Bed level

CL

Cover level

EL

Eaves level

FL

Floor level

IL

Invert level

PL

Parapet level

RL

Roofridge level

SL

Soffit level

Spr

Arch springing level

ToW

Top of wall level

Thr

Threshold level

WL

Water level

Fence annotation

B/W

Barbed wire

C/B

Closed boarded

C/I

Corrugated iron

C/L

Chain link

C/P

Concrete panel

H/R

Hand rail

I/R

Iron railings

O/B

Open boarded

P/C

Post & chain

P/R

Post & rail

P/W

Post & wire

W/W

Wire mesh

C/L

Fence

Safety barrier

Gate

+

Stile

Hedge

Limit of foliage & tree canopy

50.00

+

Spot level

SSL 1

50.00

Survey control station (Coordinated point)

Tree

Levels defining edge of carriageway are observed at channel (bottom of kerb). Unless otherwise stated.

31

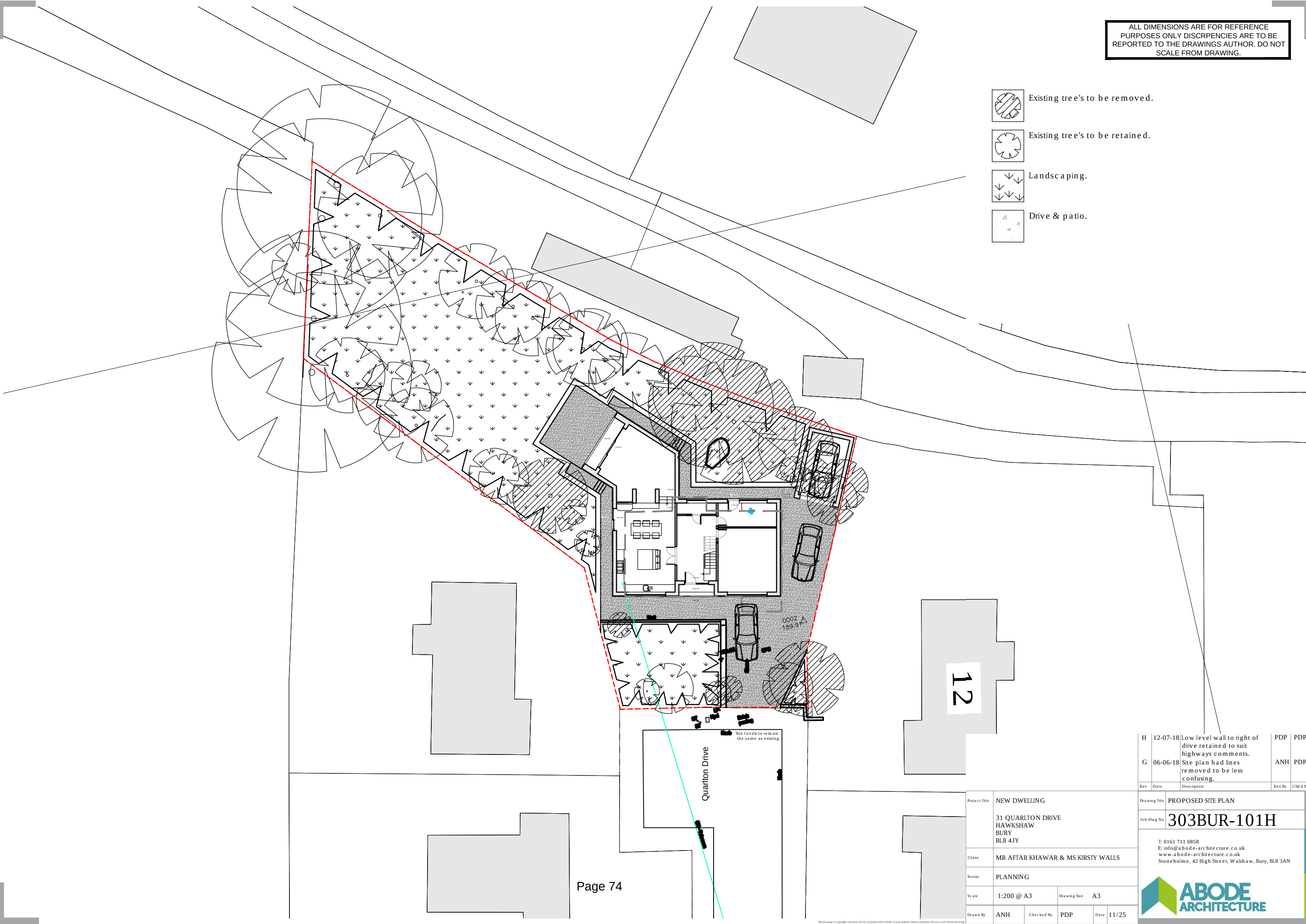
12

- 00-00-00 -			XXX	XXX
Rev	Date	Description	Rev By	Chk'd By
Drawing Title		TOPOGRAPHICAL SURVEY		
Job Dwg No		303BUR-100		
T: 0161 711 0858 E: info@abode-architecture.co.uk www.abode-architecture.co.uk Stoneholme, 42 High Street, Walshaw, Bury, BL8 3AN				
ABODE ARCHITECTURE				

Project Title	NEW DWELLING		
	31 QUARLTON DRIVE HAWKSHAW BURY BL8 4JY		
Client	MR AFTAB KHAWAR & MS KIRSTY WALLS		
Status	PLANNING		
Scale	1:200 @ A3	Drawing Size	A3
Drawn By	ANH	Checked By	PDP
		Date	11/25

ALL DIMENSIONS ARE FOR REFERENCE
PURPOSES ONLY DISCRPENCIES ARE TO BE
REPORTED TO THE DRAWINGS AUTHOR. DO NOT
SCALE FROM DRAWING.

-  Existing tree's to be removed.
-  Existing tree's to be retained.
-  Landscaping.
-  Drive & patio.



H	12-07-18	Low level wall to right of drive retained to suit highways comments.	PDP	PDP
G	06-06-18	Site plan had lines removed to be less confusing.	ANH	PDP
Rev	Date	Description	Rev By	Chk'd By

Project Title	NEW DWELLING		
	31 QUARLTON DRIVE HAWKSHAW BURY BL8 4JY		
Client	MR AFTAB KHAWAR & MS KIRSTY WALLS		
Status	PLANNING		
Scale	1:200 @ A3	Drawing Size	A3
Drawn By	ANH	Checked By	PDP
		Date	11/25

Drawing Title

PROPOSED SITE PLAN

Job-Dwg No

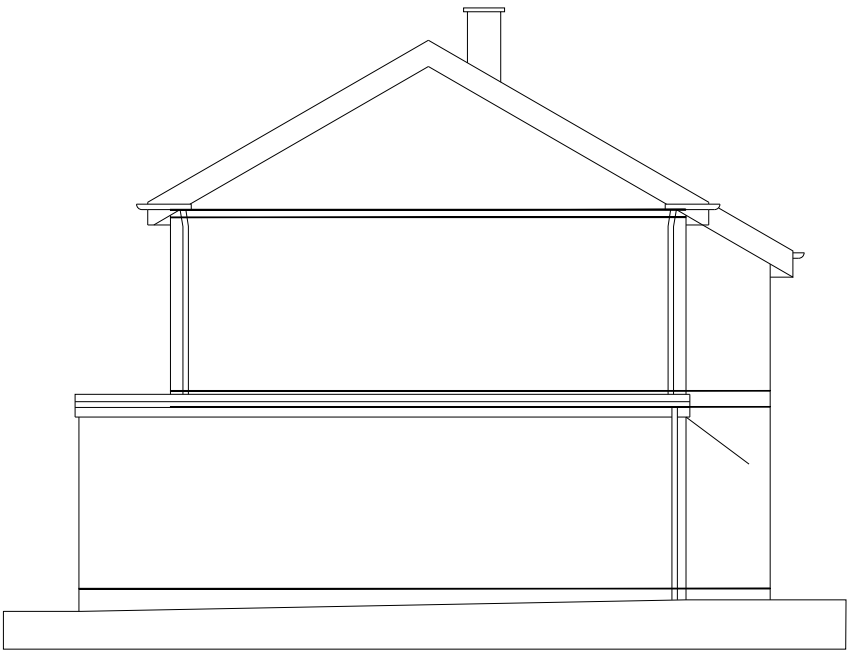
303BUR-101H

T: 0161 711 0858
E: info@abode-architecture.co.uk
www.abode-architecture.co.uk
Stoneholme, 42 High Street, Walshaw, Bury, BL8 3AN





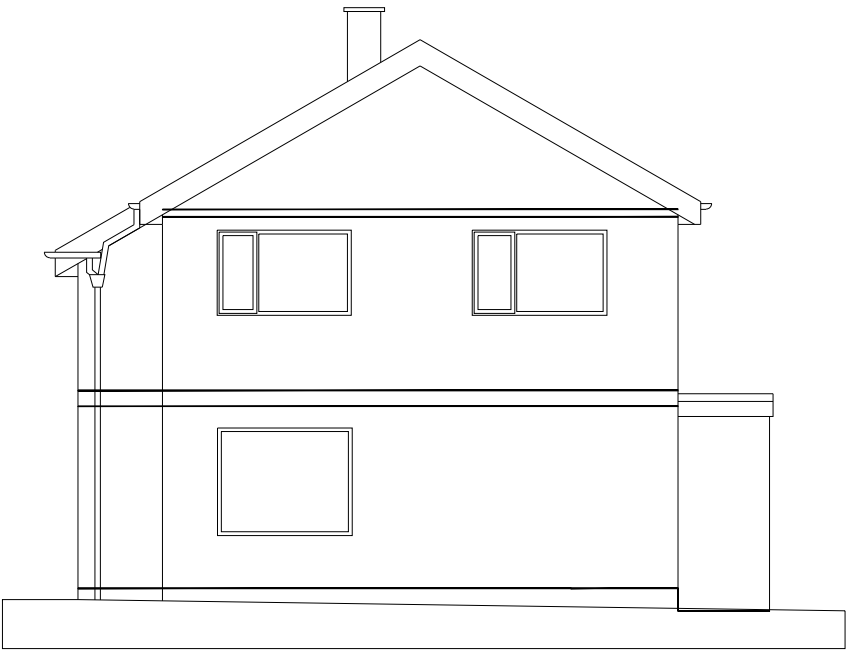
EXISTING FRONT ELEVATION (1:100)



EXISTING GABLE ELEVATION (1:100)



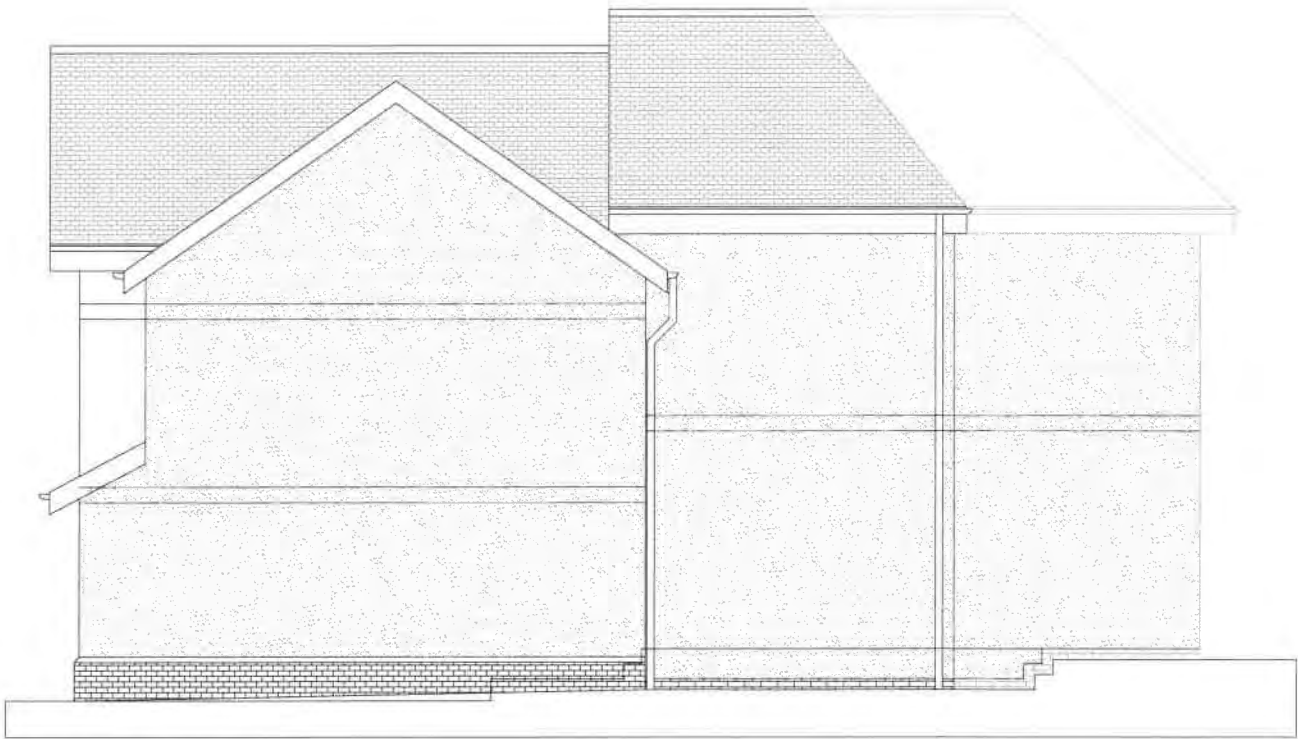
EXISTING REAR ELEVATION (1:100)



EXISTING GABLE ELEVATION (1:100)



PROPOSED FRONT ELEVATION (1:100)



PROPOSED GABLE ELEVATION (1:100)

		D 22-02-18 Wall stepped back and roofs amended to suite.		ANH		PDP	
		C 24-01-18 Velux windows removed on the right hand side of the building.		ANH		PDP	
		B 19-01-18 Ridge height extended up.		ANH		PDP	
		Rev		Date		Description	
		Rev By		Rev By		Chkd By	

Project Title		NEW DWELLING	
		31 QUARLTON DRIVE HAWKSHAW BURY BL8 4JY	
Client		MR AFTAB KHAWAR & MS KIRSTY WALLS	
Status		PLANNING	
Scale		1:100 @ A3	
		Drawing Size A3	
Drawn By		ANH	
		Checked By PDP	
		Date 11/25	

Drawing Title		PROPOSED ELEVATION - SHEET 1	
Job-Dwg No		303BUR-107D	
		T: 0161 711 0858 E: info@abode-architecture.co.uk www.abode-architecture.co.uk Stoneholme, 42 High Street, Walshaw, Bury, BL8 3AN	
			
		ABODE ARCHITECTURE	



PROPOSED REAR ELEVATION (1:100)



PROPOSED GABLE ELEVATION (1:100)

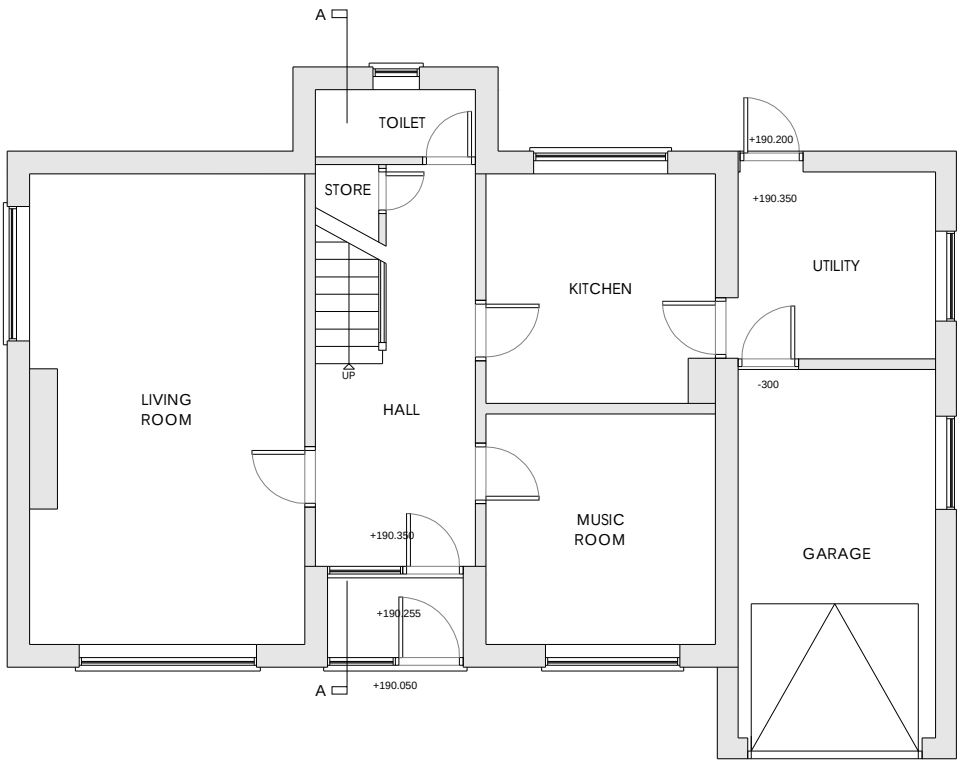


PROPOSED FEATURE NORTH WEST FACING ELEVATION (1:100)

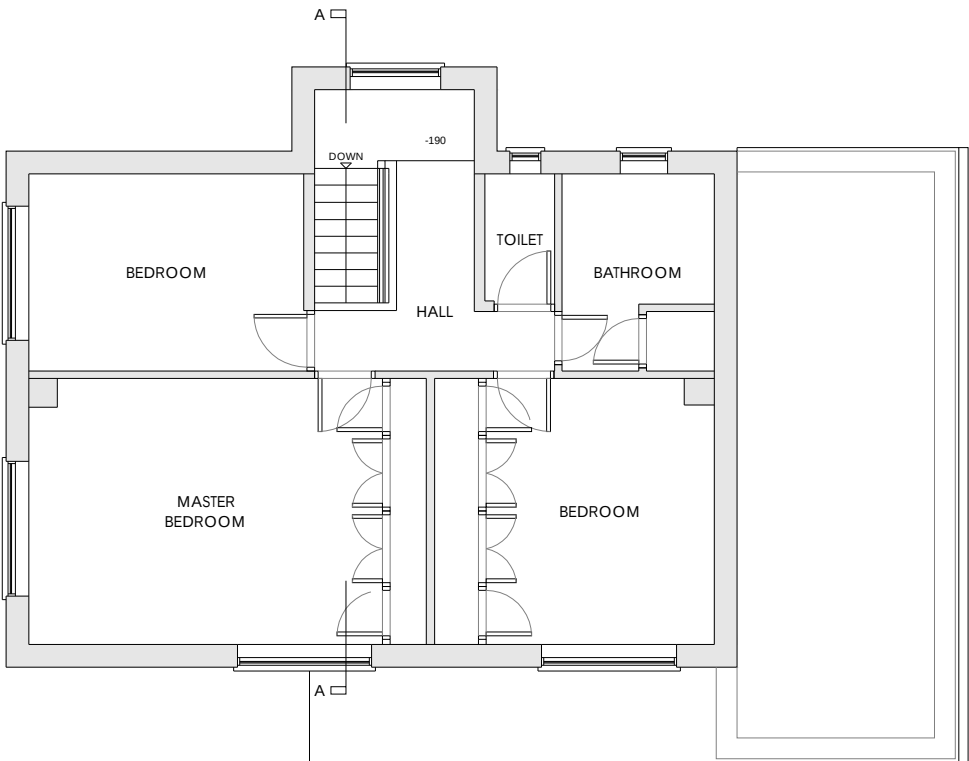
Rev	Date	Description	Rev By	Chk'd by
C	24-01-18	Velux on the rear elevation removed and Velux on the gable and feature elevation moved to suite new location.	ANH	PDP
B	19-01-18	Ridge height extended up.	ANH	PDP

Project Title	NEW DWELLING		
Client	MR AFTAB KHAWAR & MS KIRSTY WALLS		
Status	PLANNING		
Scale	1:100 @ A3	Drawing Size	A3
Drawn By	ANH	Checked By	PDP
Date	11/25		

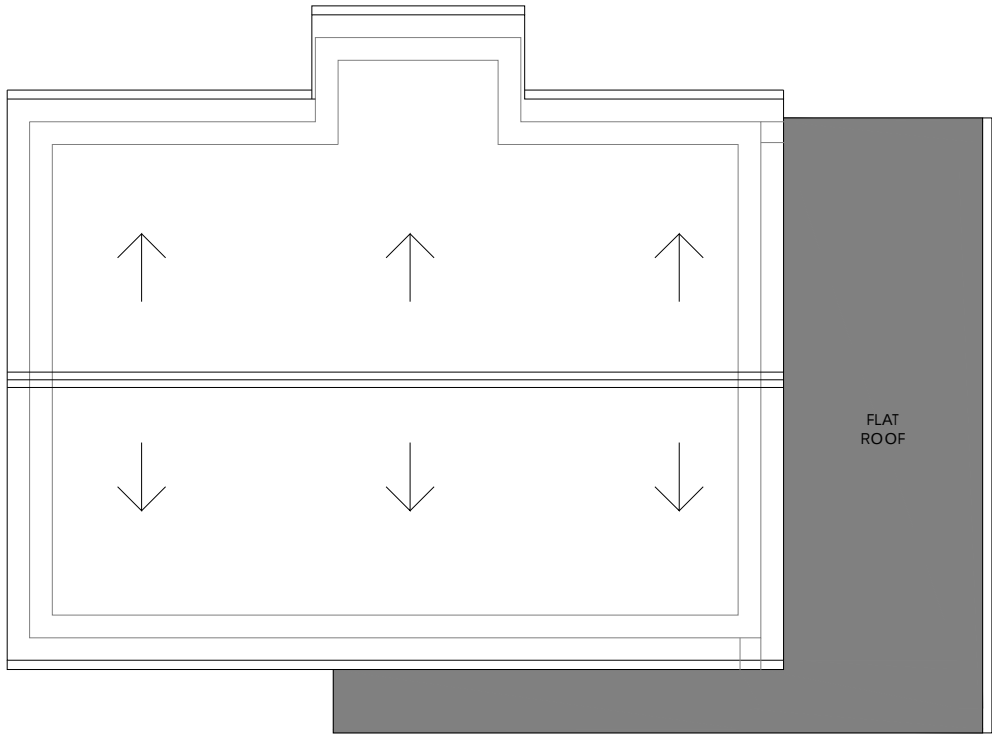
Drawing Title	PROPOSED ELEVATION - SHEET 2
Job-Dwg No	303BUR-108C
T: 0161 711 0858 E: info@abode-architecture.co.uk www.abode-architecture.co.uk Stoneholme, 42 High Street, Wathaw, Bury, BL8 3AN	
 ABODE ARCHITECTURE	



EXISTING GROUND FLOOR PLAN (1:100)



EXISTING FIRST FLOOR PLAN (1:100)

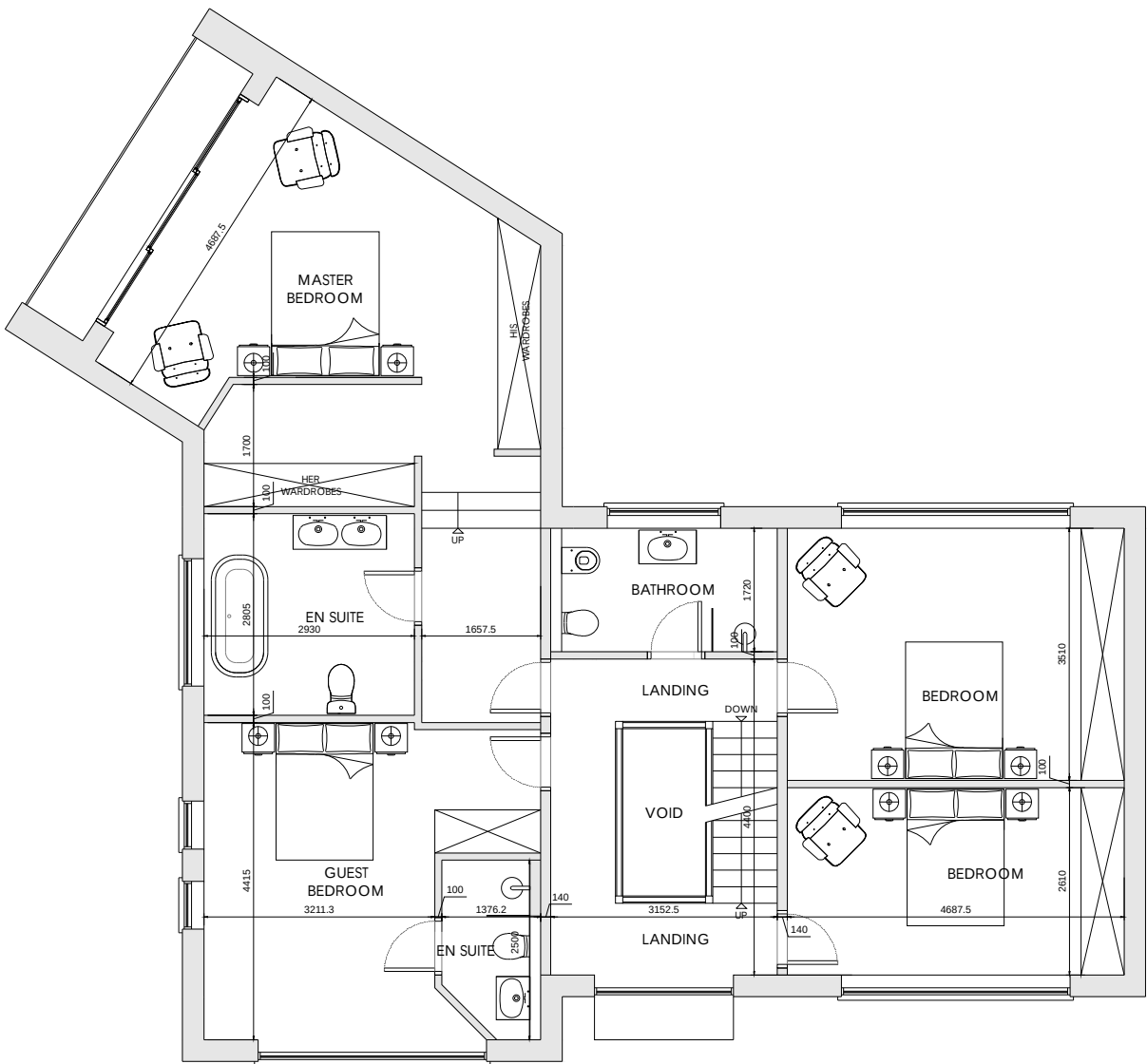
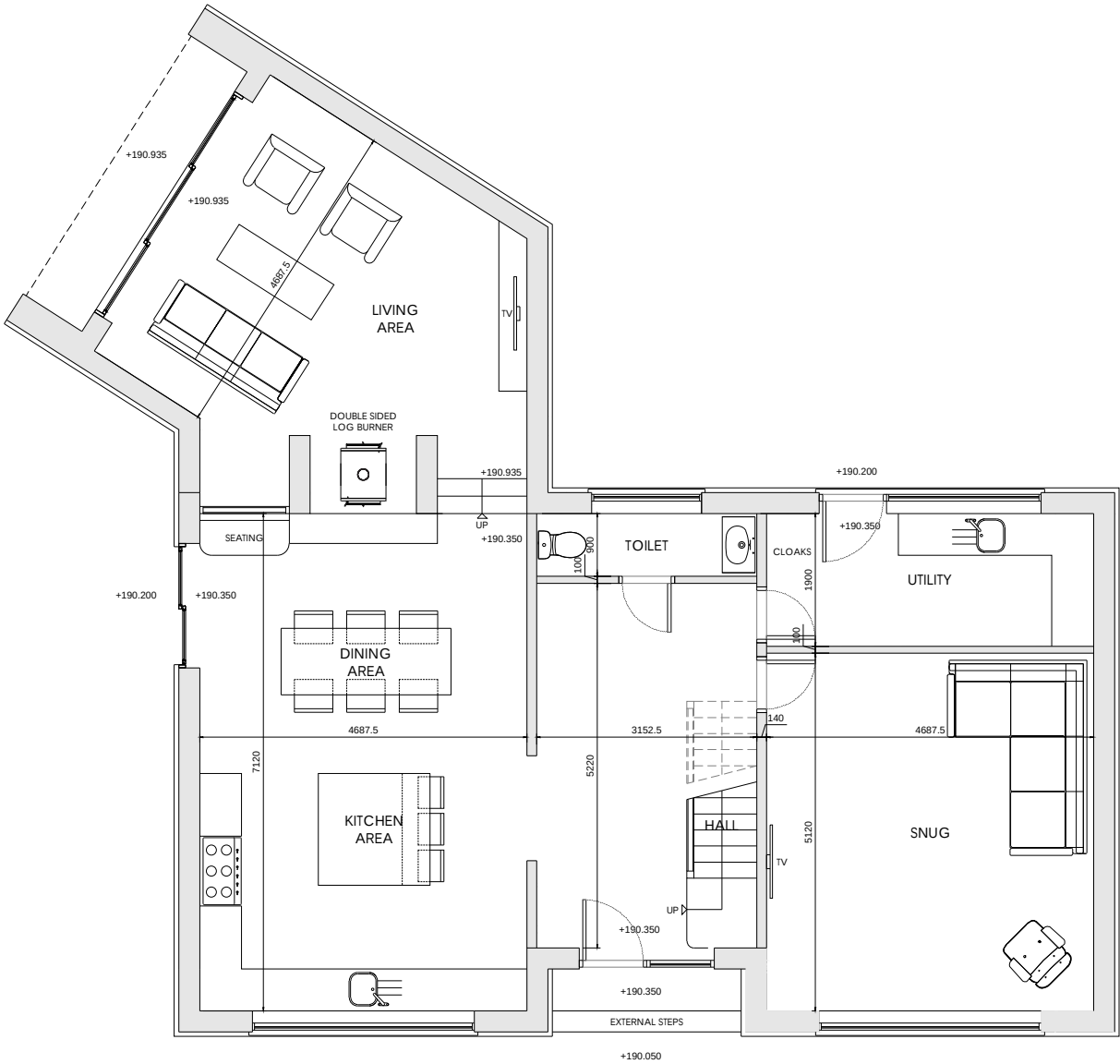


EXISTING ROOF PLAN (1:100)

		- 00-00-00 -				XXX		XXX	
Rev		Date		Description		Rev By		Chk'd By	
Project Title		NEW DWELLING		Drawing Title		EXISTING PLANS			
		31 QUARLTON DRIVE HAWKSHAW BURY BL8 4JY		Job-Dwg No		303BUR-102			
Client		MR AFTAB KHAWAR & MS KIRSTY WALLS		T: 0161 711 0858 E: info@abode-architecture.co.uk www.abode-architecture.co.uk Stoneholme, 42 High Street, Walshaw, Bury, BL8 3AN					
Status		PLANNING							
Scale		1:100 @ A3		Drawing Size		A3			
Drawn By		ANH		Checked By		PDP		Date 11/25	



ABODE
ARCHITECTURE



E	17-04-18	Bathroom had bath removed and wet room added, Master en-suite had shower removed.	ANH	PDP
D	22-02-18	Wall moved back on first floor.	ANH	PDP
B	19-01-18	Two steps removed into master bedroom	ANH	PDP

Rev	Date	Description	Rev By	Chk'd By
-----	------	-------------	--------	----------

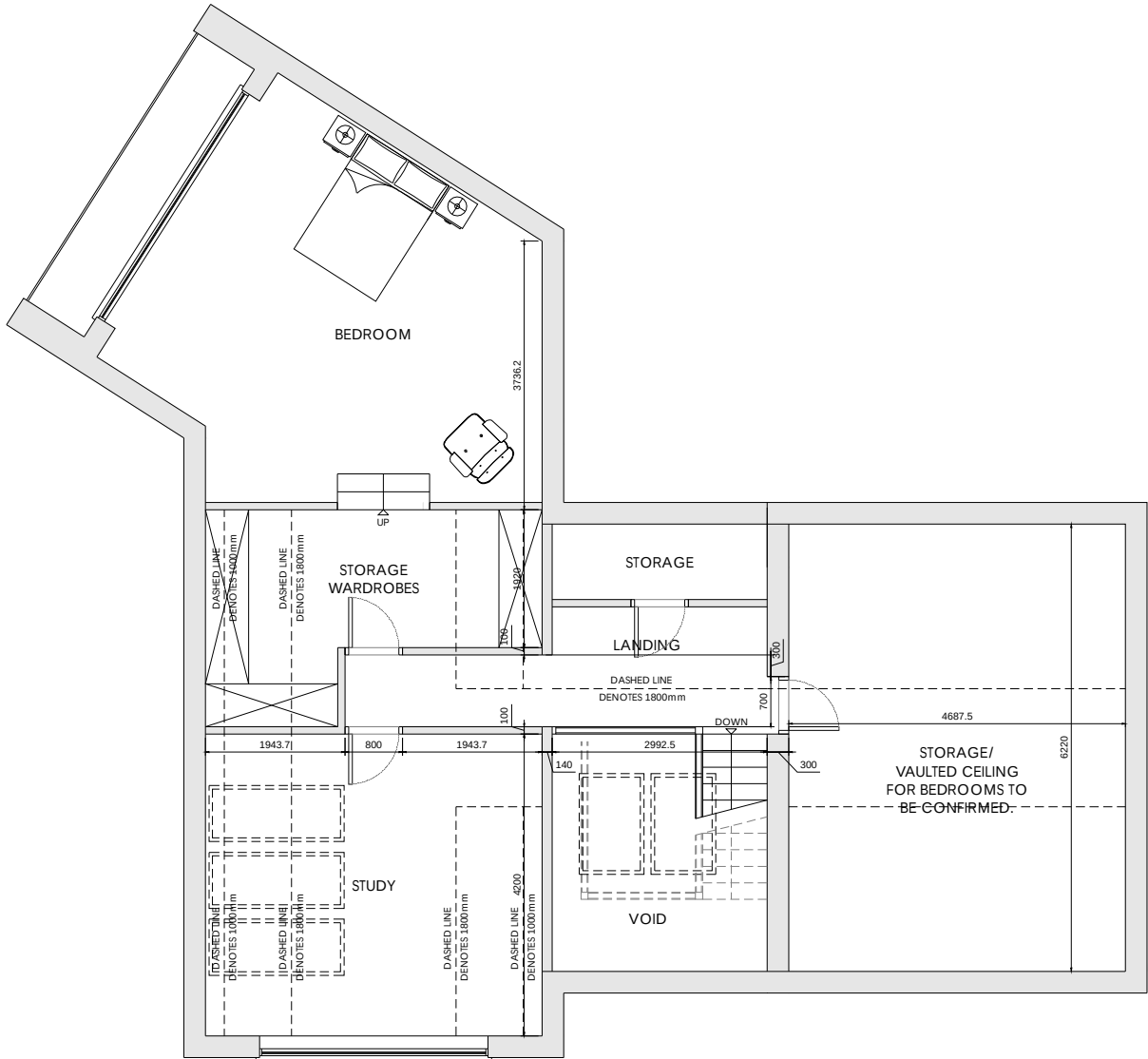
Project Title	NEW DWELLING			Drawing Title	PROPOSED GROUND & FIRST FLOOR PLAN	
	31 QUARLTON DRIVE HAWKSHAW BURY BL8 4JY			Job-Dwg No	303BUR-105E	
	Client			MR AFTAB KHAWAR & MS KIRSTY WALLS		
	Status			PLANNING		
Scale	1:100 @ A3		Drawing Size	A3		
Drawn By	ANH	Checked By	PDP	Date	11/25	

T: 0161 711 0858
E: info@abode-architecture.co.uk
www.abode-architecture.co.uk
Stoneholme, 42 High Street, Walshaw, Bury, BL8 3AN

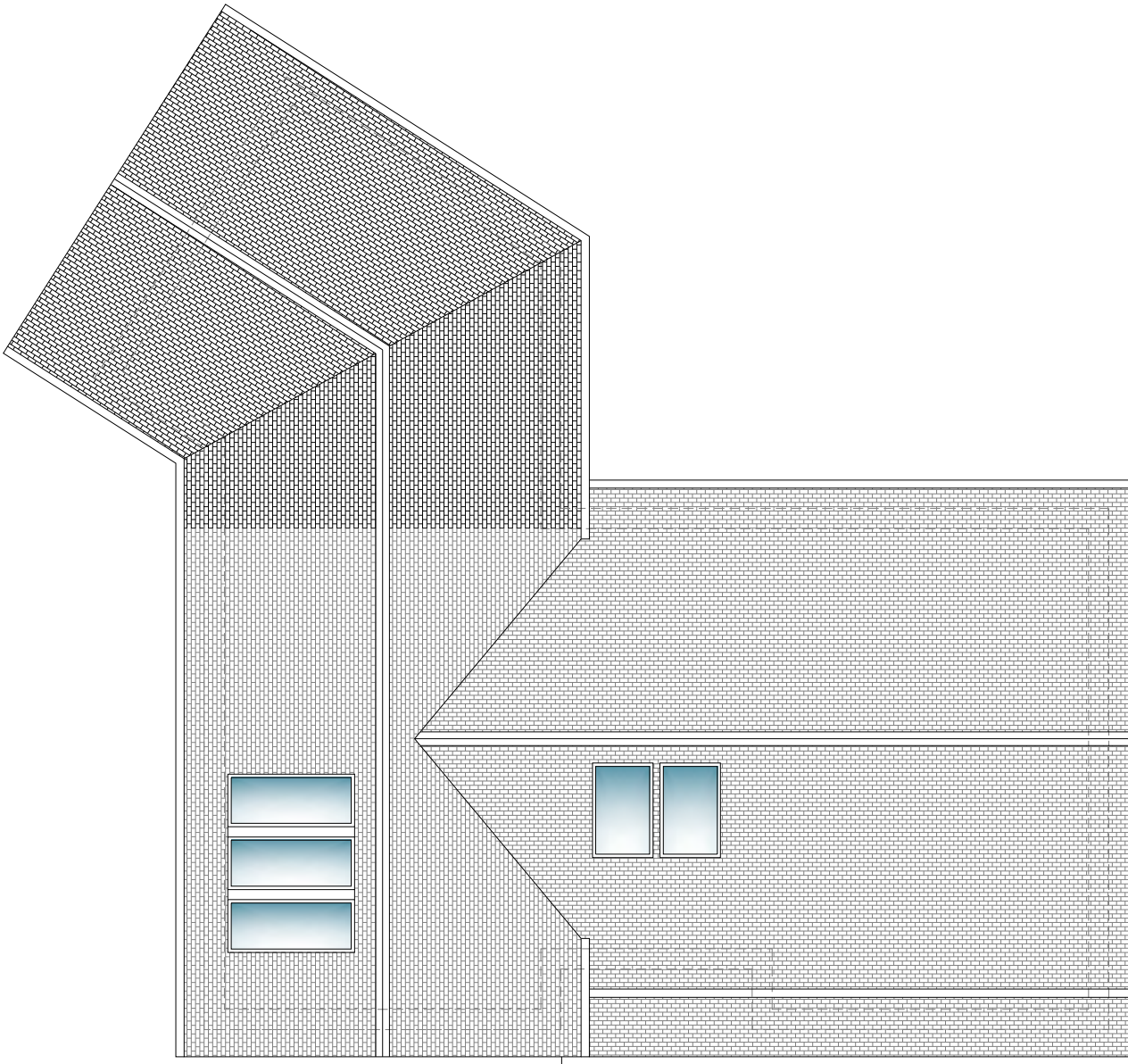


ABODE

ARCHITECTURE



PROPOSED SECOND FLOOR PLAN (1:100)



PROPOSED ROOF PLAN (1:100)

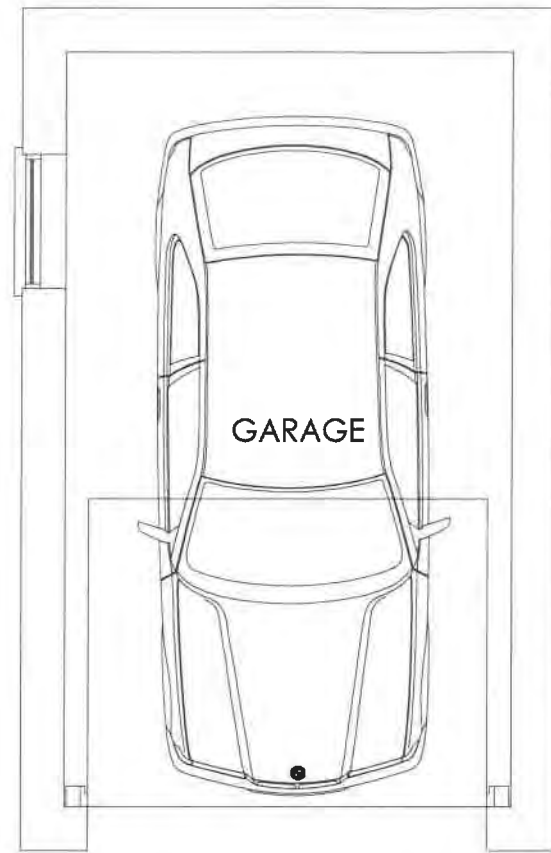
E	17-04-18	Office changed into study.	ANH	PDP
D	22-02-18	Wall moved back and new roof shown on the roof plan.	ANH	PDP
Rev	Date	Description	Rev By	Chk'd By

Project Title	NEW DWELLING			
	31 QUARLTON DRIVE HAWKSHAW BURY BL8 4JY			
Client	MR AFTAB KHAWAR & MS KIRSTY WALLS			
Status	PLANNING			
Scale	1:100 @ A3	Drawing Size	A3	
Drawn By	ANH	Checked By	PDP	Date 11/25

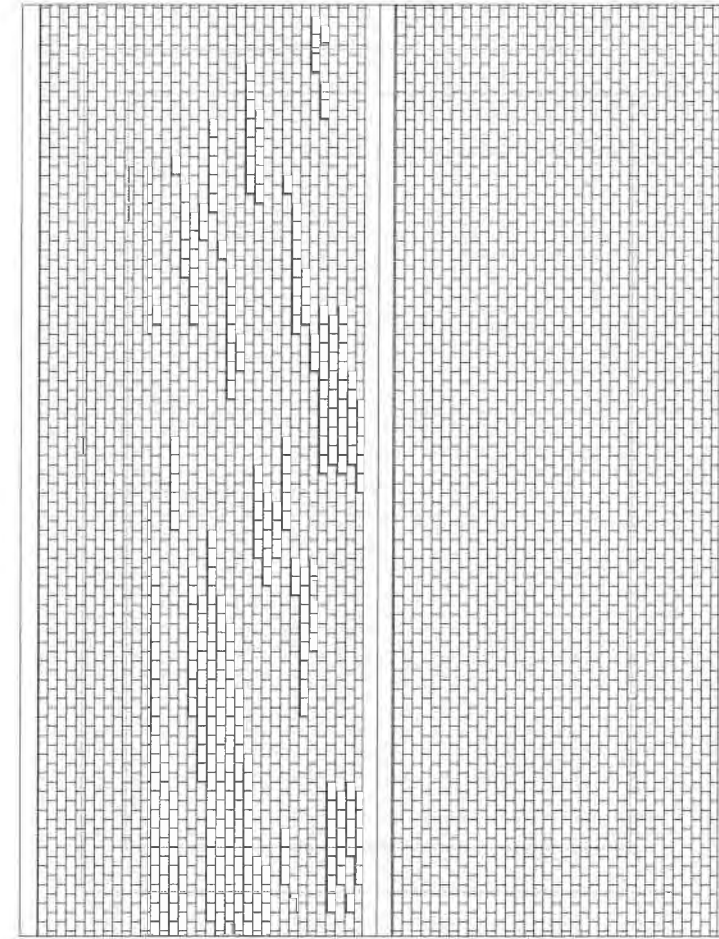
303BUR-106E

T: 0161 711 0858
E: info@abode-architecture.co.uk
www.abode-architecture.co.uk
Stoneholme, 42 High Street, Walshaw, Bury, BL8 3AN

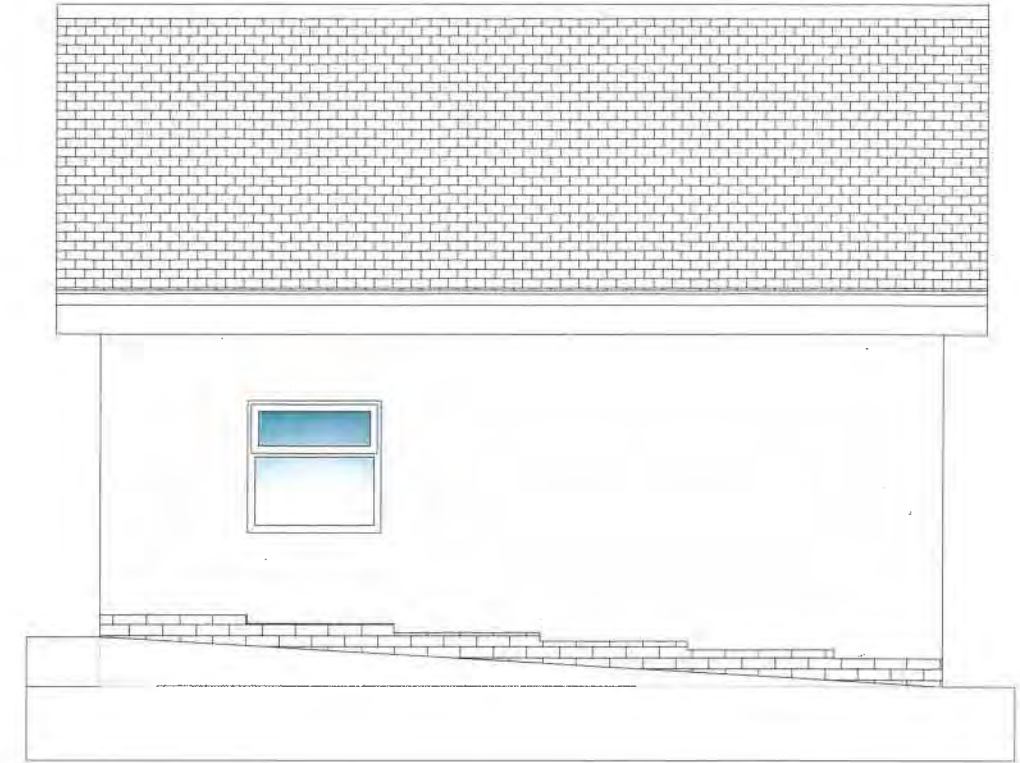
ABODE
ARCHITECTURE



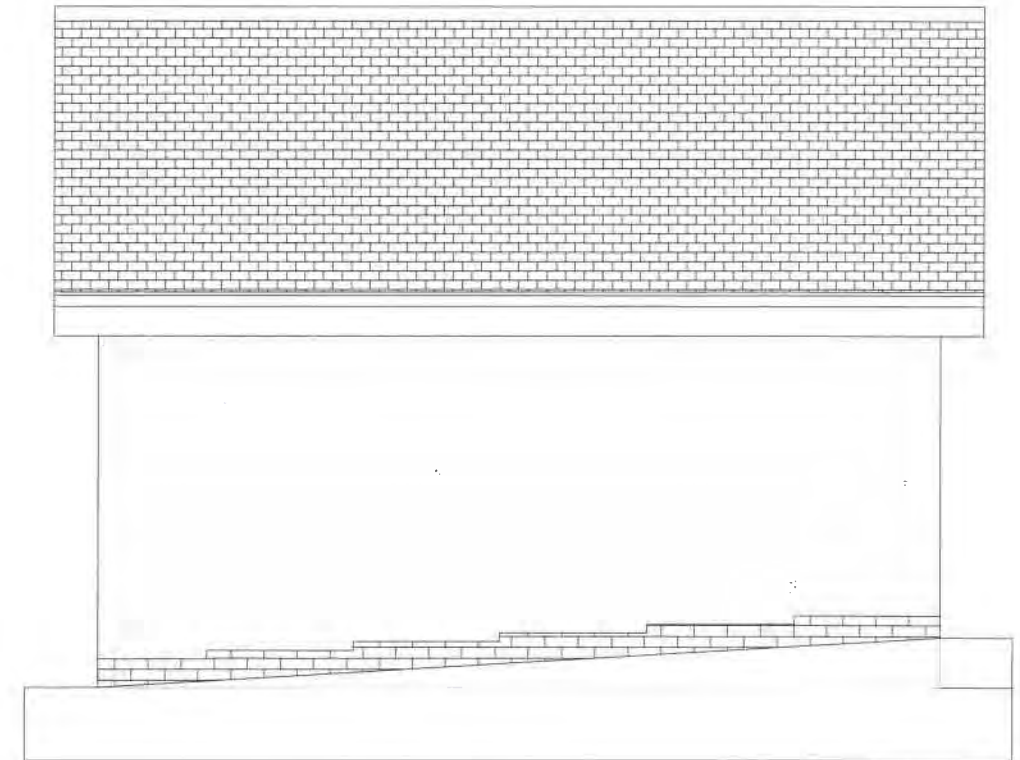
PROPOSED GARAGE FLOOR PLAN
(1:50)



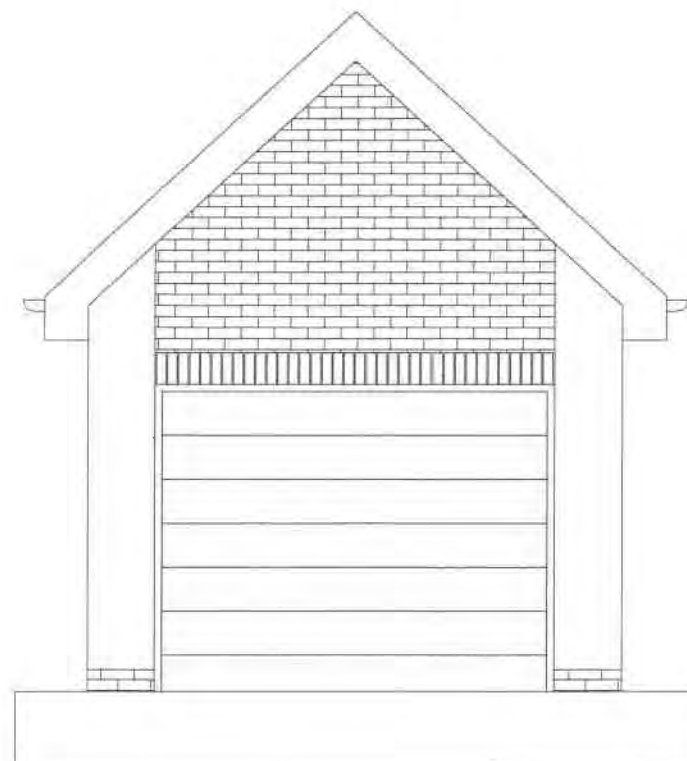
PROPOSED GARAGE ROOF PLAN (1:50)



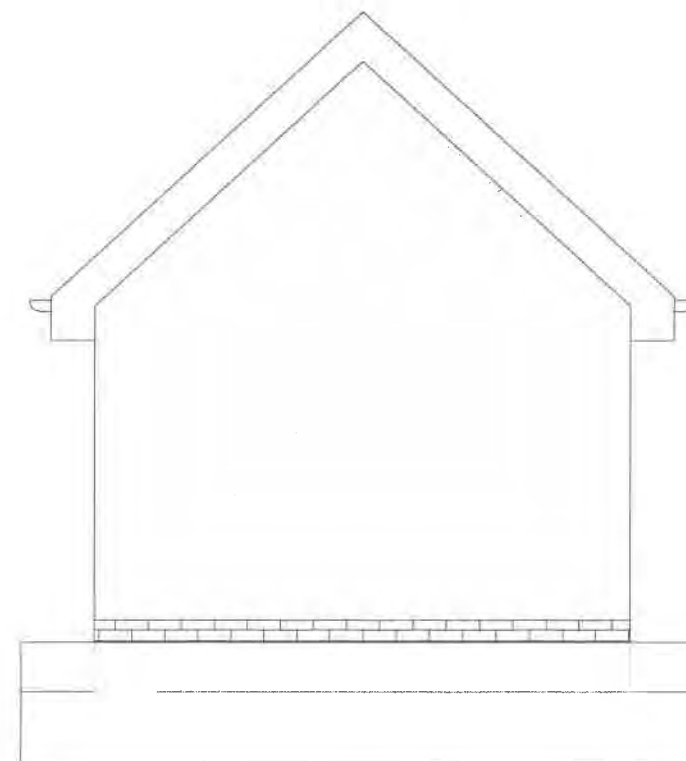
PROPOSED SIDE ELEVATION (1:50)



PROPOSED SIDE ELEVATION (1:50)



PROPOSED FRONT ELEVATION (1:50)



PROPOSED REAR ELEVATION (1:50)

ALL DIMENSIONS ARE FOR REFERENCE
PURPOSES ONLY DISCREPANCIES ARE TO BE
REPORTED TO THE DRAWINGS AUTHOR. DO NOT
SCALE FROM DRAWING.

Project Title	NEW DWELLING		
	31 QUARLTON DRIVE HAWKSHAW BURY BL8 4JY		
Client	MR AFTAB KHAWAR & MS KIRSTY WALLS		
Status	PLANNING		
Scale	1:50 @ A3	Drawing Size	A3
Drawn By	ANH	Checked By	PDP
		Date	11/25

Rev	00-00-00	Date	Description	XXX	XXX
Drawn By				XXX	XXX
Drawn Title	PROPOSED GARAGE PLANS & ELEVATIONS				
Drawn No	303BUR-109				
T: 0161 711 0858 E: info@abode-architecture.co.uk www.abode-architecture.co.uk Stonehalme, 42 High Street, Walslow, Bury, BL8 3AN					
 ABODE ARCHITECTURE					

Ward: Bury East - Redvales

Item 05

Applicant: Mr David Banks

Location: 626 Manchester Road, Bury, BL9 9SU

Proposal: Removal/Variation of condition no. 4 (implementation of traffic regulation order) of planning permission 61687

Application Ref: 62777/Full

Target Date: 16/07/2018

Recommendation: Approve with Conditions

Description

The application relates to a mid terraced two storey property that has been operating as a cafe on the ground floor and hairdressers above for the past three years.

The property immediately to the south is a dwellinghouse that was previously a public house. The property immediately to the north is also a house as are the rest of the properties in the row. There are houses across Manchester Road to the front and to the rear is an adopted service road with residential beyond.

The cafe/restaurant on the ground floor has a seating area to the front catering for approximately 35 covers with kitchen and servicing to the rear. Hours of opening for the restaurant are 12 noon to 10pm (11pm on Saturdays). There is an existing flue to disperse cooking fumes/ odours on the rear elevation. To the front is a small forecourt with space for a couple of small outdoor tables. There is a dropped kerb/footway along the front.

The original change of use was done under the government's flexible change of use system which allowed for an initial change of use for up to 2 years after which time the applicant would be required to submit a planning application for its continued use. This application was approved under reference 61687 in August last year.

Condition No.4 of the approval was as follows:

Within one month of the date of this decision, proposals for the implementation of a traffic regulation order to prohibit parking during peak hours on Manchester Road between the existing waiting restrictions at the Crossfield Street and Nuttall Square junctions, shall be submitted to and agreed in writing with the Local Planning Authority. The approved measures shall be implemented at the expense of the applicant to an agreed specification and programme and to the written satisfaction of the Local Planning Authority.

Reason. *To mitigate the impact of parking likely to be generated by the proposed use and to prevent the obstruction of the existing cycle lane during the hours of operation caused by parked customer vehicles pursuant to UDP Policy HT2 Highway Network and HT6/1 Pedestrian and Cyclist Movement.*

The applicant argues that the implementation of the additional traffic regulation order (effectively a single yellow line) along the road is not required or reasonable due to the presence of the existing cycle lane that imposes the same parking restrictions between the hours that the cycle lane are operational - Monday - Saturday 7.30-9.30am and 3 - 6.30pm. It is also argued that when the pavement at the front of the premises is restored, as a result of a further condition of the previous approval, it would dissuade vehicles parking up. An additional road sign, informing drivers of the existing parking restrictions would also be proposed.

Relevant Planning History

58391 - Notification of flexible change of use from a shop (Class A1) to a ground floor cafe (Class A3) and hairdressers at first floor (Class A1) for a period of up to two years with effect from 1 July 2015 - Acceptance of Change of Use 28/01/2015
58904 - Installation of extraction system at rear - Approved 04/08/2015
61687 - Change of use from retail (Class A1) to restaurant (Class A3) on ground floor and beauty salon on first floor (Class A1) - Approved 23/08/2017
61982 - Roller shutters covering front door - Approved 07/12/2017

Publicity

The following ten neighbours were notified by letter dated 21/05/18. Nos.620-630(even) and 591-597(odd) Manchester Road.

Objections have been received from residents at 585, 587, 591, 595 and 597 Manchester Road and concerns are summarised below:

- Vehicles parking in front of the restaurant block the cycleway and are a hazard to road safety and are a cause of accidents.
- As a result of the boundary and pavement works not being done, cars are parking and causing a hazard.
- The existing cycle lane restrictions are not a sufficient deterrent to people parking cars illegally.
- Extra signage will not help the situation.
- Driveways and bus stop opposite make the situation worse.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection subject to an appropriate road sign being erected.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
S2/6	Food and Drink
HT2/4	Car Parking and New Development
NPPF	National Planning Policy Framework
SPD11	Parking Standards in Bury
HT2	Highway Network
HT6/1	Pedestrian and Cyclist Movement

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.

Policies - EC4/1- Small Businesses. Proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan.

HT2/4 - Car Parking and New Development. The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

HT6/1 - Pedestrian and Cyclist Movement. The Council will seek to ensure that pedestrians and cyclists are able to move safely and conveniently. This can be achieved by:

- a) eliminating points of conflict between pedestrians/cyclists and motor vehicles;
- b) providing direct and convenient routes;

- c) ensuring that routes are well lit and clearly signed;
- d) extending pedestrian areas, especially in Bury town centre and other district or local centres, where appropriate;
- e) ensuring that all proposals for development recognise the needs of pedestrians and cyclists;
- f) making exemptions for cyclists in Traffic Regulation Orders and pedestrianisation schemes, where appropriate;
- g) providing secure cycle parking and identifying cycle routes, including recommended routes and cycle lanes through busy urban areas, where appropriate.

HT6/2 - Pedestrian/Vehicular Conflict. The Council will take action, as appropriate, to reduce pedestrian/vehicular conflict through measures which include:

- a) pavement widening/realignment;
- b) pedestrianisation schemes;
- c) improved pedestrian crossing facilities;
- d) proposals designed to reduce traffic speed;
- e) provision of clearly signed pedestrian routes.

Traffic and Parking - For most of the day, parking is allowed along this part of Manchester Road. Parking restrictions only relate to the hours that the cycle lane are operational and these are Monday - Saturday 7.30-9.30am and 3 - 6.30pm.

The restrictions relating to the existing cycle lane would be the same as the single yellow line that would be imposed by the condition ie. no parking between the times the cycle lane is in operation. The difference is in enforcement. The Local Highways Authority cannot enforce the regulations relating to the cycle lane, this is a task for the Police. The Local Highway Authority however would be able to enforce the regulations relating to the single yellow line and therefore the condition was attached in order to increase enforcement opportunities.

In support of the proposal to amend the condition, the applicant has raised a number of points:

- The applicant has argued that the condition is not reasonable in that there are already parking restrictions in place. It is also stated that it is not commensurate with the scale of the proposal in that the condition would require the yellow line to run along the majority of the length of the block, a distance of approximately 100m between Nuttall Street and Crossfield Street.
- The applicant also states that the reinstatement of the footway, including a new kerb, required by a condition of the original approval, would help deter vehicles parking up and obstructing the cycle lane as there would be no apparent lay-by to pull into.
- The installation of a new road sign, much like the sign on the other side of Manchester Road, informing drivers of the parking restrictions along the cycle lane would further deter drivers illegally parking.

It is considered that to some extent, the reinstatement of the footway, including the new kerb would help deter vehicles parking up illegally as there would be no apparent lay-by which may have the effect of inviting vehicles to park up in front of the property.

It is also noted that there is no sign within the immediate vicinity, on this side of the road, informing drivers of the parking restrictions. As such the positioning of a new road sign with the parking restrictions would also help dissuade drivers from parking up at inappropriate times.

The Council will be able to monitor the situation, should the condition be varied in favour of the road sign. Further to this, if problems continue, the Council, if considered appropriate, could consider imposing further parking restrictions in the form of a single yellow line in any

case.

In the light of points raised by the applicant, the requirement for conditions to be 'reasonable' and given that the situation can be monitored with a view to assessing whether further parking restrictions are required, the Local Planning Authority would recommend varying the condition to require the road sign to be installed in front of the property in lieu of a single yellow line along the length of the block.

Objections - The concerns of the objectors with regard to highway safety have been addressed in the above report.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. This decision relates to location plan, site plan and proposed pavement plans 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.
2. The cafe/restaurant hereby permitted shall not be open to customers outside the following times:
0900hrs to 2200hrs Sunday to Friday
0900hrs to 2300hrs Saturdays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policies S2/6 Food and Drink and EN7/2 Noise Pollution.
3. The beauty salon at first floor hereby permitted shall not be open to customers outside the following times:
0900hrs to 1800hrs daily
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policy EN7/2 Noise Pollution.
4. Within one month of the date of this decision, proposals for the provision of a "cycle lane sign" shall be submitted to and agreed in writing with the Local Planning Authority. The approved measures shall be implemented at the expense of the applicant to an agreed specification and programme.
Reason. To mitigate the impact of parking likely to be generated by the proposed use and to prevent the obstruction of the existing cycle lane during the hours of operation caused by parked customer vehicles pursuant to UDP Policy HT2 Highway Network and HT6/1 Pedestrian and Cyclist Movement.
5. The use hereby approved shall not be commenced unless and until the footway improvements on the Manchester Road site boundary shown indicatively on the approved plans, incorporating the removal of existing bitmac radii, provision of a

full height kerb and flagged footway, demarcation of the limits of the adopted highway, all associated highway remedial works, provision of boundary treatment to the outside seating area clear of the new footway and accommodation and drainage works on the private forecourt to provide a level access to the premises and mitigate the discharge of surface water onto the highway/into the premises, have been implemented to a specification agreed with the Local Planning Authority.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to UDP Policy HT2 Highway Network and HT6/1 Pedestrian and Cyclist Movement.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62777

**ADDRESS: 626 Manchester Road
Bury**

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

62777

Photo 1



Photo 2





Ward: Ramsbottom + Tottington - Tottington

Item 06

Applicant: James Hall and Company Ltd

Location: Tottington Motor Co, Market Street, Tottington, Bury, BL8 3LS

Proposal: Variation of condition 2 (approved plans) of planning permission 60264 to revise the store building to provide an enclosed goods access, a basement and revisions to elevations; amendments to layout including forecourt levels, fuel pumps and car parking

Application Ref: 62780/Full

Target Date: 28/06/2018

Recommendation: Approve with Conditions

Description

The site was last used for car sales and prior to that as a petrol filling station. There was a large flat roofed sales building on site, which has been cleared from the site. The site slopes from the south east to the north west and there are black railings along the frontage. There are three vehicle accesses to the site and all are from Market Street, which lead to the existing hardstanding. The hardstanding is located to the front, side and rear of the building and was previously used for car sales and parking.

There is a residential care home to the northwest of the site and there are residential properties to all other boundaries.

Planning permission was granted in September 2016 for the demolition of the existing buildings and the erection of a single storey retail unit, a canopy and a petrol filling station. The proposed sales building would be single storey and would be constructed from metal cladding with a metal cladding roof. Three islands would be constructed providing 6 fuel pumps, which would have a pay at pump facility. The petrol pumps and canopy would be located to the south side of the site, with the proposal retail unit to the north. Two accesses onto Market Street would be provided with car parking provided on either side of the petrol filling court and to the rear of the site. Planning permission was granted in December 2016 for the variation of conditions 21 and 22 to allow demolition to take place prior to the submission of information relating to canopy lighting and a landscaping plan.

The proposed development involves the variation of condition 2 (approved plans) to revise the store building to provide an enclosed goods access, a basement for storage and revisions to the elevations. The proposed development involves amendments to the layout including forecourt levels, fuel pumps and car parking.

Relevant Planning History

60264 - Demolition of existing car sales/MOT garage and former petrol station canopy and erection of petrol filling station and Spar convenience store with ATM machine, car parking and associated works at the site of Tottington Motor Company, Market Street, Tottington. Approved with conditions - 30 September 2016.

60751 - Variation of conditions 21 & 22 of planning permission 60264 to allow demolition to take place prior to submission of lighting scheme and landscaping plan at the site of Tottington Motor Company, Market Street, Tottington. Approved with conditions - 22 December 2016.

61118 - Variation of condition no. 24 (restriction of delivery times) of planning permission 60751 (variation of conditions 21 & 22 of planning permission 60264 to read:

'No HGV deliveries to the site shall take place other than between the hours of 07:00 hrs to 22:00 hrs Monday to Sunday including Bank Holidays.' at the site of Tottington Motor Company, Market Street, Tottington. Refused - 23 March 2017.

Publicity

The neighbouring properties were notified by means of a letter on 10 May 2018 and a site notice was posted on 16 May 2018.

5 letters have been received from the occupiers of 152, 165 Market Street, 12 Wellbank Court and Abbeywood, which have raised the following issues:

- The drilling and piling during construction may affect the foundations of my property, which is adjacent to the site.
- The opening hours will adversely affect the tranquility of the area.
- Concern about the health and safety issues of having petrol tanks in a residential area
- There are ample shopping and petrol opportunities in the locality already.
- The lower 5 bedrooms will have a view of the back of the building and the rear lounge and upper bedrooms will have restricted views.
- The building should have been positioned over the culvert, which is feasible as Abbeywood did this 14 years ago.
- To revise the building to provide an enclosed goods access, a basement and other revisions can only mean a taller building, which would negatively affect residents bedrooms.
- I would like to view all the plans to understand what is meant by the proposed changes.
- The Council's letter say that full details are available at www.bury.gov.uk, but there is no information. Please make them available online?

The objectors have been notified of the Planning Control Committee meeting.

Consultations

Traffic Section - No objections, subject to the inclusion to conditions relating to access improvements, construction management plan, measure to prevent mud, delivery management plan, visibility splays, turning facilities and car parking.

Drainage Section - No response.

Environmental Health - Contaminated Land - No objections, subject to the inclusion of conditions relating to contaminated land.

Environmental Health - Pollution Control - No objections.

United Utilities - No response.

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/4	Street Furniture
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN1/8	Shop Fronts
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/1	Atmospheric Pollution
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
S2/1	All New Retail Proposals: Assessment Criteria
S4/1	Retail Development Outside Town and District Centres
S4/2	Assessing Out-Of-Centre Retail Development
S4/4	Car Showrooms, Car Sales Areas and Petrol Filling Stns
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs

SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
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.

Principle (Retail) - The principle of the use of the site for a petrol filling station and retail unit was established with the grant of planning consent in September 2016, which is extant. As such, the principle of the proposed development would be acceptable and would be in accordance with Policy S4/4 of the Bury Unitary Development Plan and the NPPF.

Design and layout - The main change to the proposed building would be the deletion of the north western corner and a basement provided for storage purposes. The proposed basement would not be visible from any vantage point and would not impact upon the streetscene.

At its widest point, the proposed building would measure 19.8 metres and 16.6 at its narrowest. This would represent a reduction in 0.5 metres and 3.8 metres respectively, when compared to the approved building. The proposed amendment to the footprint would allow for the retention of the tree close to the boundary with Abbeywood. In addition, the height of the proposed building would be 4.2 metres and 5.4 metres, which would be a reduction of 1.8 metres and 1 metre respectively.

From an external point of view, the building would appear smaller than approved. The proposed changes to the forecourt levels would mean that the site would slope gradually at a gradient of 1:50 from north to south, which would result in a slight ramped approach for vehicles accessing from the northern point on Market Street, but would provide level ground to the front of the proposed retail unit. As such, the proposed elevations indicate that the glazing would be extended to ground floor for all windows on the frontage. This would ensure an active frontage and is welcomed.

Overall, the proposed amendments would not change the design of the proposed retail building significantly, which would be simple and modest in appearance. The proposed building would be constructed from low level brickwork and metal cladding with a metal cladding roof, which would be appropriate. The location of the petrol pumps and associated canopy would not change from the previous application. As such, the proposed development would not be a prominent feature in the streetscene and would be acceptable in design terms. Therefore, the proposed development would be in accordance with Policies EN1/2 and EN1/7 of the adopted Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards for residential properties and is used as guidance for assessing new buildings in relation to residential properties. As such, SPD6 would be relevant in this case.

There would be 32 metres between the gable elevation of the proposed retail unit and the properties on First Avenue, which would be in excess of the aspect standard of 6.5 metres.

The proposed building would be single storey in height, but would be between 1.8 metres and 1 metre lower than the previously approved building. In addition, the proposed building would be between 6.7 metres and 11.2 metres away from the care home. This would be

further away than the previously approved application and would be in excess of the 6.5 metre aspect standard. Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties.

Noise - The openings from the care home would overlook the rear elevation of the proposed retail unit, which would include a fire escape door. The gable elevation would contain the access door. The proposed development would incorporate a covered walkway, which would reduce any disturbance from deliveries to the occupiers of the care home. The petrol station would be fitted with the facility to 'pay at pump' and as such, the proposed petrol filling station would be open 24 hours. The proposed retail unit would be open from 06.00 to 23.00 and a condition would require the retail store to be closed to customers outside of these hours. As such, the proposed development, subject to conditional control (No. 15), would not have an adverse impact upon residential amenity with regard to noise and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Trees - The first tree is located between the care home and the proposed retail unit and the second is located within the garden of No. 134 Market Street. The proposed site plan indicates that both of the mature trees would be retained and a condition will be placed on any grant of planning consent to secure this. Therefore, the proposed development would be in accordance with Policy EN8 of the Bury Unitary Development Plan.

Culvert - There is culvert/brook which passes through the site and is located behind the existing sales building. The existing culvert would be opened up and two crossing points provided. The proposed works would create more capacity and the Drainage Section has no objections to the proposal, subject to the inclusion of a condition relating to the works to the culvert. Therefore, the proposed development would be in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development would rationalise the existing three accesses off Market Street and would provide 2 new accesses as per the previously approved application. The levels of visibility would be acceptable and appropriate servicing facilities would be provided within the site. The Traffic Section has no objections, subject to the inclusion of conditions relating to access improvements, construction management plan, measure to prevent mud, delivery management plan, visibility splays, turning facilities and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policy S4/4 of the Bury Unitary Development Plan

Parking - SPD11 states that the maximum number of parking spaces is 1 space per 25 square metres for a retail unit, which would equate to 16 spaces.

The proposed development would provide 14 spaces on either side of the petrol pumps and a further 6 spaces to the south of the site. This equates to 21 spaces, which would be in excess of the maximum parking standards. However, given the location of the site off a busy throughroute, it is considered that the level of parking provision would be appropriate in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan.

Response to objectors

- The issues of disturbance during construction and loss of view are not material planning considerations and cannot be taken into consideration.
- The proposed opening hours for the retail unit and the petrol filling station would be the same as previously approved under application 60264 and would not have a significant adverse impact upon the amenity of the neighbouring properties.
- The proposed retail unit would comply with the relevant aspect standards and would be further away from the care home and lower than the previously approved building. As such, the proposed development would have less of an impact than the previously approved building, which complied with relevant policy.
- The building is between 1.8 metres and 1 metre lower than the previously approved building and would have less of an impact on residents than the approved scheme.

- The Council has to assess the application as submitted. It is unlikely that United Utilities and/or the Environment Agency would allow a building to be constructed over the top of a culvert.
- The concern about petrol tanks in a residential area would be a matter for the Health and Safety Executive.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings numbered Location plan, 297 PL03 BB, 297 PL02 FF, 297 PL01 FF 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.
3. The development hereby approved shall be carried out in accordance with the materials schedule approved under condition 3 of permission 60264.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. No development shall commence, other than clearance works, unless and until a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.
Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
5. Following the provisions of Condition 4 of this planning permission, 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 11 - Conserving and enhancing the natural environment.
6. Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning

Authority within approved 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 alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

7. No development other than demolition and site clearance works, shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

9. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

10. The development hereby approved shall be carried out in accordance with the Remediation Strategy Report, dated February 2017 approved as part of condition 10 of permission 60264 and the recommendations in the report shall be implemented prior to first occupation/use of the development.

Reason. To ensure the actual risk from shallow mine workings is properly assessed and mitigated to secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

11. If works are to be carried out to trees between 1 March and 31 August inclusive in any year, a report assessing whether the trees contain nesting birds shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed within an agreed timetable.

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.

12. Notwithstanding the details shown on approved plan reference 297 PL-01 Revision FF, no development, excluding demolition and site clearance, shall commence unless and until full details of the following have been submitted to and approved in writing with the Local Planning Authority:

- Proposed pedestrian and vehicular access alterations on Market Street,

including the provision of heavy duty accesses to a specification to be agreed, demarcation of the limits of the adopted highway, full reconstruction of the footways abutting the site, reinstatement of the all redundant accesses, provision of tactile paving and all associated highway and highway drainage remedial works;

- Provision of a barrier and/or boundary treatment between the two proposed accesses at the interface with the adopted highway to a specification to be agreed and of a height not exceeding 0.9m;
- Provision of give-way markings and signage at both proposed accesses;
- Provision of a demarcated and signed delivery bay adjacent to the brook clear of the adjacent vehicle crossing points and appropriate hatched/'Keep Clear' markings at both crossing points;
- Provision of a minimum 2.0m Building Regulations compliant pedestrian route from the highway, to be subsequently maintained clear of any physical obstructions;
- Proposals for the introduction of waiting restrictions to scope to be agreed on the westerly side of Market Street abutting the site, including all necessary road markings and signage.

The details subsequently approved shall be implemented in full to a programme to be agreed.

Reason. No details provided at application stage and to ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.

13. No development shall commence unless or until the measures detailed in the Construction Traffic Management Plan, approved under condition 13 of permission 60264 have been implemented and shall be adhered to throughout the demolition and construction periods. The measures shall be retained and facilities used for the intended purpose for the duration of both periods and shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

Reason. No details provided at application stage and to mitigate the impact of the demolition/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, in the interests of highway safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.

14. The development hereby approved shall be carried out in accordance with the details approved as part of condition 14 of permission 60264 and 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 S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.

15. The development hereby approved shall not be brought into use unless and until a Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority, incorporating measures to mitigate the impact of fuel tanker deliveries at the front of the site on vehicle access arrangements to the site and adjacent pump islands. The development shall be managed in accordance with the approved plan and measures.

Reason. To ensure that adequate provision is made within the curtilage of the site for the loading and unloading of all service vehicles which visit the site in connection with the uses proposed and to ensure such vehicles do not restrict access to the site, in the interests of highway safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.

16. The visibility splays indicated on approved plan reference 297 PL-01 Revision FF shall be implemented before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m, other than the barrier/boundary treatment between the two proposed accesses subsequently agreed.
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.
17. The turning facilities on approved plan reference 297 PL-01 Revision FF shall be provided before the development 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 in the interests of road safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.
18. 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 available for use 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
19. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period.
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.
20. No development shall commence, other than demolition and site clearance, unless or until a scheme for works to the culvert, including the highway crossing points, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development hereby approved being first brought into use.
Reason. To ensure a satisfactory means of drainage and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.
21. The development hereby approved shall not be brought into use unless and until a scheme has been submitted to provide details of any building and canopy lighting scheme. Details shall include the proposed method of external illumination, lux/luminance levels, light spread, including the direction, fixing and colour of the external lighting. The development shall be carried out in accordance with the approved details only and thereafter maintained.
Reason. No details were submitted with the application and the condition is imposed as a result to avoid undue distraction to traffic in the interests of road safety, and to protect the amenity of adjoining occupiers pursuant to policies EN1/4 - Street Furniture and EN1/7 - Throughroutes and Gateways of the Bury Unitary Development Plan.
22. A soft landscaping scheme, which shall include the 'greening' the boundary to the northerly boundary shared with 104 Market Street and the landscaping's long term maintenance shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of the development. It 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.

23. Customers shall not be permitted to enter the retail unit to purchase fuel or goods between the hours of 23.00 and 06.00 daily and shall only use the service window outside of these hours.

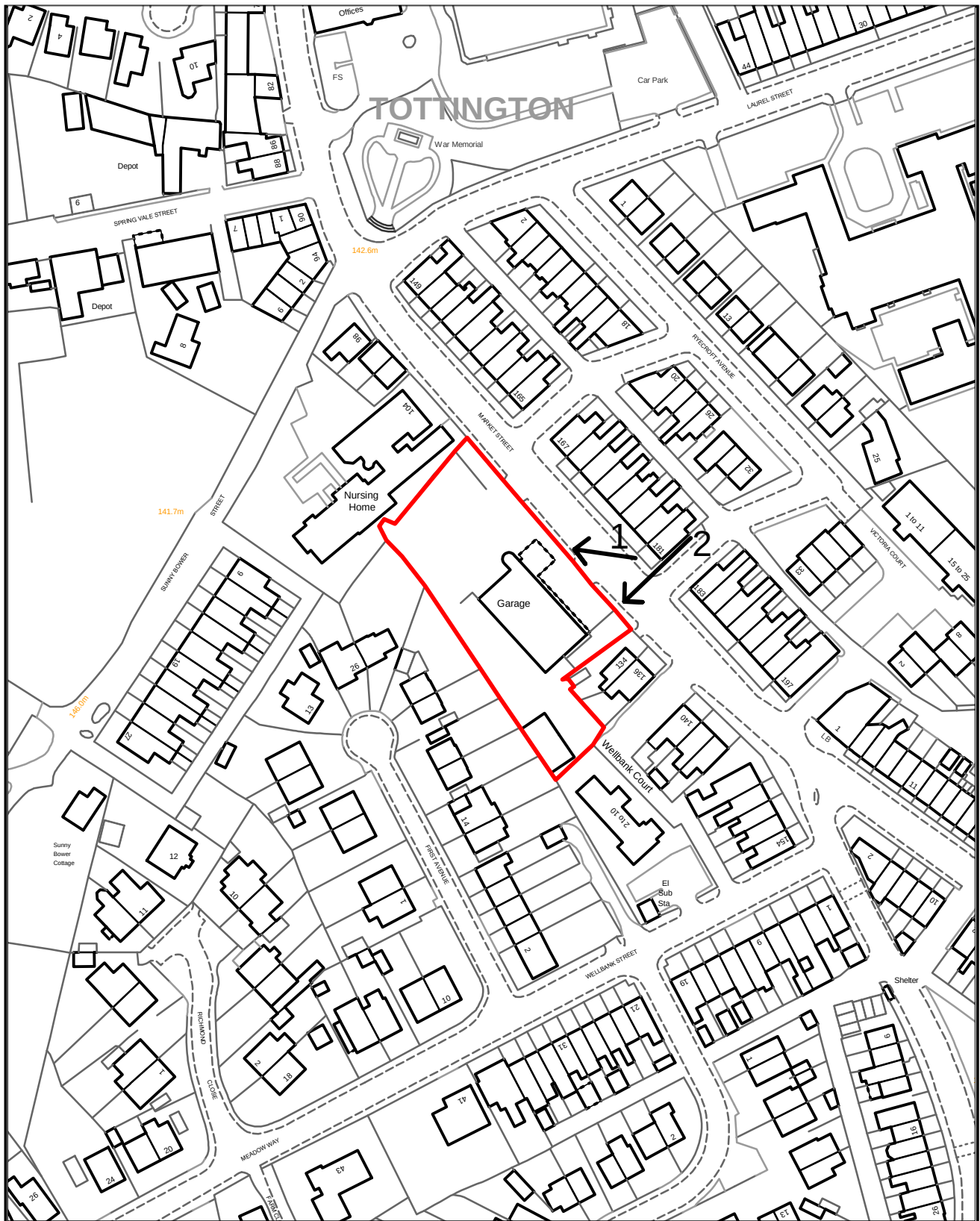
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres and S2/6 – Food and Drink of the Bury Unitary Development Plan.

24. No deliveries to the site shall take place other than between the hours of 06:00 hrs to 23:00 hrs and all deliveries must be carried out in accordance with the Delivery Management Plan for retail store deliveries, dated 17 July 2018.

Reason. In the interests of residential amenity pursuant to Policy S2/1 - All New Retail Proposals: Assessment Criteria of the Bury Unitary Development Plan.

For further information on the application please contact **Helen Longworth** on **0161 253 5322**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62780

**ADDRESS: Tottington Motor Co
Market Street**

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

62780

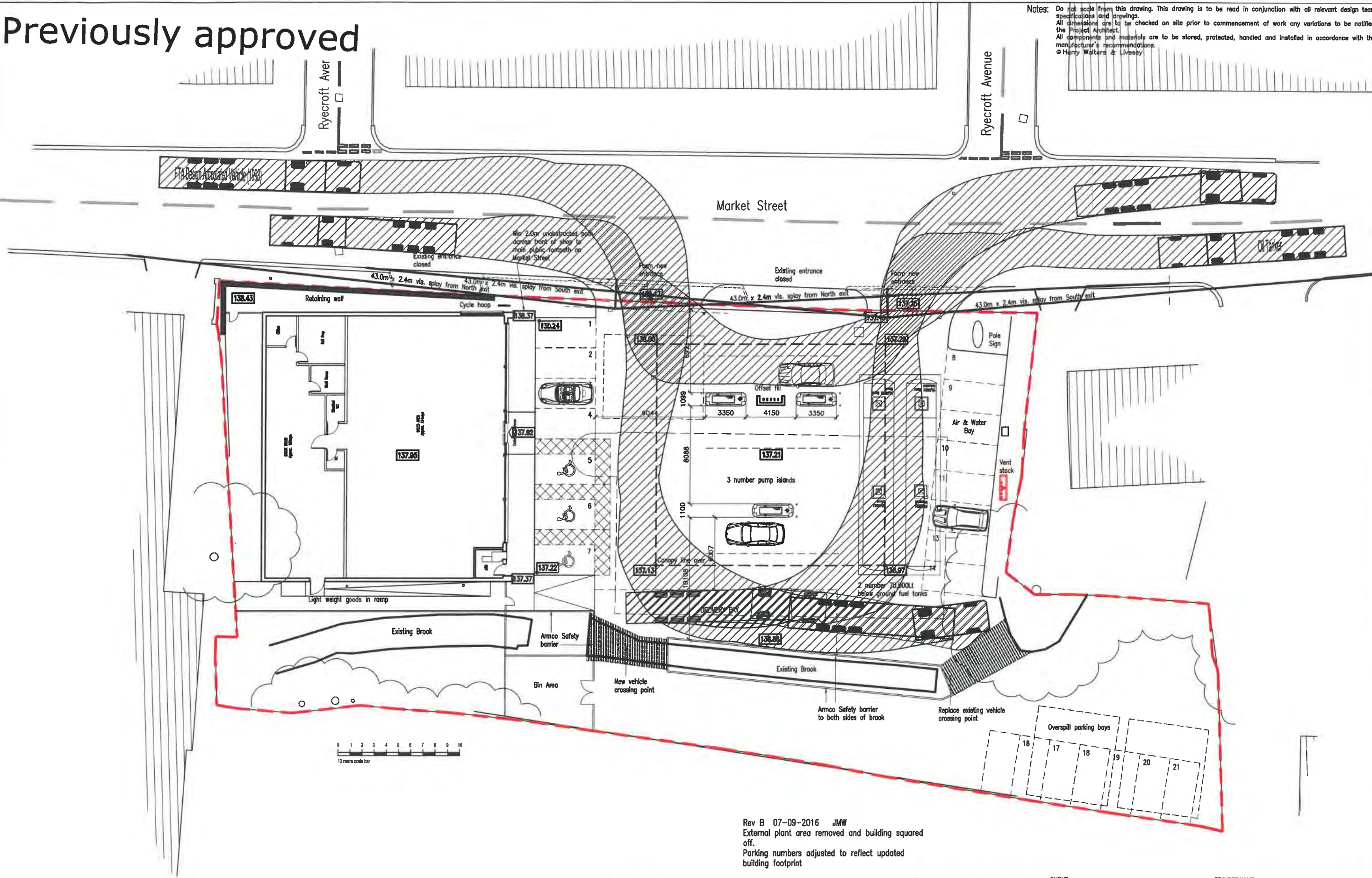
Photo 1



Photo 2



Previously approved



Notes: Do not scale from this drawing. This drawing is to be read in conjunction with all relevant design team specifications and drawings. All dimensions are to be checked on site prior to commencement of work any variations to be notified to the Project Architect. All components and materials are to be stored, protected, handled and installed in accordance with the manufacturer's recommendations. © Harry Walters & Livesey

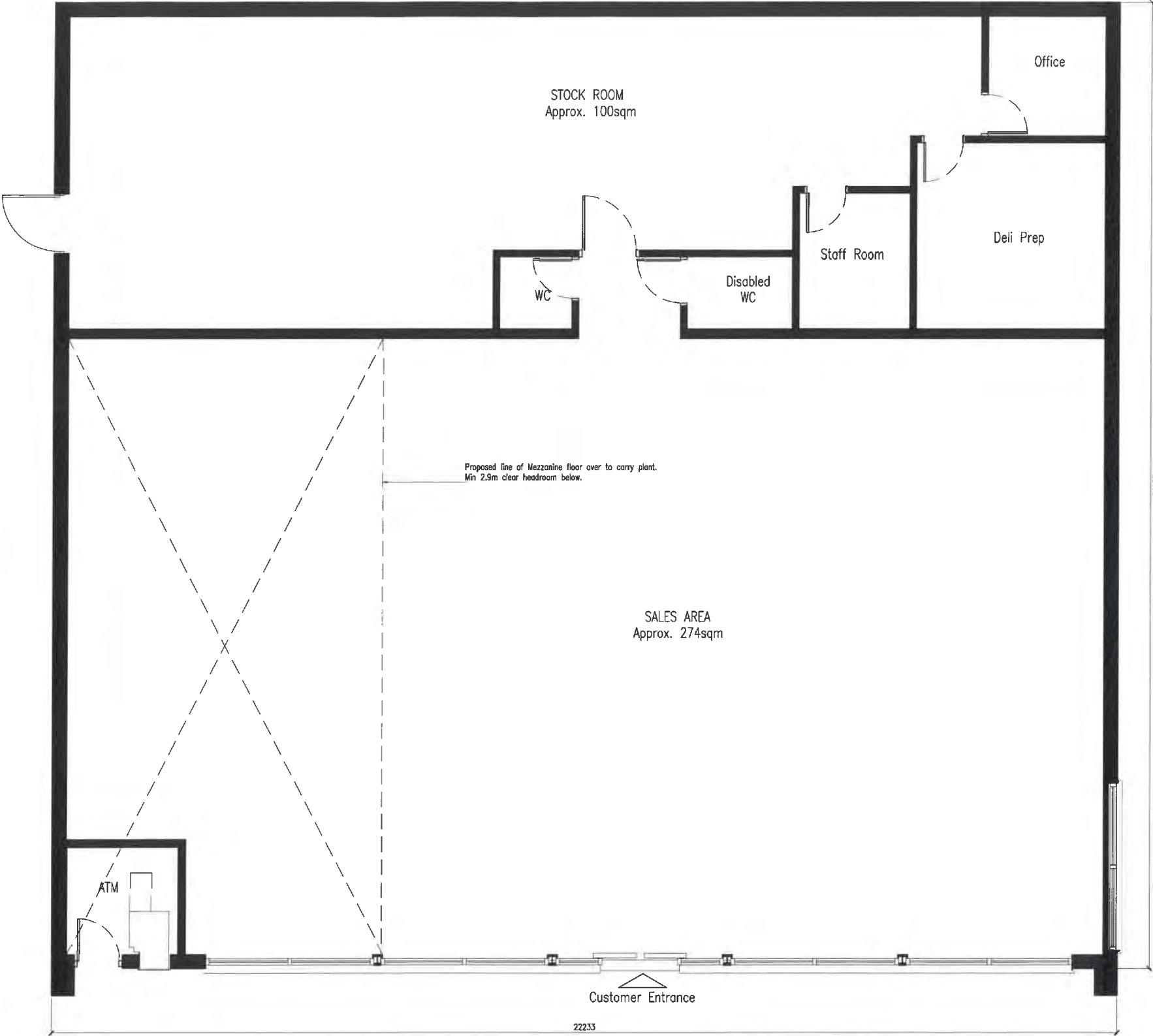
Rev B 07-09-2016 JMW
External plant area removed and building squared off.
Parking numbers adjusted to reflect updated building footprint

Rev A 06-09-2016 JMW
Visibility splays to exit's added.
Car parking numbers reduced to reflect requirements of SPD11
Acoustic fence to plant area added.
Delivery bay and tracking added.
Min link footpath width note added

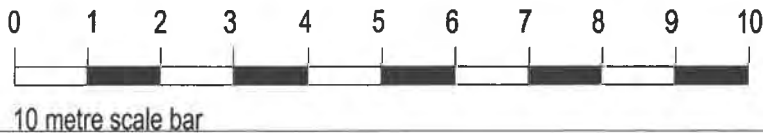


CLIENT James Hall & Co. Ltd.		PROJECT NAME Development, Market Street, Bury	
DRAWING NAME Proposed Site Plan		SCALE 1:200 @ A2	DRAWN BY JMW
DATE January 2016	JOB NUMBER 297	DWG No PL-01	REV No B
HARRY WALTERS & LIVESEY CHARTERED ARCHITECT		K.M. McFadyen, Dip. Arch. R.I.B.A. Tel No: 01772 706696 Email: office@HWL1.com	

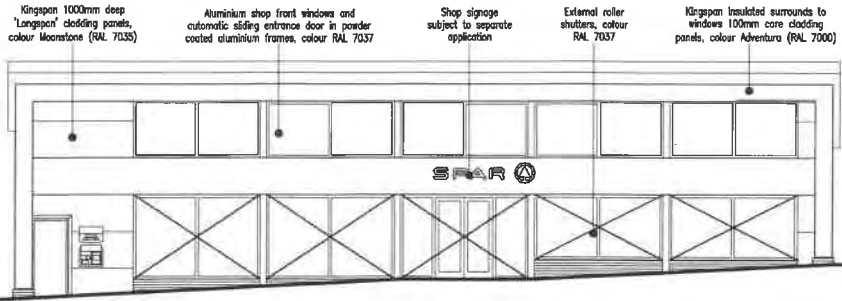
Previously approved



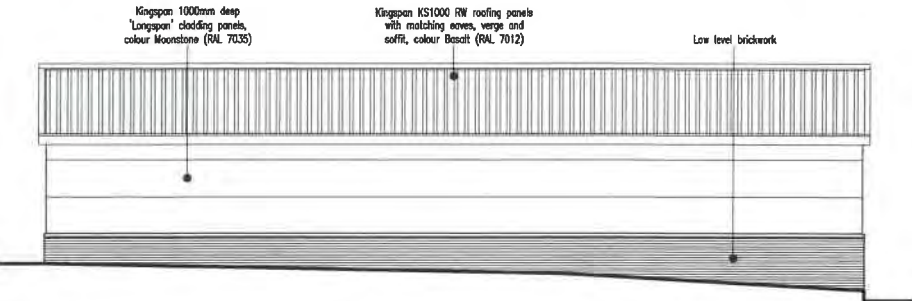
Building Plan
1:50



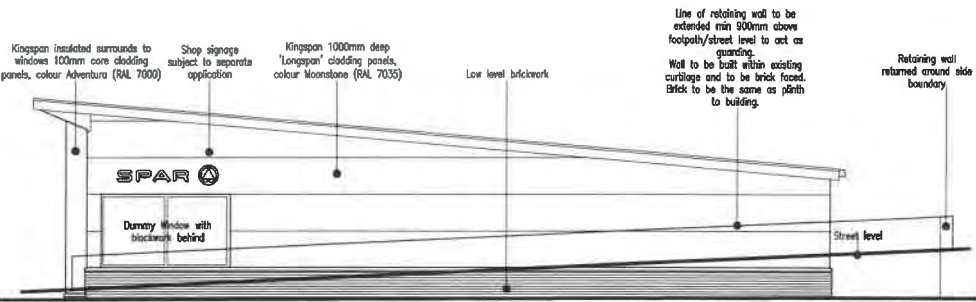
Notes: Do not scale from this drawing. This drawing is to be read in conjunction with all relevant design team specifications and drawings.
All dimensions are to be checked on site prior to commencement of work any variations to be notified to the Project Architect.
All components and materials are to be stored, protected, handled and installed in accordance with the manufacturer's recommendations.
© Harry Walters & Livesey



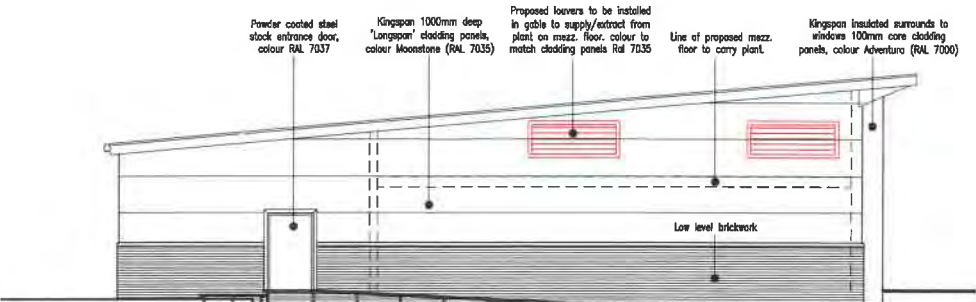
South East Elevation
1:100



North West Elevation
1:100



North East Elevation (facing Market Street)
1:100

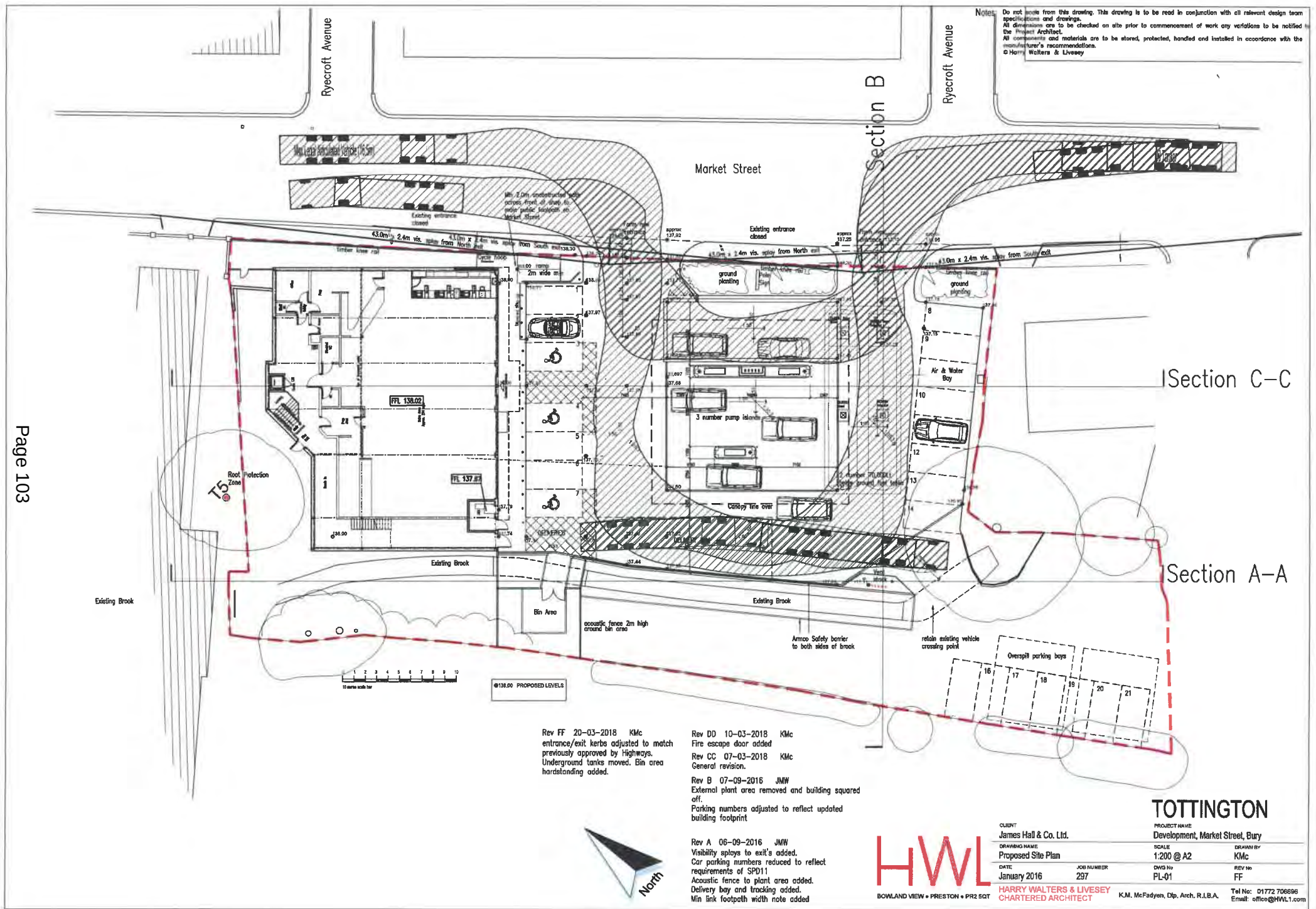


South West Elevation
1:100

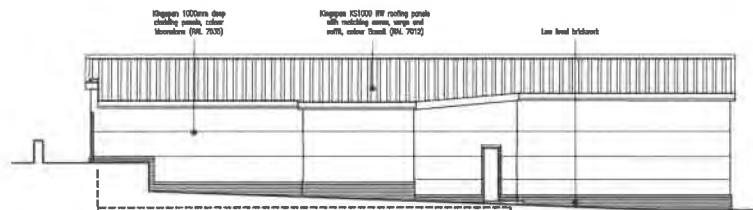
Rev A 06-09-2016 JMW
Window added to Market Street Elevation.
Building depth reduced
Rev B 06-09-2016 JMW
Line of boundary wall adjacent to
Highways boundary added to North East
elevation
Rev C 07-09-2016 JMW
Building squared off and plant moved
internal onto Mezzanine floor.

HWL
BOWLAND VIEW • PRESTON • PR2 5QT

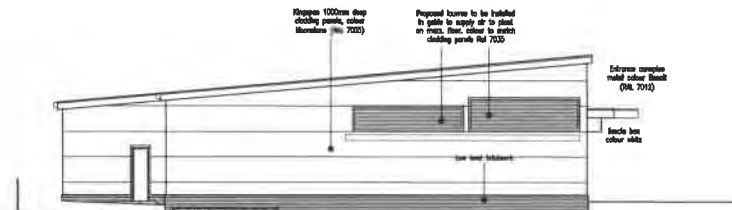
CLIENT James Hall & Co. Ltd.	PROJECT NAME Development, Market Street, Bury
DRAWING NAME Building Plan & Elevations	SCALE 1:50/1:100 @ A1
DATE January 2016	DESIGNER PL-02
JOB NUMBER 297	DESIGNED BY ETC
HARRY WALTERS & LIVESLEY CHARTERED ARCHITECT	REVISED BY C
K.M. McFadyen, Dip. Archt. R.L.B.A.	Tel No: 01772 706686 Email: office@HWL1.com



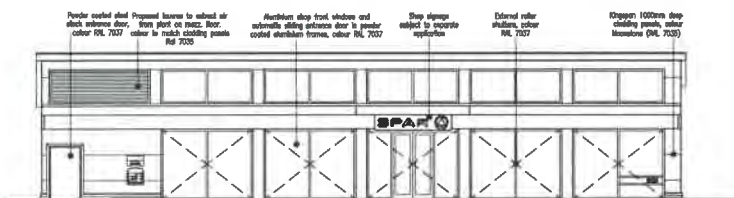
Notes: Do not scale from this drawing. This drawing is to be read in conjunction with all relevant design team specifications and drawings.
 All dimensions are to be checked on site prior to commencement of work any variations to be notified in the Project Notebook.
 All measurements and materials are to be stored, protected, handled and installed in accordance with the manufacturer's recommendations.
 © Harry Walters & Livesey



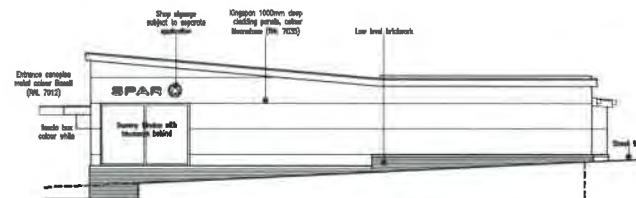
North West Elevation
1:100



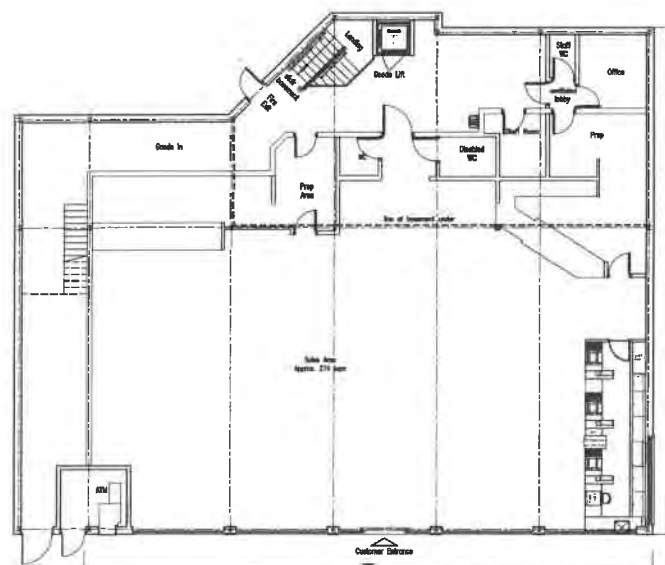
South West Elevation
1:100



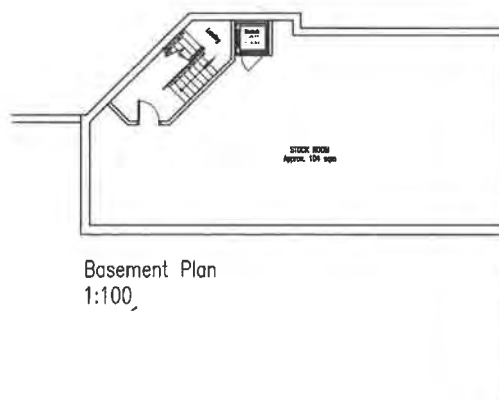
South East Elevation
1:100



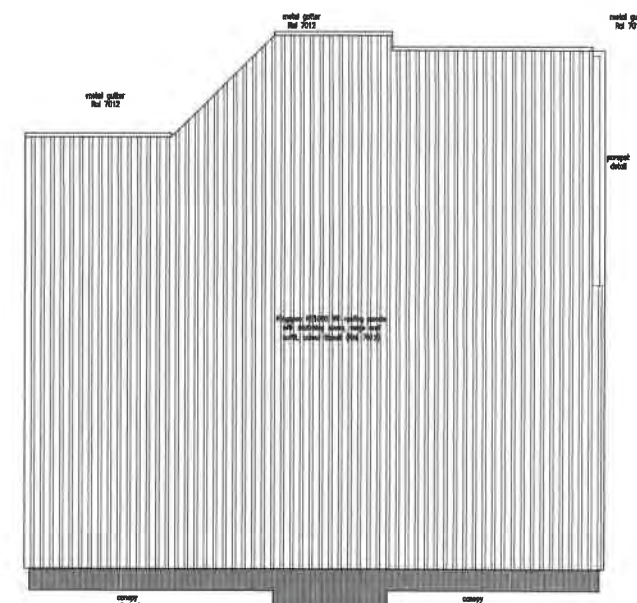
North East Elevation (facing Market Street)
1:100



Building Plan
1:100



Basement Plan
1:100



Roof Plan
1:100

Rev EE 10-03-2019 KMc
Fire escape door added
Rev DD 07-03-2018 KMc
General revision

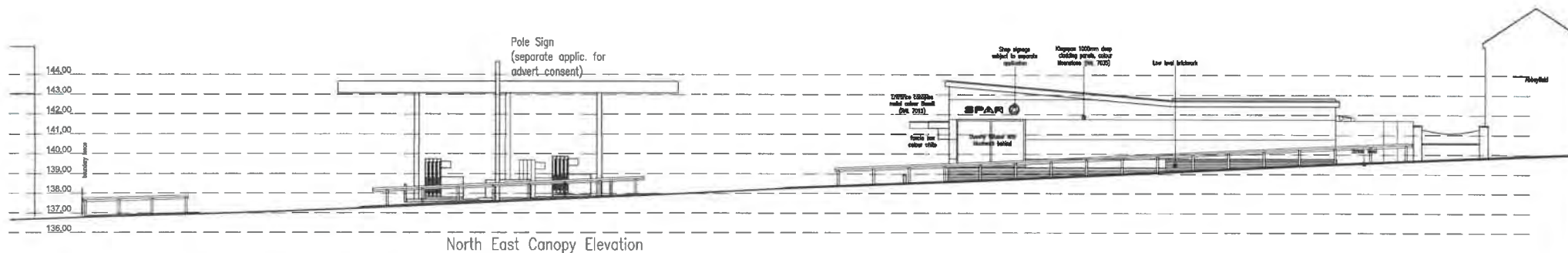
Rev C 07-09-2016 JMW
Building approved off and plant moved internal onto mezzanine floor.
Rev B 05-09-2016 JMW
Line of boundary wall adjacent to Highway boundary added to North East elevation
Rev A 09-09-2016 JMW
Windows added to Market Street Elevation.
Building depth reduced

HWL
ROYAL AND VIEW - PRESTON • PR1 8QT

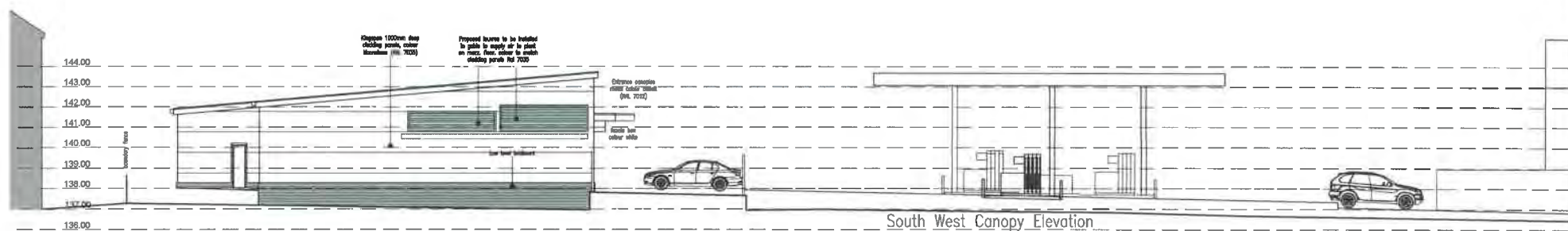
CLIENT
James Hall & Co. Ltd.
BUILDING NAME
Building Plan & Elevations
DATE
January 2016
DRAWN BY
ZP
CHECKED BY
PL-02
DESIGNED BY
ZP
DATE
January 2016

PROJECT NAME
Development, Market Street, Bury
SCALE
1:50/1:100 @ A1
FILE NO.
KMc
REV
FF
TOTTINGTON
K.M. McFarlane, Dip. Arch. R.E.S.A.
Tel No: 01772 706698
Email: info@hwl.co.uk

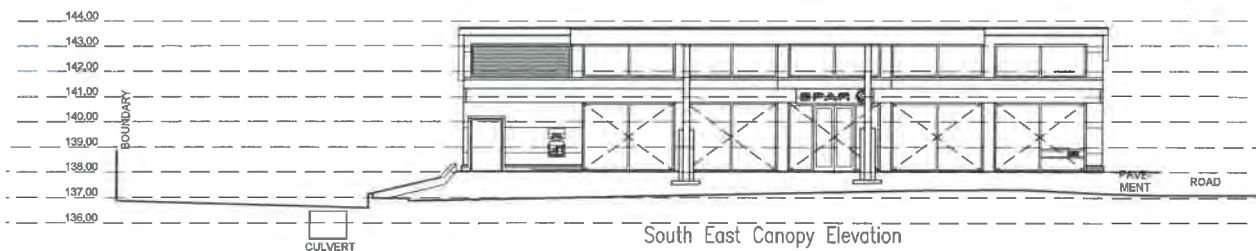
Notes:
 Do not scale from this drawing. This drawing is to be read in conjunction with all relevant design team specifications and drawings.
 All dimensions are to be checked on site prior to commencement of work any variations to be notified in the project logbook.
 All materials and materials are to be stored, protected, handled and installed in accordance with the manufacturer's recommendations.
 © Harry Walters & Livesey



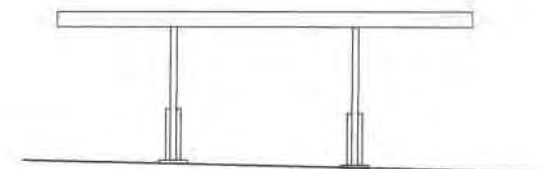
North East Canopy Elevation



South West Canopy Elevation



South East Canopy Elevation



North West Canopy Elevation

TOTTINGTON

Rev BB 10-03-2018 KMc
 Fire escape door added
 Rev AA 07-03-2018 KMc
 General revision

HWL
 HARRY WALTERS & LIVESLEY
 CHARTERED ARCHITECT

CLIENT: James Hall & Co. Ltd.
 PROJECT NAME: Development, Market Street, Bury
 DRAWING NO: 1/100 @ A1
 SCALE: KMc
 DATE: Nov 2017
 A PRINT REF: 287
 DWG NO: PL-03
 REVISION: BB
 TEL NO: 01772 706999
 EMAIL: info@hwll.co.uk

ROYAL AND VIEW • PRESTON • PRJ 507

Ward: Whitefield + Unsworth - Unsworth

Item 07

Applicant: Commercial Development Projects Limited (CDP Ltd)

Location: Land off Roach Bank Road, Bury, BL9 8RY

Proposal: External lighting scheme and baffling

Application Ref: 62835/Full

Target Date: 03/08/2018

Recommendation: Approve with Conditions

Description

The application relates to a site which forms part of the Pilsworth Employment Generating Area and is allocated for Business, General Industrial and Warehousing Uses as defined in the Bury Unitary Development Plan under policies EC1/1 and EC2/1. The Industrial Estate comprises of similar developments for industrial and warehousing purposes.

The site fronts Roch Bank Road to the south, to the north and west the site is bounded by a Wildlife Link and Corridor (Policy EN6/4) and River Valley (Policy OL5/2), beyond which land falls away steeply to the River Roch and housing development beyond. To the east and west are well established industrial and business units.

Background.

A planning application, planning reference 60556, was submitted in September 2016 for the development of the site for a 16,110 sqm industrial unit for a food production facility with ancillary offices, associated parking, service yards and landscaping.

Further to this approval and following the commencement of works, it was brought to the attention of the Local Planning Authority by local residents, that the height of the building appeared to exceed that which was granted approval. This was investigated by the Council's Enforcement Section, whereupon it was found that whilst the building had been built to the approved height of 15.7m, it was to increase by a further 0.7m to 16.4m following the installation of the cladding.

An application was thereafter submitted to regularise the development to accommodate the increase in height of the building from that originally approved at 15.7m, to a completed height of 16.4m, which sought a Variation of Condition to vary the approved plans under Condition 2 of the planning permission 60556. A revised landscaping scheme with increased mature tree planting in the 10m buffer zone, including evergreen trees was also included in the application along with some other minor works. This was approved in August 2017.

This application seeks a retrospective permission for lighting which has been installed on the site. This follows complaints received by the Local Planning Authority from local residents that lighting had been erected on the site, causing significant levels of light pollution across the valley to residents on the Gigg Lane Estate. Following an enforcement investigation, it was found that lighting had been installed to the car park, rear service yard and access road leading to the service road.

This application therefore seeks to regularise and retain the lighting which has been erected on the site. The external lighting plan reference E1702-401 Revision A shows the location of the lighting on site in red.

The Applicant has sought to address the objections of the residents and tackle the problem

of light spillage and reflection by applying a 'baffle' or 'hood' to some of the lights on the site which have been identified as being particularly visible from the houses to the west. A baffle effectively controls the direction and angle of lights.

The baffles have been installed on the bollard lights along the service yard access road which runs along the western boundary of the site. Within the service yard area at the rear, there are 5 sets of triple floodlights mounted on 8m high columns, 4 of which have been fitted with a baffle, the other light is screened by the building and not visible. Within the car park to the front of the building, there are single, double and triple floodlights mounted on 8m high columns. These have not been baffled.

There are 67 lights on the site, comprising the following:

- 15. no 100w LED Columns mounted at 8m;
- 25 no 100w LED Floodlighting columns mounted at 8m;
- 18 no. 20w LED bollards;
- 9 No. 165w LED Columns mounted at 8m

It is also proposed that all external lighting, apart from the safety and security lighting, would be switched off between the hours of 23.00 and 07.00 .

Relevant Planning History

61598 - Variation of condition 2 (approved plans) of planning permission 60556 for an industrial unit for a food production facility. Amendments to the approved scheme comprise: revisions to site layout, floor layout and elevation plans; revised landscaping scheme and boundary treatment; increase in height of building from 15.7m to 16.4m; revised parking provision from 272 spaces to 260 spaces - Approved 23/8/2017.

60776 - Non-material amendment following grant of planning permission 60556 (industrial unit for a food production facility with ancillary offices, associated parking, service yards and landscaping): Goods lift - lay by added along HGV access/egress; Plant room width increased from 24m to 54.5m on eastern elevation; External staircase at staff entrance on west elevation now included inside building - Approve 01/12/2016

60556 - Full planning application for an industrial unit for a food production facility with ancillary offices, associated parking, service yards and landscaping. - Approved 25/10/2016.

Publicity

Letters sent to 108 properties on 12/6/2018 to addresses Harrington Close, Grasmere Drive, Newby Close, Roach Bank Road, Pilsworth Road, Pilsworth Way, Redmere Drive, Park 66, Gigg Lane, Arncliffe Close, Tunstall Close.

Site notices posted on 22/6/2018.

9 objections have been received from properties at:

Nos. 17, 21 (2 letters received), 33,36,37,12,19 Grasmere Drive, 226 Gigg Lane, 8 Harrington Close with the following comments:

- The lighting is already up and has been for months;
- Have had to buy blackout blinds for bedrooms as its so bright;
- Disruptive to children's sleep;
- Still waiting for the trees to be planted - is this another false promise from the Council - as the building is unsightly;
- Already objected to the lighting, and would object to anymore being put up;
- Looks like an airport landing strip its so bright;
- No consideration for the residents or the value of our properties;
- Cannot believe the planning department are willing to continue to accept such breaches in planning - the company should be fined and asked to remove the lighting;
- This is the 3rd amendment to the original proposed building and it can only be reiterated that the designers of the project have no understanding of the environment and

- residential area;
- Have longstanding and ongoing complaints regarding this development and am in continuing dialogue with the Environmental Health Officer for the Council;
- There is no detailed lighting plan;
- What research into the impact on local wildlife, the environment generally and the residents directly opposite has been undertaken?
- What is meant by baffling and is this in reference to light or noise?
- Office lights are left on all night when no one is there;
- The eyesore has reduced house values;
- Hope the Council can say enough is enough;
- Where is the detail of what is proposed and confirmation of action taken to rectify the earlier complaints?
- Bright lights shining out and noise during the day is a constant nuisance;
- Why do our complaints and objections reach no one
- The lighting will mean light pollution and affect our sleep;
- It will mean operations will be 24 hours again causing noise pollution.

The objectors have been informed of the Planning Control Committee meeting.

Consultations

Environmental Health - Pollution Control - No comments to make on the application
Greater Manchester Ecology Unit - No identified ecological issues and therefore no comments to make.

Unitary Development Plan and Policies

EC1	Employment Land Provision
EC1/1	Land for Business (B1) (B2) (B8)
EC2/2	Employment Land and Premises
EC5	Offices
EC5/2	Other Centres and Preferred Office Locations
EC6	New Business, Industrial and Commercial Development
EC6/1	New Business, Industrial and Commercial
EN1	Built Environment
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN5	Flood Protection and Defence
EN5/1	New Development and Flood Risk
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
OL5/2	Development in River Valleys
EN1/1	Visual Amenity
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
HT2/10	Development Affecting Trunk Roads
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EC3/1	Measures to Improve Industrial Areas
HT6/2	Pedestrian/Vehicular Conflict
HT2	Highway Network
HT4	New Development

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.

Siting and location - The lights are located in the car park, service yard and along the service yard access area. Lighting is a fundamental part of an industrial development, providing a safe and secure site for employees and visitors, as well as meeting operational needs of a business. The lights are a modern and contemporary type and are commonly of a type which are found within industrial and commercial settings. The site is part of a wider industrial estate where there is a mix of lighting in the area and on and around buildings and the provision of lighting to the application site would not be inappropriate within the setting of the development.

The site sections plan shows the 8m high columns against the backdrop of the building which is 16.4m in height when viewed from the west. There is existing landscaping and new planting which comprises of heavy standards oak, birch and evergreen trees, which when fully grown, will reach a height of 25m and thereby screen the lights from views.

It is therefore considered that the proposed lighting would be of a high standard of design and specification, appropriate to the setting and functional to meet the occupier's requirements and would be in compliance with UDP Policy EC6/1 - Assessing New Business, Industrial and Commercial Development

Impact on residential amenity - The lighting is to illuminate the car park to the front of the site, rear service yard area and access road leading to the service yard.

The residential properties which are most affected by the development are those properties across the valley to the west, on the Gigg Lane Estate and particularly houses on Grasmere Drive and the cul de sacs which extend off this road. The nearest houses are those on Harrington Drive, 118m from the industrial site, although the site can be seen from a number of view points from the Estate.

The lighting most visible to these properties is located in the western part of the car park at the front of the industrial unit, the service yard access road which runs along the westerly boundary and part of the service yard area at the rear of the building.

When the lights were first installed, the objectors complained that this caused significant light pollution into their properties. Photographs were received from some of the complainants which showed the lights on during darkness hours. The complaints were investigated by the Council's Enforcement Section whereon it was found that lighting had been installed on site without a planning consent. The Applicant was notified that a planning application would be required to regularise the retention of the lighting.

In seeking to address the concerns of the local residents, the Applicant has looked into mitigation measures to reduce light pollution and light spillage. This has taken the form of the installation of baffling to some of lighting columns on the site.

Baffles are a shield or screen, fixed to the light fitting which direct light in a certain angle. The baffles have been installed on the lighting which is located along the western boundary and on 4 of the 5 lights in the rear service yard area. The baffles direct the light downwards diffusing light spillage from these lights and thereby reducing the amount of brightness and luminosity reflected from the site. The Applicant has visited the housing estate during the hours of dusk/dark and on observing the site from different viewpoints, is satisfied that the lights which had caused a problem for the local residents have been remedied by the baffling.

The additional landscaping has been planted near to the industrial site, required as a condition of the previous consent reference 61598 provides screening of the site and building and also obscures some of the lights and the light spillage which affected the residents. The trees are heavy standard species and evergreens, some of which would be

in full foliage throughout the year and thereby providing permanent screening of the lights.

The Applicant also states that all external lighting, apart from the safety and security lighting will automatically be switched off between 23.00 and 07.00. There is security lighting in the car park, along the eastern access road and to the rear service yard area. The security lighting in the service yard have also had baffles fitted to 4 of the 5 lights to direct the light away from the residential properties. The security lighting along the eastern boundary faces a commercial unit and baffling is considered not to be necessary in this part of the site as it is obscured by the building from residential properties.

In addition, during the hours of 11pm and 7am, the luminance of all the security lighting would be lowered to comply with the lower levels of lighting recommended during these hours in the ILP's (Institute of Lighting Professionals) Guidance Notes.

The properties on the estate are located at a significantly lower level than the site and do have a view of some of the lights when illuminated during the darker hours. There are a number of street lights which are located on the estate outside some of the resident's properties which in themselves create a certain amount of light pollution within this residential area and would be more visible and intrusive to residents from inside their houses than the lights from the site itself.

It is considered that together with the landscaping, the proposal to control the times and levels of luminance, which will also be controlled by way of an appropriate condition, and the baffling of some of the lighting, the proposed development would offer satisfactory mitigation measures to deem the amount of luminance and level of lighting which now projects from the site as acceptable and would not cause significant levels of light pollution to local residents.

As such, the proposed development is considered to comply with UDP Policies EN1/2 - Townscape and Built Design, EN7 - Pollution and EC6/1 - Assessing New Business, Industrial and Commercial Development .

Response to objectors

- There are no proposals to install any additional lighting other than what has been put forward in the proposed plans.
- The details of the position of the lights is indicated on a site layout plan submitted with the application.
- Impact on house values is not a material planning consideration.
- The business can already operate 24 hours
- The applicant has confirmed that the landscaping scheme required by the condition of application reference 61598 has been completed.
- All other issues have been covered in the above report.

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 Paragraphs 186-187 of the National Planning Policy Framework.

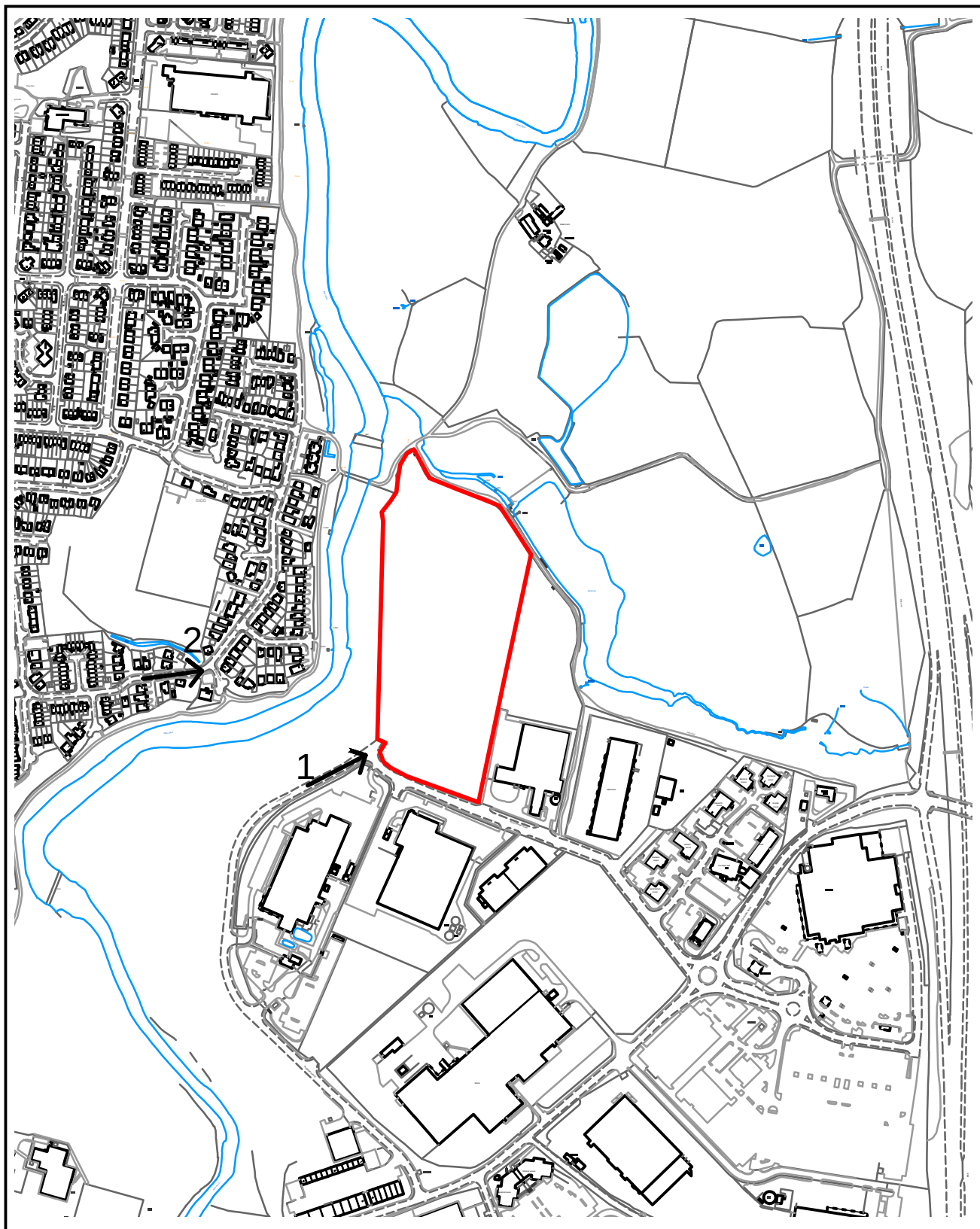
Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings - Location plan M2172-105 Rev E, External lighting E1702/401 Rev A, External lighting E1702/410 and Site sections M2172-09 Rev A 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.
3. All external lighting (excluding the safety and security lighting) shall be switched off between the hours of 23.00 and 7.00 daily.
Reason. In the interests and protection of of residential amenity of nearby occupiers pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7 - Pollution Control and EC6/1 - New Business, Industrial and Commercial Development.
4. The security lighting indicated on approved plan E1702/410 shall comply with the lower levels of lighting recommended in Table 2 of the Institute of Lighting Professionals, 2011, between the hours of 23.00 and 07.00 hours.
Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7 - Pollution and EC6/1 - New Business, Industrial and Commercial Development.
5. The baffles which have been installed on the lights indicated on approved plan E1702/401 Rev A shall thereafter be maintained in the approved positions.
Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN7 - Pollution and EC6/1 - New Business, Industrial and Commercial Development.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62835

ADDRESS: Land off Roach Bank Road
Bury

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

62835

Photo 1



Photo 2



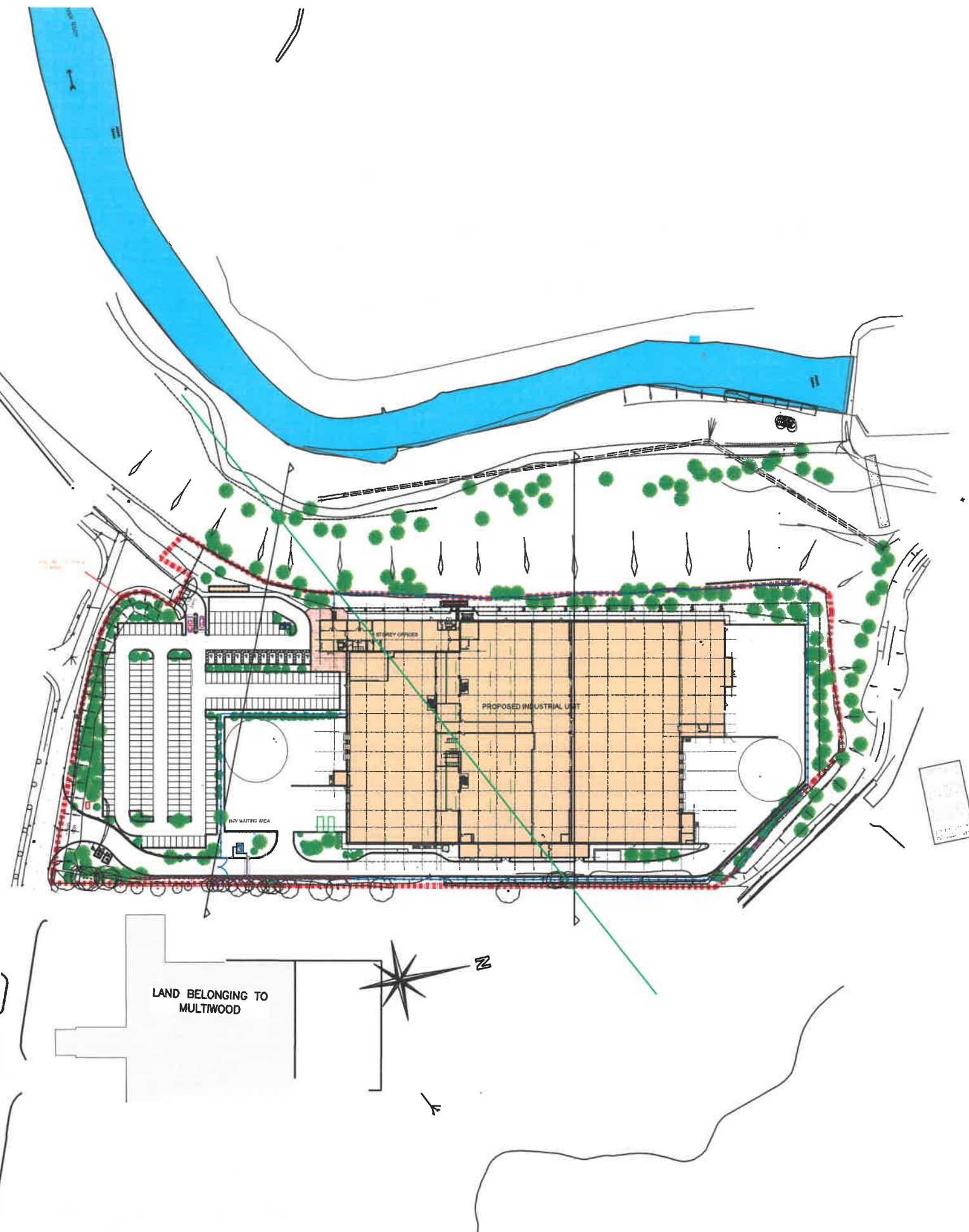
Example of baffled light



WASTE WATER SEWER

APPROXIMATE LINE OF HEYWOOD TO BURY TRUNK SEWER

ACCESS TO NATIONAL



COPYRIGHT RESERVED

NOTES

REVISIONS

REV	DATE	DESCRIPTION
A	SEPT 16	RED LINE AMENDED
B	SEPT 16	BUILDING HANDED
C	SEPT 16	RED LINE BOUNDARY AMENDED
D	NOV 16	ISSUED FOR CONSTRUCTION
E	JAN 18	REVISED AS-BUILT

BUILDING MANAGEMENT SERVICES LTD

HUDDERSFIELD ROAD
ELLAND, WEST YORKSHIRE
HX5 9BW
TELEPHONE : ELLAND (01422) 371616
FAX No : (01422) 376717
EMAIL : MAIL@BMSSELLAND.COM

**Building
Management
Services**

CLIENT

C . D . P . LIMITED

PROJECT

INDUSTRIAL DEVELOPMENT
ROACH BANK ROAD
PILSWORTH, BURY

SHEET

LOCATION PLAN

DRAWN A J BAKER	DATE SEPT 16
--------------------	-----------------

SCALE
1:1000

STATUS
AS-BUILT

DRAWING NO.
M2172-105

REVISION
REV E

20119a - Roach Bank Road, Bury



THE EXTERNAL LIGHTING STRATEGY WILL BE DESIGNED IN COMPLIANCE WITH TABLE 2 (AND ITS ACCOMPANYING NOTES) OF THE ILP GUIDANCE NOTES FOR THE REDUCTION OF OBTRUSIVE LIGHT, 2011.

ALL EXTERNAL LIGHTING (EXCEPT FOR SAFETY AND SECURITY LIGHTING) CAN BE AUTOMATICALLY SWITCHED OFF BETWEEN 23:00 AND 07:00. IF SAFETY OR SECURITY LIGHTING IS PROVIDED AND WILL BE USED BETWEEN 23:00 AND 07:00, THIS PART OF THE LIGHTING SYSTEM WILL COMPLY WITH THE LOWER LEVELS OF LIGHTING RECOMMENDED DURING THESE HOURS IN TABLE 2 OF THE ILP'S GUIDANCE NOTES.

ILLUMINATED ADVERTISEMENTS, WHERE SPECIFIED, WILL BE DESIGNED IN COMPLIANCE WITH ILP PLG 05 THE BRIGHTNESS OF ILLUMINATED ADVERTISEMENTS.

The efforts for a design to achieve five (5) LEED credits have been engaged. Designs are now required to achieve an average of 10 sustainable measures per project with an average of 10 sustainable measures per project cost. This affects the type of things and light fixtures that can be used. Please consider that this is a commitment when considering the design to achieve designs or designs by others. For more information contact our lighting design department or go to <http://www.ledlighting.com>



Limbic System					
Symbol	Qty	Label	Arrangement	LF	Description
	3	A1	SINGLE	0.900	100W LED Vira-City column mounted at 6m
	3	A2	BACK-2-BACK	0.900	2x100W LED Vira-City column mounted at 6m
	3	A3	TWIN 20 DEGREE	0.900	2x100W LED Vira-City column mounted at 6m
	3	B2a	TRIPLE @ 26	0.900	3x100W LED Alutia, 100deg, column mounted at 6m
	3	D	SINGLE	0.900	100W LED Vira-City column mounted at 6m
	3	D	SINGLE	0.900	100W LED Vira-City column mounted at 6m

NOTES:-

DRAWN:- DS	APPROVED:-	DATE:- FEB 17
CAD ENG:- VLC	CHECKED:-	SCALE (A1):- 1:500
DRAWING No:- E1702/401		REV:- A

Ward: North Manor

Item 08

Applicant: Mr Michael Horan

Location: 20 Hillstone Close, Tottington, Bury, BL8 4EZ

Proposal: First floor extension at rear, new rear dormer and balcony structure with glazed balustrade at rear; Pitched roof over existing integral garage at front

Application Ref: 62860/Full

Target Date: 30/07/2018

Recommendation: Approve with Conditions

This application is a householder development and would normally be dealt with under delegated powers. It is presented to the committee as the applicant is the son of Pat Jones-Greenhalgh, Interim Chief Executive

Description

The property is a two storey detached house located at the top of a cul de sac. It has a central front gable design and a front dormer with an attached garage. To the rear it has a single storey extension and two dormers and a fenced rear garden.

No.21 is a detached property located to the west side and No.18, also detached is located to the south of the site. The rear boundary of the site borders the rear gardens of 499 & 501 Bolton Road West and there is screening in the form of planting and it also borders the rear to 525 Holcombe Road located to the east side of the rear boundary.

The application includes a pitched roof over the flat roofed garage at the front. To the rear a first floor extension would be constructed above the single storey extension projecting 1.4m from the main wall and 3.6m across. The pitched roof dormer to the east side would be finished in a render and link to the new extension. Patio doors would lead from the bedroom on to a 1.1m deep balcony running 3.8m across. The dormer to the west side would be replaced with a larger one running across from the first floor extension and would come out 0.8m deeper almost to the level of the main rear wall. It would extend an existing bedroom and a bathroom and the first floor extension extend a dressing room.

Relevant Planning History

48424 - Two storey extension at side with rear dormer - AC 15/08/2007

Publicity

9 notification letters were sent to properties at 18 & 22 Hillstone Close, 523 & 525 Holcombe Road, 499-501 Bolton Road West. Two responses have been received from 499 & 501 Bolton Road West who object to the proposal their concerns in summary are:-

501 Bolton Road West

- Plans substantially alter the character of rear elevation of the property
- Plans considerably increase volume of glazing on rear elevation
- No provision for privacy glazing to bathroom and dressing rooms
- Plans do not make provision for any screening to reduce impact to immediate neighbours affected by the change to the rear
- Stance could be changed if these matters can be addressed through changes to current plans

499 Bolton Road West

- Glazing to rear will overlook and reduce privacy

- Balcony is 1.1m by 3.8m and large enough to position tables and chairs impacting significantly on privacy.
- Window to the balcony bedroom is to be replaced with a full length ceiling to floor french window substantially increasing the amount of glazing and significantly impacting on our privacy.
- The floor area and size of the window to the 1st floor dressing room is to be increased which impacts on our privacy.
- There are no details of the provision of privacy glass to the bathrooms and dressing rooms would welcome more information.

The objectors have been notified of the Planning Control Committee.

Consultations

None.

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

Visual amenity and design - The frontage would see the garage roof replaced with a pitched one with matching brick to the side and roof tiles to match. The further alterations would be to the rear. The first floor extension would be in a brick finish with a dual pitched roof. The dormer walls would be finished in a matching cream render and the roof run as one continuous one along the rear in matching tiles. The balcony would be supported on posts with a glass balustrade. The proposal is considered acceptable with regard to design and visual amenity and would be in keeping with the existing house.

Residential amenity - The pitched roof to the garage at the front would not be located in close proximity to the adjacent No.18 for it to have any significant impact. To the opposite side to No.21 would be the extended dormer. This neighbouring property is set at an angle and the dormer extending a further 0.8m would not have any serious impact. The rear elevation with first floor extension, extended dormer and balcony would face towards the rear boundary with 499 & 501 Bolton Road West and also 525 Holcombe Road which sits to the east side boundary. There would be a distance of 16m from the first floor window of the extension to the rear boundary which would be sufficient to comply with aspect standards for a habitable room. A dressing room would not be defined as habitable however the agent has confirmed it may be used as a guest bedroom if required. The extended bedroom dormer and balcony would also exceed 7m to the rear boundary at approximately 11.8m for the dormer and 18.5m for the balcony. The distances between the new windows and balcony would also be in excess of the 20m for habitable rooms facing in relation to the rear elevations of Nos 499 & 501. To No.525 Holcombe Road located to the east boundary the balcony would be set 10.5m from the boundary. The balcony would not provide a large area of outside amenity space at 1.1m deep and be located off a bedroom. As the proposed balcony would comply with aspect standards it is not considered that there are any grounds for refusal with regard to loss of privacy and overlooking.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Response to neighbour objections

As addressed in the above report the balcony and windows comply with aspect standards which are set out to ensure proposals provide sufficient separation distances between a development and neighbouring properties and gardens. As the windows and balcony would exceed aspect standards for habitable rooms it is not considered that there is a requirement to condition any windows to be obscure glazed however the agent has confirmed the dressing room will be plain glass as it may be used as a guest bedroom and the bathroom will be obscure glazed.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings numbered MH1-01, MH1-02, MH1-03, MH1-04 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.

For further information on the application please contact **Jane Langan** on **0161 253 5316**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62860

**ADDRESS: 20 Hillstone Close
Tottington**

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

62860

Photo 1



Photo 2



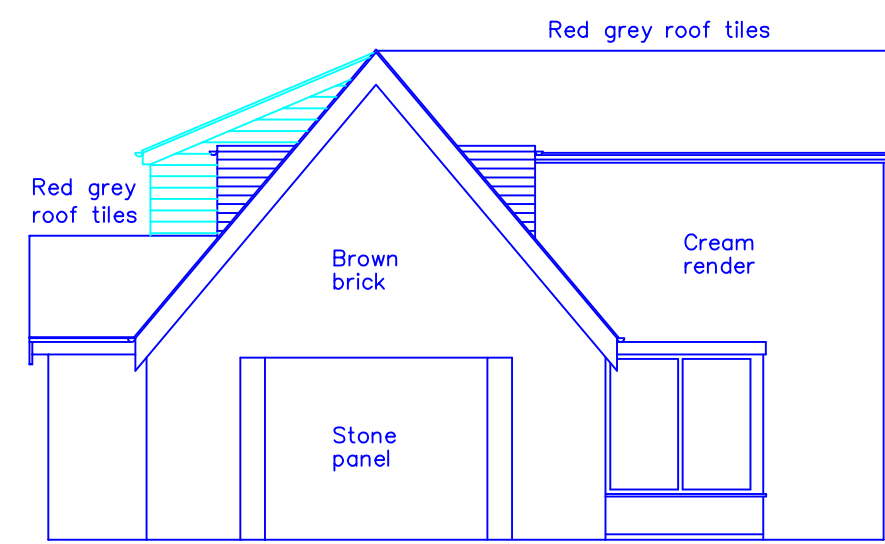
62860

Photo 3

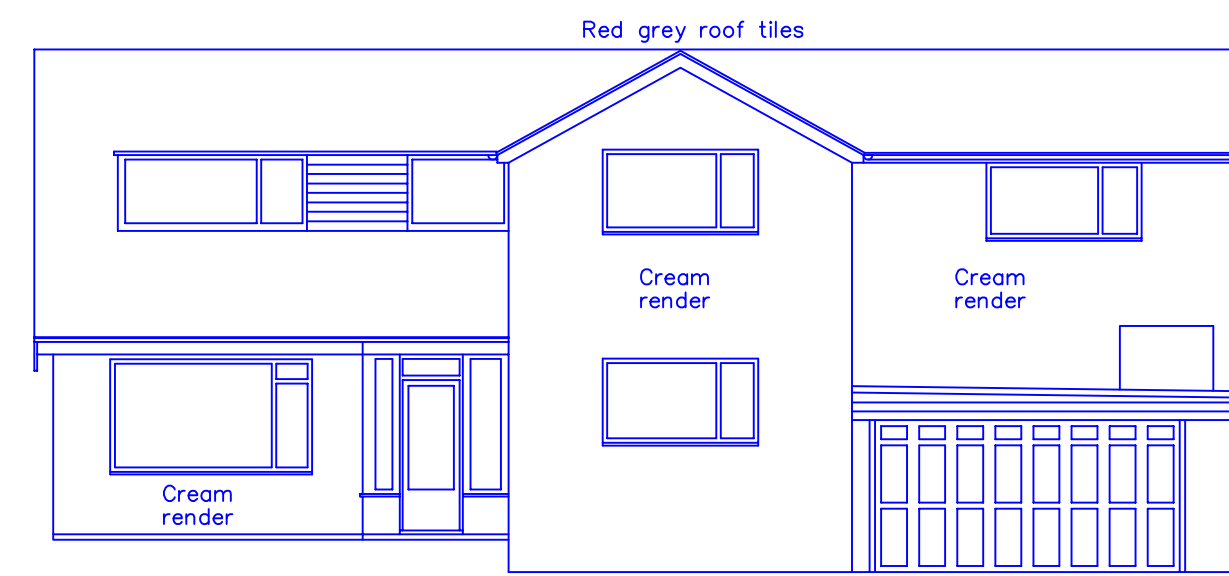


Photo 4

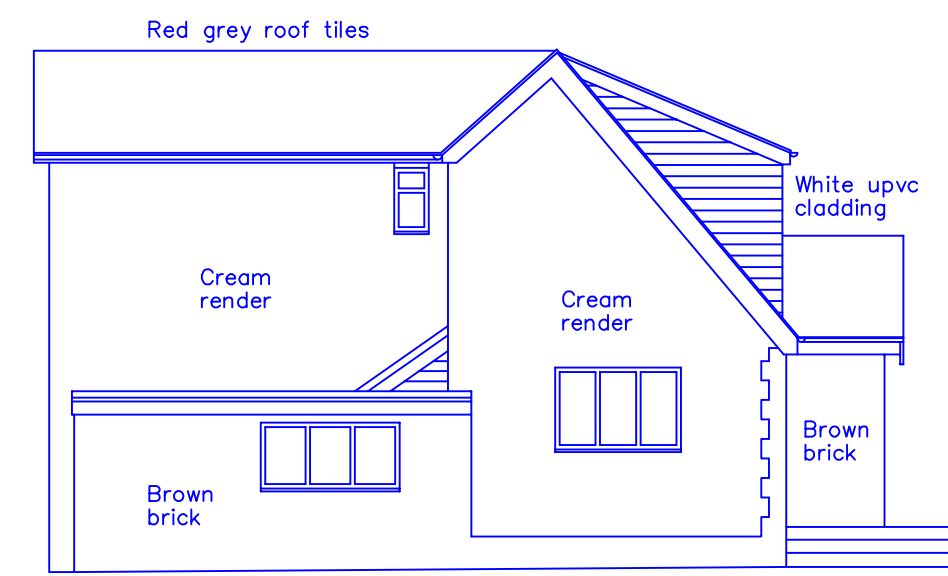




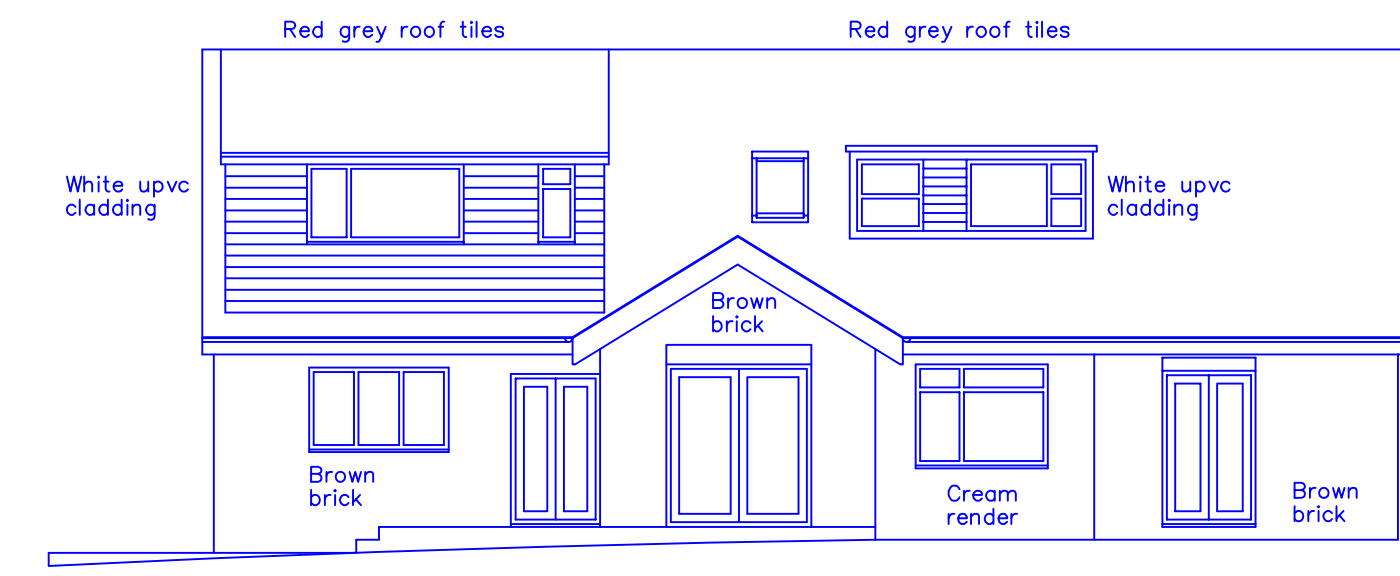
Existing Side Elevation



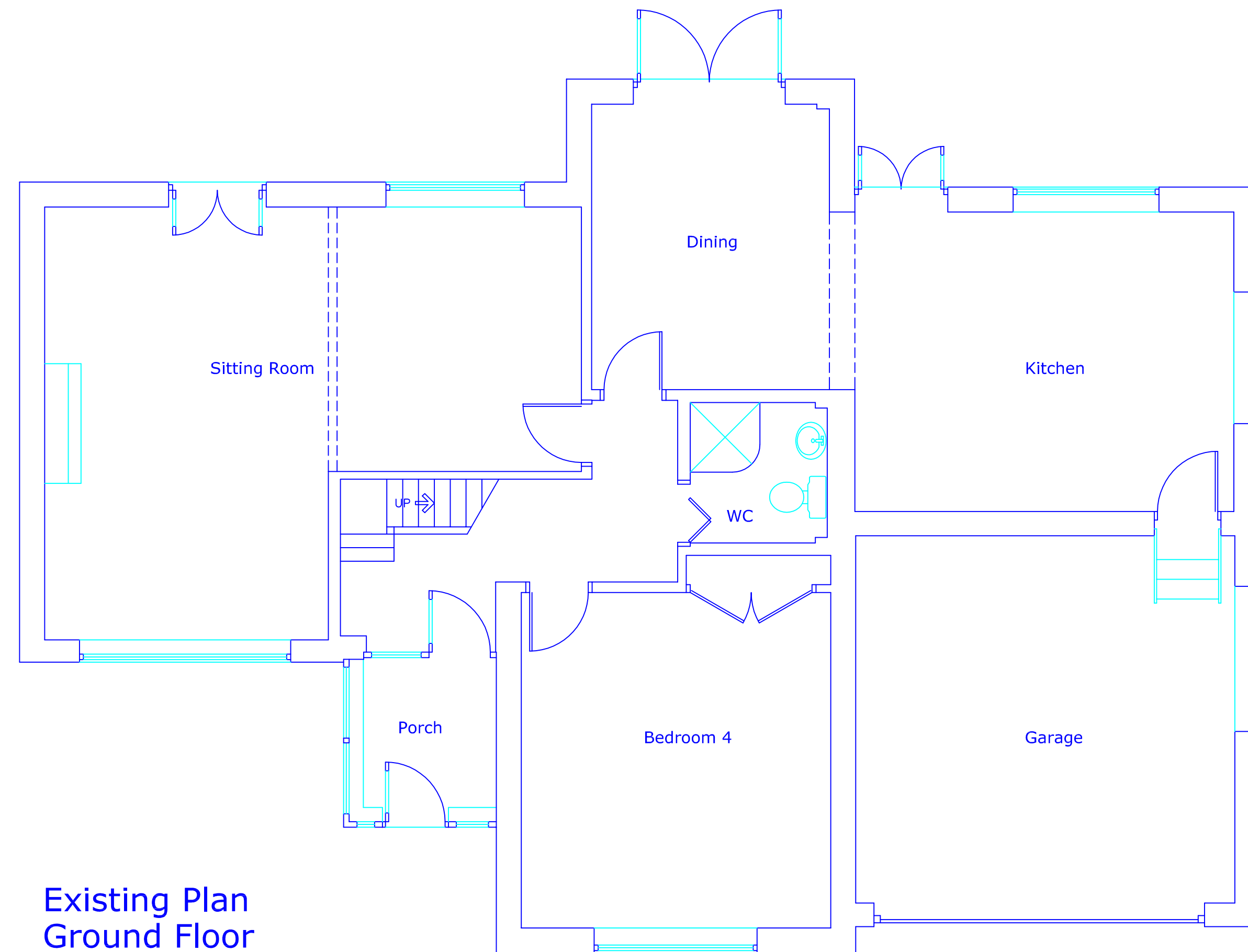
Existing Front Elevation



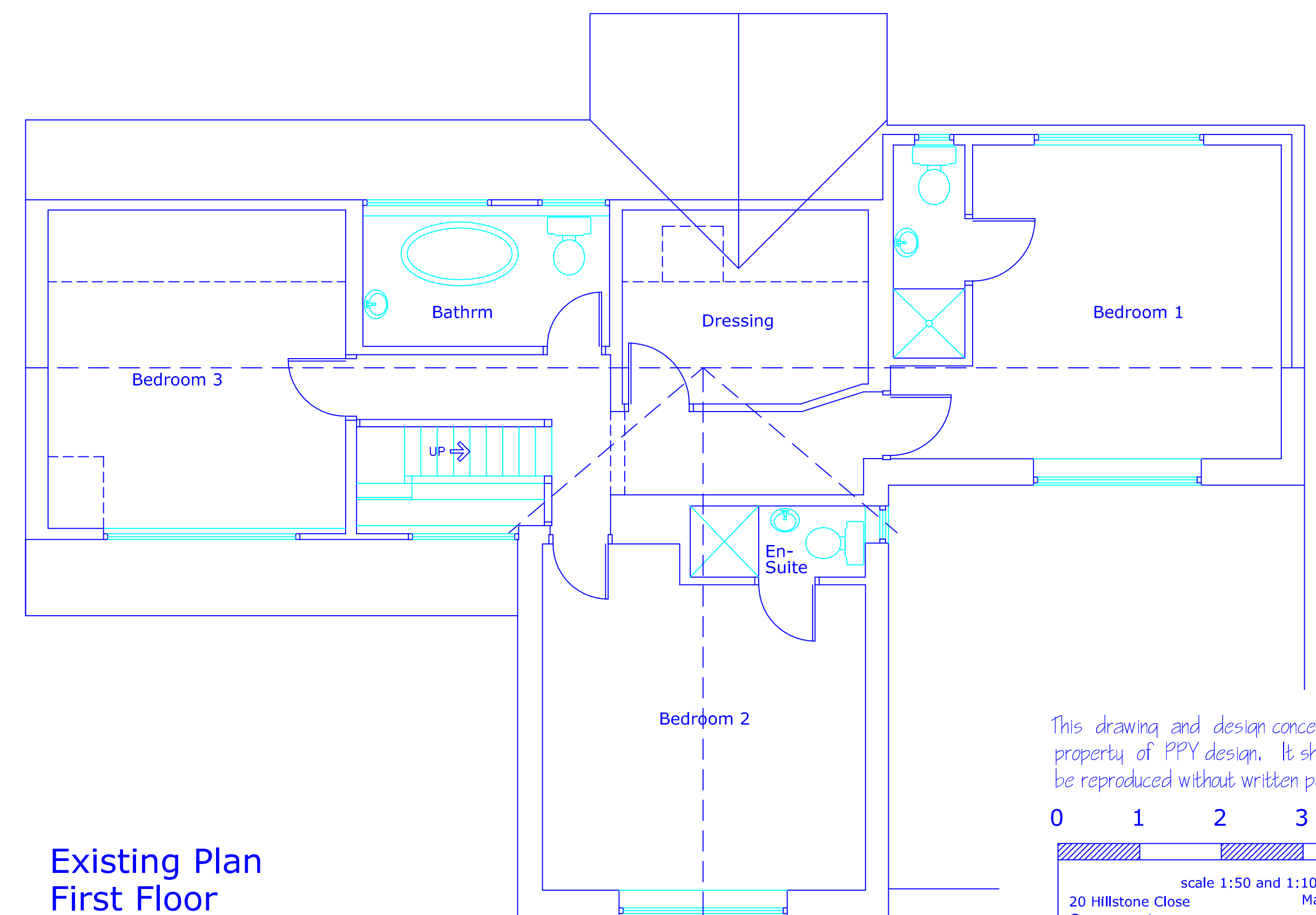
Existing Side Elevation



Existing Rear Elevation



Existing Plan
Ground Floor



Existing Plan
First Floor

This drawing and design concept is the property of PPY design. It should not be reproduced without written permission

0 1 2 3 m

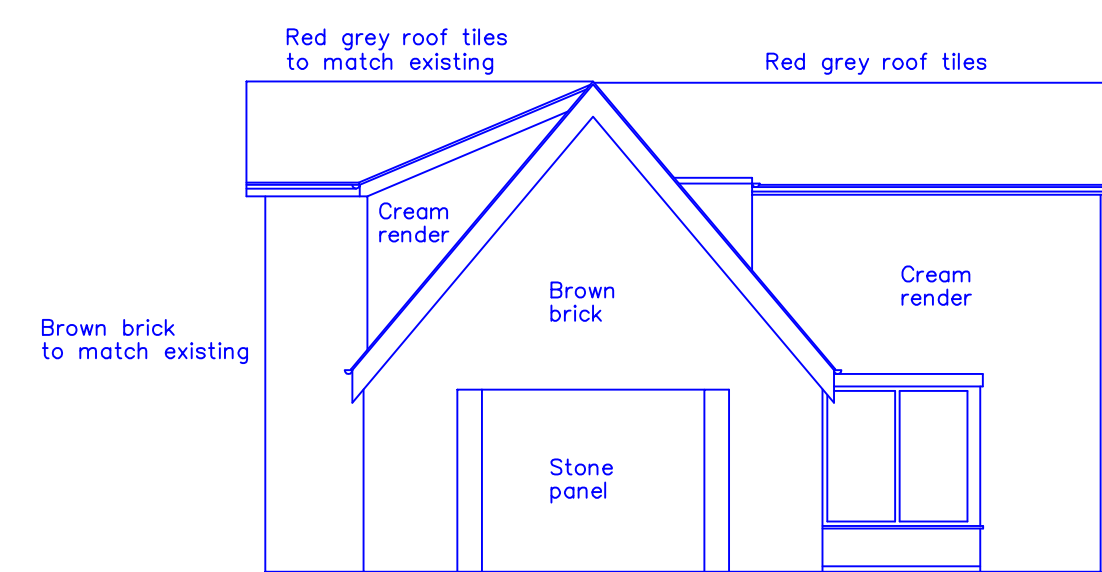
scale 1:50 and 1:100 @ A1
20 Hillstone Close
Greenmount
Bury BL8 4EZ
May 2018

MH1-01 Existing Floor Plans and Elevations

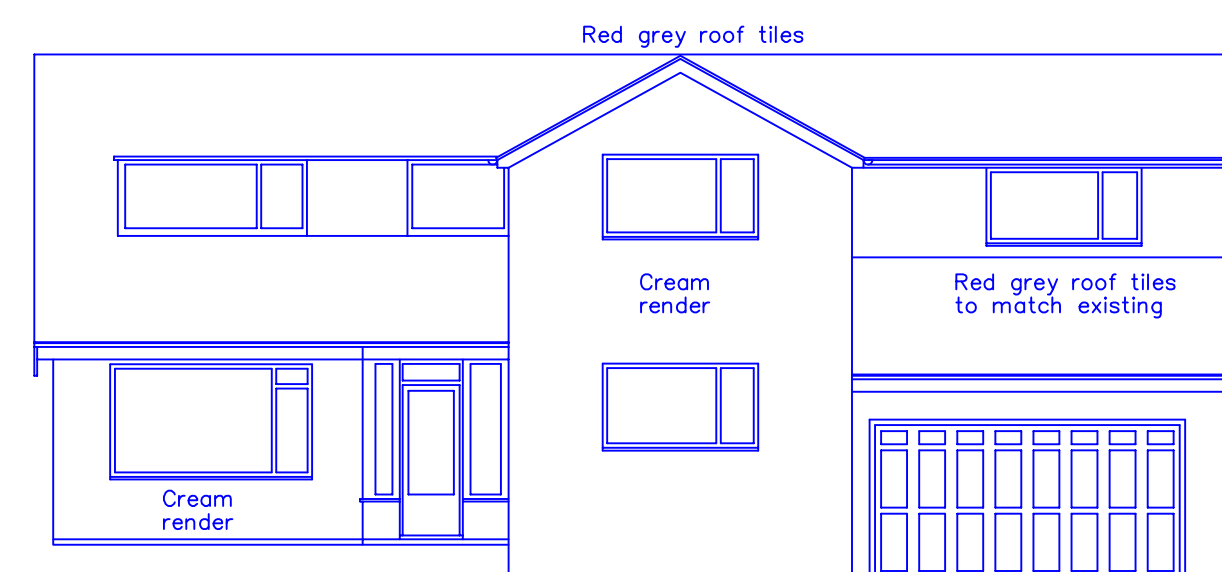
PPY design Ltd

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

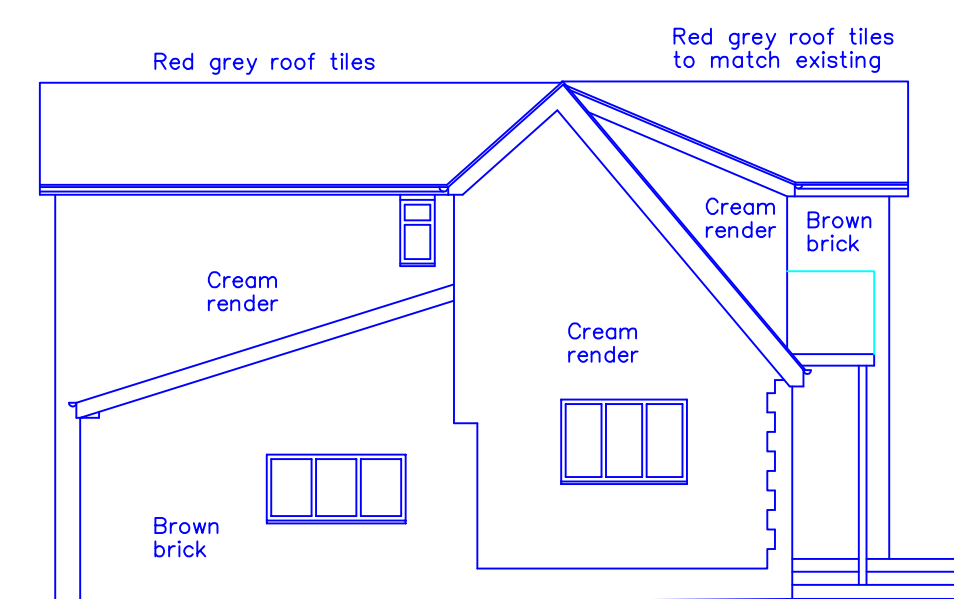
Gary Dearden BAC(hons) DipArch RIBA
gary@ppy-design.co.uk www.ppy-design.co.uk
T. 01706 822731 M. 07712 669482



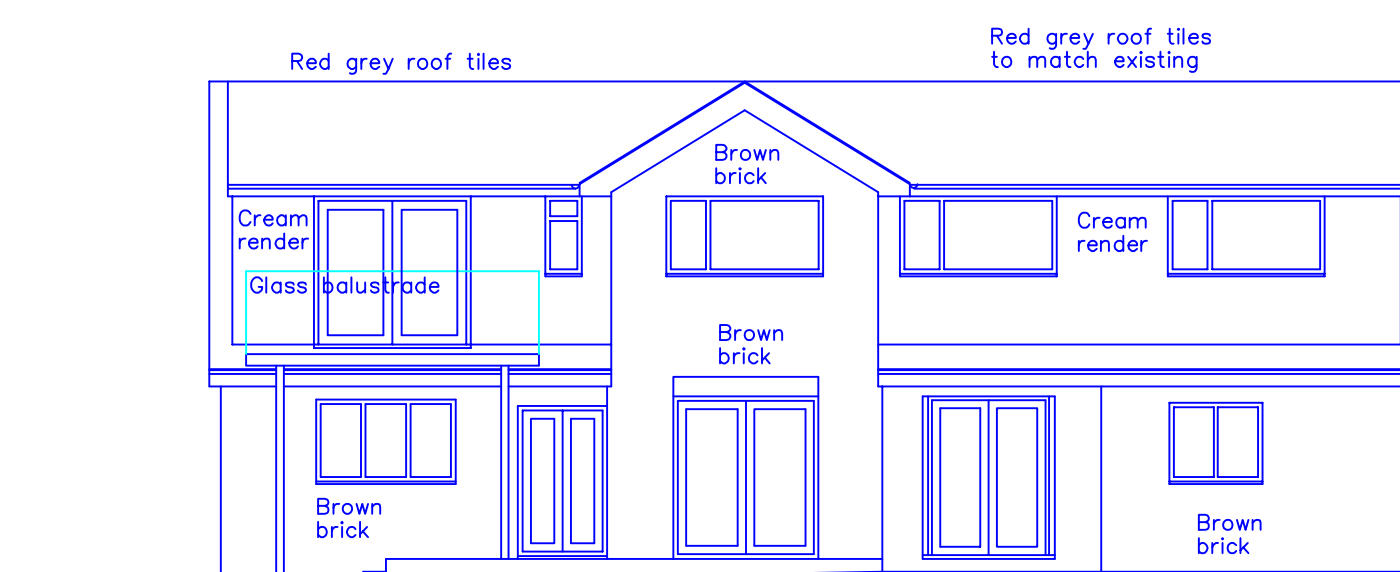
Proposed Side Elevation



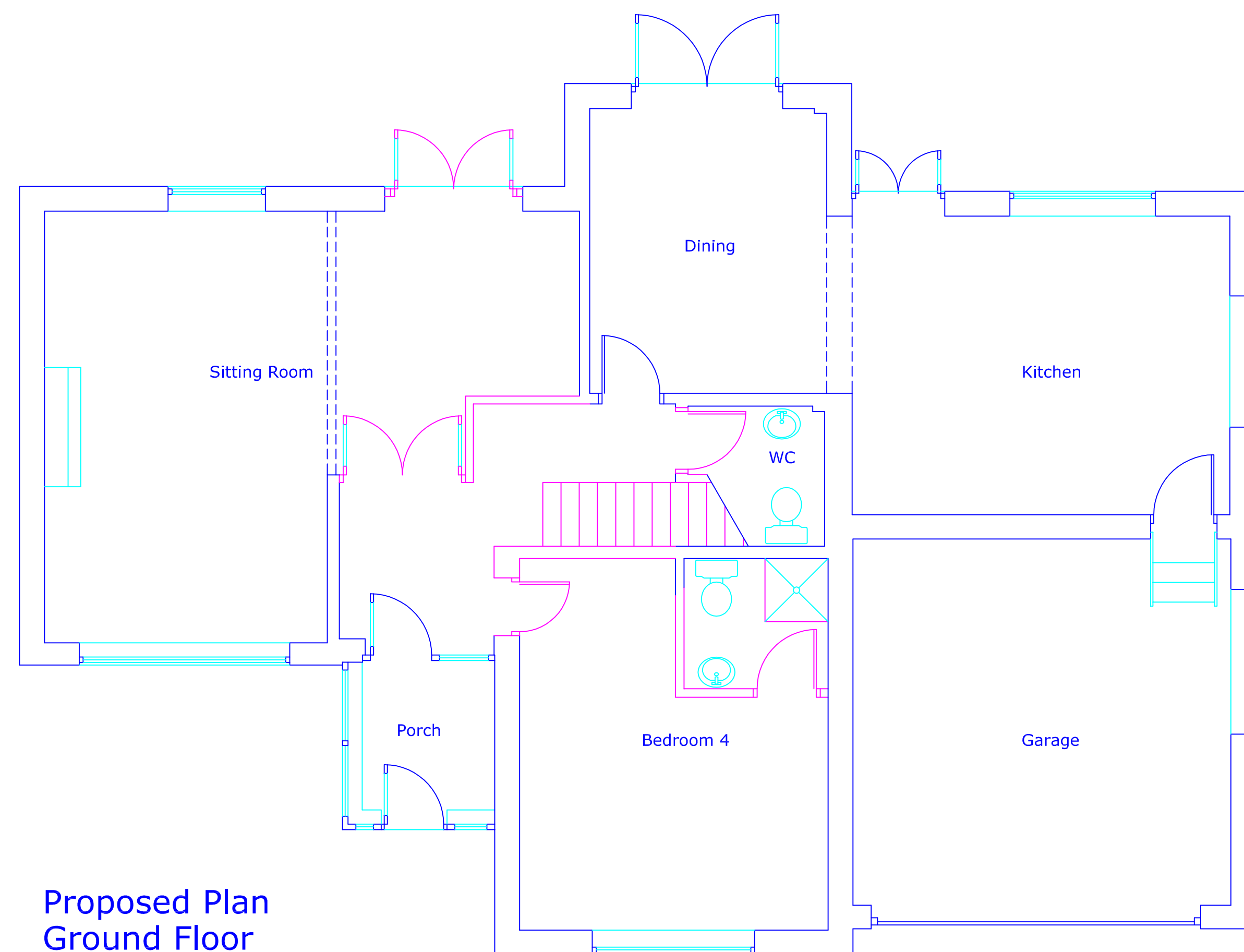
Proposed Front Elevation



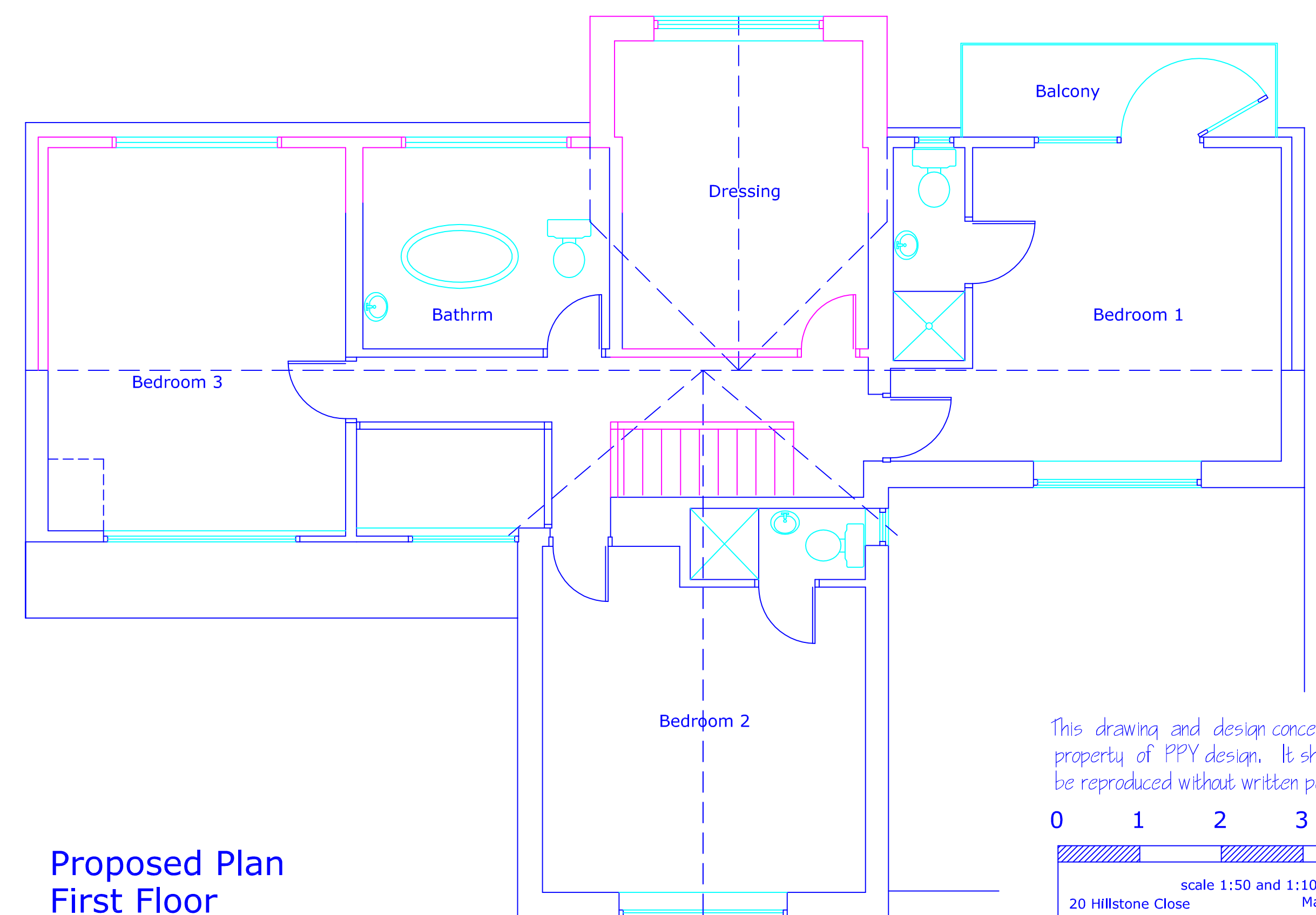
Proposed Side Elevation



Proposed Rear Elevation



Proposed Plan Ground Floor



Proposed Plan First Floor

This drawing and design concept is the property of PPY design. It should not be reproduced without written permission

0 1 2 3 m

scale 1:50 and 1:100 @ A1
May 2018

20 Hillstone Close
Greenmount
Bury BL8 4EZ

MH1-02 Proposed Floor Plans and Elevations

PPY design Ltd

2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

Gary Dearden BAC(hons) DipArch RIBA
gary@ppy-design.co.uk www.ppy-design.co.uk
T. 01706 822731 M. 07712 669482

Ward: North Manor

Item 09

Applicant: Bury Council

Location: Kay Street Bridge, Summerseat, Ramsbottom, Bury, BL9 6BU

Proposal: Widening works on the upstream side of Kay Street Bridge, Summerseat, to provide a segregated single carriageway and pedestrian footway (Bridge Extension)

Application Ref: 62867/Full

Target Date: 26/07/2018

Recommendation: Approve with Conditions

The Development Manager requests a site visit for this application

Description

The development site forms part of the highway within the Summerseat/Brooksbottoms Conservation Area and comprises a bridge highway crossing over the River Irwell. The site originally was bound to the east by a historic listed building locally called "The Waterside" and originally was a canteen structure forming part of a wider Hoyles Mill/Brooksbottoms Mill complex, where cloth was manufactured.

The whole industrial site had been vacant and subsequently converted into a mixed use development comprising mill conversion to residential accommodation (The Spinnings) and the Waterside/Canteen was converted into restaurant/pub use in the early 1990's. All buildings associated with the former Mill were listed structures (Grade II).

Following the Boxing Day floods of December 2015, the Waterside building suffered significant collapse where the main underside supporting structure was washed away by significant water levels and flooding of the River Irwell. Subsequently, the entire building was removed under The Building Regulations 1984 using s77 and s78 notice.

As a result of the removal of the building, the front wall of the Waterside that formed the easterly parapet/vehicle restraining wall had gone, thus leaving one side of the bridge open and without restraint or protection to users. The westerly parapet remained unaffected. Consequently, the bridge was closed off, in the interim to all traffic and movement, but with the installation of barriers along the east flank, pedestrian access was permitted. It has remained this way since mid-circa 2016.

The Council has since secured Government funding to reinstate full vehicular access across the bridge and has subsequently designed a scheme to facilitate full access once more.

In devising options, the remaining width of carriage way is such that simply building on the remaining road deck with a new parapet wall would result in a significantly substandard width carriageway across the bridge. Historically, the crossing was narrow and allowed only single vehicle crossing one at a time and pedestrian safety was always compromised were a vehicle wishing to cross whilst a pedestrian was on the bridge. As such, the proposals have been worked up to widen the bridge. The intentions are to widen the carriageway using modular sections that are joined and edges mitred, such that when the sections are raised, they form a predetermined natural arch to mimic the existing arches of the bridge. The bridge has two arches with different geometry and thus the extension modules are bespoke designed to the two archways.

Works proposed incorporate extension to the footprint over the central pier within the river and the creation of riverbank abutments to receive and hold the archways. The proposals

would result in an overall widening to 5.955m, following pre-existing road levels of the carriageway. The vehicular surface would be 3.685m (former width) and a new, dedicated separate footway of 1.855m all retained within a new parapet. Elevational finishes would be random stone faced to match the existing. Road surfacing would be tarmac and the footway would be natural stone sett/flag finish.

Relevant Planning History

None relevant

Publicity

128 letters sent to surrounding neighbouring properties on 4/6/18
site notice erected 7/6/18 and press notice in the Bury Times on 14/6/18. As a result of this publicity, there have been 27 responses.

20 objections received from

2, 3 Crag House; 1, 4, 9 and 10 Hill Street, 38 Higher Summerseat; 4 Cliff Avenue x2; 3 East View; 3 Kay Street; 25 Jesmond Drive x 2; 520 Walmersley Road x2; 15 and 17 Holly Street x2; 20 Beech Street;

Points raised include:

- There's an adequate river crossing just a few hundred yards downstream. Surely the money for this bridge could be better spent elsewhere in the borough.
- Currently the park on Waterside Road is very safe for children with very little traffic passing by. If the bridge is reopened to cars I fear that people will revert to using Waterside Road like a race track as they did before the collapse.
- The direction of traffic as is has the benefit of calming measures with the traffic lights at Twist Bridge.
- Since the bridge has been closed to traffic there's a different perspective to Summerseat. The bridge has become a focal beauty point for and gives a real sense of a village. This could be an opportunity to develop a community facility being adjacent to the twin benefits of River and Railway.
- More importantly the area is much safer in terms of road traffic and my concern is that once reopened the stretch of Waterside Road from Robin Road to Ruby Street returns to being a hotspot for speeding cars. Perhaps changes could be made to calm traffic.
- Bass Lane needs constant remedial work due to high traffic volumes and there's traffic queues on Walmersley Road arising from the through traffic.
- Commuters who use Bass Lane to cut through to Greenmount and other areas need to be discouraged.
- I understand that residents on Rowlands Road will have faced an increase in traffic following the Kay Street bridge closure but this has always been a busy through route.
- Communities regularly has events for children on the 'Island' and at present this is a safe area but if the road is opened to through traffic it would again become hazardous for all. Children travel to and from school along this route and the money would be better spent on making a safe footpath throughout the village for school children where one is not provided.
- There are traffic issues throughout Summerseat and re opening Kay Street Bridge will not resolve current difficulties.
- Putting a footpath next to the bridge for pedestrians does not ensure safe walking once across as there is no appropriate footpath on Kay Street or Hill Street and the reopening of the bridge will just encourage more traffic to use the Village as a rat run to get access to the A56.
- Peak time is an issue along Rowlands Road, across Twist Bridge and Railway Street and it should be proposed that this area be a priority for funding at this time with a safe footpath put in place for school children, parents and walkers to be able to cross the river and walk under the railway line without fear.
- Make good Bass lane and introduce effective calming measures on Rowlands Road

and Railway Street.

- Visitors who come to Summerseat to walk or view the trains can take up position on the bridge and the bridge itself, even in its damaged state, is a beautiful focal point.
- Prior to the collapse of the Waterside, the road across the bridge was highly dangerous to both vehicles and pedestrians. Using it as a pedestrian was a challenge as it was necessary to continually look both ways for traffic and then flatten oneself to the wall of the Waterside to avoid being knocked down.
- Cars and lorries would speed and once over the bridge take the tricky uphill corner into Hill Street too fast and would continue to speed up Hill Street.
- The current situation affords an opportunity for the council to repair the bridge and preserve its beauty and value as an asset to the village.
- Must we see traffic lights at this bridge?
- Conservation appraisals have noted with concern the damage to Brooksbottoms caused by traffic and buildings as they were not designed for the weight of traffic and damages the Conservation Area.
- It is an aim of Bury to promote physical activity.
- Introduce a 20mph speed restriction, speed cameras to generate income or speed bumps.
- Make Summerseat a destination not a thoroughfare.
- I would definitely invest in a permanent pathway up past the railway bridge towards Summerseat Primary School. With the savings the council make I believe the council should provide flood support to the most vulnerable residents in the village who were previously flooded.
- Impacts upon residential amenity and that local infrastructure is inappropriate.
- The rationale for widening the bridge is that its old configuration was substandard for modern demands and that it would not be safe to reopen it to traffic in its old format. The reasoning applies with equal – and perhaps greater force – to the surrounding roads. They were perhaps tolerable as a legacy route for through traffic. But it is not appropriate to take active steps specifically designed to reopen them to through traffic.
- HT2/3 recognises that, “in older areas particularly, the street pattern is not designed to meet present day needs and the roads are of inadequate width” and requires the prioritisation of the “the safe and efficient operation ... roads in the Borough,” developments which “contribute to road safety”, “facilitate the improvement or protection of the environment” and “encourage cycling and walking as alternatives to the use of private cars, particularly for local journeys”.
- HT6/1 commits the council to ensuring “that pedestrians and cyclists are able to move safely and conveniently”, “eliminating points of conflict between pedestrians/cyclists and motor vehicles,” “extending pedestrian areas...where appropriate and “ensuring that all proposals for development recognise the needs of pedestrians and cyclists”. It is important to note that the pedestrian and cyclist needs relevant to this application go far beyond the narrow needs of pedestrians actually crossing the bridge alongside traffic.
- HT6/2 supports the creation of “safer and more pleasant environment for pedestrians” and acknowledges that a “range” of interventions can secure this, “from complete pedestrianisation to partial segregation”. The complete pedestrianisation of Kay Bridge (itself a comparatively modest measure) has much wider consequences for the local environment which should be maintained. The best way to honour the demands of these all policies is to reject this application.
- Other council policies (which are not specifically recognised as constraints on the application on the planning portal) also mitigate in favour of rejection of this application. RT3/1 forbids development which “would ... prejudice the use of, areas predominantly used for recreation outside the urban area.”. This application would prejudice the use of Summerseat Park (which is recognised as an important recreational area and highlighted for improvements in RT 1/2), Brooksbottom Gorge and Summerseat Island. Summerseat Island is also singled out for protection in RT 3/2/2, which is hostile to developments which would detriment the local environment, unacceptably increase road traffic or adversely affect the amenity of local residents

of users of the space.

- This application would damage the character of the conservation area contrary to EN2/1 and EN2/2 nor the management plan for the area, which cites traffic as being a negative factor on the Conservation area. Disagrees that the proposals represent a neutral impact and no assessment has been made to the substantial increase in traffic through the area.
- Supporting information is too focussed on architectural and structural concerns.
- Disagrees about the levels of consultation and does not consider that the engagement prior to submitting the application was consultation.

7 Letters of support

4 Manley Close; 29 Miller Street; 76 Pollards Lane; 90 Newcome Road; 4 Crag Avenue; 14 Crosfield Avenue x 2;

- Living 20 yards from the Cliff Avenue bus stop that hasn't seen a bus in two and a half years and counting. Being 74 it is not easy walking up the steep hills in Summerseat. All we ask is for the status quo prior to Boxing Day 2015, which was promised by Bury's Chief Executive at a Public Meeting in November 2016. No ifs or buts and saving money. Please rebuild the Kay Street bridge NOW
- I support for many reasons. For one the Health and Safety of all but mostly the children and families that risk life and limb most days. The reduction of services. The traffic jams when a bus, bin wagon or tractor cannot get passed and the dreadful road conditions when ice and snow prevented the flow of traffic.
- Just been reading some of the comments which I strongly agree with but we need the bridge back open to ease the traffic off the rest of the village. I live on Pollards Lane since the bridge closure cars speeding up and down as you know you can only go up so far so i say get the bridge open make it fair for all of us in the village and the traffic needs sorting all the way through the village Bass lane a nightmare at any time of the day the bus always get stuck on Rolands so the council needs to calm the traffic all the way through the village.
- Yes, for those living on Hill St and Cliff Avenue side it is safe and quiet with the Waterside falling down, what about those on Railway St and Rowlands Rd where the traffic is much worse ,the cars using it as a rat run to get to the motorway etc. For many years the buses were able to get round the village with no problem, now you don't know if a bus is going to turn up especially for the elderly round that area and those who do not drive (the bus drivers don't like it now keep getting stuck going up or down the hill, I personally think the traffic lights on the engine shed side are in the wrong place and should be further up. There should be some kind of traffic calming introduced.
- I support the building of the new bridge and footpath, leading to the opening of the road to vehicle access. This would alleviate the volume of traffic which is currently being pushed through one side of the village, also a conservation area. The traffic flow and the volume through Summerseat, mainly used at rush hour times by commuters to access the motorway, is a wider issue which the Council should address. However pushing all the weight of traffic along one narrow road where there is inadequate pavements, if at all, and where our school and church is, is not in the interest of safety for all, especially children, and especially during the winter months when visibility is lower. We have seen the impact when the only road is blocked or closed. This causes the obvious problems but my concern is having a free flowing access route around the village and having it done sympathetically to the area.
- This is a public highway for the good of everyone in the village. The alternative route along railway street is totally inadequate and is dangerous for pedestrians. The loss of the bridge at Kay Street has been a major inconvenience to residents.
- This has always been a through road and the loss of this road to vehicular traffic has been a major inconvenience. Failure to reopen this route to motor traffic imposes a totally unfair burden on the residents of Railway Street which is totally inadequate to cope with the volume of traffic.

Consultations

Traffic Section - No objections. Condition about a construction management plan is

required.

Drainage Section - No objections subject a condition that the drainage proposals are carried out in accordance with the approved plans.

Environmental Health - Contaminated Land- No objections. Add conditions relating to unforeseen contamination.

Public Rights of Way Officer - No response received.

Environment Agency - No objections. Add condition concerning invasive species and a method to treat them.

Greater Manchester Police - designforsecurity - No response received.

Cadent Gas Ltd (formerly National Grid) - No objections. Informatives about services to be passed to the applicant.

Fire Protection Dept Bury Fire Station (Part B) - No response received.

Transport for Greater Manchester - No response received.

Heritage England - No requirement to consult Heritage England and no objections provided.

Greater Manchester Ecology Unit - No objections received. Conditions proposed in relation to Construction Management Plan and close inspections in relation to bats when scaffolding is in place.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6/4	Wildlife Links and Corridors
EN9/1	Special Landscape Areas
OL1	Green Belt
OL5/2	Development in River Valleys
EN2/3	Listed Buildings
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/4	Groundwater Protection
EN9/1	Special Landscape Areas
EN10/2	Riverside and Canalside Improvement in Urban Areas
HT2/1	The Strategic Route Network
HT2/3	Improvements to Other Roads
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
EN7/3	Water Pollution
NPPG	National Planning Policy Guide
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.

Principle - The site comprises an existing vehicular highway, which due to structural failings of the former Waterside, has left exposed the easterly side of the highway open and without

restraint over a river crossing. The main intention of this application is to permit the highway to function as it has historically done, but to extend the highway to provide dedicated pedestrian access across the bridge with a new parapet wall.

National Planning Policy Framework Chapter 4 – Promoting sustainable transport. Para 29 sets out the important role transport policies play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The direction of the paragraph is that there should be a balance in favour of sustainable transport and the provision of choice in how people travel.

Para 30 encourages solutions which support reductions in emissions arising from congestion and gas emissions and under para 32. When applications should be accompanied with a transport statement and that decisions should take account of whether:

- opportunities for sustainable transport modes have been taken up, depending upon the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the cumulative impacts of development are severe.

The remainder of this chapter considers how people move from one place to another, the relevance of travel plans; the need for planning policies to minimise need for additional travel and maximise use of sustainable modes of transport.

UDP Policy HT 2/3 – Improvements to Other Roads states that the Council will undertake minor highway improvements and implement local traffic management schemes where necessary to ensure safe and efficient operation of all other roads in the Borough and will give specific priority to contribute to road safety by:

- Improving traffic flows without necessarily encouraging increased traffic speed;
- Facilitating the improvement or protection of the environment;
- Enabling bus services to operate more efficiently and over a wider area;
- Encouraging cycling and walking as alternatives to the private car particularly for local journeys.

HT5 – Accessibility for those with Special Needs and HT5/1 – Access for those with Special Needs states that the Council would seek to improve accessibility and the means of movement for the mobility impaired and those with special needs. In assessing proposals, special demarcation, ramped access in preference to steps in public and private areas, greater coverage of specialist bus services and better design of buildings incorporating details for mobility impaired would be sought.

HT6/1 – Pedestrian and Cyclist Movement seeks to ensure that pedestrians and cyclists are able to move safely and conveniently, which would be achieved by;

- Eliminating points of conflict between pedestrians/cyclists and motor vehicles;
- Providing direct and convenient routes;
- Ensuring that routes are well lit and clearly signed;
- Extending pedestrian areas especially in Bury Town Centre and other district local centres where appropriate;
- Ensuring that all proposals for development recognise the needs of pedestrians and cyclists;
- Make exemptions for cyclists in Traffic Regulation Orders and pedestrian schemes where appropriate; and
- Providing secure cycle provisions, parking lanes where appropriate.

HT6/2 – Pedestrian/Vehicular Conflict states that the Council will take action as appropriate, to reduce pedestrian / vehicular conflict through measures which include:

- Pavement widening/realignment
- Pedestrianisation schemes
- Improved pedestrian crossing facilities
- Proposals designed to reduce traffic speed
- Provision of clearly signed pedestrian routes.

The pre-existing carriageway was only passable by single file traffic. Pedestrians had to share this surface with traffic as there was no dedicated or separate pedestrian walkway.

The single file nature of the carriageway itself, provides a means of traffic regulation controlling speeds and flows. However, there was always potential for conflict with more vulnerable road users including pedestrians and cyclists as there was an absence of a dedicated footway. The proposals seek to retain the single file nature of the vehicular carriageway but to provide an extension on the easterly side of the bridge to create a separate 1.8m wide pedestrian route, which would be able to it to connect in to the existing footway layout to the north of the bridge. The proposals are considered to be appropriate and policy compliant.

The proposals are considered to be sustainable from a transport policy consideration and would encourage safer use of a pre-existing highway, whilst maintaining and delivering a safe and convenient means of crossing the highway at this particular bridging point. As such, the proposals are considered to not only comply with national policy, but also local planning policy in principle. Matters in relation to Green Belt, heritage, ecology, flood risk and amenity are considered below.

Listed Buildings and Conservation - The site lies within the Summerseat/Brooksbottoms Conservation Area, is within the Green Belt, River Valley and Wildlife Corridor and is in close proximity of a collection of listed buildings (Grade II) to the north east. In addition to this, of the proposals need to sit within and span across the River Irwell.

Sections 66 and 72 of the Town & Country Planning (Listed Buildings & Conservation Areas Act) 1990 imposes a statutory duty upon the Local Planning Authority (LPA) to recognise, positively manage and ensure the preservation or enhancement of Listed Buildings and Conservation Areas.

Chapter 12 of the National Planning Policy Framework (NPPF) sets out the Government's planning policy position in relation to development involving heritage matters. Paras 128 to 141 set out how the significance of listed buildings and Conservation Areas must be considered in relation to development proposals including, but limited to, the judgement of harm, significance, loss to heritage assets (Designated ones and non-designated ones). UDP Policies EN2/1 and EN2/2 seek to protect the character of listed buildings and conservation areas and to ensure that proposals preserve or enhance the character of such sensitive buildings and areas. In applying the tests of the policy to proposals, nature of the development, materials, relationships between visual qualities and the surrounding areas *et al* form part of the assessment process to ensure a high, conservation approach is adopted that is designed to preserve or enhance.

The former Waterside has since been removed from the national listing description to Brooksbottoms Mill by Heritage England.

The proposals have been developed through pre-application discussions with the LPA in understanding the complex locational issues in relation to heritage. The scheme design adopts the use of matching materials that are found within the existing structure and also within the general locality. Natural stone is a prevalent material locally.

The new parapet proposed and wall ends would have the same design approach to the existing one having a rounded finished top and would be constructed in random stone form, adopting pre-existing circumstances.

The piers and abutments would be constructed in an underlying concrete but would be faced in coursed random stone but would sit on extant pier support in the middle of the river. The archway would be formed using concrete sections that interlock using mitred sides to adopt the pre-existing geometry form of the arches. These would be faced in coursed random stone facings.

The development would be viewed within the setting of the remaining and occupied structures of Brooksbottoms Mill (single story building and larger four storey Italianate design mill behind). As such the development would be viewed as part of the setting of this part of the Conservation Area and a close relationship to the Listed Building complex.

In consideration of local plan Policy and para 128 of the NPPF, the proposals are accompanied with a heritage statement that seeks to understand the significance of local heritage assets and the mill complex. Plans and sections are equally detailed. The bridge is not itself but was attached to a former listed building. It is likely to be of a similar age to the former mill complex and is a main crossing point that the mill would have utilised historically in relation to mill operations. As such the bridge is considered to be a heritage asset of significance (para 135 *ibid*) and importantly surrounded by heritage assets comprising two listed buildings and therefore their setting is very important; particularly as the view of these buildings is from not only from surrounding properties but also from public areas. This creates a distinctive architectural and historic character (reflecting required consideration *ibid*. para 129 and 132). The design and appearance of it is such that its materials should feature heavily in any proposals. Furthermore, the northerly bank containing the designated assets would not be impacted directly as the development would not adjoin the structures.

There would be some level of intrusion by the formation of parapet walls. However, the 1100mm height and positioning of these walls are such that they would read sympathetically with these structures and not least, as the former Waterside has since gone, this whole area now enjoys greater views from the public areas and the formation of parapet walls are commonplace, expected over a bridge as an enclosure and suitably designed to preserve the character of the Conservation Area.

The widening works by 1800mm would partly re-instate built area but is considered to be a relatively minor extension and would not give the impression of an oversized addition.

The retaining piers below would continue the pre-existing structure at a lower level to the bridge and with the use of matching facing and coursing, the piers would not appear out of keeping. As such it is considered that the setting of the listed buildings and conservation area would be preserved and as such, the proposals would be consistent with NPPF paras. 131, 132 and 137.

In relation to the bridge itself, which is considered to be a significant heritage asset, the proposals are considered not to be so extensive that the overall appearance of the bridge would be harmed and the works would not only preserve what is there, but would enhance the asset, by repair and improving through a minor scale of development to the functionality of the bridge. As such, the nature of the proposals would be consistent with NPPF para 135.

The proposals would maintain a low profile within the context of a largely complete pre-existing structure and the scale of widening and design concepts adopted would not have any restrictive element of any significance to impact upon the setting of the listed buildings or cause harm to the Conservation Area and are considered to preserve the character in line with the requirements of the primary Acts, National and local planning policy.

Green Belt and River Valley - NPPF Chapter 9 – Protecting Green Belt Land and OL policies of the UDP set out the national and local considerations of development within the Green Belt. UDP Policies are largely consistent with the NPPF and therefore hold significant weight. The policies of the NPPF hold substantial weight in terms of the consideration of

development within the Green Belt, not least as these policies are more up to date than the UDP.

Para 87 considers that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 90 considers that other forms of development are also not inappropriate in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. The relevant bullet points 2 and 3 are the most relevant in that the proposals do represent engineering operations and local transport infrastructure which can demonstrate a requirement for a Green Belt location.

In considering the first of these points, the proposals are heavily engineering driven by necessity, design and use in that they are seeking to extend a pre-existing structure that currently provides access across a main River. The second point relates to local transport infrastructure which in this instance is pre-existing, substantially complete but needs engineering works to return it back to practical and historical use for vehicular traffic in as minimal a scale as possible.

The scale of widening and formulation of a footway facilitated by arch extensions would be less than 1.8m in width and enclosed on the upstream side by an 1100mm high parapet. The siting and position of the widening would be on the same horizontal plane of the carriageway and the insertion of a parapet along the length of the easterly bridge structure would be low in height and not considered to be either intrusive nor harmful to the openness of the Green Belt. The purpose of the development pre-exists i.e. the majority of the carriageway and the enclosure by the parapets encloses minor airspace, with abutments set against the embankments of the river. As such, the nature of these operations are such that it is considered to not harm openness nor conflict with the purposes of including land within the Green Belt (NPPF para 80).

Local policy seeks to provide the same protection as the NPPF but recognising certain forms of development such as infilling or operations should seek to preserve the openness of Green Belt. Similarly, as considered above, the nature and scale of the proposals together with their design, appearance and nature would not conflict with local planning policy.

Ecology - The application site is located within a wildlife corridor as identified within UDP part one proposals map and under part two policy EN6/4. In relation to the NPPF and ecology, Chapter 11 is of particular relevance "Conserving the Natural Environment". As well as the development having a general location of a close relationship to ecological corridors, the nature of the development is such that the development also straddles the River Irwell and would utilise and part redevelop supporting structural features within the river corridor itself.

The planning system as described within the NPPF is that it should, amongst other factors, contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; as well as recognising wider benefits of ecosystem services and minimising impacts upon biodiversity and providing net gains where possible (para 109).

Wider ecological networks should be positively planned for with local policies protecting, enhancing and encouraging management (paras 114, 117, 118, 119) and accordingly within decision making be given appropriate significant weighting where relevant. There are no national designations (para 118) nor local designations within the UDP of specific ecological value, but of course the development would have a relationship to the river.

UDP Policy EN6/3 - Features of Ecological Value requires the decision maker to consider proposals and the effect of land use changes on existing features of ecological or wildlife value arising from development and proposals should seek to retain such features and

incorporate them into the development.

EN6/4 – Wildlife Links and Corridors states that the Council will seek to consolidate, and where appropriate strengthen wildlife links and corridors and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their effectiveness through the design, landscaping and siting of development proposals and mitigation works where necessary.

UDP Policy EN10/2 – Riverside and Canalside Improvement in Urban Areas states that when considering proposals for development adjoining and adjacent to rivers and canals in the urban area, the Council will, where appropriate require schemes to include improvements to waterside areas, including tree planting, provision of waterside walks and the refurbishment or clearance or redundant buildings and other structures.

The application proposals are accompanied with an ecological assessment carried out by ADAS dated July 2017 and further ecological updates are also set out in the 'Planning, Design and Access Statement' which sets out that the Greater Manchester Ecology Unit (GMEU) had undertaken bat emergence survey on 10 May 2018 and an Otter survey (29 June 2018).

In terms of bats, GMEU confirmed that they did not spot any bats emerging during their survey. They consider that further emergence surveys are not necessary and whilst occasional use by individual bats cannot be ruled out, the bridge is not being utilised as a major roost. They recommend a precautionary approach comprising close visual inspection at the various cracks and holes once scaffolding is in place using endoscopes to ensure that bat roosts/individuals are appropriately considered and include a tool box discussion with contractors in case a bat(s) are found.

Birds were seen around the bridge but GMEU were of the opinion that the bridge was not used for nesting. GMEU would be the normal consultation body to the LPA in the consideration of specialist concerning ecological matters.

Desk studies and field studies were carried out and understanding the constraints, designations, habitats and species and groups, the report also looked at the respective local and national policy framework including making recommendations. There are no local or national designations in relation to habitats within or immediately adjoining the application site.

Otters - Following the survey of the site, the repair works and upstream extension are primarily restricted to decking and central abutment with minor repair works up and down stream. The report considers that there is no potential for otter holts within the development site and no soft banking or trees present, just natural stone retaining walls and concrete abutments. There is a risk of otter moving through the site during construction and reasonable avoidance measures should be adopted during construction. A condition is recommended in relation to the construction management plan. there is no reason to disagree with this recommendation.

The ecological report considers many species that may be located within the vicinity having consulted local biodiversity records. The prevalent species of fauna within the immediacy of the bridge comprise bats, birds and otter. Notable flora comprises Japanese knotweed and Himalayan balsam. A scheme of remediation can be conditioned accordingly to secure removal of invasives.

The ADAS report's recommendations identify additional actions and surveys together with the most appropriate times of year when the respective species would be most active / present. GMEU have no objection to the survey and in consideration of local and national planning policy, the proposals could be carried out subject to careful methodology before and during construction.

In consideration of Habitats Directive, development should either consider alternative sites, ensure no derogation of species and overriding public interest (Natural England WML-G24(01/11)). This document details, at a high level, the approach Natural England's wildlife licensing team takes when assessing a EPS mitigation license applications against the three 'tests', as set out in the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations).

There is no other alternative to the scheme as the bridge is in situ, already functions and there is an imperative in relation to public safety as there are only temporary measures in place to ensure that the public do not come to harm without restraint on the upstream side of the bridge.

In terms of the derogation test, the surveys that have been carried out whilst making recommendations, do not class the works nor the bridge to be of such high ecological regard and thus with reasonable avoidance measures, finalising inspections and careful implementation, works would not have significant impact upon ecology. There is no other evidence to reasonably draw any other conclusion other than the proposals would not have undue impact or adverse impact upon ecology and therefore would be compliant with local and national policy in relation to ecology.

Flood Risk - Chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF sets out the Government's planning position in relation to new development and flood risk amongst other issues. It understands that planning has a key role to play in place shaping and that LPAs should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk (NPPF paras 94 and 99).

Para 100 of the NPPF, states that inappropriate development in areas at risk should be avoided by directing development away from areas at highest risk, but where it is necessary, making it safe without increasing flood risk elsewhere (reference footnote 19 – that refers to Technical Guidance on flood risk).

UDP policy EN5/1 – New Development and Flood Risk is the saved local plan policy where it sets out that the Council will not permit new development....where such development would be at risk from flooding, would be likely to increase the risk of flood risk elsewhere, or would adversely affect flood defences.

The policy sets out criteria that would apply in assessing proposals and includes the impact upon floodplain; the increase in surface water run-off; the impact upon fluvial flood defences and the incorporation of mitigation works. The justification of the policy refers to outdated planning policy. As such there is inconsistency with the NPPF. The objectives of the justification remain appropriate and true to the consideration of development. However, the technical means of consideration of proposals has been updated by the NPPF and accompanying technical flood risk guidance.

The Sequential Test and Exceptions Test - In relation to Paras 101 to 104 of the NPPF, this policy sets out the approach to be adopted in the sequential and exceptions test. The site is located within flood zone 3 and as such is within the highest risk of flooding. The Standing Advice from the Environment Agency states that "the Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood

risk vulnerability of land uses and applying the Exception Test if required.”

In consideration of the proposals, the bridge is where the bridge is and as such, it is substantially intact in relation to the downstream elevations, spans and abutments on either banks and centrally within the river by an existing pier exist. The nature of the proposals is to reinstate the upstream elevation with a pedestrian walkway and parapet, requiring extension to the bridge on the easterly elevation. In this event, the case in consideration of sequential testing means that the proposals must be located in this position and cannot be placed elsewhere. The development would not reduce flow capacity nor require changes to land to cause flows to operate differently. Flood risk elsewhere is not likely to be increased as a result of the proposals. As such, it is considered that the sequential test is passed.

In relation to the exceptions test, if para 102 sequential test is passed, then the exception test can be applied and for the exception test to be passed, there are two factors set out in NPPF para 103. These are:

- Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different locations; and
- Development is appropriately flood resilient, including safe access and escape routes where required, and
- any residual risk can be safely managed, including emergency planning and it gives priority to the use of sustainable drainage systems.

NPPF Para 104, confirms that minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements of site specific flood risk assessments.

Footnote 20 in relation to NPPF para 103 sets out when a site specific flood risk assessment is required and lays out the necessary criteria namely size of development area or relationship to a critical drainage area. Footnote 21 confirms the process of identifying the Sustainable Drainage Authority Approving Body and Footnote 22 sets out further clarification in relation to minor development and caravan related proposals. The proposals do not meet these thresholds.

The development by reason of its area is a minor development in consideration of the PPG Paragraph: 046 Reference ID: 7-046-20140306, Revision date: 06 03 2014, minor non-residential extensions: industrial/commercial/leisure etc. extensions with a footprint less than 250 square metres. However, there needs to be a consideration as to whether the technically minor development is likely to raise flood risk issues Paragraph: 047 Reference ID: 7-047-20150415 Revision date: 15 04 2015 including:

- they would have an adverse effect on a watercourse, floodplain or its flood defences;
- they would impede access to flood defence and management facilities, or;
- where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows.

The nature of the proposals are such that there is existing remnants of structure that would be utilised to form the extension to the bridge. Given this, the proposals would neither impact nor have an adverse effect on the watercourse, floodplain or flood defences; would not impede access to flood defence and management facilities nor contribute cumulatively to have a significant effect on local flood storage or flood flows. As such, it is considered that the proposals satisfy the exceptions test.

The Environment Agency has been consulted on the application proposals. Their response dated 15 June 2018 was that they had no objections to the proposals based upon there being no restriction to cross sectional areas beneath the arches for flood flows. Temporary scour protection had also been installed just downstream of the bridge, which the Environment Agency removal under their permitting regime.

NPPF Para 56 considers that the key aspect sustainable development should positively contribute to making places better for people. It is important to plan positively (NPPF para 57) LPA's should consider using design codes (NPPF para 59) and design goes beyond aesthetics and should address the connections between people places and the integration of new development (NPPF para 61). LPAs should not refuse permission for buildings or infrastructure which promote high levels of sustainability (NPPF para 65).

Chapter 8 of the NPPF considers that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Involvement of all sections of the community are important...in planning decisions and decisions in turn should promote opportunities for meetings and promoting communities who may otherwise not come in contact with one another; provide safe and accessible environments and clear legible pedestrian routes (NPPF para 69).

To deliver social, recreational and cultural facilities et al, LPAs are required to plan positively; guard against the unnecessary loss of valued facilities and ensure an integrated approach to considering the location of Community facilities and services (NPPF para 70).

UDP Policy EN1/2 – Townscape and Built Design is a saved policy that provides a means of assessing local circumstances in relation to development and seeks to ensure that proposals do not have an adverse effect upon the character or particular townscape ensuring that factors such as good levels of assimilation occur visually and locationally and provide wider benefits to the community through good levels of access. The relationship to the surrounding area is one of the factors to consider.

The proposals seek to extend existing infrastructure to provide segregated pedestrian access and enclosure to the easterly elevation by a new parapet wall. The land use would not change and prior to the application, members of the public still used the crossing point regardless of there being no dedicated footway. The provision of a footway on the easterly side of the bridge would not have any direct relationship to any nearby residential property and would be separate from the nearest dwelling (to the south west) by the existing highway.

The proposals have been widely discussed with the community and there is an accompanying statement of community involvement within the planning application supporting documentation. This shows that there have been numerous meetings and proposals have been circulated prior to their submission to the LPA. Given the above the proposals would conform to local and National policy.

Response to objections

The proposals have been adapted to ensure that the proposals deliver sustainable development to provide equal access for all. It is accepted that there is an alternate crossing to the river, which is some 500 metres further south. However, this crossing from a highway safety point of view involves using the locally named "Twist Bridge" and a set of temporary traffic lights. There is a steep blind bend at the bridge and whilst there has been a set of temporary traffic lights introduced to regulate the single access under the railway bridge, there is and remains an unregulated access (Wood Road) that joins 'the junction'. The levels of traffic needed to be controlled as there was a natural increase in demand upon the single point of river crossing following the closure to vehicular traffic over the Kay Street Bridge. This traffic increase, in consideration of the Transport and Highways considerations set out above within the NPPF, creates a level of traffic artificially concentrated in an already confined area, again with no pedestrian segregation and therefore is considered not to be a sustainable means of access on its own. The opening of the Kay Street Bridge, would spread traffic within the village and through the introduction of a segregated pedestrian access, would improve access opportunities and improve safety.

Where the finance is directed is not a planning consideration. Traffic passes the park regardless of the bridge being open or not as residents living in The Spinnings still need to

use Waterside Road. Furthermore, there is a pedestrian footpath on either side of Waterside Road (unlike the Twist Bridge) and therefore the reasonable use of the highway by drivers would be expected. The highways have always functioned as a throughroute and repairing the parapet would ensure that this remains the case. Traffic can disperse more with the route open rather than concentrate it on a very suboptimal single crossing point.

The perspective of how the village has changed since the closure of the bridge, to vehicular traffic, is a matter of personal opinion. However, as a vehicular highway, should the application have come forward simply to make the bridge safe to vehicles by the creation of a parapet only, then this would not have changed the character of the village as to how it formally was. Given the nature of the proposals are to create a separate footway for pedestrians the development would not change the historic right for users of the highway to re-use the highway as an east/west throughroute.

Highway Authority Comments to objections

The aim of re-opening the bridge is not to resolve all traffic problems in Summerseat, but to reinstate the configuration that has been in existence for the last 200 years or so until the events of Boxing Day 2015. This will provide an alternative route through the village and relieve the added traffic pressures which have existed on Railway Street and Rowlands Road since the closure. The proposals seek to introduce a footway which would connect into pre-existing footway network and will facilitate an important bus route for those who rely upon public transport.

Rowlands Road and Railway Street is having to accommodate increased two way traffic, which on narrow highways, geometry and gradients is difficult. Parked vehicles and proximity of schools adds further constraint to a route that is not designed to accommodate the existing (and diverted) levels of traffic and impacting upon highway safety.

The Local Highway Authority has committed to undertake a holistic view of traffic in the village following the completion of the scheme to determine whether potential safety improvements can be delivered. These may include traffic calming measures, addition regulation, routing and other physical works.

Funds allocated were directly aimed at the bridge repair and cannot be spent elsewhere.

The highway network is a feature of the area and it would be unreasonable to concentrate traffic solely in one area when repairs can ensure greater equity and access.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings and reports referenced
B147-18-P1 SITE/LOCATION PLAN
660-017-001 EXISTING GENERAL ARRANGEMENT

660-017-002 EXISTING SERVICES
 660-017-003 DEMOLITION AND SITE CLEARANCE
 660-017-010 PROPOSED GENERAL ARRANGEMENT
 660-017-011 LONGITUDINAL SECTION & DETAILS
 660-017-012 ABUTMENTS AND PIER PROPOSALS
 660-017-030 PARAPET AND WALL DETAILS (Sheet 1)
 660-017-030 PARAPET AND WALL DETAILS (Sheet 2)
 Site investigation and feasibility study
 Preliminary Ecological Appraisal
 Heritage Statement
 Design and Access Statement
 Otter Survey 29/6/18

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 above.

3. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- Hours of operation in relation to the number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site 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 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/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 - Information not submitted at application stage. 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 Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

4. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica 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 - The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Measures to prevent pollution to the river and harm to bony fish, as outlined in sections 6.2 and 6.3.4 of the Appraisal as well as disturbance to nesting birds (section 6.3.3) ADAS report.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

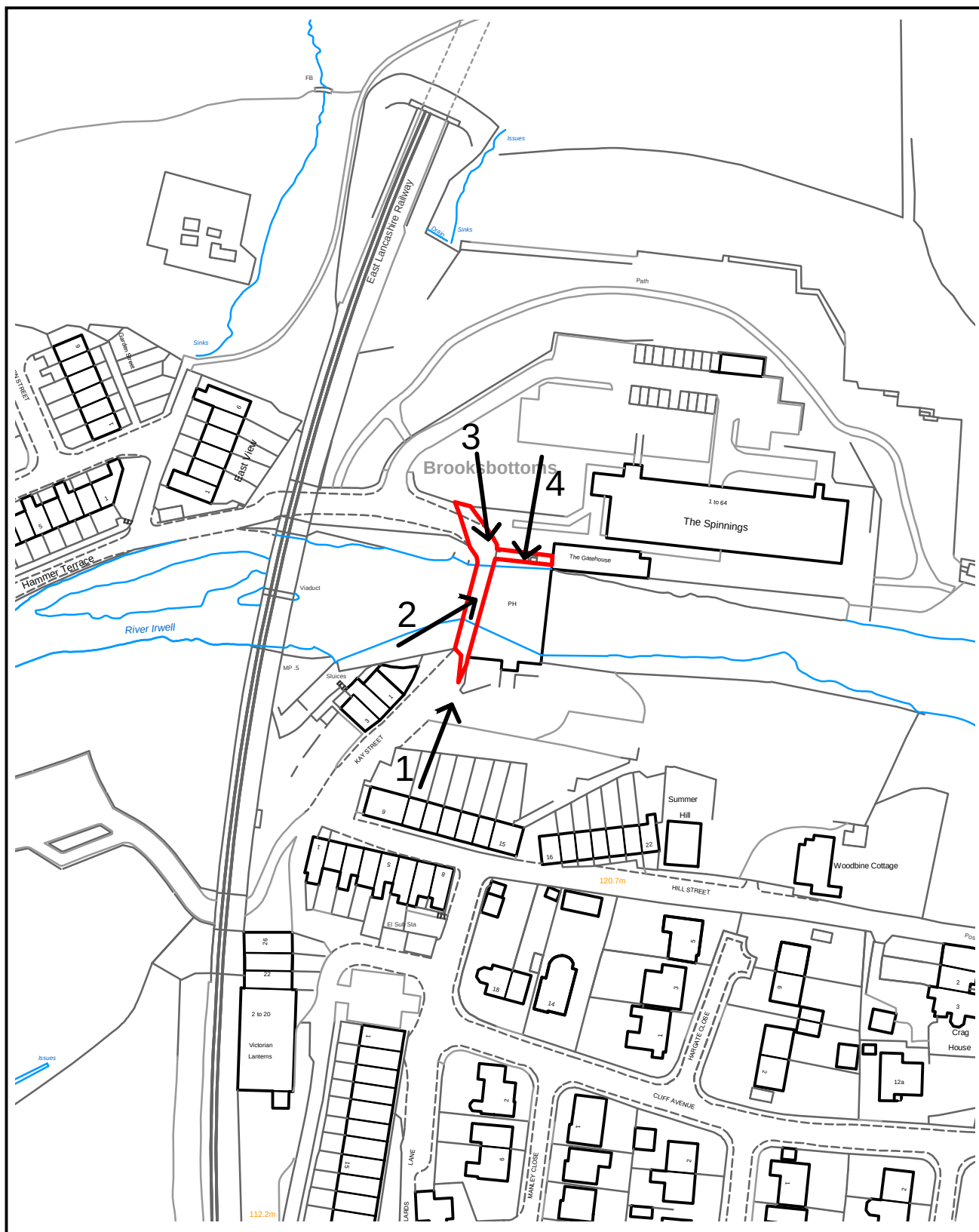
Reason - No details have been submitted at application stage to ensure appropriate biodiversity protection is maintained pursuant to NPPF Chapter 11 - Conserving and enhancing the natural environment (para 10, 114, 117, 118, 119), UDP Policy EN6/3 - Features of Ecological Value, EN6/4 – Wildlife Links and Corridors and UDP Policy EN10/2 – Riverside and Canalside Improvement in Urban Areas.

7. Should development not commence before March 31 2019, the bridge shall be resurveyed for nesting birds and the report submitted together with any intended mitigation measures. The development shall only commence in line with the approved timing details contained therein and approved by the Local Planning Authority.

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.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62867

**ADDRESS: Kay Street Bridge
Summerseat
Ramsbottom**

Planning, Environmental and Regulatory Services



Bury
COUNCIL

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.

62867

Photo 1



Photo 2



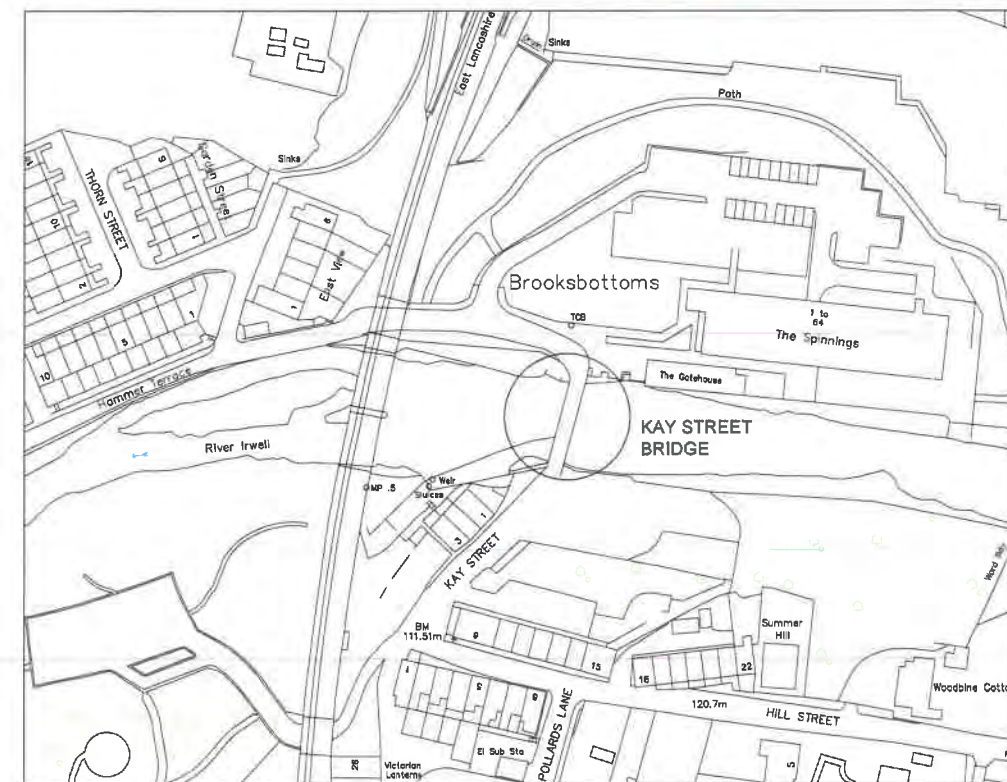
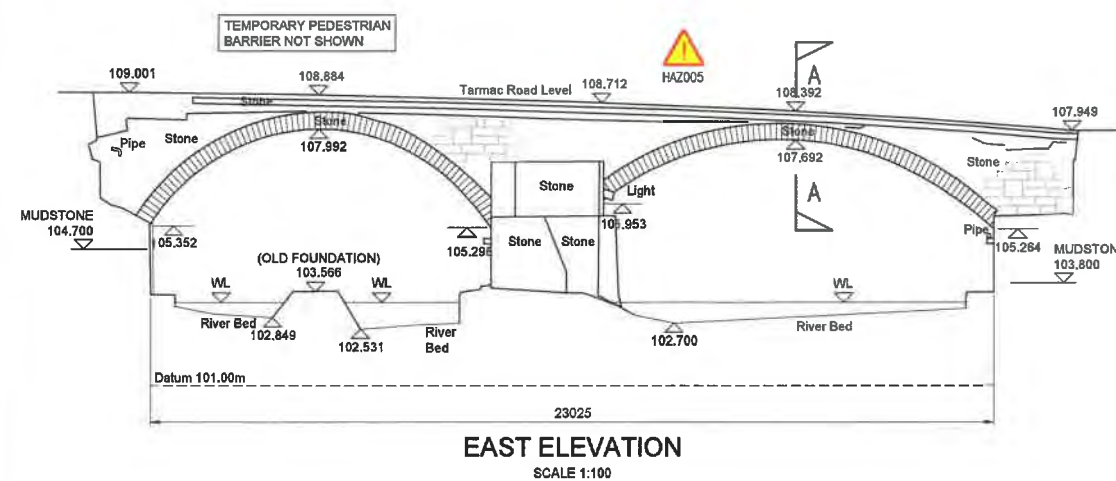
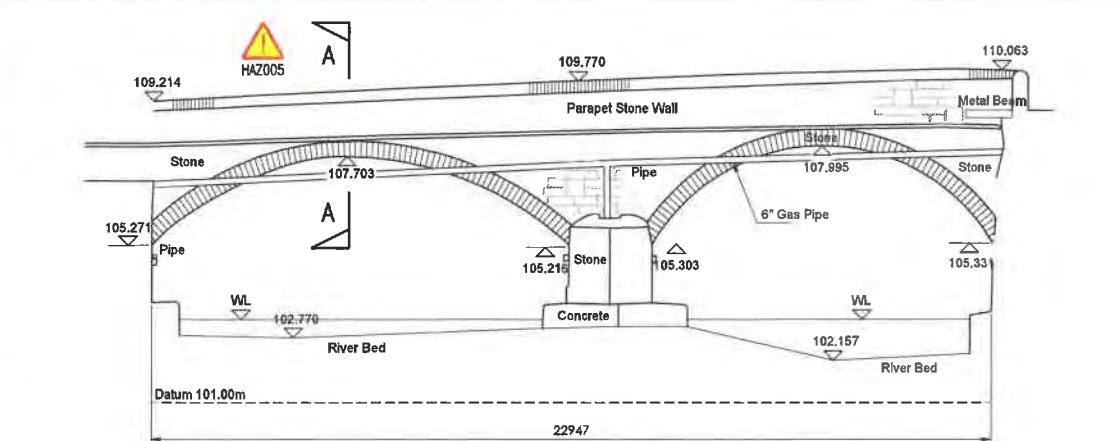
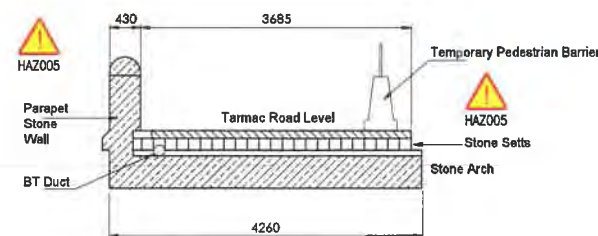
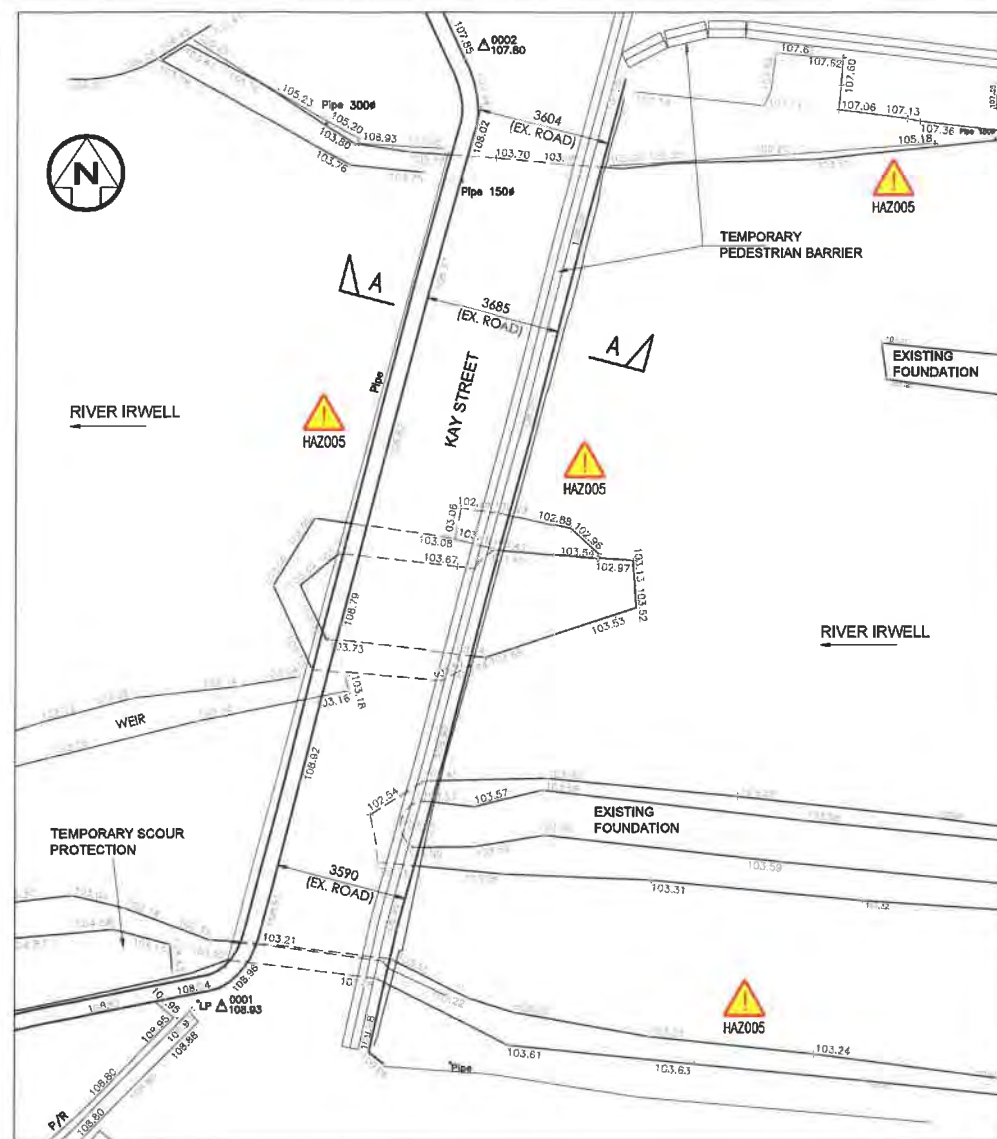
62867

Photo 3



Photo 4





HAZARD DIRECTORY	
HAZARD REF No.	SIGNIFICANT DESIGNER'S HAZARDS
HAZ0001	WORKING AT HEIGHT. RISK OF FALLING FROM SCAFFOLDING OR BRIDGE STRUCTURE. CONTRACTOR TO PROVIDE SUITABLE FALL PROTECTION AND METHOD STATEMENTS.
HAZ0002	WORKING IN DEEP EXCAVATIONS. STABILITY OF TEMPORARY SLOPES. RISK OF COLLAPSE. TEMPORARY EXCAVATIONS ARE TO BE CONSTRUCTED AT A SAFE BATTER. TEMPORARY SUPPORT TO BE PROVIDED AS REQUIRED.
HAZ0003	WORKING IN THE RIVER CHANNEL / ADJACENT TO WATERCOURSE. CONTRACTOR TO PROVIDE ADEQUATE TEMPORARY WORKS TO ENABLE SAFE WORKING WITHIN THE RIVER CHANNEL. CONTRACTOR TO CONTINUALLY MONITOR FLOOD RISK, PREVENT WATERCOURSE POLLUTION AND MAINTAIN A SAFE WORKING WATER DEPTH.
HAZ0004	WORKING ADJACENT TO STATUTORY UNDERTAKERS EQUIPMENT. CONTRACTOR TO CONFIRM LOCATION OF ALL EXISTING SERVICES. WHERE NECESSARY, SERVICES SHALL BE APPROPRIATELY SUPPORTED IN PLACE.
HAZ0005	SUBSTANDARD PARAPET HEIGHT. CONTRACTOR TO PROVIDE ADEQUATE EDGE PROTECTION IN AREAS WHERE PARAPETS ARE SUBSTANDARD OR MISSING TAKEN DOWN.
HAZ0006	HEAVY MANUAL LIFTING. MANUAL LIFTING REQUIRED WHEN REBUILDING SPANDREL WALLS AND PARAPET TO EXISTING ARCHES. CONTRACTOR TO ENSURE STAFF ARE APPROPRIATELY TRAINED IN MANUAL HANDLING OPERATIONS.
HAZ0007	CRANE OPERATIONS. THE CONTRACTOR IS TO DESIGN ADEQUATE WORKING PLATFORMS FOR ALL CRANE OPERATIONS. LIFTING PLANS AND METHOD STATEMENTS ARE TO BE PREPARED IN ADVANCE.
HAZ0008	EXCAVATING FILL MATERIAL FROM EXISTING MASONRY ARCH STRUCTURES. FILL MATERIAL IS TO BE EXCAVATED USING REMOVALS THAT DO NOT LOAD ON THE ARCH STRUCTURE. FILL IS TO BE REMOVED IN SYMMETRICAL STAGES TO ENSURE THAT THE ARCHES DO NOT EXPERIENCE ANY OUT-OF-BALANCE LOADING.
HAZ0009	WORKING DIRECTLY ON TOP OF EXPOSED MASONRY ARCH EXTRUDES. CONTRACTOR IS TO ENSURE THAT THE EXPOSED ARCH RINGS DO NOT EXPERIENCE ANY OUT-OF-BALANCE LOADING DURING THE TEMPORARY CONDITION AS THEY ARE BEING BACKFILLED WITH FOAM CONCRETE.
HAZ0010	STABILITY OF SOUTH WEST TRAINING WALL IN TEMPORARY CONDITION. CONTRACTOR TO ADOPT A HIT AND TEST CONSTRUCTION METHOD WHEN CARRYING OUT OF-SCOUR PROTECTION WORKS TO THE SOUTH WEST TRAINING WALL.
HAZ0011	INVASIVE SPECIES. JAPANESE KNOTWEED AND HIMALAYAN BALSAM. CONTRACTOR TO ENGAGE SPECIALISTS AND DEVELOP A TREATMENT/CONTROL STRATEGY. SPECIALISTS TO SUPERVISE REMOVAL OF INVASIVE SPECIES FROM SITE.
FOR MORE DETAILED INFORMATION ON THE HIGHLIGHTED HAZARDS, REFER TO RESIDUAL HAZARDS SUMMARY AND THE DESIGNER'S RISK ASSESSMENT FOR THE PROJECT WHICH ARE HIGHLY INFORMATIVE OF THE CONSTRUCTION INFORMATION PICK "EVERYDAY" LOW RISK HAZARDS AND THOSE WHICH SHOULD BE DEVOTED TO A COMPETENT CONTRACTOR WAG NOT BEING INDICATED ON THIS DRAWING. SHOULD ANY ADDITIONAL INFORMATION BE REQUIRED DURING THE COURSE OF THE WORKS, THE CONTRACTOR SHALL NOTIFY ALL RELEVANT MEMBERS OF THE PROJECT TEAM	

- NOTES:**

1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
 2. ALL LEVELS ARE IN METRES UNLESS STATED OTHERWISE.
 3. NO DIMENSIONS OR LEVELS SHALL BE SCALED FROM THIS DRAWING.
 4. ALL LEVELS ARE RELATIVE TO THE FOLLOWING DATUMS
- | STN | EASTING | NORTHING | LEVEL (m) |
|------|-----------|-----------|-----------|
| 0001 | 379363.91 | 415086.06 | 108.93 |
| 0002 | 379371.00 | 415112.23 | 107.80 |
5. THIS DRAWING IS BASED ON A SURVEY CARRIED OUT BY SURVEY SYSTEMS CARRIED OUT IN JULY 2017.

P1	SD	JKS	DRF	10.05.18	FOR PLANNING PURPOSES	
REV	DRN	CHK	APP	DATE	DESCRIPTION	



Wilde

Consulting Civil & Structural Engineers



ISO 9001
Registered

Brindley Lodge,
Aderoff Street,
Stockport, Cheshire,
SK1 3HS

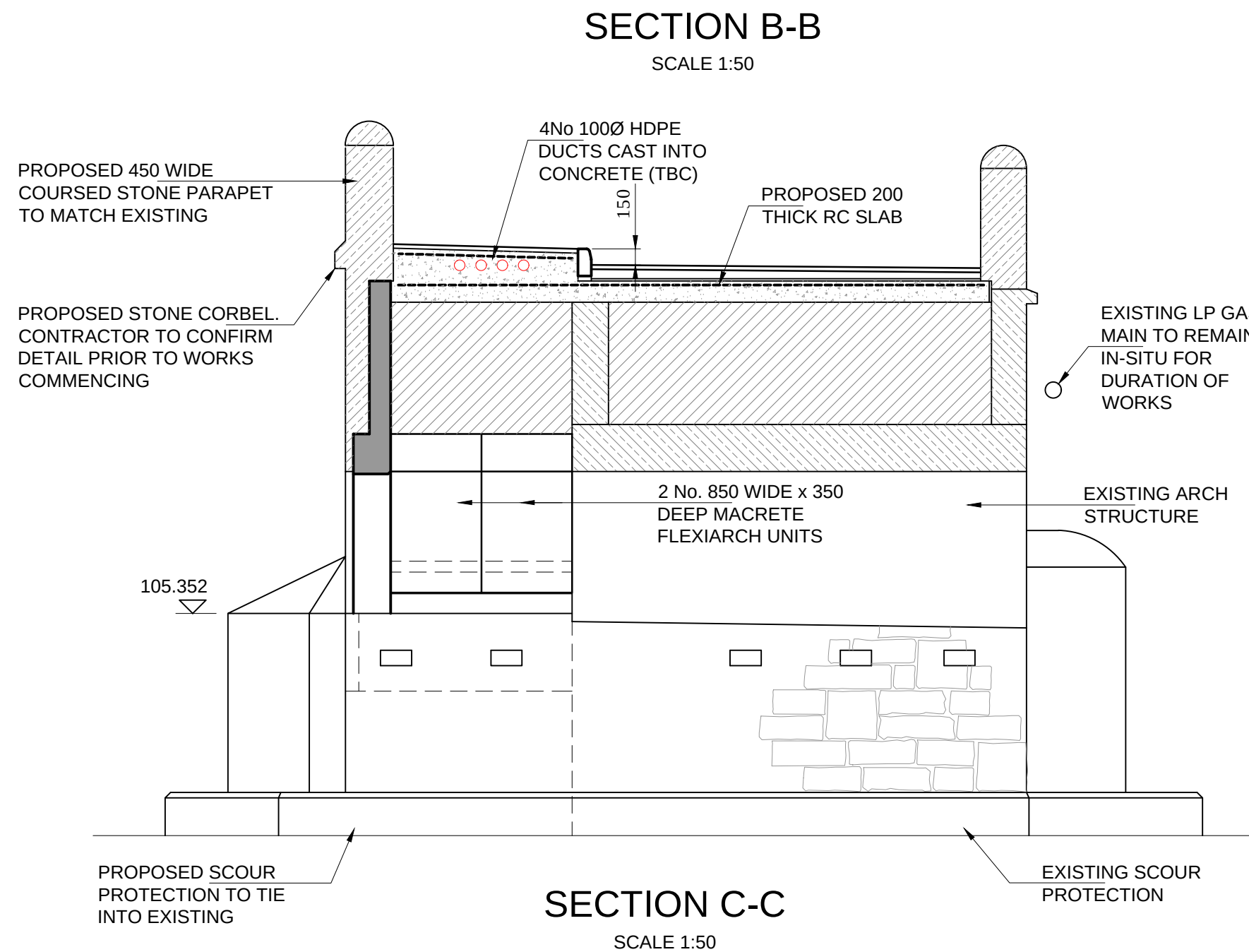
www.wilde.co.uk
Tel: 0161-474-7479
Fax: 0161-474-7492

Client **BURY COUNCIL**

KAY STREET BRIDGE REFURBISHMENT AND WIDENING SCHEME

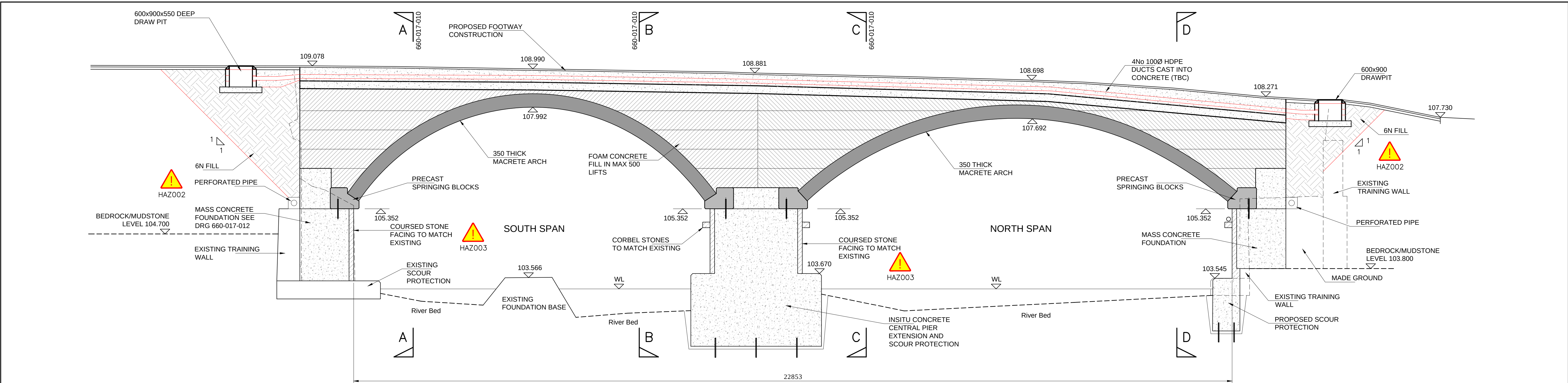
Title	EXISTING GA
-------	-------------

Scale AS SHOWN	Drawn SD	Date APR 18	Chkal JKS	Approved DRF
Drawing No. 660-017-001				Revision P1
Status PRELIMINARY				Sheet Size A1

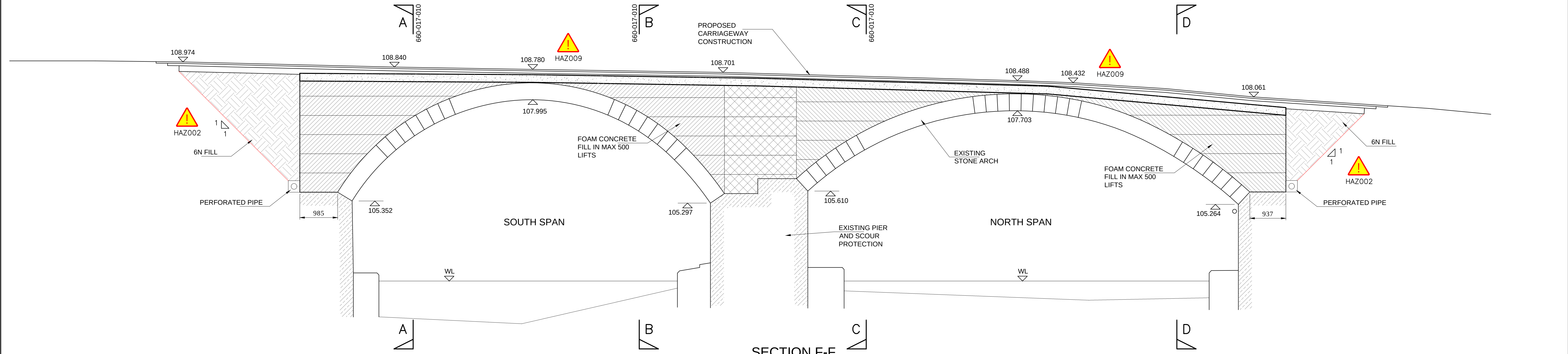


- ## NOTES:
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
 2. ALL LEVELS ARE IN METRES UNLESS STATED OTHERWISE.
 3. NO DIMENSIONS OR LEVELS SHALL BE SCALED FROM THIS DRAWING.
 4. PROPOSED CORBEL ARCH SPANDREL COLOUR TO MATCH EXISTING STONE. SPANDREL UNITS SHALL BE TIED TOGETHER.
 5. THE SCOUR PROTECTION EXCAVATION IN FRONT OF THE EXISTING WALL AND BELOW THE RIVER BED LEVEL SHALL BE CARRIED OUT IN STAGES (I.E. IN A HIT AND MISS FASHION), TO BE DETAILED AT DETAILED DESIGN STAGE.
 6. REMEDIAL WORKS REQUIRED TO INCLUDE POINTING STONEMWORK AND REBUILDING LOCALISED TOP SECTION OF THE WALL.

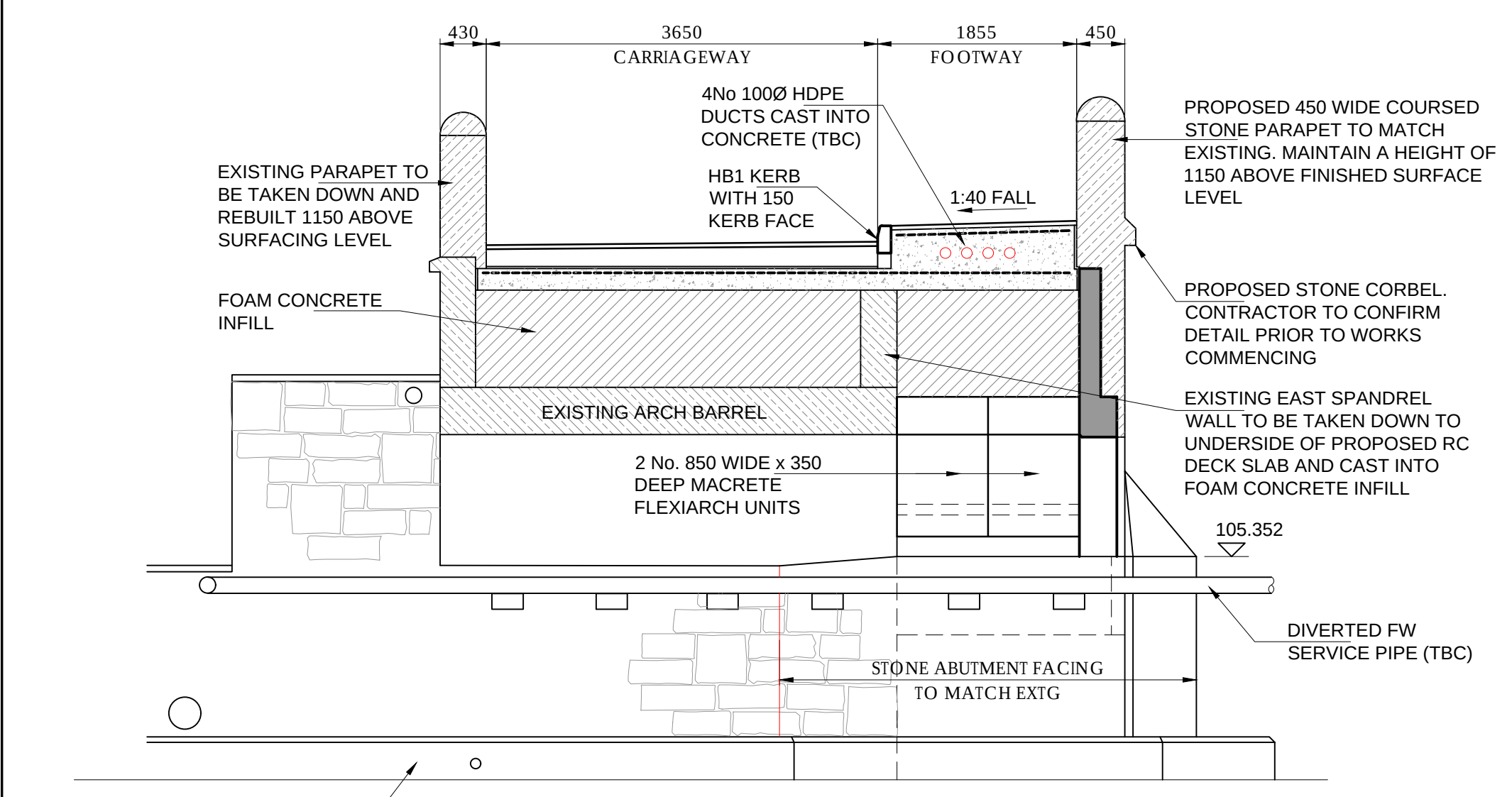
P2	SD	JKS	DRF	30.05.18	ARCH SPANDREL UPDATED
P2	SD	JKS	DRF	24.05.18	FOR PLANNING PURPOSES
P1	SD	JKS	DRF	10.05.18	FOR PLANNING PURPOSES
EV	DRN	CHK	APP	DATE	DESCRIPTION
 					Bindley Lodge, Adcock Street, Stockport, Cheshire: SK1 3HS. www.wildecivil.co.uk Tel: 0161-474-7479 Fax: 0161-474-7492
Client					
BURY COUNCIL					
Project					
KAY STREET BRIDGE REFURBISHMENT AND WIDENING SCHEME					
Title					
PROPOSED GA					
Scale	Drawn	Date	Chkd	Approved	
AS SHOWN	SD	APR 18	JKS	DRF	
Drawing No.					Revision
660-017-010					P3
Status					Sheet Size
PRELIMINARY					A1



SECTION E-E
SCALE 1:50



SECTION F-F
SCALE 1:50

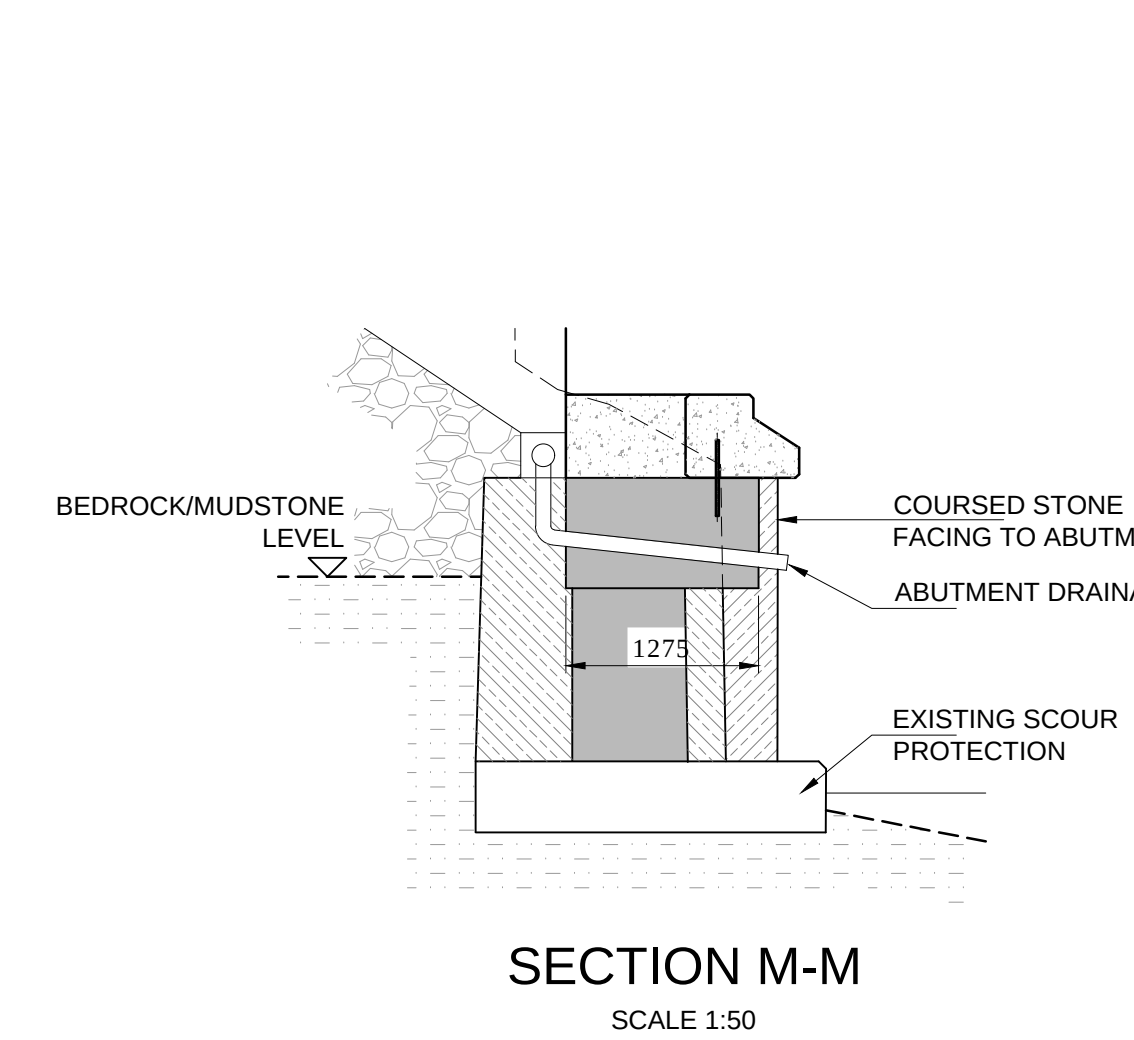
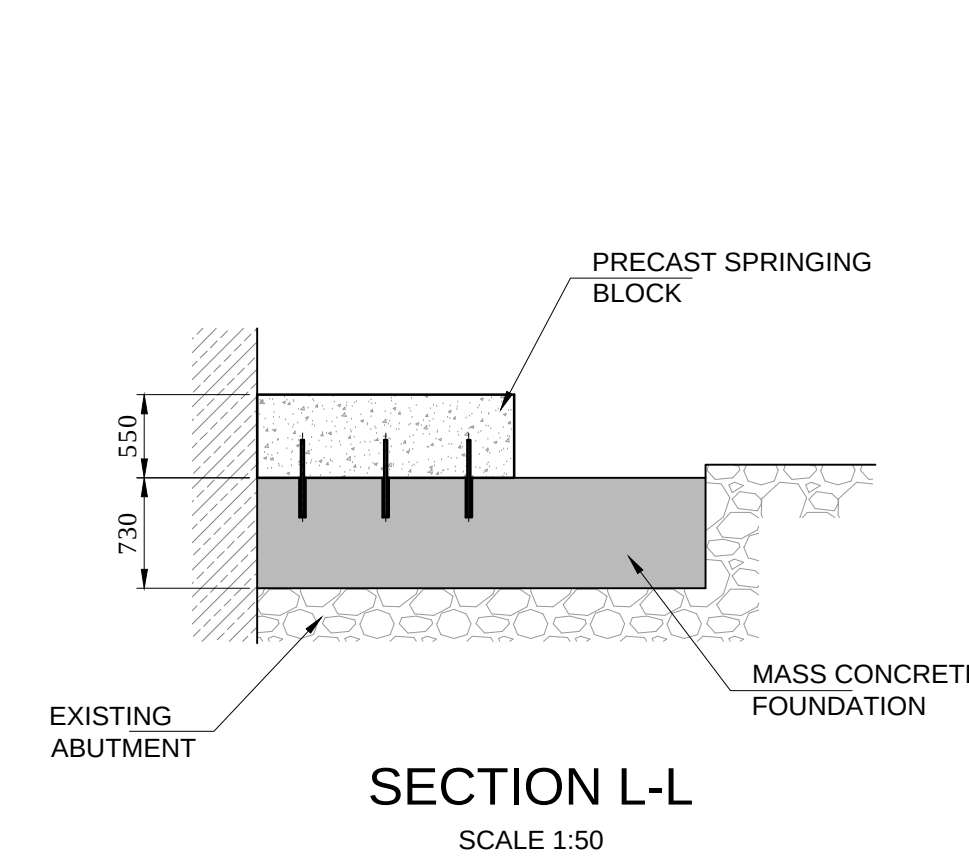
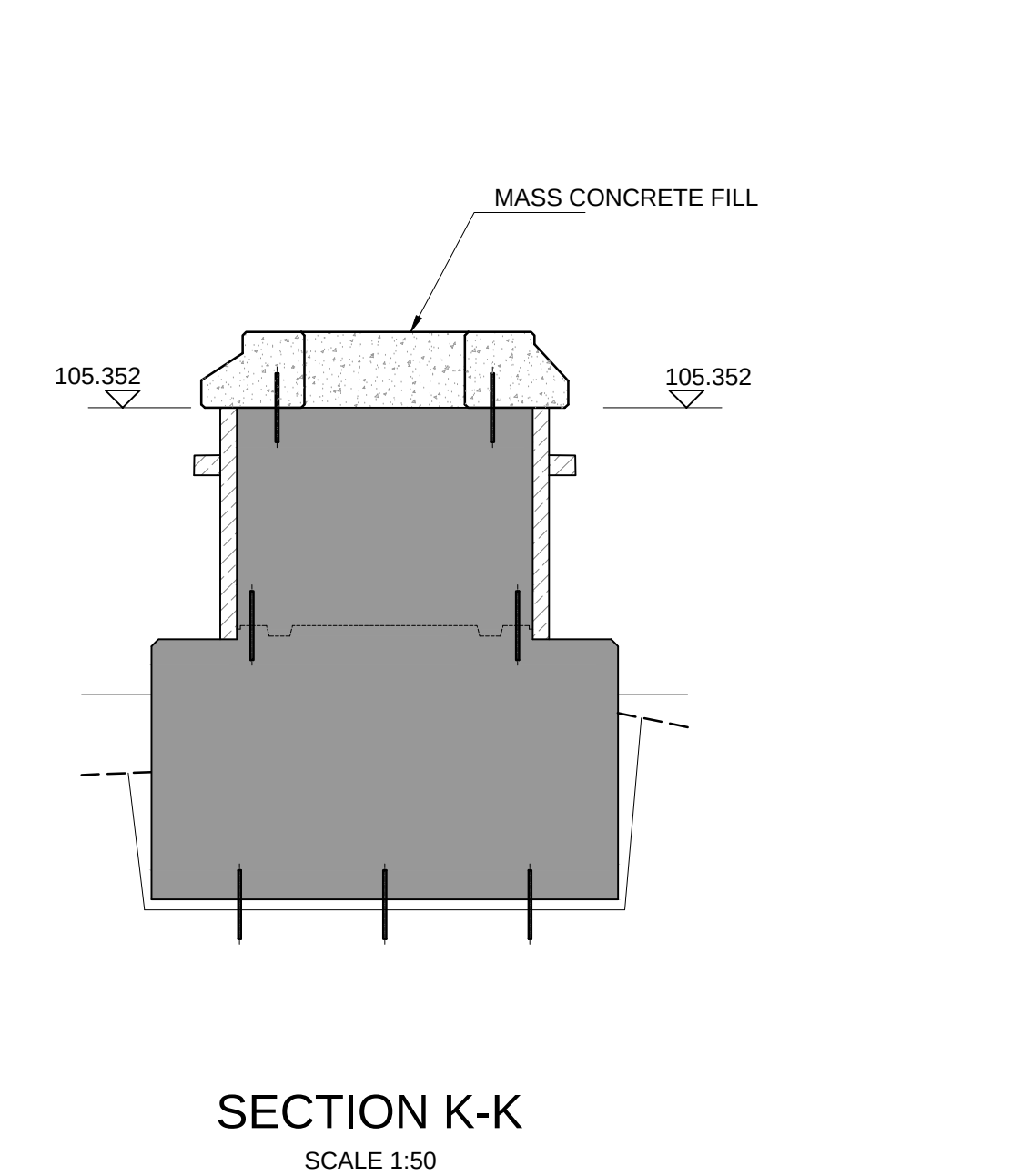
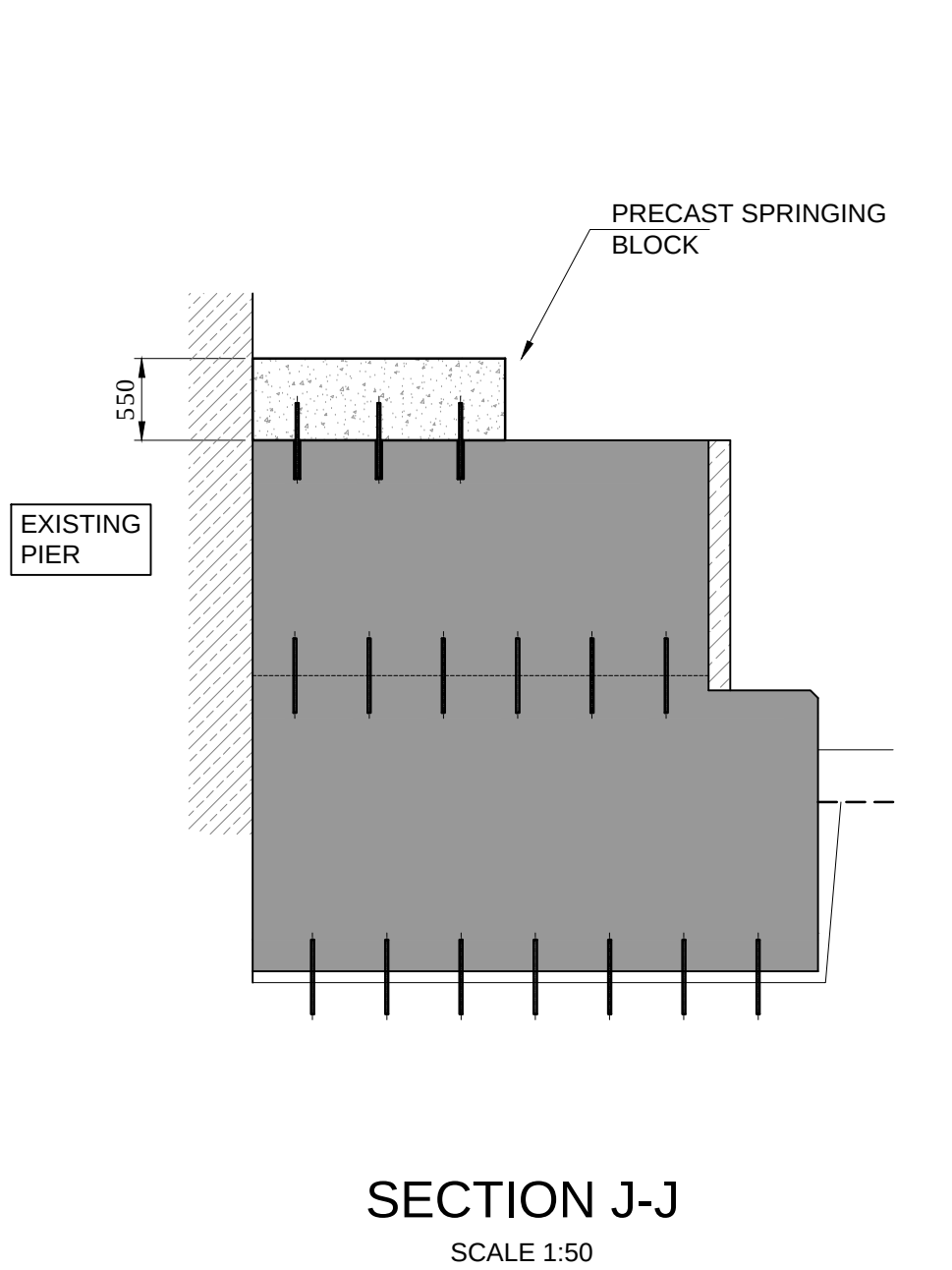
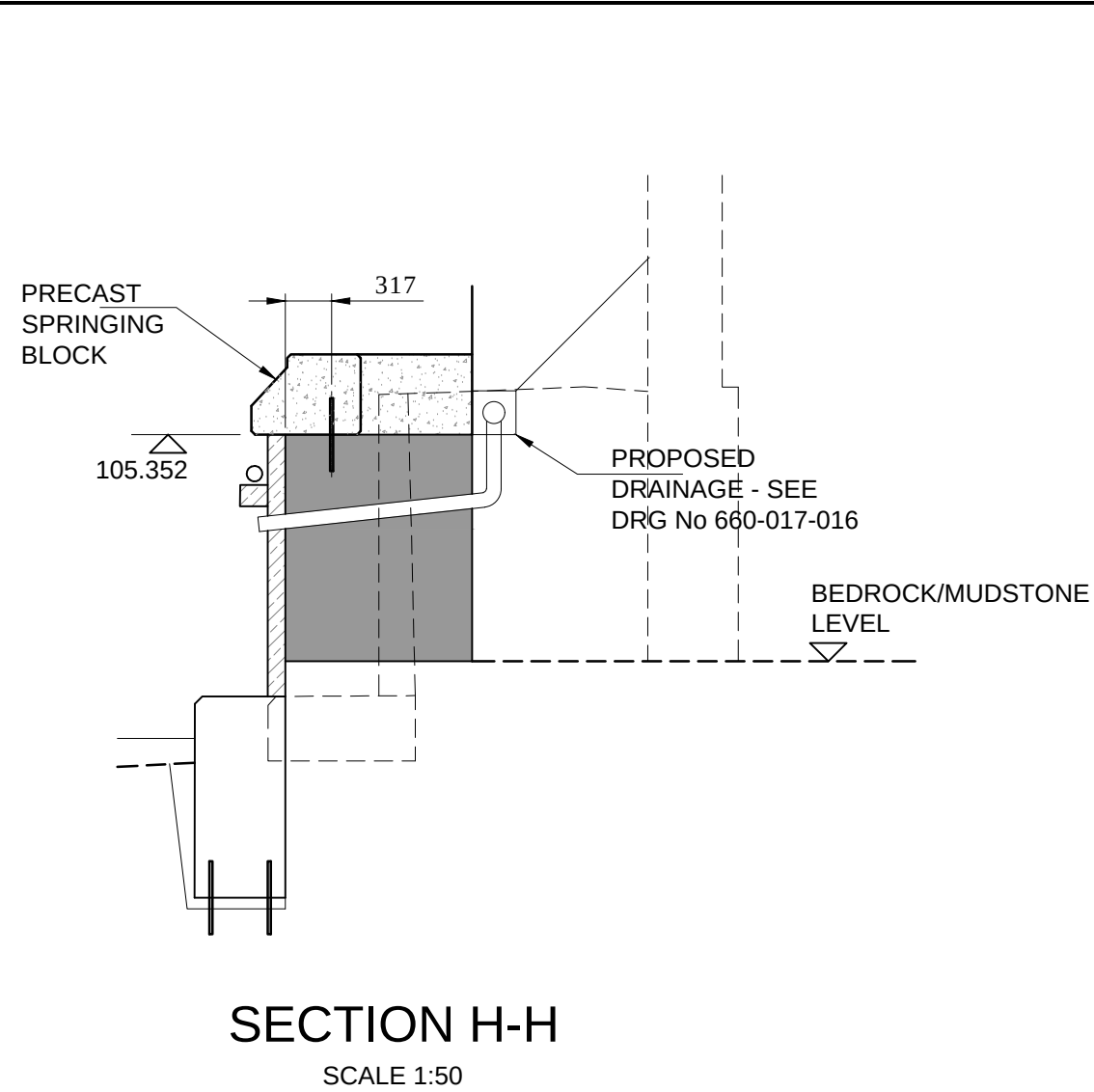
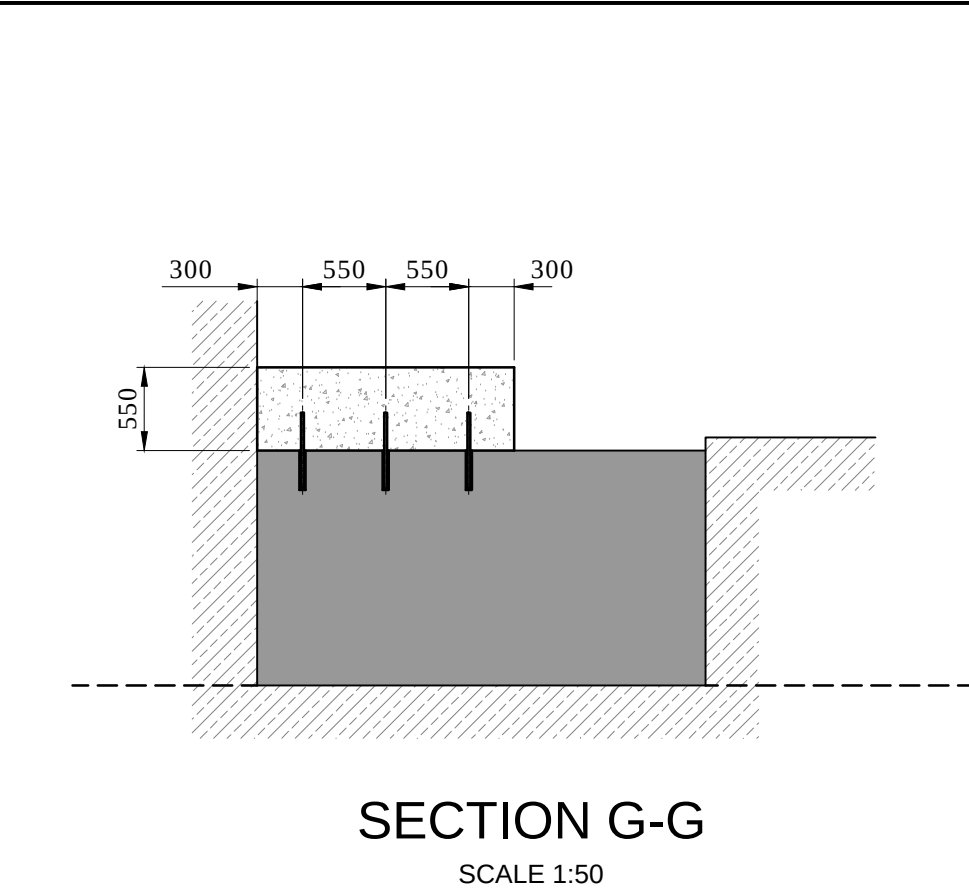
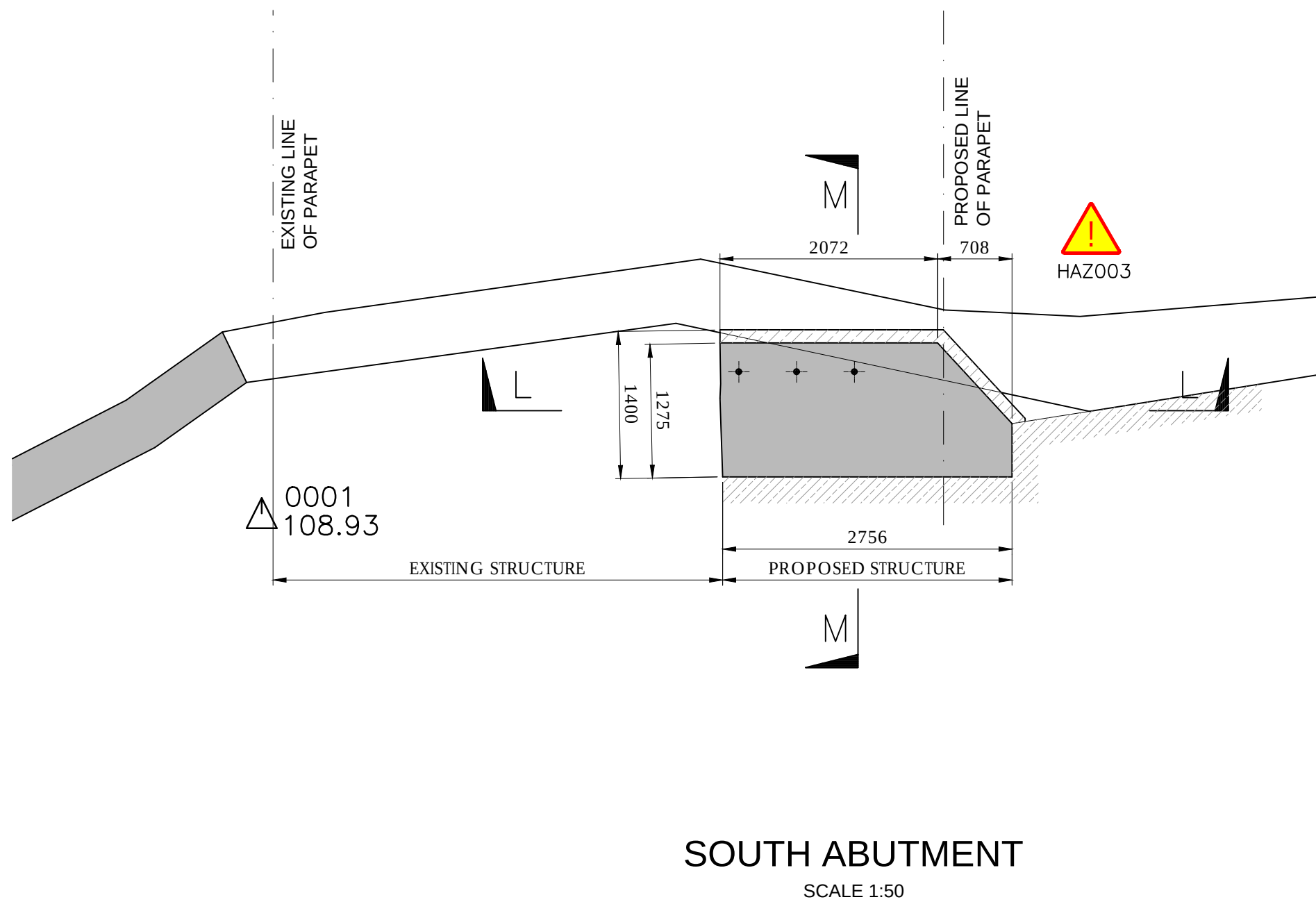
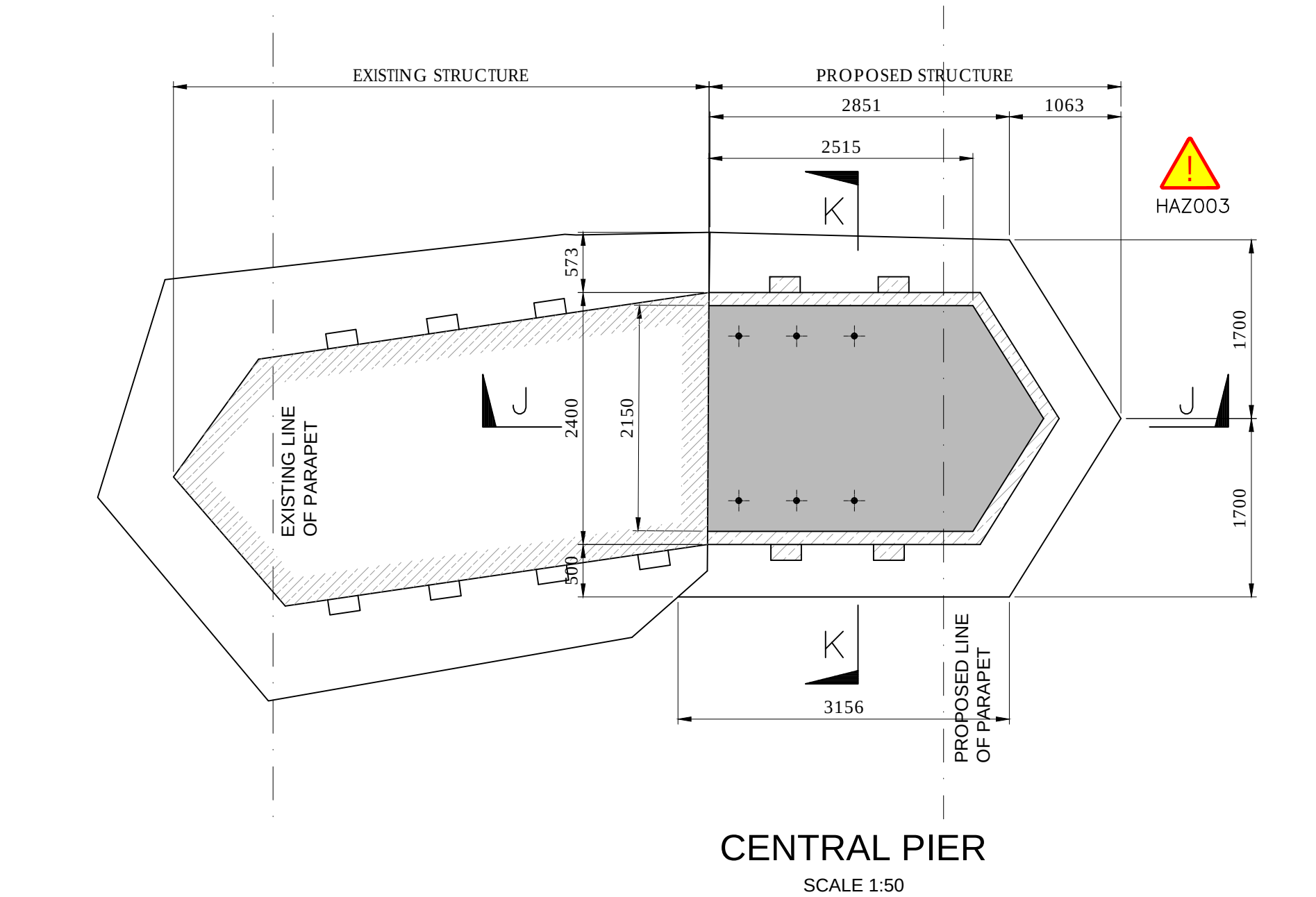
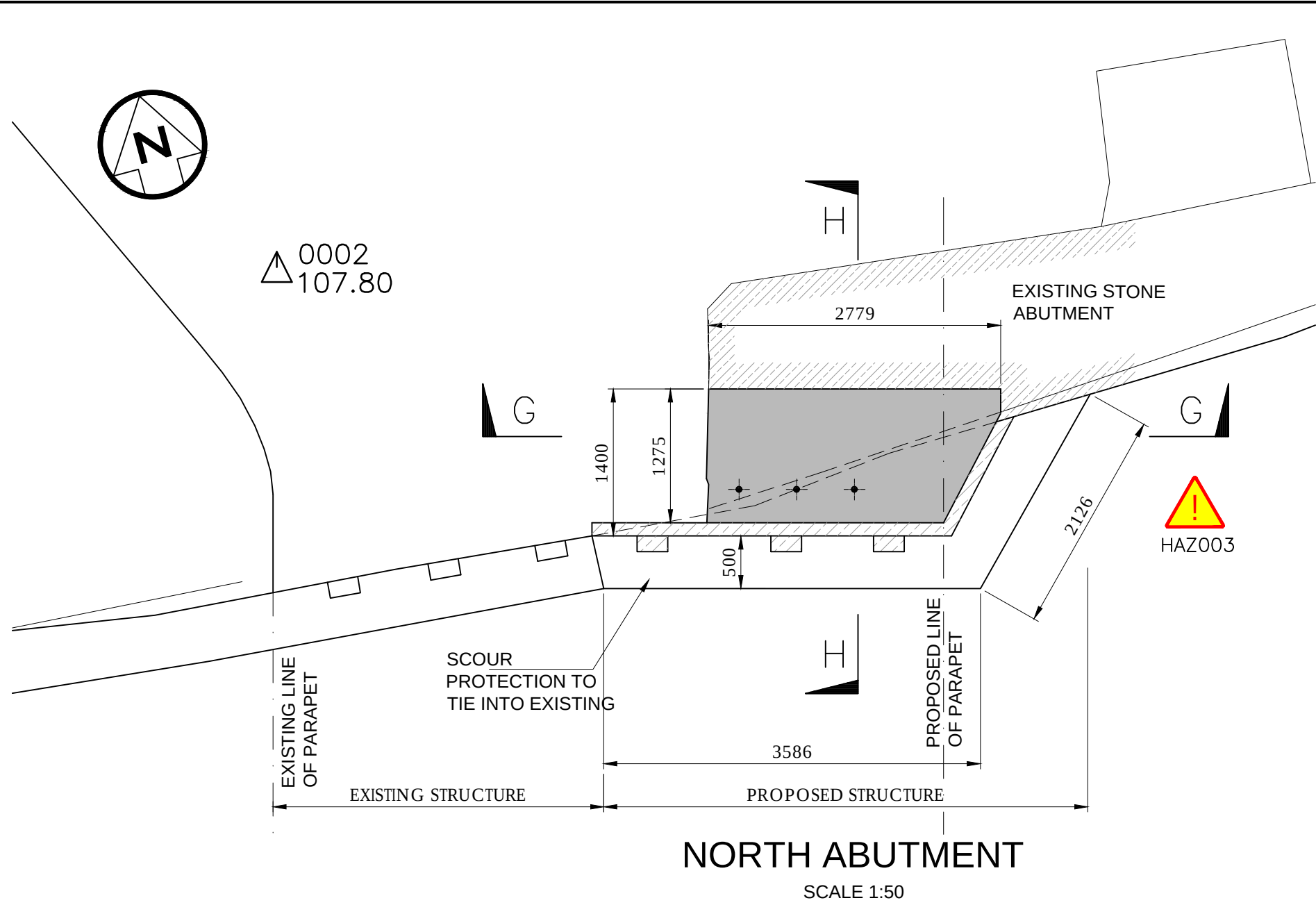


SECTION D-D
SCALE 1:50

NOTES:

- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
- ALL LEVELS ARE IN METRES UNLESS STATED OTHERWISE.
- NO DIMENSIONS OR LEVELS SHALL BE SCALED FROM THIS DRAWING.
- PROPOSED CORBEL ARCH SPANDREL COLOUR TO MATCH EXISTING STONE. SPANDREL UNITS SHALL BE TIED TOGETHER.
- THE SCOUR PROTECTION EXCAVATION IN FRONT OF THE EXISTING WALL AND BELOW THE RIVER BED LEVEL SHALL BE CARRIED OUT IN STAGES (I.E. IN A HIT AND MISS FASHION), TO BE DETAILED AT DETAILED DESIGN STAGE.
- REMEDIAL WORKS REQUIRED TO INCLUDE POINTING STONEMWORK AND REBUILDING LOCALISED TOP SECTION OF THE WALL.
- FOR LOCATIONS OF SECTIONS REFER TO DRG No. 660-017-010.

P3	SD	JKS	DRF	30.05.18	ARCH SPANDREL UPDATED
P2	SD	JKS	DRF	24.05.18	FOR PLANNING PURPOSES
P1	SD	JKS	DRF	10.05.18	FOR PLANNING PURPOSES
REV	DRN	CHK	APP	DATE	DESCRIPTION
Wilde Consulting Civil & Structural Engineers					
Client BURY COUNCIL					
Project KAY STREET BRIDGE REFURBISHMENT AND WIDENING SCHEME					
Title PROPOSED SECTIONS					
Scale AS SHOWN	Drawn SD	Date APR 18	Chkd JKS	Approved DRF	
Drawing No. 660-017-011				Revision P3	
Status PRELIMINARY				Sheet Size A1	



- NOTES:**
1. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS STATED OTHERWISE.
 2. ALL LEVELS ARE IN METRES UNLESS STATED OTHERWISE.
 3. NO DIMENSIONS OR LEVELS SHALL BE SCALED FROM THIS DRAWING.
 4. PROPOSED CORBEL ARCH SPANDREL COLOUR TO MATCH EXISTING STONE. SPANDREL UNITS SHALL BE TIED TOGETHER.
 5. THE SCOUR PROTECTION EXCAVATION IN FRONT OF THE EXISTING WALL AND BELOW THE RIVER BED LEVEL SHALL BE CARRIED OUT IN STAGES (I.E. IN A HIT AND MISS FASHION), TO BE DETAILED AT DETAILED DESIGN STAGE.
 6. REMEDIAL WORKS REQUIRED TO INCLUDE POINTING STONEMWORK AND REBUILDING LOCALISED TOP SECTION OF THE WALL.

P2	SD	JKS	DRF	30.05.18	SPRINGING BLOCKS UPDATED
P1	SD	JKS	DRF	24.05.18	FOR PLANNING PURPOSES

REV	DRN	CHK	APP	DATE	DESCRIPTION
-----	-----	-----	-----	------	-------------



Wilde
Consulting Civil & Structural Engineers

Bindley Lodge,
Adcroft Street,
Stockport, Cheshire.
SK1 3JL

www.wildecivil.co.uk
Tel : 0161-474-7479
Fax : 0161-474-7492

Client	BURY COUNCIL			
Project	KAY STREET BRIDGE REFURBISHMENT AND WIDENING SCHEME			
Title	ABUTMENT AND PIER PROPOSALS			
Scale	AS SHOWN	Drawn	SD	Date
				APR 18
Chkd	JKS	Approved	DRF	
Drawing No.	660-017-012			Revision
				P2
Status	FOR INFORMATION			Sheet Size
				A1



EAST ELEVATION



EAST ELEVATION



WEST ELEVATION
EXISTING CONDITION



WEST PARAPET (INTERNAL VIEW)

NOTES

1. THIS DRAWING HAS BEEN PREPARED BY WILDE CONSULTING ENGINEERS FOR BURY COUNCIL.
2. THIS DRAWING IS FOR PLANNING ONLY. NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING.
3. THIS DRAWING FOCUSES ON THE WIDENING WORKS TO THE BRIDGE ONLY.
4. FOR OTHER INFORMATION ON PROPOSED WORKS, DIMENSIONS AND PROPOSED CONSTRUCTION DETAILS SEE DRAWING 660-014-DWG-001.
5. ALL NATURAL STONE ASSOCIATED WITH PARAPETS, SPANDREL WALL CLADDING AND ABUTMENT / PIER CLADDING IS TO MATCH EXISTING.
6. FINISHED AESTHETICS OF THE WIDENED EAST ELEVATION ARE TO MATCH THOSE OF THE EXISTING WEST ELEVATION.

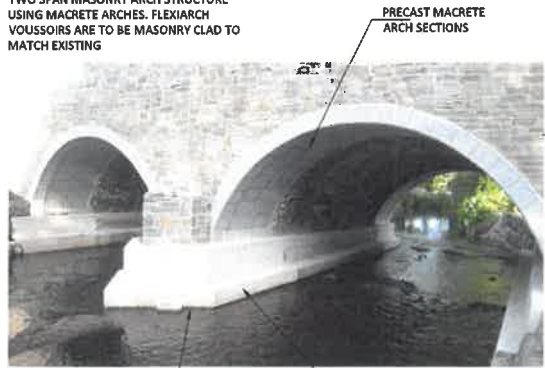
PARAPET

PROPOSED NATURAL STONE PARAPET TO MATCH EXISTING WEST SIDE PARAPET.



PREVIOUS PROJECT

ELEVATION ON FINISHED WIDENING TO TWO SPAN MASONRY ARCH STRUCTURE USING MACRETE ARCHES. FLEXIARCH VOUSOIRS ARE TO BE MASONRY CLAD TO MATCH EXISTING



PROPOSED LEVEL OF CONCRETE APRON TO BE LOWER AS SHOWN ON THE 3D OUTLINE MODEL (CENTRE)

INSITU CONCRETE APRON AND BREAKWATER

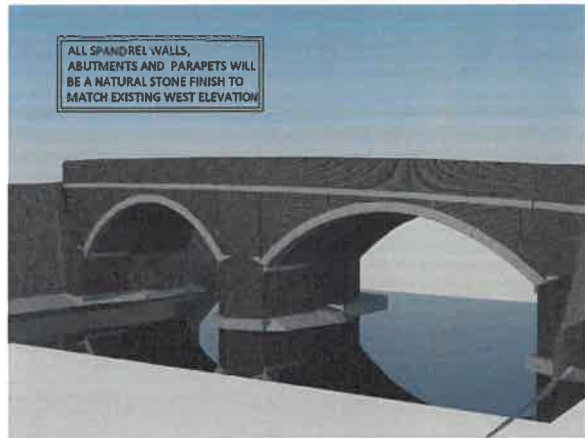
PREVIOUS PROJECT

VIEW ON SPANDREL WALL SHOWING FINISHED STONE CLADDING. PROPOSED NATURAL STONE CLADDING TO MATCH EXISTING

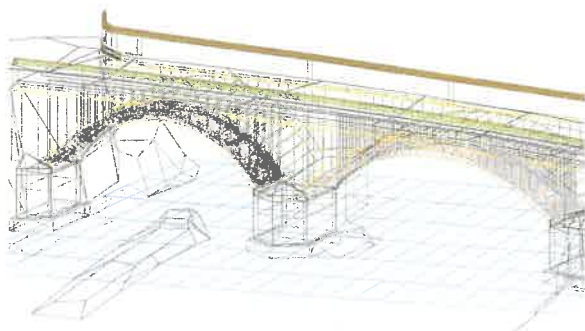
FLEXIARCH VOUSOIRS ARE TO BE MASONRY CLAD TO MATCH EXISTING



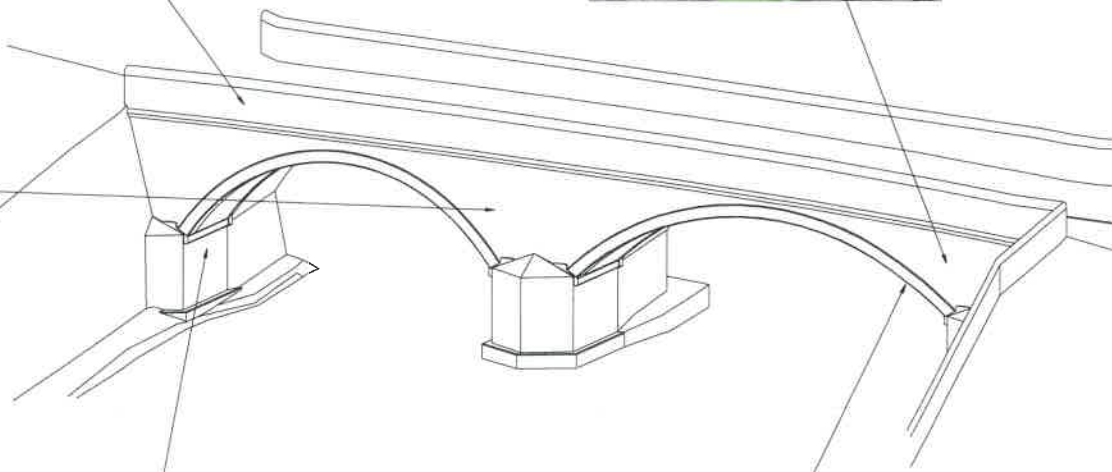
PRECAST MACRETE ARCH SECTIONS



PROPOSED WIDENING TO EAST ELEVATION
RENDERED MODEL



PROPOSED WIDENING TO EAST ELEVATION
3D WIREFRAME MODEL



3D OUTLINE MODEL
EAST ELEVATION



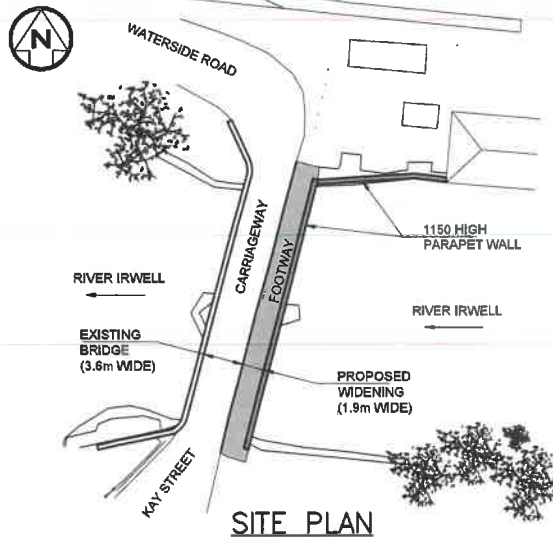
PREVIOUS PROJECT

VIEW ON ARCH BARREL. INSTALLATION OF MACRETE ARCHES



PREVIOUS PROJECT

VIEW ON ARCH BARREL. MACRETE ARCHES INSTALLED ADJACENT TO EXISTING ARCH STRUCTURE



SITE PLAN

REV	DRN	CHK	APP	DATE	DESCRIPTION
C	SD	JKS	DF	26.03.18	PARAPET WALL ADDED, VOUSOIRS CLAD IN MASONRY
B	SD	JKS	DF	19.03.18	FOOTWAY WIDTH AMENDED
A	SD	JKS	DF	16.03.18	SITE PLAN ADDED
P1	SD	JKS	DF	12.03.18	FOR INFORMATION

Wilde
Consulting Civil & Structural Engineers

ISO 9001
CERTIFIED

Brindley Lodge,
Adcroft Street,
Stockport, Cheshire,
SK1 3JL.
www.wildech.co.uk
Tel: 0161 474 7479
Fax: 0161 474 7492

Client	BURY COUNCIL			
Project	KAY STREET BRIDGE SUMMERSEAT, BURY			
Title	PROPOSED BRIDGE WIDENING			
Scale	AS SHOWN	Drawn	SD	Date
				12.03.18
		Chkd	JKS	Approved
				DF
Drawing No.	660-014-DWG-002			
Revision	C			
Status	FOR COMMENT			
Sheet Size	A1			

Ward: Prestwich - Sedgley

Item 10

Applicant: Mr Numan Chaudhry

Location: 48 Parksway, Prestwich, Manchester, M25 0JB

Proposal: Erection of 1 no. dwellinghouse with basement and detached garage

Application Ref: 62914/Full

Target Date: 13/08/2018

Recommendation: Approve with Conditions

Description

The application site is land on which the former semi detached house 48 Parksway stood. It is a corner plot at the junction with Hereford Drive and the area is an established residential estate with properties opposite and to the side across the street and to the rear.

Planning permission was obtained for extensions and alterations to the property however as works commenced the house was demolished. Therefore the permission granted (62289) can no longer be carried out. Some construction of the extension walls have been commenced on the site. This application seeks approval for a new two storey semi detached dwelling of the same footprint as the property would have had with the extensions, now with the addition of dormers to the front and rear, a basement and new boundary walls to the front and side. A detached garage was approved under reference 62504 and as a separate building can still be implemented under the original approval.

Relevant Planning History

62045 - Erection of two storey side and rear extensions; front porch and pitched roof over existing two storey flat roof extension - AC 14/11/2017

62289 - Erection of two storey side and rear extensions, pitched roof over existing two storey flat roof extension and front porch - AC 07/02/2018

62504 - A: Detached garage. B: Two storey side and part single/part two storey rear extensions; Pitched roof over existing two storey flat roof extension; Loft conversion with dormers at side and rear; Front porch - Split Decision 17/04/2018

62772 - Two storey side and part single / part two storey rear extensions, pitched roof over existing two storey flat roof extension, loft conversion with dormers at front and rear; Front porch. - Withdrawn 30/05/2018

Publicity

12 notification letters were sent to addresses at 39, 46, 50, 52 Parksway, 14-20 & 23-27 Hereford Drive and 18 Tudor Court on 18/06/18. Additional letters were sent 26/06/18 with regard to the additional plans for the boundary wall and gates and further letters on 10/07/18 for revisions to the roof design and boundary treatments.

3 responses have been received from 39 & 58 Parksway and 18 Hereford Drive their comments in summary are:-

- Object to the property becoming a detached house will look aesthetically incongruous next to each other
- Scale and design overwhelms No.50
- Will devalue No.50
- Object to 3 dormers facing No.18 will cause overlooking
- No other outward facing dormers in the vicinity
- Fourth storey will dominate the neighbourhood
- Current construction appears to be less than 2m to the side boundary as on the plan

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection subject to the inclusion of conditions relating to driveway and wall alterations, construction traffic management plan and visibility splays.

Drainage Section - No comments received.

Environmental Health (Contaminated Land) - No objections, subject to the inclusion of conditions relating to contaminated land.

United Utilities - No objections, subject to the inclusion of conditions relating to foul and surface water drainage.

Unitary Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN7	Pollution Control
HT2/4	Car Parking and New Development
EN7/5	Waste Water Management
EN7/3	Water Pollution
EN5/1	New Development and Flood Risk
SPD11	Parking Standards in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Principle - 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.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

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 area contains residential properties and there was a house on the site previously. As

such the proposal is acceptable in principle and would comply with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Visual amenity and design - The new dwelling would have a larger footprint than the original semi which had approval for extensions of the same size as the proposed new dwelling. This application now includes a basement, additional accommodation in the roof space with dormers, raised decking and new boundary walls.

The plot is of a size that can accommodate the dwelling whilst providing adequate private amenity space and off street parking.

The new house would be the same height as the adjoining property with a hipped roof. The two front dormers would have pitched roofs and would not occupy a disproportionate area of the front slope. Bay windows to the front would be in keeping with the design of the previous house and the adjoining semi. The rear dormer would be flat roofed and would sit to the side of the hipped roof to the side elevation. Materials are noted to be red brick and slate grey concrete tiles. The design and materials are considered appropriate and in keeping with the character of the area.

The gap to the side of the property and the public footpath would be 2.28m at the closest point which when viewed in the street would be sufficient in order that the proposal would not be an overbearing feature.

The front boundary would be in the form of a 1m high brick wall with a pedestrian gate to the corner. The side wall would be 1.5m high comprising of 1m high brick wall and pillars with 0.5m timber infill panels. The size and design would be in keeping with existing boundaries in the vicinity.

The proposed dwelling would not be a prominent feature in the streetscene and would be in accordance with Policies H2/1 and H2/2 of the adopted Unitary Development Plan.

Residential amenity - Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties (SPD6) sets out criteria that should be complied with in order that proposals do not cause any significant overshadowing, loss of light or privacy to neighbouring properties and is relevant in this case.

The proposed dwelling would project 3 metres at ground floor and 1 metre at first floor, where it is adjacent to the boundary with the adjoining property. Where the extensions project deeper into the site, the two storey element would not encroach a 45 degree line drawn from 1 metre along the shared boundary. This would comply with the criteria as set out in SPD6.

The property had decking leading out from the rear as existing as there is a slope down in levels to the rear garden. The proposal would see a 2.4m deep decked area from the rear of the house with a 1.8m fence along the boundary to provide screening between the site and adjoining neighbouring garden.

To the rear 16 Hereford Drive sits side on and around a storey lower. There would be a separation distance of approximately 13.3m from the first floor of the two storey section to the rear to the side elevation of the neighbouring property. No.16 has one window facing at first floor to the side and which appears to be the landing and is not on a main aspect. There would be in excess of 7m from the first floor rear windows of the proposal to the boundary and it is the drive to No.16 which runs alongside the rear site fencing. As such there would be no concerns with regard to loss of privacy.

The previously approved detached garage on the site would be positioned along the boundary with No.16. The property to the side across the street would be 23m away. To the front, the property would face towards the front garden of 18 Hereford Drive, as the existing semi did, and the extended side elevation would be towards the junction of

Parksway with Hereford Drive. As such there would be no loss of privacy to any private amenity space and the properties would also be separated by a distance in excess of 20m. There would then be no significant adverse impact on the amenity of any adjacent neighbouring properties and the proposal would comply with the criteria as set out in SPD6 - Alterations and Extensions to Residential Properties.

Given the increase in the size of the proposed dwelling over the original semi detached property and its proximity to adjacent properties it is recommended that permitted development rights are removed in order to control any further extensions or alterations on the property.

Highways Issues - SPD11 - Parking Standard gives a maximum car parking provision of 3 spaces for 4 bedroom properties and above.

The proposal would retain the existing drive which would be resurfaced with a permeable material and provide off street parking for two cars and with a detached garage. Therefore, the level of parking provision would be acceptable in this instance and would comply with UDP Policy HT2/4 and SPD11.

Response to objectors

- The proposal is for the replacement dwelling to be a semi detached house not detached.
- The proposal has been revised from the original submitted scheme to reduce the dormers from 3 to 2 and hip the roof to reduce the scale of the development which is now considered to be of a more appropriate size and design and which would not appear out of character in the area.
- Property value is not a planning matter.
- The issue relating to overlooking and the separation distances are addressed in the above report.
- The plan notes the gap to the boundary to be 2.2m and should the proposal be approved a condition would require development to be built in accordance with the approved plans.

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 Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings numbered 1105/1C, 1105/2A, 1105/3B, 1105/4, 1105/5A, 1105/6B, 1105/8B, 1105/9, 1105/10A, 1105/12 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.
3. The external brickwork for the proposal hereby approved shall match that to the

adjoining 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.

4. The walls to the dormers hereby approved shall be tile hung to match the main roof.

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. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

6. 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:

- Hours of operation and number of vehicle movements;
- Parking on site or on land within the applicant's control of operatives' vehicles together with storage on site of construction materials;
- 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 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 both periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of 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 Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

7. The proposed access and driveway alterations and boundary walls works indicated on approved plan references 1105/1 Revision C and 1105/12, incorporating the provision of the required footway crossing extension, all associated highway remedial works, inward opening gates, hardstanding in a permeable material and wall foundations that do not encroach under the adjacent adopted highway, shall be implemented to the satisfaction of the Local Planning Authority prior to the dwelling hereby approved 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 policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

8. The pedestrian visibility splays indicated on approved plan reference 1105/1 Revision C shall be implemented to the satisfaction of the Local Planning Authority before the dwelling is first occupied/driveway is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

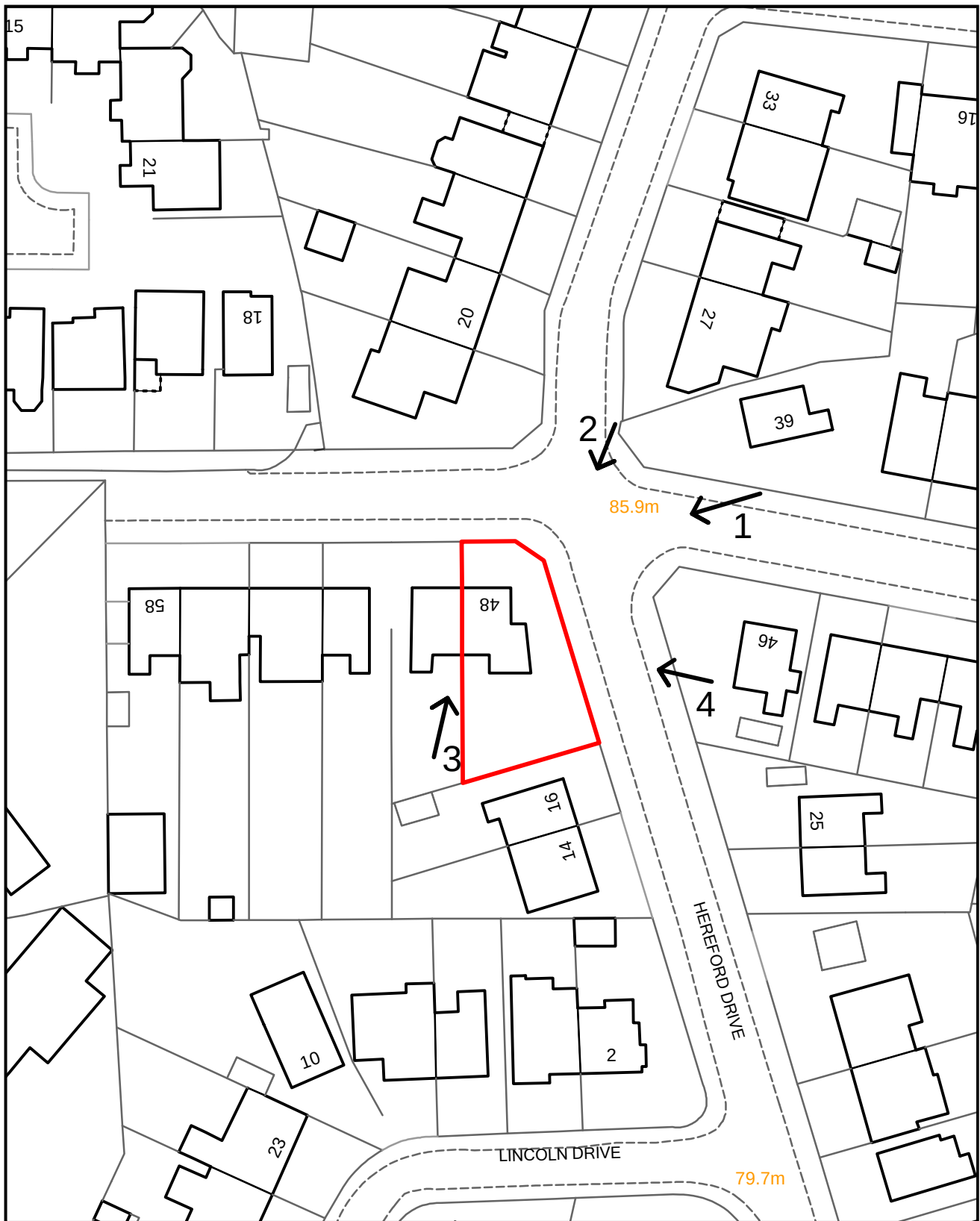
Reason. To ensure the intervisibility of the users of the site and the adjacent

highways in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

9. No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.
- Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
10. Following the provisions of Condition 9 of this planning permission, 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 11 - Conserving and enhancing the natural environment.
11. Foul and surface water shall be drained on separate systems.
- Reason. To ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
12. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
- Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

For further information on the application please contact **Jane Langan** on **0161 253 5316**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62914

**ADDRESS: 48 Parkway
Prestwich**

Planning, Environmental and Regulatory Services

(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.



Bury
COUNCIL

62914

Photo 1



Photo 2



62914

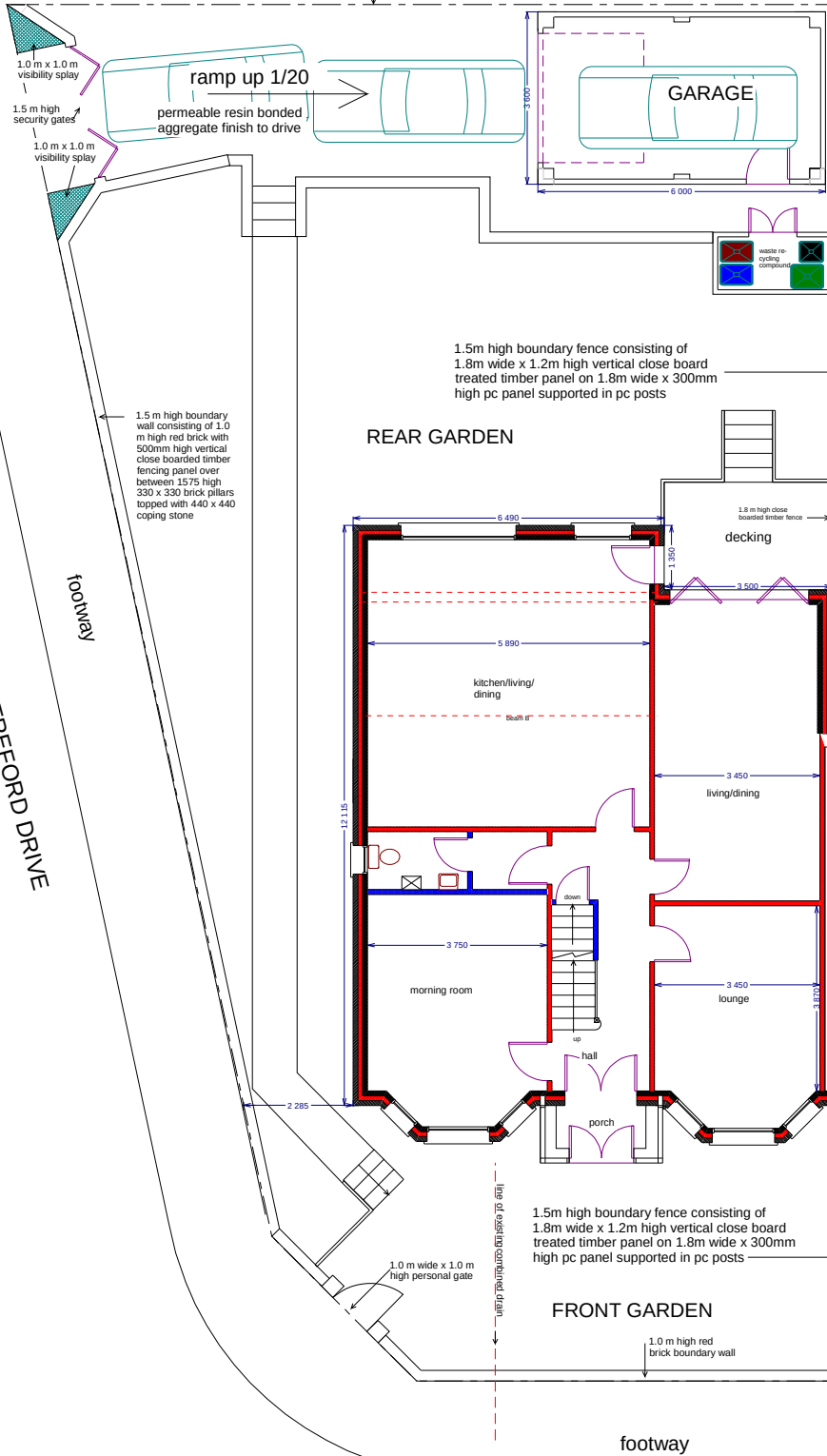
Photo 3



Photo 4



1.5m high boundary fence consisting of
1.8m wide x 1.2m high vertical close board
treated timber panel on 1.8m wide x 300mm
high pc panel supported in pc posts



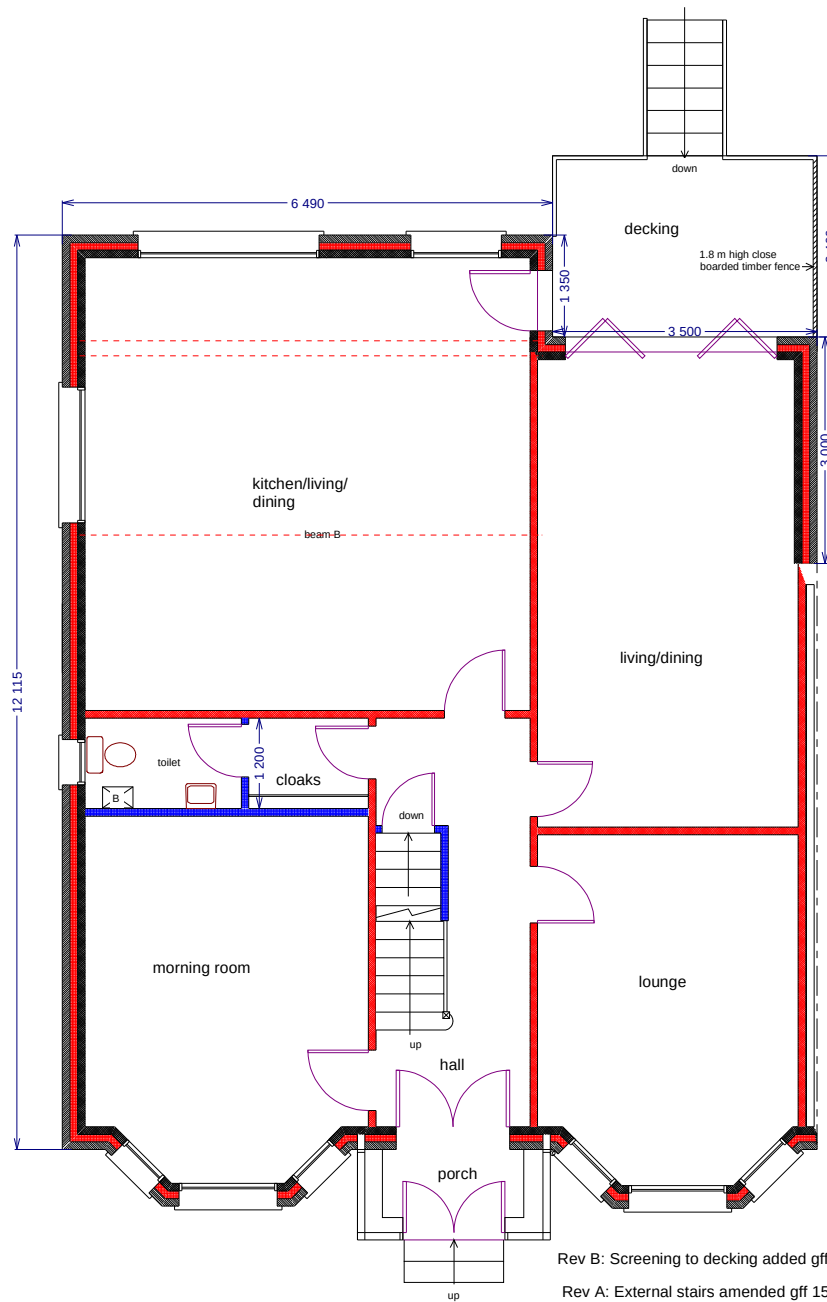
PROPOSED SITE PLAN

Scale: metres 0 1.0 2.0 3.0 4.0 5.0

Rev C: Boundary wall details amended gff 07.07.18
Rev B: Vehicular access gates amended gff 24.06.18
Rev A: Parking spaces added gff 15.06.18



48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
dwg no.: 1105/1C scale: 1/150@A4
drawn by: gff date: 06.06.18
SITE PLAN



Rev B: Screening to decking added gff 07.07.18

Rev A: External stairs amended gff 15.06.18

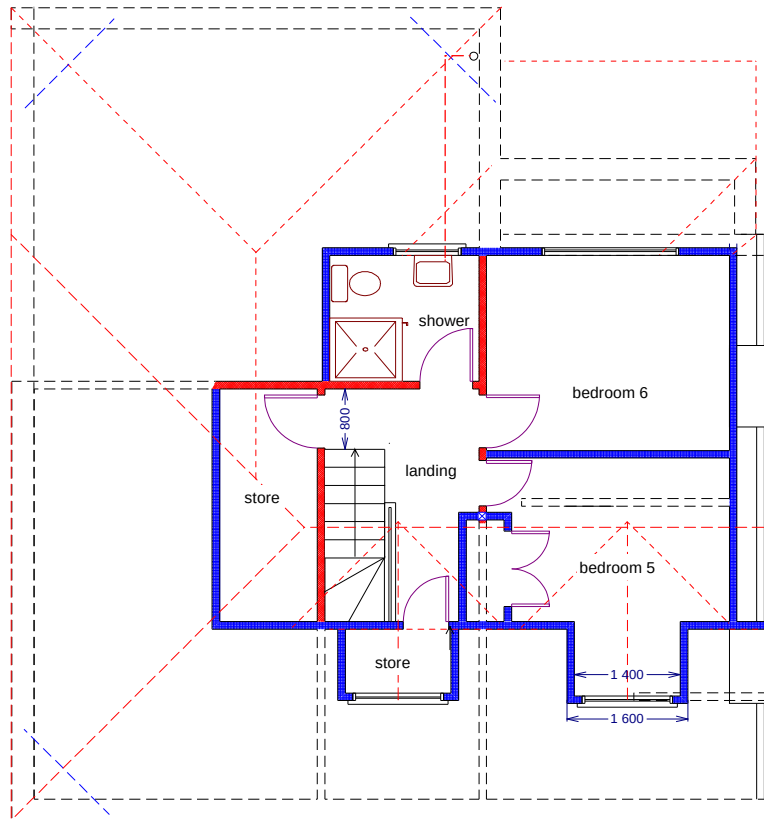
PROPOSED GROUND FLOOR PLAN



Scale: metres



48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
dwg no.: 1105/3B scale: 1/100@A4
drawn by: gff date: 05.06.18
GROUND FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

Rev A: Bedroom 7 and front dormer deleted gff 07.07.18



Scale: metres



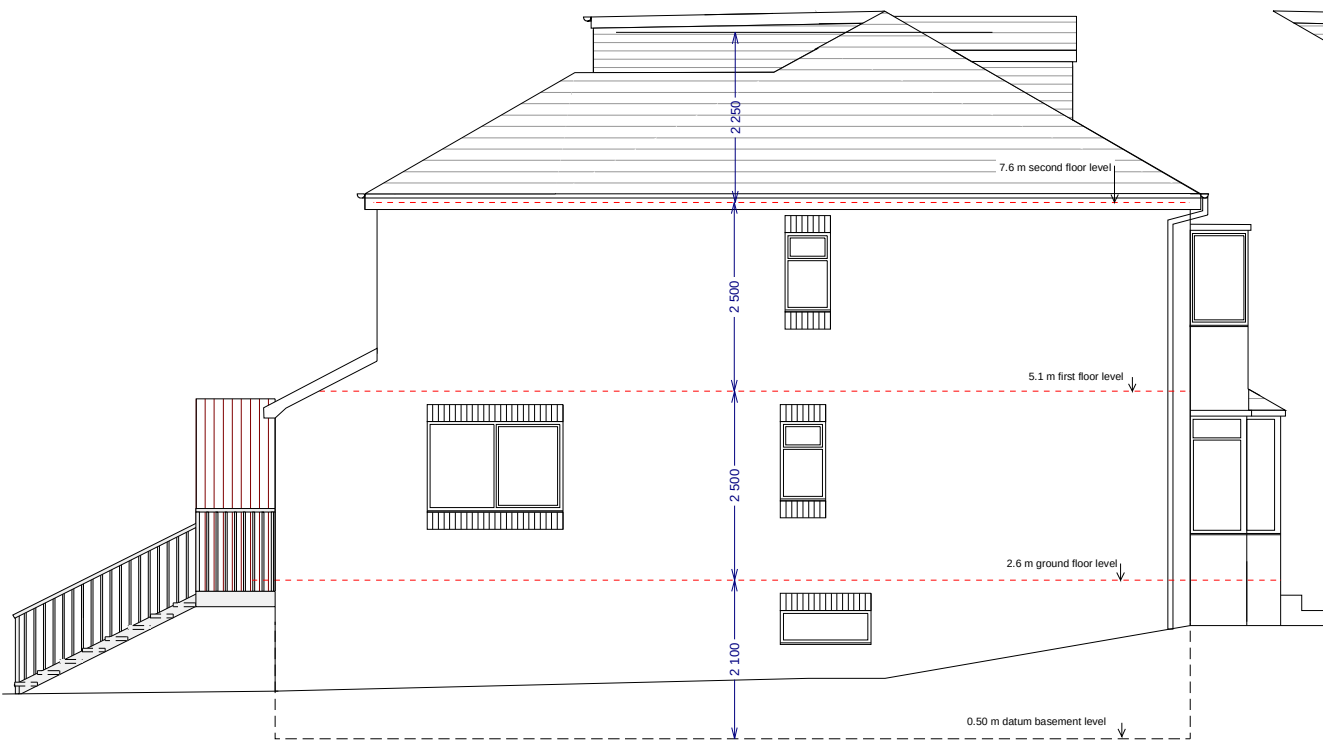
48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
dwg no.: 1105/5A scale: 1/100@A4
drawn by: gff date: 05.06.18
FIRST FLOOR PLAN



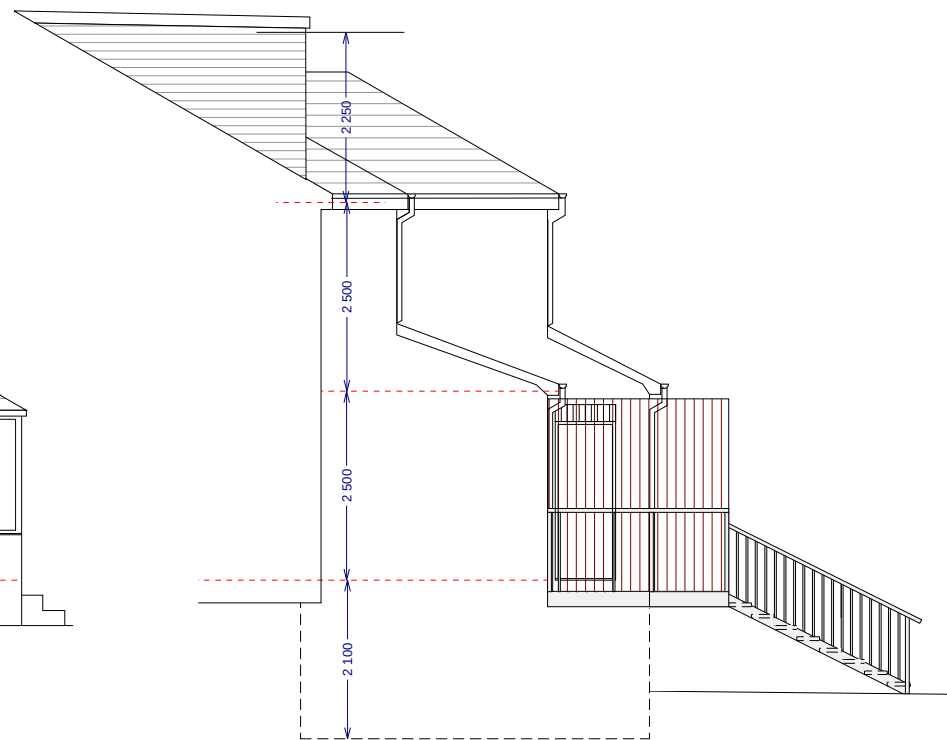
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION
Rev B: Amended proposal gff 07.07.18
Rev A: Finished floor levels added gff 15.06.18

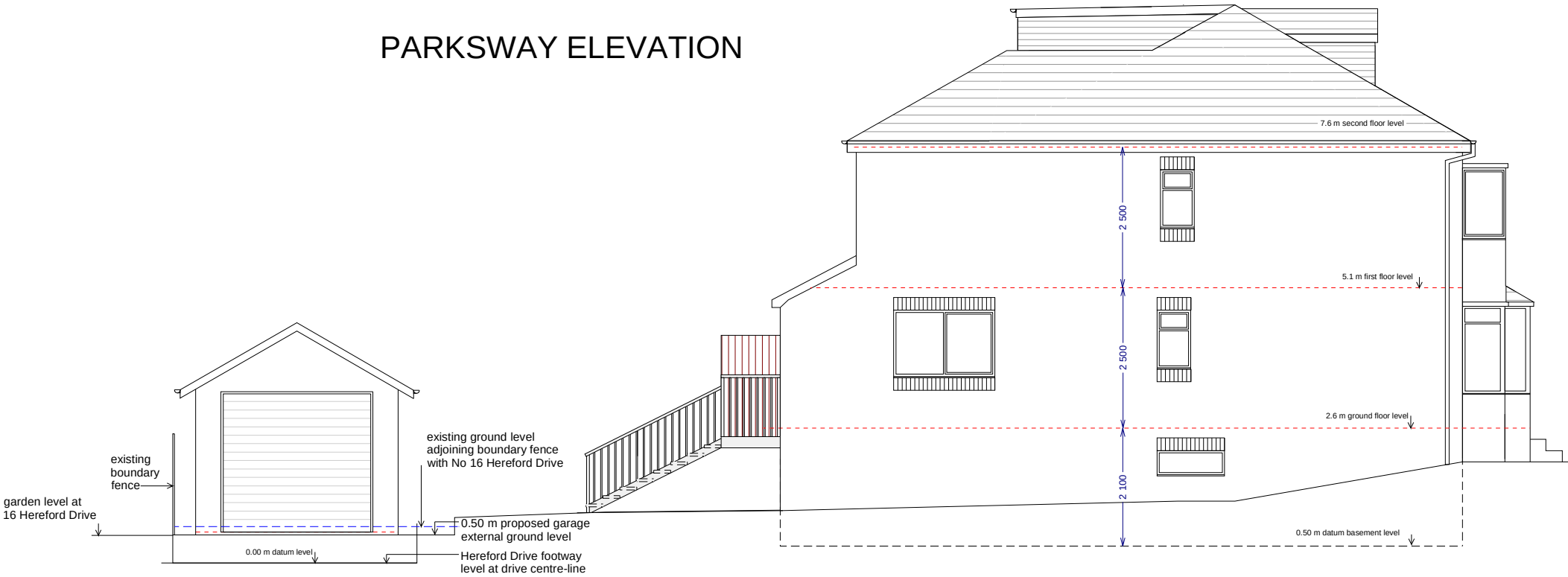
Scale: metres
0 0.5 1.0 1.5 2.0 3.0 4.0 5.0



48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
drwg no.: 1105/6B scale: 1/100@A3
drawn by: gff date: 09.06.18
ELEVATIONS



PARKSWAY ELEVATION



HEREFORD DRIVE ELEVATION



Rev B: Amended proposal gff 07.07.18

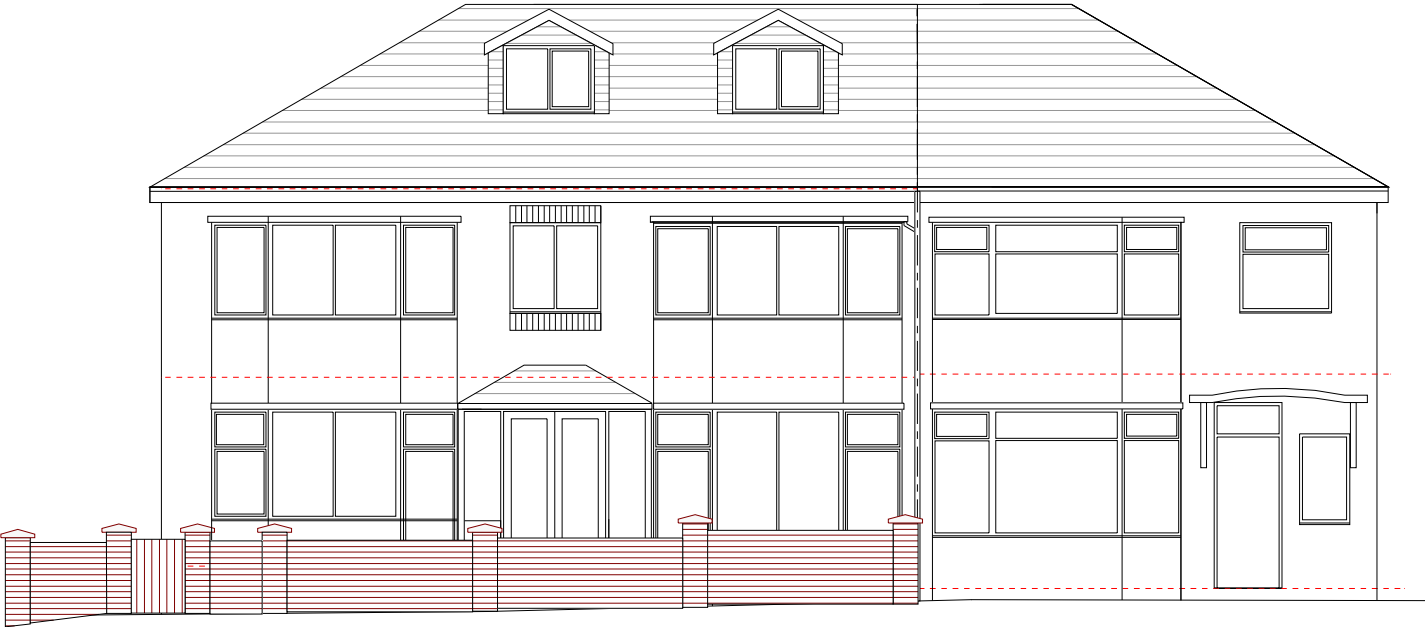
Rev A: Floor levels added gff 15.06.18



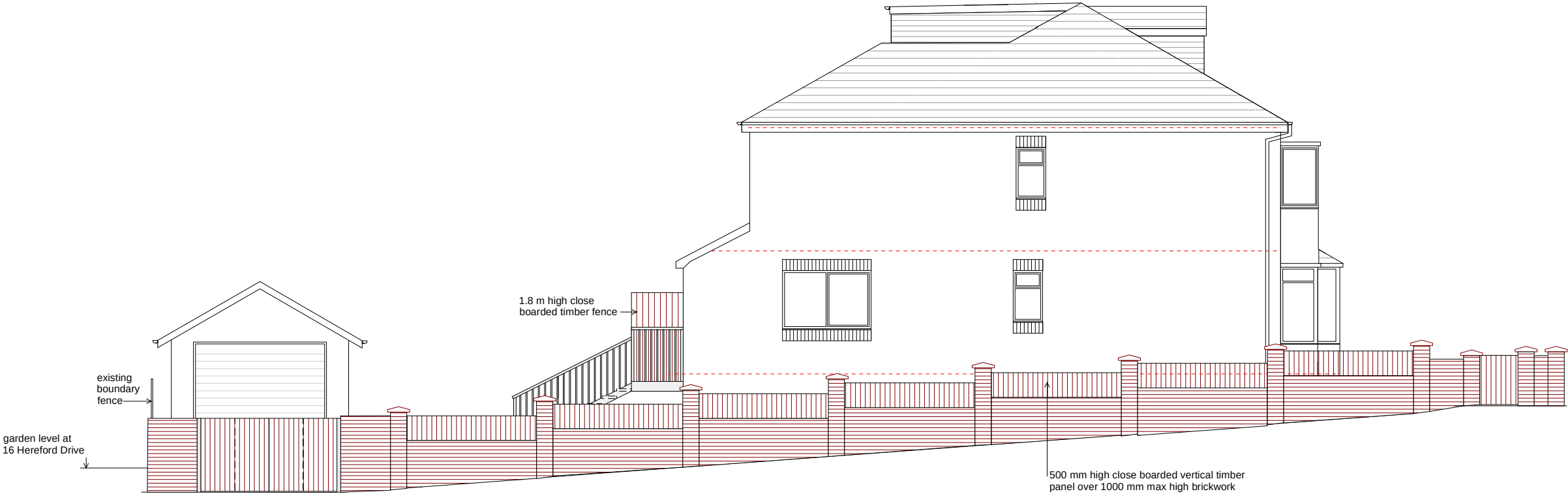
48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
drwg no.: 1105/8B scale: 1/100@A3
drawn by: gff date: 09.06.18
STREET ELEVATIONS

No 48

No 50



PARKSWAY ELEVATION



HEREFORD DRIVE ELEVATION

Scale: metres 0 0.5 1.0 1.5 2.0 3.0 4.0 5.0

Rev A: Boundary wall amended gff 07.07.18



48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
drwg no.: 1105/10A scale: 1/100@A3
drawn by: gff date: 24.06.18
STREET ELEVATIONS SHOWING BOUNDARY WALL

BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES



PLANNING CONTROL COMMITTEE

31 July 2018

Addendum to main report following publication of NPPF

Since the publication of the Planning Control Committee Agenda and Reports for the meeting on 31st July, a revised National Planning Policy Framework (NPPF) was published by the Government on Tuesday 24th July 2018 which takes immediate effect as a material consideration. As a result, each report has been reviewed and revised to take into account the policies in the revised NPPF.

**Item:01 Land at Bury Road / York Street, Radcliffe, Manchester, M26 2WH
Application No. 60418**

Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to: 20&35- surface water drainage scheme, 27- samples of materials, 28- lifetime homes, 29- footpath and cycle route to vary the timing of submission for implementation

Change to the Statement to read:

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.

Conditions

In order to reflect the changes to the NPPF, conditions have been amended to ensure they refer to the correct section of the revised document.

The conditions can be found at Appendix 1 of this document.

Item:02 10 Vernon Road, Tottington, Bury, BL8 4DD Application No. 62132

Change of use from shop (Class A1) to cafe (Class A3); New shop front and installation of flue at rear

Change to the Statement to read:

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.

Item:03 15 Bridge Street, Ramsbottom, Bury, BL0 9WN Application No. 62607

Conversion of first floor and second floor roof space of former bank to 2 apartments, including first floor rear extension and roof terrace on front elevation and erection of bin store to Garden Street elevation

Principle

Amended to read:

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.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

Design, layout and impact upon the conservation area

Amended to read:

Sections 66 and 72 of the Town & Country Planning (Listed Buildings & Conservation Areas Act) 1990 imposes a statutory duty upon the Local Planning Authority (LPA) to recognise, positively manage and ensure the preservation or enhancement of Listed Buildings and Conservation Areas.

Chapter 16 of the National Planning Policy Framework (NPPF) sets out the Government's planning policy position in relation to development involving heritage matters. Paras 189 to 202 set out how the significance of listed buildings and Conservation Areas must be considered in relation to development proposals including, but not limited to, the judgement of harm, significance, loss to heritage assets (Designated ones and non-designated ones).

Change to the Statement to read:

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.

Item:04 31 Quarlton Drive, Tottington, Bury, BL8 4JY Application No. 62715
Demolition of existing dwelling house and erection of replacement dwelling house with detached garage

Principle (Green Belt)

Following the publication of the NPPF on the 24th July 2018 proposals within the Green Belt need to be considered in relation to paragraph 145. Paragraph 145 states that:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable.

Exception d) replicates bullet point 4 of paragraph 89 of the superseded NPPF which is assessed within the main committee report. As such, the assessments made in terms of the impact of the proposal on the Green Belt remain unchanged.

In this instance it is considered that the proposal would comply with NPPF paragraph 145, OL1/2 - New Buildings in the Green Belt, OL1/3 - Infilling in existing villages in the Green Belt and Supplementary Planning Document 8 - New Buildings and Associated Development in the Green Belt and would therefore not impact on the openness of the Green Belt.

Drainage

The National Planning Policy Guidance - Flood risk and coastal change has not been amended and the updated version dated the 6th March 2014 remains. As such details of surface water drainage will still have to be based on the hierarchy of drainage options in the NPPG.

Ecology

The committee report reads "Section 109 NPPF states that the planning system should contribute to and enhance the natural and local environment." Following the publication of the NPPF on the 24th July 2018 this should read "Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment."

Neighbour Objections

The National Planning Policy Guidance - Flood risk and coastal change has not been amended and the updated version dated the 6th March 2014 remains. As such details of surface water drainage will still have to be based on the hierarchy of drainage options in the NPPG.

Change to the Statement to read:

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 Paragraphs 38 of the National Planning Policy Framework.

Conditions

In order to reflect the changes to the NPPF conditions have been amended to ensure they refer to the correct section.

Condition 5 amended to read:

No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , 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.

Condition 7 amended to read:

If the demolition hereby approved does not commence before the 30th April 2019, the building will need to be reassessed for bat roosting potential and the finding supplied to and 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 EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

Condition 8 amended to read:

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 birds are present.

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 15 - Conserving and enhancing the natural environment.

Condition 10 amended to read:

No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

Condition 11 Amended to read:

Following the provisions of Condition 10 of this planning permission, 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.

Item:05 626 Manchester Road, Bury, BL9 9SU Application No. 62777

Removal/Variation of condition no. 4 (implementation of traffic regulation order) of planning permission 61687

Change to the Statement to read:

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 Paragraphs 38 of the National Planning Policy Framework.

**Item:06 Tottington Motor Co, Market Street, Tottington, Bury, BL8 3LS
Application No. 62780**

Variation of condition 2 (approved plans) of planning permission 60264 to revise the store building to provide an enclosed goods access, a basement and revisions to elevations; amendments to layout including forecourt levels, fuel pumps and car parking

Change to the Statement to read:

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.

Conditions

In order to reflect the changes to the NPPF, conditions have been amended to ensure they refer to the correct section.

Condition 4 amended to read:

No development shall commence, other than clearance works, unless and until a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

Condition 5 amended to read:

Following the provisions of Condition 4 of this planning permission, 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.

Condition 6 amended to read:

Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved 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 alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

Condition 7 amended to read:

No development other than demolition and site clearance works, shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and

must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , 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.

Condition 9 re-numbered and re-worded to read:

Condition 8 - Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

Condition 10 re-numbered and re-worded to read:

Condition 9 - The development hereby approved shall be carried out in accordance with the Remediation Strategy Report, dated February 2017 approved as part of condition 10 of permission 60264 and the recommendations in the report shall be implemented prior to first occupation/use of the development.

Reason. To ensure the actual risk from shallow mine workings is properly assessed and mitigated to secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

Condition 11 re-numbered and re-worded to read:

Condition 10 - If works are to be carried out to trees between 1 March and 31 August inclusive in any year, a report assessing whether the trees contain nesting birds shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed within an agreed timetable.

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 15 - Conserving and enhancing the natural environment.

Conditions 12-24 re-numbered conditions 11-23 respectively.

Item:07 Land off Roach Bank Road, Bury, BL9 8RY Application No. 62835
External lighting scheme and baffling

Change to the Statement to read:

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 Paragraphs 38 of the National Planning Policy Framework.

Item:08 20 Hillstone Close, Tottington, Bury, BL8 4EZ Application No. 62860

First floor extension at rear, new rear dormer and balcony structure with glazed balustrade at rear; Pitched roof over existing integral garage at front

Change to the Statement to read:

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.

Item:09 Kay Street Bridge, Summerseat, Ramsbottom, Bury, BL9 6BU Application No. 62867

Widening works on the upstream side of Kay Street Bridge, Summerseat, to provide a segregated single carriageway and pedestrian footway (Bridge Extension)

Please see updated officer report, located at Appendix 2

Item:10 48 Parksway, Prestwich, Manchester, M25 0JB Application No. 62914

Erection of 1 no. dwellinghouse with basement and detached garage

Change to the Statement to read:

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.

Conditions

In order to reflect changes to the NPPF conditions have been amended to ensure they refer to the correct section.

Condition 9 amended to read:

No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;

- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

Condition 10 amended to read:

Following the provisions of Condition 9 of this planning permission, 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.

Condition 12 amended to read:

No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , 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.

Ward: Radcliffe - East

Item 01

Applicant: PIN Property Consultancy

Location: Land at Bury Road / York Street, Radcliffe, Manchester, M26 2WH

Proposal: Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to: 20&35- surface water drainage scheme, 27- samples of materials, 28- lifetime homes, 29- footpath and cycle route to vary the timing of submission for implementation

Application Ref: 60418/Full

Target Date: 22/11/2016

Recommendation: Minded to Approve

The Recommendation is Minded to approve subject to s106 Deed of Variation (56744) for employment commuted sum (£514,800) and the signing and completion of a Section 106 agreement for the timing and delivery of employment land and floorspace OR compensatory payment in accordance with SPD 14, which will require the delivery of 7435m2 of employment floorspace within 5 years or commuted sum payment of £514,800.00 (pro rata to floorspace delivered) pursuant to EC1/1/15 – Dumers Lane Employment Generating Area. Additionally, the construction, laying out, planting, timing and maintenance of 1.4ha of land for recreation provision in accordance with Policy RT2/2 of the adopted Unitary Development Plan; and 15 affordable housing units in accordance with Policy H4/1 of the adopted Bury Unitary Development Plan. Should the agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the Development Manager.

Conditions/ Reasons

1. **Conditions Relating to the OUTLINE PLANNING PERMISSION for the Employment Provision Part of the Site**
2. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, appearance, access and the landscaping of the site.
Reason. To ensure the satisfactory development of the site and because this application is in outline only.
4. Development shall not begin until a surface water drainage scheme for the site,

based on sustainable drainage principles and the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
- details of how the scheme shall be maintained and managed after completion

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 14 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

5. As part of the submission of the first reserved matters for the employment site, an Air Quality Assessment report of the impact of the development both during and after the construction phase on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall determine measures to minimise the impacts upon air quality arising from the development and the measures as approved shall be incorporated into the development.

Reason - The roads leading to the planned development are within the Air Quality Management Area (AQMA). The AQMA in this locality is an area predicted to exceed the objectives for nitrogen dioxide as detailed in the Air Quality Regulations 2000 and (Amendment) Regulations 2002. UDP Policy EN 7/1 - Atmospheric Pollution considers that it is a requirement that this development does not lead to, or significantly add to predicted exceedences of any of the objectives detailed in the Air Quality Regulations 2000 and (Amendment) Regulations 2002.

6. 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*) and Giant Hogweed (*Heracleum Mantegazzianum*) including measures to ensure that no harm occurs to otters, 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. This condition can be satisfied in phases.

Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape.

7. No development shall take place until an area of land has been defined and an otter habitat enhancement plan produced for otters. The scheme including details of holt construction, timing for implementation and maintenance thereof shall be submitted before any groundworks to the employment platform are commenced and the holt shall be available for use in accordance with the approved timetable.

Reason - To ensure that appropriate steps are employed to mitigate any potential impacts upon otters their resting points, habitat and wellbeing pursuant 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 15 - Conserving and enhancing the natural environment.

8. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year unless otherwise agreed in writing with the Local Planning Authority.

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 15 - Conserving and enhancing the natural environment.

9. No development shall take place until a detailed biodiversity mitigation and enhancement proposal and master plan including avoidance, timing of implementation and habitat creation and enhancement has been submitted and approved in writing by the Local Planning Authority. The plan shall include:
- Details of replacement water bodies including location design, construction and landscaping;
 - Details of proposed grassland, scrub, and woodland enhancement and creation for the entire site including large scale plan and species composition;
 - Measures to protect and enhance the local amphibian population including timing of works and habitat creation;
 - The design, quantity, location and implementation of artificial bat roosts;
 - Specific species measures including kestrel nesting sites, translocation of soft shield fern, introduction of black poplars and habitat management for reed bunting;
 - Measures to ensure the integrity of the wildlife corridor is maintained; and
 - Buffering of the Site of Biological Importance.

Reason - To ensure that appropriate steps are taken to mitigate any potential impacts upon the ecological habitat and that the enhanced ecological biodiversity proposals are carried out pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

10. The development shall be carried out in accordance with E3P Construction and Environment Management Plan Rev A. mitigation measures during the process of demolition, earth works and site clearance associated with the employment platform.

Reason - to ensure that measures and mitigations are in place to deal with ecology and wildlife enhancement pursuant to UDP Policies EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

11. The development relating to land works for the employment building platform shall be carried out in accordance with the Information submitted as part of biodiversity management and monitoring plan namely Bowland Ecology Management plan May 2017 (BOW17_798 Bury Road Application 56744 Report in respect of Conditions 10 and 11 Ecological Measures 25_5_17), Otter holt method statement July 2016 (Otter-10-748-L2-Otter Holt Design) and repositioned holt Rachel hacking Ecology Updated proposals 18 Dec 2017 (Rachel Hacking – RHE Ltd –

L001 Discharge of Condition 11 at York Street Radcliffe Bury 2017 – Rev C).
Reason - To ensure the longevity of the ecological enhancement areas pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

12. Details relating to a scheme for a travel plan shall be submitted as part of the reserved matters relating to the layout of the site. The development shall be carried out in accordance with the approved scheme and the travel plan shall accord with the Travel Plan Frameworks, which establishes the developer and occupier travel plan objectives and targets and includes an implementation programme. The approved scheme and its measures shall be implemented before each phase of the development is brought into use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority. This condition can be satisfied in phases.

Reason - In order to deliver sustainable transport objectives in pursuant to NPPF Chapter 9 - Promoting sustainable transport.

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:

- The buildings are located away from the 20 metre easement as per section 3.1.2.
- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
- Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
- Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant to UDP Policy EN5/1 - New Development and Flood Risk and NPPF Chapter 14 Meeting the challenge of climate change, flooding and coastal change.

14. No development shall take place until a scheme for the provision and management of an 20 metre wide undeveloped buffer zone alongside the River Irwell shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be approved in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme including planting schedule largely based on native species.
- details demonstrating how the buffer zone will be protected during development
- details of any proposed footpaths, fencing, lighting etc.

Reasons - Development that encroaches on watercourses and linking riparian greenspace has a potentially severe impact on their ecological value. New built encroachment of river corridor can inhibit riparian species movement along key ecological network pursuant to UDP Policy EN5/1 - New Development and flood

risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 14 Meeting the challenge of climate change, flooding and coastal change.

15. No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail of all land reprofiling works within existing greenspace and riparian corridor to accommodate flood risk issues.
- detailed site soil management strategy which integrates the ecological, recreational and flood risk issues of site.
- details of maintenance regimes
- details of any new habitat created on site
- details of any new surface water treatment from commercial site that is preferably based on Sustainable Urban Drainage principles.
- details of long term management responsibilities including adequate financial provision and named body responsible for management plus production of detailed conservation management plan.

Reason - To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 14 Meeting the challenge of climate change, flooding and coastal change.

16. **Conditions relating to the FULL PLANNING PERMISSION relating to the Housing Site and Employment Platform**
17. In relation to the proposed housing part of the site and the employment platform, 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.
18. In relation to the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) and Giant Hogweed (*Heracleum Mantegazzianum*), the development shall be carried out in accordance with E3P Construction and Environment Management Plan Rev A. and invasive species report and management plan produced by EP3 reference 10-748-R2 Rev A January 2018: The management plan shall incorporate measures to prevent the capability of any on site stored materials in relation to invasive species to be prevented from washing downstream in the event of the site flooding.
Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 – Landscape, National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.
19. The employment platform shall be implemented and available for unit construction and its services before the commencement of housing development.

Reason - To ensure the employment proposals are brought forward at the earliest stage in relation to the case argued by the planning proposals and the designation of the land pursuant to UDP Policy EC2/1 - Employment Generating Areas.

20. In relation to the surface water drainage scheme for the site, the development shall be carried out in accordance with the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) as updated by Weetwood Report Dated 20/10/17 (2017 – 10 – 20 3446 DoC 20-35 Final V1.1). The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and be available for use/operable before first occupation of the housing or indicated phase of the site.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 14 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk

21. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:

- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
- Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
- Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant Chapter 14 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

22. The approved emergency route shall be available for use on first occupation of any dwellings and it shall be available for use at all times whilst the residential development is reliant upon this access for an emergency purpose and constructed in accordance with the approved details 18.01.11HC – 17243 (40) – 01C)

Reason - To ensure that the emergency access route is delivered to serve the residential development hereby approved, pursuant to UDP Policies EN1/5 - Crime Prevention and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

23. The site shall be developed in relation to the ecology proposals in the following manner :

- The phasing in relation to the ecology shall be implemented in accordance with the provisions to be satisfied within conditions 7 to 11 inclusive;
- The phasing in relation to the remediation of the existing former Unify Dyeing Site and land raising thereto, shall be implemented in accordance with the provisions to be satisfied within conditions 7 to 11 inclusive;

Reason - To ensure that measures and mitigations are in place to deal with ecology and wildlife enhancement pursuant to UDP Policies EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

24. The residential development hereby approved shall not be occupied unless and until the site access improvements to York Street have been implemented to an approved specification and to the written approval of the Local Planning Authority.
Reason - To ensure good highway design in the interests of road and pedestrian safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.
25. The visibility splays indicated on the approved plans, shall be implemented and be available for use before first occupation of the housing hereby approved and subsequently be 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 Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.
26. Notwithstanding the provisions of the approved plans, the timber fencing between the residential plots and the open space only (all other fencing otherwise is as proposed) shall be 2.1m high and not 1.8m as shown.
Reason - To minimise the effects of crime upon residential plots that adjoin the open space pursuant to NPPF Chapter 12 - Achieving well-design places and UDP Policy EN1/5 - Crime Prevention and SPG3 - Planning out Crime in new Development.
27. No dwellings shall be constructed on site until Details/Samples of the (materials/bricks) 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. Only the approved materials/bricks shall be used for the construction of the development.
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.
28. Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the construction of any dwellings on site. The development shall then be carried out incorporating the measures in accordance with the approved scheme.
Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies UDP policies HT5/1 - Access for Those with Special Needs, Chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the National Planning Policy Framework (exceptions test) and SPD 16 Design and Layout of New Development.
29. Notwithstanding the submitted proposals, no dwellings shall be constructed on site unless and until full details of the proposed mitigation measures comprising of the upgrading of the definitive footpath to a cycle route and new connection onto Bury Road have been submitted to and approved in writing with the Local Planning Authority. The approved measures shall be implemented before the development hereby approved is first brought into use.
Reason - To ensure that the development provides for sustainable transport objectives in pursuant to NPPF Chapter 9 - promoting Sustainable Transport and in the interests of highway safety pursuant Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

30. Notwithstanding the details indicated on approved plan reference SK346-PL01 Revision E, no dwellings shall be constructed on site unless and until full details of the following have been submitted to and approved by the Local Planning Authority:

- Timing, routeing and access arrangements for construction traffic associated with the land raising operation;
- Visibility splays appropriate for a speed of 20mph in accordance with the standards in Manual for Streets at the junctions of the site accesses with York Street, at all internal junctions and at the junctions of the driveways serving Plots 140 - 150 with the proposed estate roads, with no obstructions above the height of 0.6m within the splays;
- A 20mph traffic calming and white lining scheme on the proposed estate roads including the existing adopted highways used to access the site (York Street & Bealey Avenue);
- Vehicle restraint measures/barriers between the turning head/private driveways fronting York Street and the amenity land/adopted highway in view of the anticipated level differences;
- Long sections through the proposed accesses onto York Street confirming gradients on and at the interface with the adopted highway.
- Street lighting scheme for the residential development and the section of York Street abutting the development;
- 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 to the written satisfaction of, and to a programme approved by, the Local Planning Authority.

Reason - To ensure the intervisibility of the users of the site and the adjacent highways, to ensure good highway design and to maintain the integrity of the adopted highway in the interests of highway safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

31. The car parking indicated on the approved plan SK346-PL01 Rev. E received 23/9/14 shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.

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.

32. For dwellings with a garage, a minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors. In the event of no garage being constructed, a minimum hardstanding length of 5.0m, sufficient to accommodate a vehicle clear of the adjacent footway, shall be provided within the curtilage of each dwelling.

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.

33. The turning facilities indicated on the approved plans (or similar alternative provision that enables construction traffic to enter and leave the site in a forward gear agreed in writing with the Local Planning Authority) shall be provided before construction of the dwellings is commenced and 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 Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

34. 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 that area shall not be used for any other purposes other than the parking of vehicles and storage of construction materials respectively.

Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

35. In relation to the surface water drainage scheme for the site, the development shall be carried out in accordance with the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) as updated by Weetwood Report Dated 20/10/17 (2017 – 10 – 20 3446 DoC 20-35 Final V1.1).. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and be available for use/operable before first occupation of the housing or indicated phase of the site.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 14 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

36. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:

- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
- Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
- Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 14 Meeting the challenge of climate change, flooding and coastal change.

37. The Development shall be carried out in accordance with (details outlined within River Irwell buffer zone detail (Weetwood, 3446/200/P5) and Construction Environmental Management Plan (e3p, Jan 2018)) relating to a scheme for the provision of a minimum 12 metre wide buffer zone alongside the River Irwell. Following commencement of the housing plateau and before the construction of any housing, a scheme details relating to The buffer zone enhancement , which shall be free from built development including lighting, domestic gardens and formal landscaping, shall be submitted that provides new or retained grassland

habitats on periphery of site. areas of required ecological enhancement works as identified in habitat survey report (REC, 11th July 2013) and potential flood alleviation/compensation works highlighted in updated Flood Risk assessment (REC, June 2013 and subsequent Weetwood Report Dated 20/10/17 (2017 – 10 – 20 3446 DoC 20-35 Final V1.1). - surface water drainage scheme); and ecological enhancement opportunities these other works associated with development within the semi-natural greenspace or ecological networks.

Reason - To ensure that the Development would not encroaches on watercourses to have an impact on their ecological value by impacting on key ecological networks and reducing its value as a key wildlife corridor pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

38. CONDITIONS IN RELATION TO ALL PARTS OF THE PLANNING APPLICATION SITE

39. The development in relation to contaminated land, shall be carried out in accordance with -
- Phase II Remediation Specification for Land at York Street, Bury, REC, Reference: 43993p6r3, July 2014; and
 - 1st Phase Demolition Validation Report for Proposed Residential Development, Expert Logistics, Bury Road, Radcliffe, REC, Reference: 43993p5r1, July 2014
 - Remediation and Enabling Works Performance Specification for York Street. Bury, M26 2QQ, E3P, Reference: 10-748-R1-rev3, July 2016.
 - Construction Environmental Management Plan for York Street. Bury, M26 2QQ, E3P, Reference: 10-748-R2 Final, July 2016.
 - Treatment Certificate for York Street, Bury, Complete Weed Control, 14 October 2015.
 - E3P Plan and report 11-868-R2 showing the location of Japanese Knotweed at York Street, Bury, and method statement,
 - Treatment Certificate for York Street, Bury, Complete Weed Control, 6 October 2014.
 - Plan showing the location of Japanese Knotweed at York Street, Bury, Reference:43993-002, 15 October 2015
 - Phase II Remediation Specification for Land at York Street, Bury, REC Ltd, Reference: 43993p6r3, July 2014.
 - Method Statement for the Controlled Excavation and Treatment of Himalayan Balsam/Giant Hogweed Contaminated Soils, E3P, Reference: 10-748-L1, 18 July 2016
 - Surface Water Sampling, REC, Reference: 104467p1r0, October 2017
 - Letter from Environment Agency regarding Discharge of Condition 37 and 39, Land at Bury Road/York Street, Radcliffe Manchester, M26 2WH, Reference: SO/2018/117857/01-L01, 29 January 2018
 - REC ref: 104467P1R0
 - Construction Environmental Management Plan (Ref: 10-748-R2 Rev A January 2018

This condition can be satisfied in phases and validation shall be provided at the end of each phase or on completion of the development but before first occupation of the site.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to

National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

40. Following the provisions of Condition 39 of this planning permission, 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.
This condition can be satisfied in phases and validation shall be provided at the end of each phase or on completion of the development but before first occupation of the site.
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.
41. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use. This condition can be satisfied in phases and validation shall be provided at the end of each phase or on completion of the development but before first occupation of the site.
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.
42. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:
- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
 - A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.
- This condition can be satisfied in phases.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
43. The development shall be carried out in accordance with the provisions set out

from the respective reports satisfying condition 39 and Part discharged in accordance with Phase II Remediation Specification (Ref: 43993p6r3, July 2014) and Remediation and Enabling Works Performance Specification (Ref: 10-748-R1-rev3, December 2015) risk assessment that identifies where actual / potential remediation / protection measures are required and gas risks have been identified, containing detailed site investigation(s), ground gas monitoring and suitable risk assessment(s); and Post ground works remediation, where remediation / protection measures are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. This condition can be satisfied in phases.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

44. Following the provisions of Conditions 39 to 44 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved 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.

This condition can be satisfied in phases.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

45. In relation to both the residential and employment sites, the development shall be carried out in accordance with REC Report Construction Management Plan Ref: 10-748-R2 Rev A, Jan 2018 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 unless otherwise agreed in writing by the Local Planning Authority.

This condition can be satisfied in phases.

Reason - To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement.

46. This decision relates to reports and drawings numbered

Reports

SK346-SS-01 - Proposed Street scenes - REV A
Proposed site plan and sections- PPC_02-AS227-02
Existing Site plan and Sections - PPC_01-AS227-01
Proposed site plan and levels - PPC_04-AS227-04
Access and egress levels and sections - PPC_05-AS227-05
Proposed new build scheme (dwg no. PPC74-01)
Flood risk assessment
Flood Risk Assessment - 03/04/2014
Proposed site plan (dwg no. SK346-PL01 rev E)
Planning Statement

Geo-Environmental Assessment, May 2007
 Geo-Environmental Assessment, Rev A, January 2011
 Extended Phase I Habitat Survey 03/04/2014
 Proposed Site Levels (Dwg No: PPC87_04)
 Phase I & Phase II Geo-Environmental Site Investigation
 Existing Site Plan and Sections (Dwg No: PPC87_01 Rev: A
 Coal Mining Risk Assessment (Residential)
 Access and Egress Sections (Dwg No: PPC87_05)
 Phase II Remediation Specification
 Air Quality Assessment
 Coal Mining Risk Assessment (Commercial) - 03/04/2014
 Transport Assessment Appendices - 06/12/2013
 Crime Impact Statement
 Noise impact assessment - residential
 Noise impact assessment - commercial
 Invasive species remediation method statement
 Ground investigation - residential area
 Supporting Document, Design and Access statement

Sustainable Drainage Report

2017 – 10 – 20 3446 DoC 20-35 Final V1.1

Invasive Plant Species Eradication Strategy letter

Treatment certificate and plan setting out extent of treatment undertaken for

Japanese Knotweed and timetable for implementation of future works

Treatment certificate and plan setting out extent of treatment undertaken for

Japanese Knotweed and timetable for implementation of future works

Treatment certificate and plan setting out extent of treatment undertaken for

Japanese Knotweed and timetable for implementation of future works

Otter Holt Method Statement (Otter-10-748-L2-Otter Holt Design)

Highways Technical Note (once agreed)

Construction Environmental Management Plan

Remediation and Enabling Works Performance Specification (Ref: 10-748-R1-rev3)

Construction Environmental Management Plan (Ref: 10-748-R2, July 2016)

Plans

Location Plan, SK346-LOC-01

Proposed street scenes; SK346-SS-01 Rev B

Topographical survey; SK346-TOPO-01

Ecological enhancements & monitoring plan

LIFE - 3B5P(90) ELEVATIONS 6.0; LIFE-3B5P(90)6.0/04

LIFE FLOOR PLANS; LIFE 3B5P(90)01

LIFE ELEVATIONS; LIFE-2B4P(77)05

LIFE ELEVATIONS; LIFE 3B5P(90)02.SA

LIFE FLOOR PLANS; LIFE3B5P(90)01.SA

Life floor plans; LIFE 2B4P(77)01 Rev A

The Lyn Elevations

The Lyn floor plans; LYN 01

The Lyn Elevations 6.0 Brick (Detached); LYN-6.0-DET

The Lyn Elevations 6.1 (Semi); LYN-6.1(SEMI)(A)

Nash (14)- 6.1 FCT brick render elevations
Nash (14) 01 ground floor plan
Nash (14) 02 first floor plan
Nash (14)6.1 FCT brick render elevations
Nash (14)6.01 semi (A)
Nash(14)6.1 brick render elevations

The Weaver elevations; WEAV-6.1-SEMI
The Weaver floor plans; WEAV-01
The Weaver elevations; WEAV-6.0-DET
The Weaver elevations semi; WEAV-6.0-SEMI

Long (14)-6.0 brick elevation
Long (14)-6.1 semi A Render elevation

The Longford 6.2 Elevations (Detached); LONG/6.2/D/02 Rev C
The Longford 6.0 elevations (Detached); LONG/6.0/D/04 Rev B
Long(14)-6.1 render elevation
Long (14)-6.0 brick elevation semi
LONG(14)-01 FLOOR PLANS

The Wallbrook elevations; WALB-6.0-SEMI
The Wallbrook elevations; WALB-6.0-4MEWS(A)
The Wallbrook elevations; WALB-6.0-3MEWS(A)
The Walbrook floor plans; WALB-01

COLN (14)-01 floor plans
COLN (14)-6.0 BRICK ELEVATION

The New Severn FCT 6.1 Elevations; NEWSEV/FCT/6.1 Rev C
The New Severn FCT 1st floor plan; NEWSEV/FCT/02 Rev C
The New Severn FCT Ground Floor Plan; NEW SEV/FCT/01 Rev B

Ashwood (14)-01 FCT Ground floor plan
Ashwood (14)-6.1 FCT Render elevation
Ashwood - 02 (SIG) 1st floor plan

Ashwell elevations; Drawing no. ASH/03/6.1 Rev B
Ashwell 04 (first floor plan); Ashwell 04 Rev A
Ashwell FCT (and; bay)- ground floor plan; Drawing no. Ashwell 03 Rev A
Ashwell elevations 6.0; Ashwell/07 Rev A

Ellesmere floor plans; 14-01
Ellesmere elevations 6.1;
Ellesmere 6.1 SEMI (A)
Ellesmere (14)-6.01 SEMI (A)

Dunham ground and first floor plan; DUN/01 Rev C
Dunham 2nd floor plan; DUN/02 Rev D

Grantham elevations 6.1; GRANT-6.1-DET
Grantham; GRANT 01
Grantham elevations 6.1; GRANT-6.1-SEMI

Dunham 6.2 Elevations; DUN/04 Rev A

Dun(14) - 01
DUN(14)-02

Cycle Path Details (reserved matters detail)
Emergency Access Details 18.01.11HC – 17243 (40) – 01C)
Site Access and Layout Plans (reserved matters detail)
Other highways plans (reserved matters detail)
Buffer Zone plan showing the extent and layout of the greenspace buffer zone
(PPC-08-AS227-07)
Standard Retaining Wall Details showing the buffer zone protective fencing (Ref:
3018/RW/1800/1.8 [Sheets 1 and 2]).

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.

47. No putrescible waste shall be brought onto the site at any time for the purposes of
land raising or ground works.

Reason - In the interests of environmental amenity pursuant to UDP Policy
MW3/2 Waste Recycling, MW4/1 Assessing Waste Disposal Proposals and
MW4/2 Development Control Conditions (Waste).

Ward: North Manor

Item 09

Applicant: Bury Council

Location: Kay Street Bridge, Summerseat
, Ramsbottom, Bury, BL9 6BU

Proposal: Widening works on the upstream side of Kay Street Bridge, Summerseat, to provide a segregated single carriageway and pedestrian footway (Bridge Extension)

Application Ref: 62867/Full

Target Date: 26/07/2018

Recommendation: Approve with Conditions

The Development Manager requests a site visit for this application

Description

The development site forms part of the highway within the Summerseat/Brooksbottoms Conservation Area and comprises a bridge highway crossing over the River Irwell. The site originally was bound to the east by a historic listed building locally called "The Waterside" and originally was a canteen structure forming part of a wider Hoyles Mill/Brooksbottoms Mill complex, where cloth was manufactured.

The whole industrial site had been vacant and subsequently converted into a mixed use development comprising mill conversion to residential accommodation (The Spinnings) and the Waterside/Canteen was converted into restaurant/pub use in the early 1990's. All buildings associated with the former Mill were listed structures (Grade II).

Following the Boxing Day floods of December 2015, the Waterside building suffered significant collapse where the main underside supporting structure was washed away by significant water levels and flooding of the River Irwell. Subsequently, the entire building was removed under The Building Regulations 1984 using s77 and s78 notice.

As a result of the removal of the building, the front wall of the Waterside that formed the easterly parapet/vehicle restraining wall had gone, thus leaving one side of the bridge open and without restraint or protection to users. The westerly parapet remained unaffected. Consequently, the bridge was closed off, in the interim to all traffic and movement, but with the installation of barriers along the east flank, pedestrian access was permitted. It has remained this way since mid-circa 2016.

The Council has since secured Government funding to reinstate full vehicular access across the bridge and has subsequently designed a scheme to facilitate full access once more.

In devising options, the remaining width of carriage way is such that simply building on the remaining road deck with a new parapet wall would result in a significantly substandard width carriageway across the bridge. Historically, the crossing was narrow and allowed only single vehicle crossing one at a time and pedestrian safety was always compromised were a vehicle wishing to cross whilst a pedestrian was on the bridge. As such, the proposals have been worked up to widen the bridge. The intentions are to widen the carriageway using modular sections that are joined and edges mitred, such that when the sections are raised, they form a predetermined natural arch to mimic the existing arches of the bridge. The bridge has two arches with different geometry and thus the extension modules are

bespoke designed to the two archways.

Works proposed incorporate extension to the footprint over the central pier within the river and the creation of riverbank abutments to receive and hold the archways. The proposals would result in an overall widening to 5.955m, following pre-existing road levels of the carriageway. The vehicular surface would be 3.685m (former width) and a new, dedicated separate footway of 1.855m all retained within a new parapet. Elevational finishes would be random stone faced to match the existing. Road surfacing would be tarmacadam and the footway would be natural stone sett/flag finish.

Relevant Planning History

None relevant

Publicity

128 letters sent to surrounding neighbouring properties on 4/6/18
site notice erected 7/6/18 and press notice in the Bury Times on 14/6/18. As a result of this publicity, there have been 27 responses.

20 objections received from

2, 3 Crag House; 1, 4, 9 and 10 Hill Street, 38 Higher Summerseat; 4 Cliff Avenue x2; 3 East View; 3 Kay Street; 25 Jesmond Drive x 2; 520 Walmersley Road x2; 15 and 17 Holly Street x2; 20 Beech Street;

Points raised include:

- There's an adequate river crossing just a few hundred yards downstream. Surely the money for this bridge could be better spent elsewhere in the borough.
- Currently the park on Waterside Road is very safe for children with very little traffic passing by. If the bridge is reopened to cars I fear that people will revert to using Waterside Road like a race track as they did before the collapse.
- The direction of traffic as is has the benefit of calming measures with the traffic lights at Twist Bridge.
- Since the bridge has been closed to traffic there's a different perspective to Summerseat. The bridge has become a focal beauty point for and gives a real sense of a village. This could be an opportunity to develop a community facility being adjacent to the twin benefits of River and Railway.
- More importantly the area is much safer in terms of road traffic and my concern is that once reopened the stretch of Waterside Road from Robin Road to Ruby Street returns to being a hotspot for speeding cars. Perhaps changes could be made to calm traffic.
- Bass Lane needs constant remedial work due to high traffic volumes and there's traffic queues on Walmersley Road arising from the through traffic.
- Commuters who use Bass Lane to cut through to Greenmount and other areas need to be discouraged.
- I understand that residents on Rowlands Road will have faced an increase in traffic following the Kay Street bridge closure but this has always been a busy through route.
- Communities regularly has events for children on the 'Island' and at present this is a safe area but if the road is opened to through traffic it would again become hazardous for all. Children travel to and from school along this route and the money would be better spent on making a safe footpath throughout the village for school children where one is not provided.
- There are traffic issues throughout Summerseat and re-opening Kay Street Bridge will not resolve current difficulties.

- Putting a footpath next to the bridge for pedestrians does not ensure safe walking once across as there is no appropriate footpath on Kay Street or Hill Street and the reopening of the bridge will just encourage more traffic to use the Village as a rat run to get access to the A56.
- Peak time is an issue along Rowlands Road, across Twist Bridge and Railway Street and it should be proposed that this area be a priority for funding at this time with a safe footpath put in place for school children, parents and walkers to be able to cross the river and walk under the railway line without fear.
- Make good Bass lane and introduce effective calming measures on Rowlands Road and Railway Street.
- Visitors who come to Summerseat to walk or view the trains can take up position on the bridge and the bridge itself, even in it's damaged state, is a beautiful focal point.
- Prior to the collapse of the Waterside, the road across the bridge was highly dangerous to both vehicles and pedestrians. Using it as a pedestrian was a challenge as it was necessary to continually look both ways for traffic and then flatten oneself to the wall of the Waterside to avoid being knocked down.
- Cars and lorries would speed and once over the bridge take the tricky uphill corner into Hill Street too fast and would continue to speed up Hill Street.
- The current situation affords an opportunity for the council to repair the bridge and preserve it's beauty and value as an asset to the village.
- Must we see traffic lights at this bridge?
- Conservation appraisals have noted with concern the damage to Brooksbottoms caused by traffic and buildings as they were not designed for the weight of traffic and damages the Conservation Area.
- It is an aim of Bury to promote physical activity.
- Introduce a 20mph speed restriction, speed cameras to generate income or speed bumps.
- Make Summerseat a destination not a thoroughfare.
- I would definitely invest in a permanent pathway up past the railway bridge towards Summerseat Primary School. With the savings the council make I believe the council should provide flood support to the most vulnerable residents in the village who were previously flooded.
- Impacts upon residential amenity and that local infrastructure is inappropriate.
- The rationale for widening the bridge is that its old configuration was substandard for modern demands and that it would not be safe to reopen it to traffic in its old format. The reasoning applies with equal – and perhaps greater force – to the surrounding roads. They were perhaps tolerable as a legacy route for through traffic. But it is not appropriate to take active steps specifically designed reopen them to through traffic.
- HT2/3 recognises that, “in older areas particularly, the street pattern is not designed to meet present day needs and the roads are of inadequate width” and requires the prioritisation of the “the safe and efficient operation ... roads in the Borough,” developments which “contribute to road safety”, “facilitate the improvement or protection of the environment” and “encourage cycling and walking as alternatives to the use of private cars, particularly for local journeys”.
- HT6/1 commits the council to ensuring “that pedestrians and cyclists are able to move safely and conveniently”, “eliminating points of conflict between pedestrians/cyclists and motor vehicles, ”extending pedestrian areas...where appropriate and “ensuring that all proposals for development recognise the needs of pedestrians and cyclists”. It is important to note that the pedestrian and cyclist needs relevant to this application go far beyond the narrow needs of pedestrians actually crossing the bridge alongside traffic.
- HT6/2 supports the creation of “safer and more pleasant environment for pedestrians” and acknowledges that a “range” of interventions can secure this, “from

complete pedestrianisation to partial segregation". The complete pedestrianisation of Kay Bridge (itself a comparatively modest measure) has much wider consequences for the local environment which should be maintained. The best way to honour the demands of these all policies is to reject this application.

- Other council policies (which are not specifically recognised as constraints on the application on the planning portal) also mitigate in favour of rejection of this application. *RT3/1* forbids development which "would ... prejudice the use of, areas predominantly used for recreation outside the urban area.". This application would prejudice the use of Summerseat Park (which is recognised as an important recreational area and highlighted for improvements in *RT 1/2*), Brooksbottom Gorge and Summerseat Island. Summerseat Island is also singled out for protection in *RT 3/2/2*, which is hostile to developments which would detriment the local environment, unacceptably increase road traffic or adversely affect the amenity of local residents of users of the space.
- This application would damage the character of the conservation area contrary to *EN2/1* and *EN2/2* nor the management plan for the area, which cites traffic as being a negative factor on the Conservation area. Disagrees that the proposals represent a neutral impact and no assessment has been made to the substantial increase in traffic through the area.
- Supporting information is too focussed on architectural and structural concerns.
- Disagrees about the levels of consultation and does not consider that the engagement prior to submitting the application was consultation.

7 Letters of support

4 Manley Close; 29 Miller Street; 76 Pollards Lane; 90 Newcome Road; 4 Crag Avenue; 14 Crosfield Avenue x 2;

- Living 20 yards from the Cliff Avenue bus stop that hasn't seen a bus in two and a half years and counting. Being 74 it is not easy walking up the steep hills in Summerseat. All we ask is for the status quo prior to Boxing Day 2015, which was promised by Bury's Chief Executive at a Public Meeting in November 2016. No ifs or buts and saving money. Please rebuild the Kay Street bridge NOW
- I support for many reasons. For one the Health and Safety of all but mostly the children and families that risk life and limb most days. The reduction of services. The traffic jams when a bus, bin wagon or tractor cannot get passed and the dreadful road conditions when ice and snow prevented the flow of traffic.
- Just been reading some of the comments which I strongly agree with but we need the bridge back open to ease the traffic off the rest of the village. I live on Pollards Lane since the bridge closure cars speeding up and down as you know you can only go up so far so i say get the bridge open make it fair for all of us in the village and the traffic needs sorting all the way through the village Bass lane a nightmare at any time of the day the bus always get stuck on Rolands so the council needs to calm the traffic all the way through the village.
- Yes, for those living on Hill St and Cliff Avenue side it is safe and quiet with the Waterside falling down, what about those on Railway St and Rowlands Rd where the traffic is much worse ,the cars using it as a rat run to get to the motorway etc. For many years the buses were able to get round the village with no problem, now you don't know if a bus is going to turn up especially for the elderly round that area and those who do not drive (the bus drivers don't like it now keep getting stuck going up or down the hill, I personally think the traffic lights on the engine shed side are in the wrong place and should be further up. There should be some kind of traffic calming introduced.
- I support the building of the new bridge and footpath, leading to the opening of the road to vehicle access. This would alleviate the volume of traffic which is currently being pushed through one side of the village, also a conservation area. The traffic flow and the

volume through Summerseat, mainly used at rush hour times by commuters to access the motorway, is a wider issue which the Council should address. However pushing all the weight of traffic along one narrow road where there is inadequate pavements, if at all, and where our school and church is, is not in the interest of safety for all, especially children, and especially during the winter months when visibility is lower. We have seen the impact when the only road is blocked or closed. This causes the obvious problems but my concern is having a free flowing access route around the village and having it done sympathetically to the area.

- This is a public highway for the good of everyone in the village. The alternative route along Railway Street is totally inadequate and is dangerous for pedestrians. The loss of the bridge at Kay Street has been a major inconvenience to residents.
- This has always been a through road and the loss of this road to vehicular traffic has been a major inconvenience. Failure to reopen this route to motor traffic imposes a totally unfair burden on the residents of Railway Street which is totally inadequate to cope with the volume of traffic.

Consultations

Traffic Section - No objections. Condition about a construction management plan is required.

Drainage Section - No objections subject a condition that the drainage proposals are carried out in accordance with the approved plans.

Environmental Health - Contaminated Land- No objections. Add conditions relating to unforeseen contamination.

Public Rights of Way Officer - No response received.

Environment Agency - No objections. Add condition concerning invasive species and a method to treat them.

Greater Manchester Police - designforsecurity - No response received.

Cadent Gas Ltd (formerly National Grid) - No objections. Informatives about services to be passed to the applicant.

Fire Protection Dept Bury Fire Station (Part B) - No response received.

Transport for Greater Manchester - No response received.

Heritage England - No requirement to consult Heritage England and no objections provided.

Greater Manchester Ecology Unit - No objections received. Conditions proposed in relation to Construction Management Plan and close inspections in relation to bats when scaffolding is in place.

Unitary Development Plan and Policies

EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6/4	Wildlife Links and Corridors
EN9/1	Special Landscape Areas
OL1	Green Belt
OL5/2	Development in River Valleys
EN2/3	Listed Buildings
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN5/1	New Development and Flood Risk
EN6/3	Features of Ecological Value
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/4	Groundwater Protection
EN9/1	Special Landscape Areas
EN10/2	Riverside and Canalside Improvement in Urban Areas

HT2/1	The Strategic Route Network
HT2/3	Improvements to Other Roads
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
EN7/3	Water Pollution
NPPG	National Planning Policy Guide
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.

Principle - The site comprises an existing vehicular highway, which due to structural failings of the former Waterside, has left exposed the easterly side of the highway open and without restraint over a river crossing. The main intention of this application is to permit the highway to function as it has historically done, but to extend the highway to provide dedicated pedestrian access across the bridge with a new parapet wall.

National Planning Policy Framework Chapter 9 – Promoting sustainable transport. Paragraphs 102 and 103 sets out the important role transport policies play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The direction of the paragraph is that there should be a balance in favour of sustainable transport and the provision of choice in how people travel.

Para 103 encourages solutions which support reductions in emissions arising from congestion and gas emissions. Para 108 states that in assessing specific applications for development, it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

The remainder of this chapter considers how people move from one place to another, the relevance of travel plans; the need for planning policies to minimise need for additional travel and maximise use of sustainable modes of transport.

UDP Policy HT 2/3 – Improvements to Other Roads states that the Council will undertake minor highway improvements and implement local traffic management schemes where necessary to ensure safe and efficient operation of all other roads in the Borough and will give specific priority to contribute to road safety by:

- Improving traffic flows without necessarily encouraging increased traffic speed;
- Facilitating the improvement or protection of the environment;
- Enabling bus services to operate more efficiently and over a wider area;
- Encouraging cycling and walking as alternatives to the private car particularly for

local journeys.

HT5 – Accessibility for those with Special Needs and HT5/1 – Access for those with Special Needs states that the Council would seek to improve accessibility and the means of movement for the mobility impaired and those with special needs. In assessing proposals, special demarcation, ramped access in preference to steps in public and private areas, greater coverage of specialist bus services and better design of buildings incorporating details for mobility impaired would be sought.

HT6/1 – Pedestrian and Cyclist Movement seeks to ensure that pedestrians and cyclists are able to move safely and conveniently, which would be achieved by;

- Eliminating points of conflict between pedestrians/cyclists and motor vehicles;
- Providing direct and convenient routes;
- Ensuring that routes are well lit and clearly signed;
- Extending pedestrian areas especially in Bury Town Centre and other district local centres where appropriate;
- Ensuring that all proposals for development recognise the needs of pedestrians and cyclists;
- Make exemptions for cyclists in Traffic Regulation Orders and pedestrian schemes where appropriate; and
- Providing secure cycle provisions, parking lanes where appropriate.

HT6/2 – Pedestrian/Vehicular Conflict states that the Council will take action as appropriate, to reduce pedestrian / vehicular conflict through measures which include:

- Pavement widening/realignment
- Pedestrianisation schemes
- Improved pedestrian crossing facilities
- Proposals designed to reduce traffic speed
- Provision of clearly signed pedestrian routes.

The pre-existing carriageway was only passable by single file traffic. Pedestrians had to share this surface with traffic as there was no dedicated or separate pedestrian walkway.

The single file nature of the carriageway itself, provides a means of traffic regulation controlling speeds and flows. However, there was always potential for conflict with more vulnerable road users including pedestrians and cyclists as there was an absence of a dedicated footway. The proposals seek to retain the single file nature of the vehicular carriageway but to provide an extension on the easterly side of the bridge to create a separate 1.8m wide pedestrian route, which would be able to it to connect in to the existing footway layout to the north of the bridge. The proposals are considered to be appropriate and policy compliant.

The proposals are considered to be sustainable from a transport policy consideration and would encourage safer use of a pre-existing highway, whilst maintaining and delivering a safe and convenient means of crossing the highway at this particular bridging point. As such, the proposals are considered to not only comply with national policy, but also local planning policy in principle. Matters in relation to Green Belt, heritage, ecology, flood risk and amenity are considered below.

Listed Buildings and Conservation - The site lies within the Summerseat/Brooksbottoms Conservation Area, is within the Green Belt, River Valley and Wildlife Corridor and is in close proximity of a collection of listed buildings (Grade II) to the north east. In addition to this, of the proposals need to sit within and span across the River Irwell.

Sections 66 and 72 of the Town & Country Planning (Listed Buildings & Conservation Areas Act) 1990 imposes a statutory duty upon the Local Planning Authority (LPA) to recognise, positively manage and ensure the preservation or enhancement of Listed Buildings and Conservation Areas.

Chapter 16 of the National Planning Policy Framework (NPPF) sets out the Government's planning policy position in relation to development involving heritage matters. Paras 189 to 202 set out how the significance of listed buildings and Conservation Areas must be considered in relation to development proposals including, but limited to, the judgement of harm, significance, loss to heritage assets (Designated ones and non-designated ones).

UDP Policies EN2/1 and EN2/2 seek to protect the character of listed buildings and conservation areas and to ensure that proposals preserve or enhance the character of such sensitive buildings and areas. In applying the tests of the policy to proposals, nature of the development, materials, relationships between visual qualities and the surrounding areas *et al* all form part of the assessment process to ensure a high, conservation approach is adopted that is designed to preserve or enhance.

The former Waterside has since been removed from the national listing description to Brooksbottoms Mill by Heritage England.

The proposals have been developed through pre-application discussions with the LPA in understanding the complex locational issues in relation to heritage. The scheme design adopts the use of matching materials that are found within the existing structure and also within the general locality. Natural stone is a prevalent material locally.

The new parapet proposed and wall ends would have the same design approach to the existing one having a rounded finished top and would be constructed in random stone form, adopting pre-existing circumstances.

The piers and abutments would be constructed in an underlying concrete but would be faced in coursed random stone but would sit on extant pier support in the middle of the river. The archway would be formed using concrete sections that interlock using mitred sides to adopt the pre-existing geometry form of the arches. These would be faced in coursed random stone facings.

The development would be viewed within the setting of the remaining and occupied structures of Brooksbottoms Mill (single story building and larger four storey Italianate design mill behind). As such the development would be viewed as part of the setting of this part of the Conservation Area and a close relationship to the Listed Building complex.

In consideration of local plan Policy and para 189 of the NPPF, the proposals are accompanied with a heritage statement that seeks to understand the significance of local heritage assets and the mill complex. Plans and sections are equally detailed. The bridge is not itself but was attached to a former listed building. It is likely to be of a similar age to the former mill complex and is a main crossing point that the mill would have utilised historically in relation to mill operations. As such the bridge is considered to be a heritage asset of significance (para 197 *ibid*) and importantly surrounded by heritage assets comprising two listed buildings and therefore their setting is very important; particularly as the view of these buildings is from not only from surrounding properties but also from public areas. This creates a distinctive architectural and historic character (reflecting required consideration *ibid*. para 190 and 193). The design and appearance of it is such that its materials should feature heavily in any proposals. Furthermore, the northerly bank containing the designated assets would not be impacted directly as the development would not adjoin the structures.

There would be some level of intrusion by the formation of parapet walls. However, the 1100mm height and positioning of these walls are such that they would read sympathetically with these structures and not least, as the former Waterside has since gone, this whole area now enjoys greater views from the public areas and the formation of parapet walls are commonplace, expected over a bridge as an enclosure and suitably designed to preserve the character of the Conservation Area.

The widening works by 1800mm would partly re-instate built area but is considered to be a relatively minor extension and would not give the impression of an oversized addition.

The retaining piers below would continue the pre-existing structure at a lower level to the bridge and with the use of matching facing and coursing, the piers would not appear out of keeping. As such it is considered that the setting of the listed buildings and conservation area would be preserved and as such, the proposals would be consistent with NPPF paras. 192, 193 and 200.

In relation to the bridge itself, which is considered to be a significant heritage asset, the proposals are considered not to be so extensive that the overall appearance of the bridge would be harmed and the works would not only preserve what is there, but would enhance the asset, by repair and improving through a minor scale of development to the functionality of the bridge. As such, the nature of the proposals would be consistent with NPPF para 197.

The proposals would maintain a low profile within the context of a largely complete pre-existing structure and the scale of widening and design concepts adopted would not have any restrictive element of any significance to impact upon the setting of the listed buildings or cause harm to the Conservation Area and are considered to preserve the character in line with the requirements of the primary Acts, National and local planning policy.

Green Belt and River Valley - NPPF Chapter 13 – Protecting Green Belt Land and OL policies of the UDP set out the national and local considerations of development within the Green Belt. UDP Policies are largely consistent with the NPPF and therefore hold significant weight. The policies of the NPPF hold substantial weight in terms of the consideration of development within the Green Belt, not least as these policies are more up to date than the UDP.

Para 143 considers that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 146 states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a. mineral extraction;
- b. engineering operations
- c. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e. material changes to the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Exceptions c) and d) replicate bullet points 2 and 3 of the superseded NPPF. These are the most relevant in that the proposals do represent engineering operations and local transport

infrastructure which can demonstrate a requirement for a Green Belt location.

In considering the first of these points, the proposals are heavily engineering driven by necessity, design and use in that they are seeking to extend a pre-existing structure that currently provides access across a main River. The second point relates to local transport infrastructure which in this instance is pre-existing, substantially complete but needs engineering works to return it back to practical and historical use for vehicular traffic in as minimal a scale as possible.

The scale of widening and formulation of a footway facilitated by arch extensions would be less than 1.8m in width and enclosed on the upstream side by an 1100mm high parapet. The siting and position of the widening would be on the same horizontal plane of the carriageway and the insertion of a parapet along the length of the easterly bridge structure would be low in height and not considered to be either intrusive nor harmful to the openness of the Green Belt. The purpose of the development pre-exists i.e. the majority of the carriageway and the enclosure by the parapets encloses minor airspace, with abutments set against the embankments of the river. As such, the nature of these operations are such that it is considered to not harm openness nor conflict with the purposes of including land within the Green Belt (NPPF para 134).

Local policy seeks to provide the same protection as the NPPF but recognising certain forms of development such as infilling or operations should seek to preserve the openness of Green Belt. Similarly, as considered above, the nature and scale of the proposals together with their design, appearance and nature would not conflict with local planning policy.

Ecology - The application site is located within a wildlife corridor as identified within UDP part one proposals map and under part two policy EN6/4. In relation to the NPPF and ecology, Chapter 15 is of particular relevance "Conserving the Natural Environment". As well as the development having a general location of a close relationship to ecological corridors, the nature of the development is such that the development also straddles the River Irwell and would utilise and part redevelop supporting structural features within the river corridor itself.

The planning system as described within the NPPF is that it should, amongst other factors, contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; as well as recognising wider benefits from natural capital and ecosystem services and minimising impacts upon biodiversity and providing net gains where possible (para 170).

Wider ecological networks should be positively planned for with local policies protecting, enhancing and encouraging management (paras 170, 171, 174, 175, 177) and accordingly within decision making be given appropriate significant weighting where relevant. There are no national designations (para 175) nor local designations within the UDP of specific ecological value, but of course the development would have a relationship to the river.

UDP Policy EN6/3 - Features of Ecological Value requires the decision maker to consider proposals and the effect of land use changes on existing features of ecological or wildlife value arising from development and proposals should seek to retain such features and incorporate them into the development.

EN6/4 – Wildlife Links and Corridors states that the Council will seek to consolidate, and where appropriate strengthen wildlife links and corridors and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their

effectiveness through the design, landscaping and siting of development proposals and mitigation works where necessary.

UDP Policy EN10/2 – Riverside and Canalside Improvement in Urban Areas states that when considering proposals for development adjoining and adjacent to rivers and canals in the urban area, the Council will, where appropriate require schemes to include improvements to waterside areas, including tree planting, provision of waterside walks and the refurbishment or clearance or redundant buildings and other structures.

The application proposals are accompanied with an ecological assessment carried out by ADAS dated July 2017 and further ecological updates are also set out in the 'Planning, Design and Access Statement' which sets out that the Greater Manchester Ecology Unit (GMEU) had undertaken bat emergence survey on 10 May 2018 and an Otter survey (29 June 2018).

In terms of bats, GMEU confirmed that they did not spot any bats emerging during their survey. They consider that further emergence surveys are not necessary and whilst occasional use by individual bats cannot be ruled out, the bridge is not being utilised as a major roost. They recommend a precautionary approach comprising close visual inspection at the various cracks and holes once scaffolding is in place using endoscopes to ensure that bat roosts/individuals are appropriately considered and include a tool box discussion with contractors in case a bat(s) are found.

Birds were seen around the bridge but GMEU were of the opinion that the bridge was not used for nesting. GMEU would be the normal consultation body to the LPA in the consideration of specialist concerning ecological matters.

Desk studies and field studies were carried out and understanding the constraints, designations, habitats and species and groups, the report also looked at the respective local and national policy framework including making recommendations. There are no local or national designations in relation to habitats within or immediately adjoining the application site.

Otters - Following the survey of the site, the repair works and upstream extension are primarily restricted to decking and central abutment with minor repair works up and down stream. The report considers that there is no potential for otter holts within the development site and no soft banking or trees present, just natural stone retaining walls and concrete abutments. There is a risk of otter moving through the site during construction and reasonable avoidance measures should be adopted during construction. A condition is recommended in relation to the construction management plan. There is no reason to disagree with this recommendation.

The ecological report considers many species that may be located within the vicinity having consulted local biodiversity records. The prevalent species of fauna within the immediacy of the bridge comprise bats, birds and otter. Notable flora comprises Japanese knotweed and Himalayan balsam. A scheme of remediation can be conditioned accordingly to secure removal of invasives.

The ADAS report's recommendations identify additional actions and surveys together with the most appropriate times of year when the respective species would be most active / present. GMEU have no objection to the survey and in consideration of local and national planning policy, the proposals could be carried out subject to careful methodology before and during construction.

In consideration of Habitats Directive, development should either consider alternative sites,

ensure no derogation of species and overriding public interest (Natural England WML-G24(01/11)). This document details, at a high level, the approach Natural England's wildlife licensing team takes when assessing a EPS mitigation license applications against the three 'tests', as set out in the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations).

There is no other alternative to the scheme as the bridge is in situ, already functions and there is an imperative in relation to public safety as there are only temporary measures in place to ensure that the public do not come to harm without restraint on the upstream side of the bridge.

In terms of the derogation test, the surveys that have been carried out whilst making recommendations, do not class the works nor the bridge to be of such high ecological regard and thus with reasonable avoidance measures, finalising inspections and careful implementation, works would not have significant impact upon ecology. There is no other evidence to reasonable draw any other conclusion other than the proposals would not have undue impact or adverse impact upon ecology and therefore would be compliant with local and national policy in relation to ecology.

Flood Risk - Chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF sets out the Government's planning position in relation to new development and flood risk amongst other issues. It understands that planning has a key role to play in place shaping and that LPAs should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk (NPPF paras 149 and 150).

Para 155 of the NPPF, states that inappropriate development in areas at risk should be avoided by directing development away from areas at highest risk (whether existing or future), but where it is necessary, making it safe without increasing flood risk elsewhere.

UDP policy EN5/1 – New Development and Flood Risk is the saved local plan policy where it sets out that the Council will not permit new development....where such development would be at risk from flooding, would be likely to increase the risk of flood risk elsewhere, or would adversely affect flood defences.

The policy sets out criteria that would apply in assessing proposals and includes the impact upon floodplain; the increase in surface water run-off; the impact upon fluvial flood defences and the incorporation of mitigation works. The justification of the policy refers to outdated planning policy. As such there is inconsistency with the NPPF. The objectives of the justification remain appropriate and true to the consideration of development. However, the technical means of consideration of proposals has been updated by the NPPF and accompanying technical flood risk guidance.

The Sequential Test and Exceptions Test - Paras 158 to 161 of the NPPF, set out the approach to be adopted in the sequential and exceptions test. Para 158 states that "the aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding. The Planning Practice Guidance expands on this further and identifies that the flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required."

If the sequential test is passed, then the exception test can be applied and there are two criteria set out in NPPF para 160 which need to be met. These are:

- The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The development by reason of its area is a minor development in consideration of the PPG (Paragraph: 046 Reference ID: 7-046-20140306, Revision date: 06 03 2014, minor non-residential extensions: industrial/commercial/leisure etc. extensions with a footprint less than 250 square metres). However, there needs to be a consideration as to whether the technically minor development is likely to raise flood risk issues (Paragraph: 047 Reference ID: 7-047-20150415 Revision date: 15 04 2015) including:

- they would have an adverse effect on a watercourse, floodplain or its flood defences;
- they would impede access to flood defence and management facilities, or;
- Where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows.

NPPF Para 164, confirms that minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements of site specific flood risk assessments. Footnote 51 sets out further clarification in relation to minor development and caravan related proposals.

In consideration of the proposals, the site is located within flood zone 3 and as such is within the highest risk of flooding however the bridge is where the bridge is and as such, it is substantially intact in relation to the downstream elevations, spans and abutments on either banks and centrally within the river by an existing pier exist. The nature of the proposals is to reinstate the upstream elevation with a pedestrian walkway and parapet, requiring extension to the bridge on the easterly elevation. In this event, the case in consideration of sequential testing means that the proposals must be located in this position and cannot be placed elsewhere. The development would not reduce flow capacity nor require changes to land to cause flows to operate differently. Flood risk elsewhere is not likely to be increased as a result of the proposals. As such, although not required, it is considered that the sequential test is passed.

The nature of the proposals are such that there is existing remnants of structure that would be utilised to form the extension to the bridge. Given this, the proposals would neither impact nor have an adverse effect on the watercourse, floodplain or flood defences; would not impede access to flood defence and management facilities nor contribute cumulatively to have a significant effect on local flood storage or flood flows. As such, although not required, it is considered that the proposals satisfy the exceptions test.

The Environment Agency has been consulted on the application proposals. Their response dated 15 June 2018 was that they had no objections to the proposals based upon there being no restriction to cross sectional areas beneath the arches for flood flows. Temporary scour protection had also been installed just downstream of the bridge, which the Environment Agency removal under their permitting regime.

Residential Amenity - NPPF Chapter 12 – Requiring good Design

NPPF para 124 considers that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Para 126 states that LPAs should use tools such as design guides and codes to provide a framework for creating distinctive places, with a consistent and high quality standard of design. Para 131 states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability.

Chapter 8 of the NPPF considers that the planning system can play an important role in facilitating healthy, inclusive and safe places, which

- promote social interaction;
- are safe and accessible; and
- Enable and support healthy lifestyles.(NPPF para 91).

To deliver social, recreational and cultural facilities et al, LPAs are required to plan positively; guard against the unnecessary loss of valued facilities and ensure an integrated approach to considering the location of Community facilities and services (NPPF para 92).

UDP Policy EN1/2 – Townscape and Built Design is a saved policy that provides a means of assessing local circumstances in relation to development and seeks to ensure that proposals do not have an adverse effect upon the character or particular townscape ensuring that factors such as good levels of assimilation occur visually and locationally and provide wider benefits to the community through good levels of access. The relationship to the surrounding area is one of the factors to consider.

The proposals seek to extend existing infrastructure to provide segregated pedestrian access and enclosure to the easterly elevation by a new parapet wall. The land use would not change and prior to the application, members of the public still used the crossing point regardless of there being no dedicated footway. The provision of a footway on the easterly side of the bridge would not have any direct relationship to any nearby residential property and would be separate from the nearest dwelling (to the south west) by the existing highway.

The proposals have been widely discussed with the community and there is an accompanying statement of community involvement within the planning application supporting documentation. This shows that there have been numerous meetings and proposals have been circulated prior to their submission to the LPA. Given the above the proposals would conform to local and National policy.

Response to objections

The proposals have been adapted to ensure that the proposals deliver sustainable development to provide equal access for all. It is accepted that there is an alternate crossing to the river, which is some 500 metres further south. However, this crossing from a highway safety point of view involves using the locally named “Twist Bridge” and a set of temporary traffic lights. There is a steep blind bend at the bridge and whilst there has been a set of temporary traffic lights introduced to regulate the single access under the railway bridge, there is and remains an unregulated access (Wood Road) that joins ‘the junction’. The levels of traffic needed to be controlled as there was a natural increase in demand upon the single point of river crossing following the closure to vehicular traffic over the Kay Street Bridge. This traffic increase, in consideration of the Transport and Highways considerations set out above within the NPPF, creates a level of traffic artificially concentrated in an already confined area, again with no pedestrian segregation and therefore is considered not to be a sustainable means of access on its own. The opening of the Kay Street Bridge, would spread traffic within the village and through the introduction of a segregated pedestrian

access, would improve access opportunities and improve safety.

Where the finance is directed is not a planning consideration. Traffic passes the park regardless of the bridge being open or not as residents living in The Spinnings still need to use Waterside Road. Furthermore, there is a pedestrian footpath on either side of Waterside Road (unlike the Twist Bridge) and therefore the reasonable use of the highway by drivers would be expected. The highways have always functioned as a throughroute and repairing the parapet would ensure that this remains the case. Traffic can disperse more with the route open rather than concentrate it on a very suboptimal single crossing point.

The perspective of how the village has changed since the closure of the bridge, to vehicular traffic, is a matter of personal opinion. However, as a vehicular highway, should the application have come forward simply to make the bridge safe to vehicles by the creation of a parapet only, then this would not have changed the character of the village as to how it formally was. Given the nature of the proposals are to create a separate footway for pedestrians the development would not change the historic right for users of the highway to re-use the highway as an east/west throughroute.

Highway Authority Comments to objections

The aim of re-opening the bridge is not to resolve all traffic problems in Summerseat, but to reinstate the configuration that has been in existence for the last 200 years or so until the events of Boxing Day 2015. This will provide an alternative route through the village and relieve the added traffic pressures which have existed on Railway Street and Rowlands Road since the closure. The proposals seek to introduce a footway which would connect into pre-existing footway network and will facilitate an important bus route for those who rely upon public transport.

Rowlands Road and Railway Street is having to accommodate increased two way traffic, which on narrow highways, geometry and gradients is difficult. Parked vehicles and proximity of schools adds further constraint to a route that is not designed to accommodate the existing (and diverted) levels of traffic and impacting upon highway safety.

The Local Highway Authority has committed to undertake a holistic view of traffic in the village following the completion of the scheme to determine whether potential safety improvements can be delivered. These may include traffic calming measures, addition regulation, routing and other physical works.

Funds allocated were directly aimed at the bridge repair and cannot be spent elsewhere.

The highway network is a feature of the area and it would be unreasonable to concentrate traffic solely in one area when repairs can ensure greater equity and access.

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 Paragraphs 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 decision relates to drawings and reports referenced
B147-18-P1 SITE/LOCATION PLAN
660-017-001 EXISTING GENERAL ARRANGEMENT
660-017-002 EXISTING SERVICES
660-017-003 DEMOLITION AND SITE CLEARANCE
660-017-010 PROPOSED GENERAL ARRANGEMENT
660-017-011 LONGITUDINAL SECTION & DETAILS
660-017-012 ABUTMENTS AND PIER PROPOSALS
660-017-030 PARAPET AND WALL DETAILS (Sheet 1)
660-017-030 PARAPET AND WALL DETAILS (Sheet 2)
Site investigation and feasibility study
Preliminary Ecological Appraisal
Heritage Statement
Design and Access Statement
Otter Survey 29/6/18

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 above.

3. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
 - Hours of operation in relation to the number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site 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 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/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 - Information not submitted at application stage. 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 Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

4. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning

Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason - To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. 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 - The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Measures to prevent pollution to the river and harm to bony fish, as outlined in sections 6.2 and 6.3.4 of the Appraisal as well as disturbance to nesting birds (section 6.3.3) ADAS report.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason - No details have been submitted at application stage to ensure appropriate biodiversity protection is maintained pursuant to NPPF Chapter 15 - Conserving and enhancing the natural environment (para 9, 170, 1171 174, 175, 177), UDP Policy EN6/3 - Features of Ecological Value, EN6/4 – Wildlife Links and Corridors and UDP Policy EN10/2 – Riverside and Canalside Improvement in Urban Areas.

7. Should development not commence before March 31 2019, the bridge shall be

resurveyed for nesting birds and the report submitted together with any intended mitigation measures. The development shall only commence in line with the approved timing details contained therein and approved by the Local Planning Authority.

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 15 - Conserving and enhancing the natural environment.

For further information on the application please contact **Dave Marno** on **0161 253 5291**

This page is intentionally left blank

BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

31 July 2018

SUPPLEMENTARY INFORMATION

**Item:01 Land at Bury Road / York Street, Radcliffe, Manchester, M26 2WH
Application No. 60418**

Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to: 20&35- surface water drainage scheme, 27- samples of materials, 28- lifetime homes, 29- footpath and cycle route to vary the timing of submission for implementation

Para 64 of the revised NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership.

As such, the Section 106 agreement would be amended to ensure that the 15 affordable houses are available for affordable home ownership.

Item:02 10 Vernon Road, Tottington, Bury, BL8 4DD Application No. 62132

Change of use from shop (Class A1) to cafe (Class A3); New shop front and installation of flue at rear

Nothing further to report.

Item:03 15 Bridge Street, Ramsbottom, Bury, BL0 9WN Application No. 62607

Conversion of first floor and second floor roof space of former bank to 2 apartments, including first floor rear extension and roof terrace on front elevation and erection of bin store to Garden Street elevation

Nothing further to report.

Item:04 31 Quarlton Drive, Tottington, Bury, BL8 4JY Application No. 62715

Demolition of existing dwelling house and erection of replacement dwelling house with detached garage

Nothing further to report.

Item:05 626 Manchester Road, Bury, BL9 9SU Application No. 62777

Removal/Variation of condition no. 4 (implementation of traffic regulation order) of planning permission 61687

Clarification of the Description of the proposal -

To omit the condition to implement a Traffic Regulation Order and to vary the condition to retain the cycle lane with additional signage to be provided.

Amended wording - condition 5. Given the use has already commenced the following wording is more appropriate.

Within six weeks of the date of this decision, the footway improvements on the Manchester Road site boundary shown indicatively on the approved plans, incorporating the removal of existing bitmac radii, provision of a full height kerb and flagged footway, demarcation of the limits of the adopted highway, all associated

highway remedial works, provision of boundary treatment to the outside seating area clear of the new footway and accommodation and drainage works on the private forecourt to provide a level access to the premises and mitigate the discharge of surface water onto the highway/into the premises, have been implemented to a specification agreed with the Local Planning Authority.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to UDP Policy HT2 Highway Network and HT6/1 Pedestrian and Cyclist Movement.

**Item:06 Tottington Motor Co, Market Street, Tottington, Bury, BL8 3LS
Application No. 62780**

Variation of condition 2 (approved plans) of planning permission 60264 to revise the store building to provide an enclosed goods access, a basement and revisions to elevations; amendments to layout including forecourt levels, fuel pumps and car parking

Nothing further to report.

Item:07 Land off Roach Bank Road, Bury, BL9 8RY Application No. 62835
External lighting scheme and baffling

Conditions

Condition 1, which requires the development to be begun no later than three years from the date of the consent has been deleted as the application is retrospective and the lighting is in situ. The baffles have been installed to the lights proposed on the plan E1702/401 Rev A.

The conditions have been re-numbered 1-4.

Item:08 20 Hillstone Close, Tottington, Bury, BL8 4EZ Application No. 62860
First floor extension at rear, new rear dormer and balcony structure with glazed balustrade at rear; Pitched roof over existing integral garage at front

Nothing further to report.

**Item:09 Kay Street Bridge, Summerseat, Ramsbottom, Bury, BL9 6BU
Application No. 62867**

Widening works on the upstream side of Kay Street Bridge, Summerseat, to provide a segregated single carriageway and pedestrian footway (Bridge Extension)

Publicity

One letter of support received from No 196 Railway Street with no comments.

Item:10 48 Parksway, Prestwich, Manchester, M25 0JB Application No. 62914
Erection of 1 no. dwellinghouse with basement and detached garage

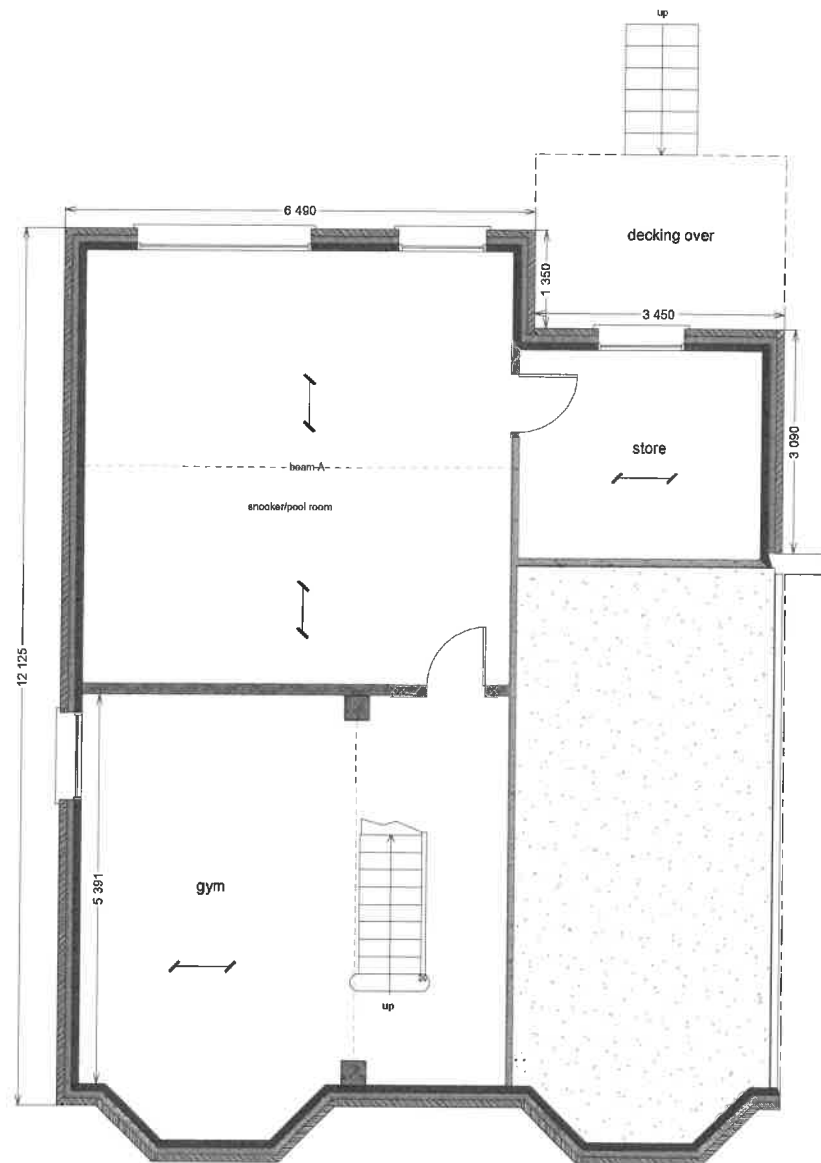
Publicity

The agent has provided a copy of the Party Wall Act Acknowledgement of Notice

Letter from the owner of 50 Parkway confirming they are content for the works to go ahead.

The proposed basement and proposed first floor plan are attached to this report.

Item 10: 62914



PROPOSED BASEMENT PLAN

Rev A: External stairs amended gff 15.06.18

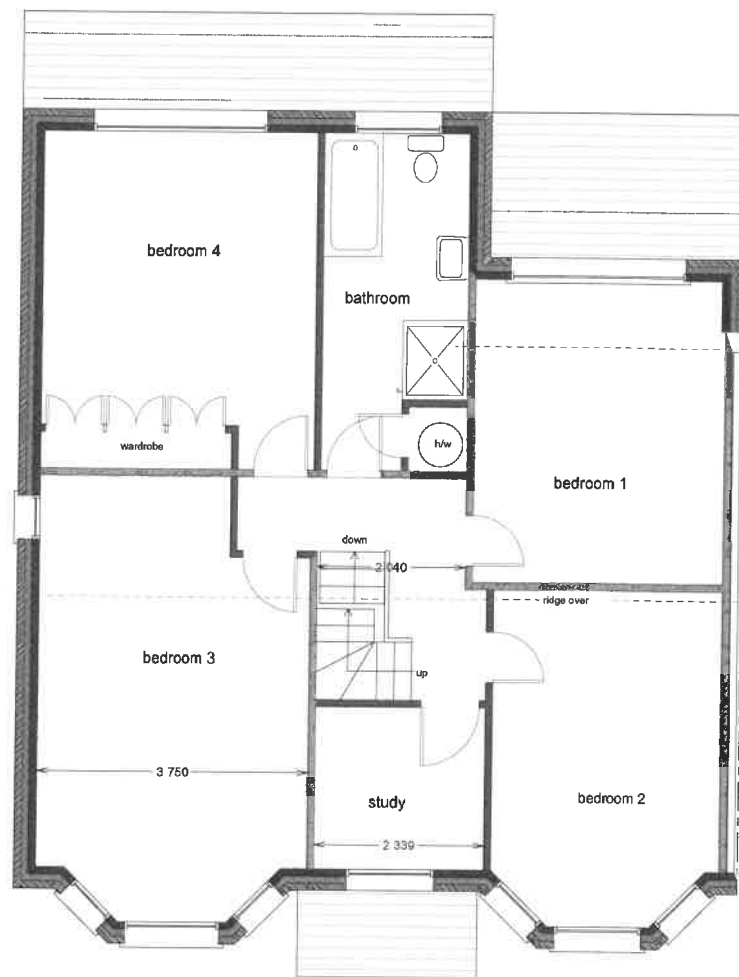
Scale: metres 0 0.5 1.0 1.5 2.0 3.0 4.0 5.0



48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
drwg no.: 1105/2A
drawn by: gff
BASEMENT PLAN

scale: 1/100@A4
date: 05.06.18

Item 10: 62914



PROPOSED FIRST FLOOR PLAN



Scale: metres



48 PARKSWAY
PRESTWICH
MANCHESTER M25 0JB
dwg no.: 1105/4 scale: 1/100@A4
drawn by: gff date: 05.06.18
FIRST FLOOR PLAN

REPORT FOR NOTING

**Agenda
Item**
5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	31 July 2018
SUBJECT:	DELEGATED DECISIONS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION / STATUS:	This paper is within the public domain
SUMMARY:	The report lists: Recent delegated planning decisions since the last PCC
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality / Diversity implications:	No
Considered by Monitoring Officer:	N/A
Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING / PROCESS**DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Planning Control Committee of the delegated planning decisions made by the officers of the Council.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-None**Contact Details:-**

David Marno, Head of Development Management
Planning Services, Department for Resources and Regulation
3 Knowsley Place
Bury BL9 0EJ

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

Planning applications decided using Delegated Powers
Between 11/06/2018 and 22/07/2018



Ward: **Bury East**

Application No.:	62576	App. Type:	FUL	25/06/2018	Approve with Conditions
Location:	Land off Rochdale Road, Bury, BL9 7AX				
Proposal:	Variation of condition no. 2 (approved plans) and condition no. 3 (materials) of planning permission 60798				
Application No.:	62599	App. Type:	FUL	13/07/2018	Approve with Conditions
Location:	Paradise Mill, John Street, Bury, BL9 0NH				
Proposal:	Variation of condition no. 2 of planning permission 59809 to extend the period of time for use of the car park until 2023, and regularisation of development works				
Application No.:	62799	App. Type:	FUL	03/07/2018	Approve with Conditions
Location:	15 Oxford Street, Bury, BL9 7EL				
Proposal:	Single storey extension at side; Erection of 2 metre high boundary wall with fencing infills at side				
Application No.:	62811	App. Type:	FUL	05/07/2018	Approve with Conditions
Location:	61 Kershaw Street, Bury, BL9 7HH				
Proposal:	Single storey extension at rear				
Application No.:	62836	App. Type:	FUL	20/06/2018	Approve with Conditions
Location:	10 Thorn View, Bury, BL9 7NW				
Proposal:	Two storey side extension; single storey rear extension and rear dormer extension				
Application No.:	62839	App. Type:	FUL	05/07/2018	Approve with Conditions
Location:	13/15 Broad Street, Bury, BL9 0DA				
Proposal:	Change of use of ground floor and part of first and second floors to education facility (Class D1)				
Application No.:	62844	App. Type:	FUL	10/07/2018	Approve with Conditions
Location:	40 The Rock, Bury, BL9 0NX				
Proposal:	Removal of all existing brand signage and ATM's and infill existing ATM apertures with matching stone work and windows				
Application No.:	62859	App. Type:	FUL	20/07/2018	Approve with Conditions
Location:	55 Hazel Avenue, Bury, BL9 7QT				
Proposal:	Two/single storey storey extension at side/rear				
Application No.:	62888	App. Type:	FUL	19/07/2018	Approve
Location:	46 Manchester Road, Bury, BL9 0SX				
Proposal:	Change of use from a six person house in Multiple Occupation (HMO) (Class C4) to a seven person house in Multiple Occupation (HMO)				

Ward: **Bury East - Moorside**

Application No.:	62215	App. Type:	FUL	13/07/2018	Approve with Conditions
Location:	Lascar Works, Tanpits Road, Bury, BL9 0LX				
Proposal:	Energy storage system, comprising battery storage containers, ancillary buildings, security fencing and CCTV				
Application No.:	62806	App. Type:	FUL	27/06/2018	Approve with Conditions
Location:	5 West Drive, Bury, BL9 5DN				
Proposal:	Single storey side extension				
Application No.:	62819	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	Freedom Church, Link House, 35 Walmersley Road, Bury, BL9 5AE				
Proposal:	1 No. automatic number plate recognition camera mounted on 5 metre high column				
Application No.:	62820	App. Type:	ADV	28/06/2018	Approve with Conditions
Location:	Freedom Church, Link House, 35 Walmersley Road, Bury, BL9 5AE				
Proposal:	7 No. non-illuminated pole mounted car park management signs				

Ward: **Bury East - Redvales**

Application No.:	62735	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	121 Cornwall Drive, Bury, BL9 9EX				
Proposal:	Single storey extension at side/rear and loft conversion with dormers at front and rear				
Application No.:	62779	App. Type:	OUT	26/06/2018	Approve with Conditions
Location:	Land at Tarn Drive, Bury, BL9 9QB				
Proposal:	Outline application for erection of 1 no. bungalow				
Application No.:	62788	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	Bury College Prospects Centre, Market Street, Bury, BL9 0BG				
Proposal:	New external lift installation and the formation / reconfiguration of 3 no. existing window openings to enable the installation of new external doors.				
Application No.:	62832	App. Type:	DEM	14/06/2018	Prior Approval Required and Granted
Location:	Millwood School, Fletcher Fold Road, Bury, BL9 9RX				
Proposal:	Prior notification of proposed demoliton of single storey former primary and special school				
Application No.:	62863	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	15 Silverdale Close, Bury, BL9 9GE				
Proposal:	Alteration to single storey rear extension of approved planning application 59747				

Application No.:	62874	App. Type:	FUL	20/07/2018	Approve with Conditions
Location:	1 Derwent Drive, Bury, BL9 9LS				
Proposal:	Two storey extension at side and single storey extension at rear				
Application No.:	62960	App. Type:	GPDE	22/06/2018	Prior Approval Required Refused - Ext
Location:	52 Wordsworth Avenue, Bury, BL9 9QX				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	63021	App. Type:	GPDE	06/07/2018	Prior Approval Required Refused - Ext
Location:	6 Redmere Drive, Bury, BL9 9GB				
Proposal:	Prior notification for proposed single storey rear extension				

Ward: **Bury West - Church**

Application No.:	62752	App. Type:	FUL	11/07/2018	Approve with Conditions
Location:	1 Rose Grove, Bury, BL8 2UJ				
Proposal:	Erection of 1.8 metre high boundary fence				
Application No.:	62792	App. Type:	FUL	11/06/2018	Approve with Conditions
Location:	61 Fieldhead Avenue, Bury, BL8 2LZ				
Proposal:	Single storey extension at side/rear				
Application No.:	62893	App. Type:	FUL	20/07/2018	Approve with Conditions
Location:	518 Bolton Road, Bury, BL8 2DU				
Proposal:	First floor rear extension				
Application No.:	62910	App. Type:	GPDE	04/07/2018	Prior Approval Not Required - Extension
Location:	17 Finchley Close, Bury, BL8 2EJ				
Proposal:	Prior notification of proposed single storey rear extension				
Application No.:	62930	App. Type:	FUL	16/07/2018	Approve with Conditions
Location:	37 Harwood Drive, Bury, BL8 2ED				
Proposal:	Dormers at front and rear				
Application No.:	62990	App. Type:	LDCP	02/07/2018	Lawful Development
Location:	9 Pleasington Drive, Bury, BL8 2ET				
Proposal:	Certificate of lawfulness for proposed single storey rear extension				

Ward: **Bury West - Elton**

Application No.: 62812 **App. Type:** FUL 22/06/2018 Approve with Conditions
Location: 10 Westcombe Drive, Bury, BL8 1DN
Proposal: Single storey/two storey extensions to side and rear

Application No.: 62816 **App. Type:** FUL 22/06/2018 Approve with Conditions
Location: 1 Darlington Close, Bury, BL8 1UG
Proposal: Erection of 1.75m pillars and 1.75m sliding gates across drive way

Application No.: 62827 **App. Type:** FUL 28/06/2018 Approve with Conditions
Location: 148 Walshaw Road, Bury, BL8 1NA
Proposal: Single storey rear extension

Application No.: 62837 **App. Type:** FUL 05/07/2018 Refused
Location: Units 1-3 Goodlad Street, Bury, BL8 1SX
Proposal: Erection of 2.4 metres high palisade fencing and gate

Application No.: 62865 **App. Type:** FUL 16/07/2018 Refused
Location: 21 Balcombe Close, Bury, BL8 4PL
Proposal: Three storey extension at rear and increase ridge height of roof to create second floor

Application No.: 62904 **App. Type:** FUL 12/07/2018 Approve with Conditions
Location: 9 Grantham Drive, Bury, BL8 1XW
Proposal: Mock tudor cladding/rendering and canopies to front elevation

Ward: **North Manor**

Application No.: 62754 **App. Type:** FUL 14/06/2018 Approve with Conditions
Location: 821 Walmersley Road, Bury, BL9 5JW
Proposal: Single storey extension at side and rear; Front porch

Application No.: 62802 **App. Type:** FUL 28/06/2018 Refused
Location: Peel Hall, Peel Hall Road, Summerseat, Ramsbottom, Bury, BL9 5QR
Proposal: Conservatory at rear

Application No.: 62803 **App. Type:** LBC 28/06/2018 Refused
Location: Peel Hall, Peel Hall Road, Summerseat, Ramsbottom, Bury, BL9 5QR
Proposal: Listed building consent for conservatory at rear

Application No.: 62817 **App. Type:** FUL 13/06/2018 Approve with Conditions
Location: 23 Greenmount Drive, Tottington, Bury, BL8 4HA
Proposal: Two storey side extension and rendering of existing front/side elevations

Application No.:	62824	App. Type:	LBC	18/07/2018	Approve with Conditions
Location:	50 Mount Pleasant, Nangreaves, Bury, BL9 6SR				
Proposal:	Listed building consent for single storey extension at rear				
Application No.:	62833	App. Type:	FUL	18/06/2018	Approve with Conditions
Location:	23 Westgate Avenue, Ramsbottom, Bury, BL0 9SS				
Proposal:	Demolition of existing garage and the erection of two storey extension at side/rear				
Application No.:	62838	App. Type:	OUT	18/07/2018	Approve with Conditions
Location:	Land to rear of 325 Holcombe Road, Tottington, Bury, BL8 4BB				
Proposal:	Outline application for erection of 1no. dwelling and detached garage				
Application No.:	63010	App. Type:	LDCP	16/07/2018	Split Decision
Location:	83 Brandlesholme Road, Tottington, Bury, BL8 4DX				
Proposal:	Proposal A: Certificate of lawfulness for proposed hip to gable/loft conversion, roof lights and front porch				
	Proposal B: Certificate of lawfulness for proposed single storey rear extension.				
Ward:	Prestwich - Holyrood				
Application No.:	62701	App. Type:	FUL	25/06/2018	Approve with Conditions
Location:	88 Bury Old Road, Whitefield, Manchester, M45 6TQ				
Proposal:	Change of use from shop (Class A1) to dog grooming salon (Sui Generis)				
Application No.:	62764	App. Type:	GPDE	11/06/2018	Prior Approval Not Required - Extension
Location:	16 Tamworth Avenue, Whitefield, Manchester, M45 6UH				
Proposal:	Prior notification of proposed single storey rear extension				
Application No.:	62775	App. Type:	FUL	18/07/2018	Approve with Conditions
Location:	225 Bury Old Road, Prestwich, Manchester, M25 1JE				
Proposal:	Change of use of former British Legion club to kitchen design studio and showroom (Class A1); External alterations				
Application No.:	62776	App. Type:	ADV	18/07/2018	Approve with Conditions
Location:	225 Bury Old Road, Prestwich, Manchester, M25 1JE				
Proposal:	1 No. internally illuminated stainless steel lettering sign, 1 no. internally illuminated fascia sign, 1 no. internally illuminated projecting box sign				
Application No.:	62797	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	39 Walker Avenue, Whitefield, Manchester, M45 6TP				
Proposal:	Single storey rear extension				

Application No.:	62800	App. Type:	FUL	05/07/2018	Approve with Conditions
Location:	313 Bury Old Road, Prestwich, Manchester, M25 1JA				
Proposal:	Conversion from 1 no. dwelling to 3 no. flats; Installation of lightwell at front, new side entrance and ramp access to flat no. 2 and new rear access with steps and window to flat no. 1				
Application No.:	62821	App. Type:	FUL	04/07/2018	Approve with Conditions
Location:	7 Polefield Grove, Prestwich, Manchester, M25 2NH				
Proposal:	Single storey extension at side and two storey extension at front				
Application No.:	62847	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	Prestwich High School, Heys Road, Prestwich, Manchester, M25 1JZ				
Proposal:	Demolition of existing timber classroom block and erection of a new single storey classroom block				
Application No.:	62851	App. Type:	FUL	03/07/2018	Approve with Conditions
Location:	15 Warwick Avenue, Whitefield, Manchester, M45 6TU				
Proposal:	Single storey detached storage building at rear				
Application No.:	62882	App. Type:	FUL	20/07/2018	Approve with Conditions
Location:	124 Heys Road, Prestwich, Manchester, M25 1LA				
Proposal:	Ground floor and basement extension at rear				
Application No.:	62998	App. Type:	GPDE	29/06/2018	Prior Approval Required Refused - Ext
Location:	52 Ludlow Avenue, Whitefield, Manchester, M45 6TD				
Proposal:	Prior notification for proposed single storey rear extension				

Ward: **Prestwich - Sedgley**

Application No.:	62704	App. Type:	FUL	14/06/2018	Approve with Conditions
Location:	Heywood Road Service Station, 93 Heywood Road, Prestwich, Manchester, M25 1FN				
Proposal:	Change of use from vacant petrol filling station to hand car wash and valeting				
Application No.:	62749	App. Type:	OUT	26/06/2018	Approve with Conditions
Location:	Linden Cottage, Cavendish Road, Salford, M7 4NQ				
Proposal:	Outline application for demolition of existing dwelling and erection of 1 no. dwelling with all matters reserved				
Application No.:	62761	App. Type:	FUL	20/06/2018	Approve with Conditions
Location:	5 Earl Street, Prestwich, Manchester, M25 1GQ				
Proposal:	Two/single storey extension at side and canopy at front				
Application No.:	62769	App. Type:	FUL	12/07/2018	Approve with Conditions
Location:	6 Stobart Avenue, Prestwich, Manchester, M25 0AJ				
Proposal:	Two storey extension at side; Dormer extension at rear				

Application No.:	62770	App. Type:	FUL	26/06/2018	Approve with Conditions
Location:	8 Deyne Avenue, Prestwich, Manchester, M25 1EJ				
Proposal:	Alterations to existing property to convert from 2 no. flats to 3 no. flats				
Application No.:	62778	App. Type:	FUL	20/06/2018	Approve with Conditions
Location:	7 Stobart Avenue, Prestwich, Manchester, M25 0AJ				
Proposal:	Loft conversion with rear dormer and gable end extension				
Application No.:	62805	App. Type:	FUL	26/06/2018	Approve with Conditions
Location:	10 Craigwell Road, Prestwich, Manchester, M25 0EF				
Proposal:	First floor front extension				
Application No.:	62825	App. Type:	FUL	16/07/2018	Approve with Conditions
Location:	6 West Meade, Prestwich, Manchester, M25 0JD				
Proposal:	Two/single storey extension at side, single storey extension at side/rear and first floor extension at rear; Front porch				
Application No.:	62840	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	7 Wells Avenue, Prestwich, Manchester, M25 0GN				
Proposal:	Single storey extension at front				
Application No.:	62853	App. Type:	FUL	20/07/2018	Approve with Conditions
Location:	11 Winchester Avenue, Prestwich, Manchester, M25 0LJ				
Proposal:	Loft conversion with rear and front dormers, front porch, single storey extension at rear (previously approved) and single/two storey extension at side				
Application No.:	62917	App. Type:	FUL	19/07/2018	Refused
Location:	75 Albert Avenue, Prestwich, Manchester, M25 0LU				
Proposal:	Single storey extension at rear				
Application No.:	62936	App. Type:	FUL	16/07/2018	Approve with Conditions
Location:	10 Beechwood Road, Prestwich, Manchester, M25 0GL				
Proposal:	Two storey/first floor extension at side; Alterations/new roof to existing rear conservatory to form extension				
Application No.:	62946	App. Type:	FUL	16/07/2018	Approve with Conditions
Location:	17 Meade Hill Road, Prestwich, Manchester, M25 0DH				
Proposal:	Single storey extension at side				
Ward:	Prestwich - St Mary's				
Application No.:	62738	App. Type:	FUL	18/06/2018	Approve with Conditions
Location:	12 Gale Road, Prestwich, Manchester, M25 9YP				
Proposal:	Two storey extension at side				

Application No.:	62793	App. Type:	FUL	27/06/2018	Approve with Conditions
Location:	25 Butt Hill Road, Prestwich, Manchester, M25 9NJ				
Proposal:	Single storey extensions at front and rear and dormer at rear; Bin store at side				
Application No.:	62801	App. Type:	GPDE	18/06/2018	Prior Approval Required & Granted - Ext
Location:	15 Shirehills, Prestwich, Manchester, M25 9QB				
Proposal:	Prior notification for proposed single storey rear extension				
Application No.:	62842	App. Type:	FUL	13/07/2018	Approve with Conditions
Location:	12 Gardner Road, Prestwich, Manchester, M25 3HS				
Proposal:	Single storey extension at rear				
Application No.:	62849	App. Type:	FUL	13/07/2018	Approve with Conditions
Location:	144 & 146 Hilton Lane, Prestwich, Manchester, M25 9QY				
Proposal:	Two/single storey extensions at rear (No.144 & 146)				
Application No.:	62871	App. Type:	FUL	06/07/2018	Approve with Conditions
Location:	3 Highfield Road, Prestwich, Manchester, M25 3AW				
Proposal:	Single storey extension at side/rear				
Application No.:	62916	App. Type:	FUL	09/07/2018	Approve with Conditions
Location:	6 Carlford Grove, Prestwich, Manchester, M25 9TN				
Proposal:	Single storey extension at side/rear with part conversion of existing garage				

Ward: **Radcliffe - East**

Application No.:	62232	App. Type:	FUL	15/06/2018	Approve with Conditions
Location:	40 Whittaker Street, Radcliffe, Manchester, M26 2TD				
Proposal:	Erection of 1 no. bungalow				
Application No.:	62768	App. Type:	FUL	21/06/2018	Approve with Conditions
Location:	48 Blackburn Street, Radcliffe, Manchester, M26 1NY				
Proposal:	Change of use from office (B1) to pet re-homing and advice centre (Sui Generis)				
Application No.:	62781	App. Type:	FUL	12/06/2018	Approve with Conditions
Location:	3 The Shires, Radcliffe, Manchester, M26 4BY				
Proposal:	Garage conversion with first floor extension above and new door and window to side elevation				
Application No.:	62794	App. Type:	FUL	16/07/2018	Approve with Conditions
Location:	Graces Place, Durers Lane, Radcliffe, Manchester, M26 2TP				
Proposal:	Siting of generator compound with 1.8m high boundary fence				

Application No.: 62795 **App. Type:** FUL 26/06/2018 Approve with Conditions
Location: 90 Ainsworth Road, Radcliffe, Manchester, M26 4FA
Proposal: Single storey side extension

Application No.: 62878 **App. Type:** FUL 13/07/2018 Approve with Conditions
Location: 21 New Road, Radcliffe, Manchester, M26 1LS
Proposal: Conversion of detached garage into residential annex to include raising ridge height of roof, front porch and external staircase at side

Application No.: 62901 **App. Type:** ADV 20/07/2018 Split Decision
Location: 48 Blackburn Street, Radcliffe, Manchester, M26 1NY
Proposal: A: 1 No. non-illuminated fascia sign (Sign 3), 1 no. non-illuminated projecting sign (Sign 2), 8 no. non-illuminated window vinyls (Sign 4), 2 no. non-illuminated signs to front and rear of building (Signs 1 & 7)
B: 2 no. non illuminated signs to railings (Signs 5 & 6)

Ward: **Radcliffe - North**

Application No.: 62447 **App. Type:** FUL 16/07/2018 Approve with Conditions
Location: Garage site off Kilburn Road, Radcliffe, Manchester, M26 3NB
Proposal: Erection of 45 no. new garages on existing garage site

Application No.: 62784 **App. Type:** FUL 27/06/2018 Approve with Conditions
Location: 23 Burghley Drive, Radcliffe, Manchester, M26 3XY
Proposal: Two storey side and rear extension with dormers to front and rear elevations

Application No.: 62804 **App. Type:** FUL 09/07/2018 Refused
Location: Genesis House, Stopes Road, Radcliffe, Manchester, M26 3TL
Proposal: Creation of new access from Stopes Road

Application No.: 62926 **App. Type:** FUL 09/07/2018 Approve with Conditions
Location: 3 Park Grove, Radcliffe, Manchester, M26 3PL
Proposal: Single storey extension at side

Ward: **Radcliffe - West**

Application No.: 62538 **App. Type:** FUL 22/06/2018 Refused
Location: 56 Green Street, Radcliffe, Manchester, M26 3ED
Proposal: Change of use of ground floor from nursery (Class D1) to a single dwelling (Class C3)

Application No.: 62647 **App. Type:** FUL 26/06/2018 Approve with Conditions
Location: 40 New Road, Radcliffe, Manchester, M26 1LS
Proposal: Variation of condition no. 2 of approved planning application 57837 for amendment to facade cladding

Application No.:	62722	App. Type:	P3JPA	14/06/2018	Prior Approval Required and Granted
Location:	132 Water Street, Radcliffe, Manchester, M26 4BE				
Proposal:	Prior notification of proposed change of use (ground floor room) from office use (Class B1(a)) to dwellinghouse (Class C3)				
Application No.:	62744	App. Type:	FUL	12/06/2018	Approve with Conditions
Location:	2 Clough Meadow Road, Radcliffe, Manchester, M26 3RY				
Proposal:	Single storey extensions at front and side				
Application No.:	62815	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	21 Ainsworth Road, Radcliffe, Manchester, M26 4DJ				
Proposal:	Change of use from ground floor shop (Class A1) to 1 no. flat (Class C3); External alterations				

Ward: **Ramsbottom + Tottington - Tottington**

Application No.:	62664	App. Type:	FUL	14/06/2018	Approve with Conditions
Location:	Stables Country Club, Walshaw Road, Bury, BL8 1PU				
Proposal:	Change of use of existing first floor function room to 12 no. hotel bedrooms (Class C1); Alterations to windows				
Application No.:	62706	App. Type:	FUL	15/06/2018	Approve with Conditions
Location:	22 Camberley Close, Tottington, Bury, BL8 3EA				
Proposal:	Two storey extension at rear with balcony and loft conversion				
Application No.:	62733	App. Type:	FUL	19/06/2018	Approve with Conditions
Location:	12 Owlerbarrow Road, Bury, BL8 1RD				
Proposal:	Erection of detached double garage with new hardstanding; New porch and modifications to front elevation				
Application No.:	62767	App. Type:	FUL	14/06/2018	Approve with Conditions
Location:	316 Turton Road, Tottington, Bury, BL8 3QA				
Proposal:	Single storey extension at side				
Application No.:	62831	App. Type:	FUL	16/07/2018	Approve with Conditions
Location:	Carmelo's Restaurant, 1-3 Chapel Street, Tottington, Bury, BL8 4AL				
Proposal:	Single storey side extension				
Application No.:	62834	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	6 Moorside View, Tottington, Bury, BL8 3HL				
Proposal:	Front extension over existing garage, new front porch and single storey rear extension				
Application No.:	62900	App. Type:	GPDE	04/07/2018	Prior Approval Not Required - Extension
Location:	14 Pennington Street, Walshaw, Tottington, Bury, BL8 3BG				
Proposal:	Prior notification for proposed single storey rear extension				

Application No.: 62973 **App. Type:** GPDE 17/07/2018 Prior Approval Not Required - Extension
Location: 153 Scobell Street, Tottington, Bury, BL8 3DE
Proposal: Prior approval for proposed single storey rear extension

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 62707 **App. Type:** FUL 22/06/2018 Approve with Conditions
Location: 13 Bolton Street, Ramsbottom, Bury, BL0 9HU
Proposal: New shop front

Application No.: 62720 **App. Type:** FUL 28/06/2018 Approve with Conditions
Location: 390 Manchester Road, Ramsbottom, Bury, BL9 5NB
Proposal: Extension to existing office building and installation of septic tank

Application No.: 62787 **App. Type:** FUL 28/06/2018 Approve with Conditions
Location: 22 Lime Grove, Ramsbottom, Bury, BL0 0BD
Proposal: Single storey rear extension

Application No.: 62798 **App. Type:** FUL 11/06/2018 Approve with Conditions
Location: 101 Ripon Hall Avenue, Ramsbottom, Bury, BL0 9TQ
Proposal: Two/single storey extension at rear; First floor extension at front; front porch extension; conversion of garage with single storey front extension; Widening of existing driveway

Application No.: 62807 **App. Type:** FUL 20/06/2018 Refused
Location: 161 Bolton Street, Ramsbottom, Bury, BL0 9JD
Proposal: First floor extension at rear; Removal of chimney stack and re-roofing in slate

Application No.: 62822 **App. Type:** LDCP 22/06/2018 Lawful Development
Location: 34 Tanners Street, Ramsbottom, Bury, BL0 9ES
Proposal: Lawful Development Certificate for a proposed single storey rear extension; front porch and roof lights to front and rear roof slopes.

Application No.: 62826 **App. Type:** FUL 16/07/2018 Approve with Conditions
Location: Woodhey Farm, Woodhey Road, Ramsbottom, Bury, BL0 9RD
Proposal: First floor extension with external staircase to existing single storey detached garage to form residential annex

Application No.: 62862 **App. Type:** FUL 16/07/2018 Approve with Conditions
Location: Bast House Farm Cottage, Manchester Road, Ramsbottom, Bury, BL9 5LZ
Proposal: Detached double garage with wc

Application No.: 62891 **App. Type:** FUL 20/07/2018 Approve with Conditions
Location: 29 Cemetery Road, Ramsbottom, Bury, BL0 9PU
Proposal: Single storey extension to the rear and new roof over the link building

Ward: **Whitefield + Unsworth - Besses**

Application No.: 62843 **App. Type:** FUL 28/06/2018 Approve with Conditions
Location: Mersey Drive Primary School, Mersey Drive, Whitefield, Manchester, M45 8LN
Proposal: Single storey extension to form new dedicated SEN Block; Canopies and external pathway to form level access and associated works. Erection of fencing and car parking / access. Temporary site and staff parking area.

Application No.: 62852 **App. Type:** LDCP 18/06/2018 Lawful Development
Location: 199 Parr Lane, Bury, BL9 8JW
Proposal: Lawful development certificate for proposed single storey infill extension to rear of existing house and wholly within the application site; The existing garage is to be converted in to a games room including the infilling of the existing garage door with facing brickwork and glazed window

Application No.: 62884 **App. Type:** FUL 20/07/2018 Approve with Conditions
Location: 57 Swinton Crescent, Bury, BL9 8PB
Proposal: Single storey side extension

Application No.: 62885 **App. Type:** FUL 16/07/2018 Approve with Conditions
Location: Unit 3, Ribble Square, Ribble Drive, Whitefield, Manchester, M45 8AJ
Proposal: Change of use from retail (Class A1) to hot food takeaway with eat in facility (Class A5); New shop front and extraction flue at rear

Application No.: 62999 **App. Type:** LDCP 03/07/2018 Refused
Location: 49 Swinton Crescent, Bury, BL9 8PB
Proposal: Certificate of lawfulness for proposed addition of dormer extension to side and rear roof slopes in order to allow use of existing loft space

Application No.: 63016 **App. Type:** LDCP 10/07/2018 Lawful Development
Location: 49 Swinton Crescent, Bury, BL9 8PB
Proposal: Certificate of lawfulness for proposed addition of dormer extension to side and rear roof slopes in order to allow use of existing loft space

Ward: **Whitefield + Unsworth - Pilkington Park**

Application No.: 62739 **App. Type:** FUL 20/06/2018 Approve with Conditions
Location: Sunnybank House, Devon Avenue, Whitefield, Manchester, M45 8QQ
Proposal: First floor extension with dormers and external alterations

Application No.: 62774 **App. Type:** FUL 15/06/2018 Approve with Conditions
Location: 19 Ringley Road, Whitefield, Manchester, M45 7LD
Proposal: Part single storey / part two storey extension at rear; Formation of balcony and balustrade to first floor at rear; External alterations

Application No.: 62789 **App. Type:** FUL 21/06/2018 Approve with Conditions
Location: 11 Spring Grove, Radcliffe, Manchester, M45 7RT
Proposal: Single storey extension at side

Application No.:	62858	App. Type:	FUL	06/07/2018	Approve with Conditions
Location:	26 Wentworth Avenue, Whitefield, Manchester, M45 7GQ				
Proposal:	Two storey extensions at front with lightwell to form basement level and two storey extension at side with side dormer; Widening of existing drive, new windows/doors and rendering to main elevation				
Application No.:	62868	App. Type:	FUL	13/07/2018	Approve with Conditions
Location:	63 Wingate Drive, Whitefield, Manchester, M45 7GX				
Proposal:	Partial demolition of existing extension and proposed single storey rear/side extension .				

Ward: **Whitefield + Unsworth - Unsworth**

Application No.:	62783	App. Type:	FUL	26/06/2018	Approve with Conditions
Location:	14 Ajax Drive, Bury, BL9 8EE				
Proposal:	Single storey wrap around extension to side and rear				
Application No.:	62829	App. Type:	FUL	28/06/2018	Approve with Conditions
Location:	13 Ventnor Avenue, Bury, BL9 8HH				
Proposal:	Single storey extension at side and rear				
Application No.:	62887	App. Type:	FUL	10/07/2018	Approve with Conditions
Location:	Hollins Bush, Hollins Lane, Bury, BL9 8AS				
Proposal:	Change of use of attached cottage to commercial kitchen and store in conjunction with the attached public house				
Application No.:	62942	App. Type:	LDCP	02/07/2018	Lawful Development
Location:	47 Ennerdale Drive, Bury, BL9 8HY				
Proposal:	Lawful development certificate for a proposed single storey side extension to form utility room and ground floor WC				

Total Number of Applications Decided: 120

This page is intentionally left blank

REPORT FOR DECISION

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	31 July 2018
SUBJECT:	PLANNING APPEALS
REPORT FROM:	HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL
FREEDOM OF INFORMATION / STATUS:	This paper is within the public domain
SUMMARY:	Planning Appeals: - Lodged - Determined Enforcement Appeals - Lodged - Determined
OPTIONS & RECOMMENDED OPTION	The Committee is recommended to the note the report and appendices
IMPLICATIONS:	
Corporate Aims / Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	Executive Director of Resources to advise regarding risk management
Statement by Executive Director of Resources:	N/A
Equality / Diversity implications:	No
Considered by Monitoring Officer:	N/A

Wards Affected:	All listed
Scrutiny Interest:	N/A

TRACKING / PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This is a monthly report to the Committee of the Planning Appeals lodged against decisions of the authority and against Enforcement Notices served and those that have been subsequently determined by the Planning Inspectorate.

Attached to the report are the Inspectors Decisions and a verbal report will be presented to the Committee on the implications of the decisions on the Appeals that were upheld.

2.0 CONCLUSION

That the item be noted.

List of Background Papers:-

Contact Details:-

David Marno, Head of Development Management
Planning Services, Department for Resources and Regulation,
3 Knowsley Place ,Bury BL9 0EJ

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 11/06/2018 and 22/07/2018**



Application No.: 61942/FUL
Decision level: DEL
Recommended Decision: Refuse

Appeal lodged: 25/06/2018
Appeal Type: Written Representations

Applicant: Ms Amanda Heath
Location 109A Holcombe Old Road, Ramsbottom, Bury, BL8 4NF

Proposal Erection of timber pergola in rear garden

Application No.: 62459/FUL
Decision level: DEL
Recommended Decision: Refuse

Appeal lodged: 19/06/2018
Appeal Type:

Applicant: Mr & Mrs Declan Reilly
Location Heather Cottage, 22-24 Cross Lane, Ramsbottom, Bury, BL8 4LY

Proposal Erection of electric gates at front

Application No.: 62549/LDCP
Decision level: DEL
Recommended Decision: Refuse

Appeal lodged: 11/07/2018
Appeal Type: Informal Hearing

Applicant: Mrs Andrew Winstanley
Location Lower Dickfield Farm, Lower Dickfield, Helmshore Road, Ramsbottom, Bury, BL8 4PD

Proposal Certificate of lawfulness for proposed access road to be 3 metres wide and with a tarmacadam surface

Total Number of Appeals Lodged: 3

**Planning Appeals Decided
between 11/06/2018 and 22/07/2018**



Application No.: 62013/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr C & Mrs K Pickford

Location: 215 Ainsworth Road, Bury, BL8 2RU

Proposal: Creation of new vehicular access revised scheme involving 5m diagonal driveway

Appeal Decision: Dismissed

Date: 06/07/2018

Appeal type: Written Representations

Appeal Decision

Site visit made on 22 June 2018

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2018

Appeal Ref: APP/T4210/D/18/3197225
215 Ainsworth Road, Bury BL8 2RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Christian Pickford against the decision of Bury Metropolitan Borough Council.
 - The application Ref 62013 was refused by notice dated 10 January 2018.
 - The development proposed is a revised scheme involving diagonal driveway for one vehicle, which is 5m in length.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on highway safety for users of Ainsworth Road.

Reasons

3. The proposal is a driveway with a single off road parking space to serve the appeal property, which is a house in an elevated position in relation to Ainsworth Road due to the notable difference in ground levels. The hard surface area, which is hereafter referred to as the driveway, is in place at the front of the house. It is bounded on three sides by retaining walls and is open on the fourth to the highway. At the site visit, the driveway was in use with two cars parked at right angles to the road.
4. The Council has recently granted planning permission for a driveway at No 215 although the minimum length of 5-metres cannot be achieved due to the works necessary to a retaining wall that in turn could affect the structural stability of the main house and the neighbouring dwelling. To overcome this problem, the proposal before me is to orientate the parking space on the driveway at an acute angle to the road. This layout would meet the Council's minimum length for a new driveway and leave the retaining walls unaffected. A new low-level brick wall would be placed across part of the driveway to enforce the angled parking arrangement. In this way, a typical family sized car could be accommodated within the driveway without the vehicle overhanging the adjacent footway. On that basis, I am unable to share the Council's concern that a parked vehicle on the site would be likely to cause an obstruction to footway users even though the depth of the driveway perpendicular to the road falls short of the Council's minimum dimension.

5. The limited space available within the site would offer no opportunity for a vehicle to both enter and leave in forward gear. Consequently, like the approved scheme, any vehicle using the driveway for parking would need to reverse into or out of the site onto Ainsworth Road, which I saw was busy with a steady flow of traffic in both directions. That manoeuvre would be undertaken at an acute angle into oncoming traffic across the footway with restricted visibility due to the position and height of the retaining walls on either side of the entrance to the driveway. During this manoeuvre, footway users would be in the blind spot of the reversing and turning vehicle.
6. While the number of vehicle movements using the driveway would be modest, drivers reversing into or out of the site, even at slow speed, at an angle with restricted visibility would pose a significant risk to highway safety. By comparison, a driver reversing into or out of the driveway that is 5m in length perpendicular to the road would have greater visibility of oncoming road and footway users given the angle of view and the position of the retaining walls.
7. I observed many examples of properties in the vicinity of the site with accesses that rely on vehicles reversing onto or from Ainsworth Road. Photographs have also been provided of vehicles parked in various positions off road along Rochdale Old Road and Bolton Road West, which the appellant states are also busy highways. Photographs also show vehicles parked half on, half off the footway along Lowercroft Road. I am unaware of the detailed circumstances of these arrangements most of which are far from ideal with regard to highway safety. These examples do not persuade me that the appeal scheme, even if it were to offer greater vision when exiting the driveway than other existing access arrangements as the appellant suggests, should therefore be accepted because it would significantly add to highway danger.
8. It is true that most motorists would exercise caution and drive appropriately within built up areas and that footway users would generally be aware of residential accesses along this section of Ainsworth Road. I also acknowledge that the appellant has no personal recollection of any accidents along this section of highway over the last 14 years. However, none of these considerations necessarily indicate that the proposal can therefore be considered to be safe or involve a risk that is within acceptable limits given the particular circumstances that I have outlined.
9. By providing on-site parking, the appellant states that the proposal would reduce the demand for on-street parking that in turn would carry benefits by removing a sizable obstacle to other road users, particularly cyclists and the potential hazard to them of drivers opening their car doors. These benefits would be even more pronounced if vehicles were parked opposite each other on the main carriageway, which would reduce the usable width of the road, or if a vehicle was parked partly on the footway. Even so, none of these circumstances would involve a vehicle reversing across the footway into traffic at an angle with restricted visibility of others. For these reasons, the benefits of reducing the need for kerb side parking are insufficient to outweigh the harm that I have identified.
10. Overall, I conclude on the main issue that the proposed development would have an unacceptable effect on highway safety for the users of Ainsworth Road. Accordingly, it conflicts with Policies HT6/1 and H2/3 of the Council's Unitary Development Plan. It is also at odds with Supplementary Planning Document

6, *Alterations and Extensions to Residential Properties*. These policies and guidance aim to ensure that applications for house alterations take into account the visibility for pedestrians, cyclists and drivers of motor vehicles and that all development makes adequate car parking provision.

11. That on-site parking would improve safety, security and convenience for the appellant and his family compared to kerb side parking is not at issue. These considerations weigh in support of the appeal. The plans also show that the light coloured retaining walls would be repainted to a terracotta colour to which the Council, a previous appeal Inspector and I have no objection. Nevertheless, these matters, taken individually or collectively, do not outweigh the harm that I have identified in relation to highway safety.
12. I note the appellant's disappointment with the service provided by the Council and considerable efforts made to secure a more favourable outcome. In the appellant's opinion, the time and money spent with this proposal would be better spent in addressing the poor condition of local roads to reduce damage to cars and the injuries caused to cyclists. However, my remit is solely to determine this appeal, which I have done on its own merits.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR

Details of New Enforcement Appeals Lodged
between 11/06/2018 and 22/07/2018



Case Ref: 16 /0332

Date of Appeal: 02/19/2018

Appeal Type: REP

Location: Former George Hotel, 5 Market Street, Bury, BL9 0BL

Issue: Unauthorised alterations to the building

Total Number of Appeal Cases: 01

**Details of Enforcement Appeal Decisions
between 11/06/2018 and 22/07/2018**



Location: 96 Scholes Street, Bury, BL8 2RA

Case Ref:
0015 / 17

Issue: Extension at rear

Appeal Decision: Dismissed 11/06/2018

Appeal Decision

Site visit made on 22 May 2018

by A A Phillips BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 June 2018

Appeal Ref: APP/T4210/C/18/3195651

Land and property at 96 Scholes Street, Bury BL8 2RA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mrs Shahin Shoshtari against an enforcement notice issued by Bury Metropolitan Borough Council.
 - The enforcement notice was issued on 10 January 2018.
 - The breach of planning control as alleged in the notice is without the benefit of planning permission, the erection of a single storey extension to the rear of the property.
 - The requirements of the notice are:
 - a) Completely demolish and permanently remove the single storey rear extension including all foundations and associated ground works.
 - The period for compliance with the requirements is 90 days.
 - The appeal is proceeding on the grounds set out in section 174(2) (a) (f) and (g) of the Town and Country Planning Act 1990 as amended.
-

The appeal on ground (a) and the deemed planning application

Main Issues

1. The ground of appeal is that planning permission should be granted. The main issues are:
 - i. Whether the proposal provides adequate living conditions for current and future occupants of the property with particular reference to the provision of private amenity space;
 - ii. The effect on the character and appearance of the area; and
 - iii. Whether the proposal provides satisfactory space for the storage of refuse bins.

Reasons

2. The appeal site comprises an end of terrace two storey residential property in a mainly residential part of Bury. Some properties in the area have been altered in extended in various ways. A single storey pitched roof extension has been erected to the rear of the property extending the full length and width of the yard area.
3. General guidance for all domestic extensions set out in Supplementary Planning Document 6 – Alterations and Extensions to Residential Properties Adopted 17 March 2004 and updated 13 January 2010 (the SPD) states that applications for a domestic extension will not normally be permitted unless, among other

factors, the proposal does not reduce the amount of usable amenity space for the property.

4. The extension results in there being no private amenity space for general domestic activities such as hanging out washing or sitting outside. Consequently, it seems to me that there are harmful consequences to the existing and future occupants of the property in terms of there being very limited space around the property other than a small currently uncovered access route between the side door and the residential accommodation. This space is so limited that it would be suitable for general domestic and amenity purposes other than for accessing the extension. As such I consider that the extension represents over development of the site with significant harmful consequences to residents in terms of living conditions with particular reference to there being inadequate amenity space to serve general domestic needs.
5. I am aware that some other properties in the area have a reduced amount of private amenity space resulting from alterations or extensions; however, I do not have the details of the circumstances which led to them being approved, or indeed whether the respective developments are authorised by planning permission. Furthermore, I have been referred to another appeal decision, but the appeal case quoted appears to not relate to a residential extension and has very different circumstances to the appeal case. As such it is not comparable to the development before me. There is a public open space (Whitehead Park) within a minute's walk of the appeal site, but this would have a different role in serving the amenity requirements of the occupants of the property. Such spaces are important to serve recreational needs, but do not meet the immediate day-to-day domestic functions that can be served by outdoor private amenity spaces such as back yards and gardens.
6. Therefore, on this issue I conclude that the development does not provide adequate living conditions for current and future occupants of the property with particular reference to the provision of private amenity space. As such it conflicts with the SPD.
7. The extension is visible from Scholes Street and also from the adjacent back street area immediately adjacent to No 96. The render used on the external walls of the extension is at odds with the materials used on the main dwelling and others in the vicinity, drawing attention to the development which is highly conspicuous and incongruous in its surroundings. I recognise that much of the extension is contained within the former back yard area and that it has created a relatively tidy site; however, this does not overcome my concern regarding the visual impact of the development.
8. On this issue I conclude that the development is visually intrusive and unacceptable and therefore has a harmful effect on the character and appearance of the area, contrary to Policy H2/3 of the Bury Unitary Development Plan Adopted 1997 (the UDP) and the SPD. Among other objectives these seek to ensure that house extensions are considered with regard to the external appearance of the proposal and the character of the property in question and achieve a high standard of design.
9. The lack of private amenity space means that there is no space for bins to be stored within the appeal site. Consequently they need to be stored off site and this is most likely to be on the public highway, as I observed at my site visit. I understand that other properties in the area store their bins on the highway,

but in this particular case the bins are most likely to be stored on a pedestrian pavement in the back alley which may be used as a cut through between Scholes Street and Wood Street. It seems to me that the bins are likely to cause an obstruction to those wishing to pass and repass along this section of highway.

10. Therefore, on this issue I conclude that the development fails to provide satisfactory space for the storage of refuse bins and consequently is likely to lead to harm to the safe and convenient movement of pedestrians in the locality. As such it is contrary to Policy HT6/1 of the UDP and the SPD which, among other objectives, seek to ensure that pedestrians are able to move safely and conveniently.
11. The appellant has also referred to the fall back position of developing an extension in accordance with the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO). However, in this case that scenario would only permit a substantially smaller extension than the one which has already been erected on site. In addition, given the appellant's comments about meeting the needs of his growing family and that the appellant may need to move in the event of the appeal is dismissed I do not consider that there is a reasonable prospect of such a smaller extension being built. As such I give it limited weight in determining the appeal.

The appeal on ground (f)

12. The ground of appeal is that the steps required by the notice to be taken exceed what is necessary to achieve the purpose. The purposes of an enforcement notice are set out in s173 of the Act and are to remedy the breach of planning control (s173(4)(a)) or the remedy the injury to amenity (s173(4)(b)). The appellant suggests that a less onerous solution would be for the rear part of the extension to be removed, leaving a small area of outdoor amenity space. However, since the notice requires the entire extension to be demolished, the purpose is clearly to remedy the breach. Anything other than completely demolishing and permanently removing the single storey rear extension would clearly not achieve that purpose. The appeal on ground (f) fails.

The appeal on ground (g)

13. The ground of appeal is that the time given to comply with the requirements is too short. The appellant states that 90 days given in the notice would not be sufficient to carry out the measures required in the enforcement notice and suggests that six months would be more appropriate and enable sufficient funds to be raised and preparations to take place and for the works to be undertaken. While I appreciate that the Council does not wish to prolong the harm caused by the development a period of four months would strike the appropriate balance between the conflicting interests in this particular case. Four months would give the appellant an opportunity to prepare for, and undertake the requirements of the notice. To this extent, the appeal under ground (g) succeeds.

Formal Decision

14. I direct that the enforcement notice be varied by the following:

- i. the deletion from paragraph 6 of the words "90 days" and the substitution therefor of the words "four calendar months" as the time given to comply with the notice.

15. Subject to this variation the appeal is dismissed and the enforcement notice is upheld. Planning permission is refused for the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Alastair Phillips

INSPECTOR

This page is intentionally left blank