

AGENDA FOR

PLANNING CONTROL COMMITTEE

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To: All Members of Planning Control Committee

Councillors : G McGill (Chair), S Briggs, T Cummings, S Haroon, J Harris, M Hayes, G Keeley, J Mason, B Mortenson, I Schofield, C Tegolo, K Thomas and D.Vernon

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, 6 October 2020
Place:	Virtual Meeting via Microsoft Teams
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.
Notes:	https://councilstream.com/burycouncil

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 1ST SEPTEMBER 2020 *(Pages 1 - 2)*

Minutes of the meeting held on Tuesday the 1st September 2020 are attached

4 PLANNING APPLICATIONS *(Pages 3 - 164)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 165 - 178)*

A Report from the Head of Development Management on all delegated planning decisions since the last meeting of the Planning Control Committee is attached.

6 PLANNING APPEALS *(Pages 179 - 198)*

A report from the Head of Development Management on all Planning appeal decisions since the last meeting of the Planning Control Committee is attached.

7 TREE PRESERVATION ORDER CONFIRMATION *(Pages 199 - 206)*

A report from the Head of Development Management considers the confirmation of a temporary tree preservation order currently made on trees on a site to the rear of Earl Street Prestwich (No.352).

8 DEVELOPMENT MANAGEMENT UPDATE *(Pages 207 - 224)*

A report from the Head of Development Management provided the annual summary/ application update and planning legislation change.

9 URGENT BUSINESS

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

Minutes of: PLANNING CONTROL COMMITTEE

Date of Meeting: 1 September 2020

Present: Councillor G McGill (in the Chair)
Councillors S Briggs, T Cummings, J Harris, M Hayes,
G Keeley, B Mortenson, I Schofield, C Tegolo and D.Vernon

Also in attendance: None

Public Attendance: No members of the public were present at the meeting.

Apologies for Absence: Councillor S Haroon

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor S Haroon.

PCC.2 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

PCC.3 MINUTES OF THE MEETING HELD ON 28TH JULY 2020

Delegated decision:

That the Minutes of the meeting held on the 28th July 2020 be approved as a correct record and signed by the Chair.

PCC.4 PLANNING APPLICATIONS

A report from the Head of Development Management was submitted in relation to various applications for planning permission.

Supplementary information was also submitted in respect of application numbers 65569 and 65645.

Delegated decisions:

1. That the Committee be **Minded to Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted and subject to the conditions included with a condition to be added about details of the footpath to be submitted and approved:-

65327 Land at George Street, Prestwich, Manchester, M25 9WS

Erection of synagogue (class D1) and offices (class B1) together with associated vehicular access and car parking

2. That the Committee **Approve with Conditions** the following applications in accordance with the reasons put forward by the Development Manager in the

report and any supplementary information submitted and subject to the conditions included:-

65569 31 Brookfield Avenue, Radcliffe, Bolton, BL2 5QH

Change of use from dwellinghouse (Class C3) to residential care home (Class C2) with additional parking.

65645 331 Bury Road, Tottington, Bury, BL8 3DS

Change of use from post office with living accommodation to hairdressers (Class A1) on ground floor and self-contained dwelling to ground/first floor with access at rear; Installation of new first floor window to side elevation.

PCC.5 DELEGATED DECISIONS

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

Delegated decision:

That the report and appendices be noted.

PCC.6 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 and appendices be noted.

**PCC.7 DEVELOPMENT MANAGEMENT VALIDATION CHECKLIST CRITERIA
SUSTAINABLE URBAN DRAINAGE SYSTEMS**

A report from the Head of Development Management was submitted to outline the updated checklists that were required for the validation process of planning applications submitted.

Delegated decision:

That the committee approved and noted the report.

PCC.8 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR G MCGILL
Chair

(Note: The meeting started at 7.00pm and ended at 7.57pm)

Title	Planning Applications
To:	Planning Control Committee
On:	06 October 2020
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. 65354
	Location: Radcliffe Metrolink Car Park, Spring Lane, Radcliffe, Manchester, M26 2ST	
	Proposal: The erection of an additional deck and ramp to form a second floor to car park, providing an additional 111 no. spaces; landscaping scheme and lighting	
	Recommendation: Approve with Conditions	Site Visit: N
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02	Township Forum - Ward: Whitefield + Unsworth - Pilkington Park	App No. 65465
	Location: Whitefield Metrolink, Stanley Road, Whitefield, Manchester, M45 8AB	
	Proposal: Reconfiguration of the bus turning head and the erection of an additional deck and ramp to form a second floor to car park, providing in total an additional 123 no. spaces; landscaping scheme and lighting	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 65585
	Location: Fletcher Bank Quarry/Ramsbottom Works, Manchester Road, Ramsbottom, Bury, BL0 0DD	
	Proposal: Erection and operation of mortar and screed batching plant and associated infrastructure	
	Recommendation: Approve with Conditions	Site Visit: N
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04	Township Forum - Ward: Whitefield + Unsworth - Unsworth	App No. 65632
	Location: Hollins House Farm, Hollins Lane, Bury, BL9 8AS	
	Proposal: Conversion of 2 no. barns to 2 no. dwellings	
	Recommendation: Approve with Conditions	Site Visit: N
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05	Township Forum - Ward: Bury West - Church	App No. 65668
	Location: Land adjacent to 121 Lowercroft Road, Bury, BL8 3PA	
	Proposal: Erection of 6 no. small business units (Class B1)	
	Recommendation: Approve with Conditions	Site Visit: N
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06	Township Forum - Ward: Ramsbottom and Tottington - Ramsbottom	App No. 65723
	Location: 62 Bridge Street, Ramsbottom, Bury, BL0 9AG	
	Proposal: Change of Use from cafe (Class A3) to hot food takeaway (Class A5), to include extract flue and staircase at the rear	
	Recommendation: Approve with Conditions	Site Visit: N
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Ward: Radcliffe - East

Item 01

Applicant: Bourne Group Limited

Location: Radcliffe Metrolink Car Park, Spring Lane, Radcliffe, Manchester, M26 2ST

Proposal: The erection of an additional deck and ramp to form a second floor to car park, providing an additional 111 no. spaces; landscaping scheme and lighting

Application Ref: 65354/Full

Target Date: 20/08/2020

Recommendation: Approve with Conditions

Description

The application relates to the car park which serves Radcliffe Metrolink Station. The site is approximately 0.91 hectares in area located to the east of Radcliffe Town centre.

Opposite to the north is Spring Street School (former Coney Green School site). The Metrolink line runs the length of the eastern boundary on top of an embankment and to the west is the boundary with 2 storey residential dwellings on Howarth Street and Barlow Street and industrial units which are set at a lower level to the site, separated by a concrete post and wire fence and some intermittent tree planting. A pedestrian route from the southern part of the car park leads to Church Street West. The site is accessed off Spring Lane which runs along the northern frontage of the site.

The existing Metrolink car park comprises of two levels of parking - the main car park providing 227 No Standard bays and 22 No. disabled bays (249 No in total) and circulation routes and a first floor deck for 120 No. spaces, equating to 369 total provision. The first floor tier is accessed internally from the main car park via a ramp and there are stairways to the north and south of the deck providing pedestrian accesses routes.

The access into the site is from the western side of Spring Lane via a single lane which circumnavigates the car park and leads to the access out of the site at the eastern side of Spring Lane, where 2 lanes provide a left and right hand turn out onto the highway. There is a pedestrian access into the site from Spring Street with a continuous footway around the perimeter of the site to the station entrance which is via an underpass at the southern end of the car park.

There are 5 cycle store lockers and 5 Sheffield cycle stands located close to the station platform.

The application proposes to erect a 2nd floor parking deck to provide additional parking for the station and users of the Metrolink. With the re-configuration of the existing car park, there would be a net gain of an additional 111 No. spaces.

The total number of spaces provided on completion would be 480 spaces.

The development would comprise:

level 0 - 243 spaces (inc 22 disabled)

level 1 - 117 spaces

level 2 - 120 spaces (new spaces)

resulting in the total of 480 spaces for the site.

The proposed deck would be located on top of the existing 1st floor deck, essentially mirroring the 1st floor arrangement which would provide a two-way ramp and pedestrian stairwells. Minor re-configurations of the existing layout would be required to facilitate the new access ramps and to provide a safe pedestrian route round the site.

The new deck would comprise a lightweight steel frame with low horizontal safety barriers similar to those at the first floor level and finished in a dark grey asphalt or tarmac surface. There would be a ramp and two sets of pedestrian stairways built to facilitate access to the new deck, the same as the existing arrangement.

The application also proposes to incorporate lighting and emergency lighting within the new deck, together additional CCTV security cameras.

The scheme includes landscaping which would be planted along the western boundary within the existing foliage and to the east next to the embankment.

The development would be built out in a phased approach. The applicant has submitted a phasing plan, with the works falling into 3 phases - Enabling works, (sectional closures of the existing car park), main works (full closure of the existing car park), finishing works (full closure) followed by completion.

The Radcliffe Metrolink station for travel would remain open throughout the construction period.

For information, a planning application has also been submitted by TfGM to erect a 2nd floor parking deck at the existing Metrolink car park in Whitefield - planning reference 65465. It is anticipated this will be delivered in conjunction with the expansion at Radcliffe.

The Applicant states that replacement parking to compensate for the loss of parking whilst the works are underway is being investigated. It is anticipated that an application for alternative temporary parking arrangements is to be submitted in due course. It is likely that a joint replacement scheme is to be submitted for both the Whitefield and Radcliffe sites whilst works are progressed. The provision of the replacement temporary parking would be secured by condition and to be provided prior to the commencement of works at the Metrolink.

TfGM states that the proposed development at Radcliffe and Whitefield are the first in a number of expansions being explored for other Park and Ride Schemes (P&R Schemes) in the Greater Manchester Area for the future.

Relevant Planning History

56462 - Erection of deck to form first floor to car park to provide an additional 109 spaces - Approved 21/8/2013

Publicity

Letters sent on 26/5/20 to 93 properties. A full list of those notified are available on the public file.

Site notice posted 28/5/20.

Press advert in the Bury Times on 28/5/20.

A total of 58 representations received.

48 objections and 1 petition with 13 signatures.

5 in support

4 comments

A full list of those who have made representations can be found on the public file.

Objections -

- Another level will just attract more out of town commuters. Perhaps if commuters had to pay they wouldn't be so keen to stop off at Radcliffe on their way to work.
- There are already too many problems being caused to the surrounding residents, not least the car park for the health centre. It's absolutely ridiculous that people with appointments struggle to get a space. Start charging & pay inspectors to make sure that

people parking around the Metrolink are actually using it!!!

- Object to the lack of extra cycling provision, lack of secure cycle storage, and lack of protected cycling infrastructure through the car park.
- The station is close to National Cycle Route 6. It is ludicrous that cycling has not been given more importance. This is a car-centric plan that should be denied
- Strongly dispute that there are 0 properties affected.
- The car park is located in a densely populated area of Radcliffe and will have a long term effect on the people of Radcliffe's health and well-being of people living in the surrounding condensed housing
- Increase in traffic to the locality.
- Radcliffe already have to deal with the overflow of car parking from Bury and surrounding areas, so whilst other towns are benefiting from a less polluted air to breathe, I feel Radcliffe has taken on enough to support the share of pollution and the Council should be looking elsewhere.
- Why don't you use this money to build a car park at Bury metro link or other stations?
- The development does not serve the people of Radcliffe and is essentially a park and ride for the City.
- There has been no consultation with local elected members and the application should form part of the wider SRF for Radcliffe
- The development of sites such as ELPM and Spring Lane school need to be considered in this application.
- Increase in air pollution.
- Transport Statement - Despite the Crime Impact Statement (CIS) recognising that the current site of the Radcliffe Riverside/Radcliffe Temporary Leisure Centre potentially being the site of a new high school, the transport statement does not take this into account in their current observations. The following points have been omitted from the transport statements road safety plan and road safety figure 2.1 - Frequency of school buses, volume of drop off's from parents, increased number of school pupils using the main road. These should be taken into consideration with regards to hundreds more cars accessing the Metrolink site on a daily basis.
- The Transport Statement doesn't take into consideration the volume of traffic and people using this section of road when Radcliffe last had a high school on the site prior to 2014 therefore the current assessment is surely flawed.
- The CIS does reflect the broader concern of how busy the area will be when a high school is built.
- There is a poster at the station advertising clean air- ironic if this project is passed.
- There will be another 400 new houses built in the area - cause more traffic and gridlock. - See what clean air do we have?
- There is an eyesore of a car park straight across from the Bury town Hall - what a poor looking place - parking for the tram should have been made when Six Ton Housing and the Premier Inn built.
- The application states Radcliffe is chosen due to the proximity of the A56 and M60 and is a prominent transport hub for travel to Manchester and Bury - in fact, Radcliffe car park is the furthest away. Other metro stops are closer to the A56 and M60. What study was used to come to this conclusion?
- There would be close to 60% of all Metrolink parking at Radcliffe - how can TfGM justify this?
- The promises to protect residents parking and stop parking outside houses have not yet been implemented and there will be a further surplus of cars outside local residents' houses
- Noticeable that during lockdown air pollution has been much reduced.
- The height of the extended car park will be close to the height of the nearby houses increasing level of air and noise pollution at bedroom level.
- The existing structure overlooks both floors of my house and an additional level will be a further invasion of my privacy.
- Ongoing anti social behaviour and car crime in the residential area.
- I would support this application to ease parking issues if there was already the parking permit scheme arranged in the local streets before this work was to commence.

Representative of Radcliffe First Party - List of questions and points seeking clarification:

- Radcliffe already has a large car park and more Metrolink spaces than the other stations - Considering that many residents in Radcliffe do not use the Metrolink parking how can TfGM justify this? Has TfGM carried out a customer survey to identify the original journey start points for commuters using Radcliffe Metrolink station? If so, can you provide the data
- Has Bury Council insisted that the applicant Transport for Greater Manchester perform a series of measurements of traffic emission pollution levels on roads connecting to the existing Metrolink parking?
- How can it be justified that such a big car park design to serve a large number of commuters will be located in what Transport for Greater Manchester confirms is a residential area?
- What evidence has the applicant provided that other alternative sites were considered? Locating the largest car park on the Metrolink system in a residential area is not something that I would have thought was an ideal solution.
- A further survey is required to establish when traffic travelling to the car park would arrive - it is likely that there would be congestion on Spring Lane with negative impacts on residents.
- Residential housing borders the site and is at a lower level than the existing car park. Impossible from the plan to evaluate the likely impact on residents due to loss of light by being overshadowed by the structure. Require a cross sectional drawing.

Further representative of Radcliffe First Party - still waiting for further information but given the evidence currently provided, object on the following grounds -

- Would provide close to 60% of Metrolink parking
- Has TfGM collected any data on journey start points?
- Has TfGM measured traffic pollution levels on Spring Lane? Evidence from Water Street in Radcliffe (which is the nearest fixed monitoring station) show that the monitored levels regularly exceed permitted legal levels
- Radcliffe Metrolink is actually the furthest away from the A56 and a convenient motorway junction of all the Metrolink stations in Bury MBC, why therefore does TfGM claim that it provides a convenient location for access to these roads. Can TfGM provide evidence that other sites have been considered (especially Bury) and explain the reasons why they are not considered to be suitable locations?
- The Transport Statement created on behalf of the Milson Group Ltd is incomplete
- No evidence was contained in the documentation provided that the impact of potential overshadowing and resultant loss of light for residents of Barlow Street and Howarth Street had been considered.

The following should be considered:

- Reference to the GMSF and Radcliffe Strategic Regeneration Framework (SRF).
- Air pollution

Objection Cllr Mike Smith

- Write to you as a resident, Metrolink user and Local Councillor to voice my objection to the proposal. I would also like more information on the following points in order to be able to make an informed assessment regarding this plan.
- The application should be in abeyance until it can be measured against the strategic plan for the town.
- Does not take into account the outline planning for 400 houses and Academy school for 600 pupils.
- Adverse effects of the application would significantly outweigh the benefits with regards to traffic impacts and deterioration of the outdated infrastructure in the area
- Pollution and poor air quality, capacity of park and ride facilities, traffic congestion at peak periods - all issues.
- Radcliffe furthest away from A56 and M60 than Bury, Whitefield or Prestwich - was any other site considered?
- The parking accumulation survey was undertaken on Friday and Saturday 22nd and

23rd June 2018. These figures are two years out of date and do not take into account the current conditions and usage of the site. Inaccurate figures at a weekend.

- Existing Spaces/Accumulated Vehicles applied to the extra 120 spaces.
- Nowhere in this document is a rationale as to where these figures are applied to the 120 increased spaces. Would like some clarity on the math behind this figure please.
- At the very least I would expect to see a trip generation survey for the expected increase as a result of this development
- Each report in these documents is prepared in support of the application. Is it Bury Council planning department policy to rely on supporting documents only? Is there no facility for an independent report to be prepared to give an impartial view on the effect such a development will have on the residents of this area which is already an AQMA?
- In terms of the consultation process, the impression given is that I was somehow consulted on this plan, a brief communication by TfGM does not constitute stakeholder engagement.

Comments -

- What evidence has been provided that other alternative sites have been considered - Radcliffe is in fact located furthest away from the two commuter routes - A56 and M60. Locating the Metrolink near residential properties not an ideal solution.
- Added pollution from outside traffic.
- Without developing the roads this will cause more problems than solving issues.
- How temporary will the replacement parking be?

Support -

- Great idea, less cars on the street.
- Need this as I struggle to park to use the tram and am forced to park on the surrounding streets
- Working full time extra spaces would give me a chance to drop children off at childcare park and be in work within 50 min without cutting working hours down. Same for home time and without the need to look for spaces that will not affect home owners. Support this - without children I used to walk this is not a option now.
- We need more parking at Radcliffe, its full at 7:30 in the morning and people object to parking in the side streets, this is badly needed.

The Applicant has provided a response to the representations made above, summarised as follows -

- Air quality, pollution, and residents' well-being - The Transport Statement that has been submitted as part of the Planning Application for this scheme has concluded that the introduction of the proposed additional car park deck will not have a material impact on the operation of the highway network in this location. Results from the accumulation survey undertaken on Friday 22nd June 2018 and Saturday 23rd June 2018 were used to assess the existing usage of the station car park between 7.00am-19:00pm on both days. Air Quality Assessment - a detailed survey was conducted in February 2020, which was desktop based and concludes that "Based on the assessment results, air quality is not considered a constraint to planning consent for the proposed development." A separate cycle scheme is being developed for Radcliffe Park & Ride (P&R), where cycle parking will be upgraded in line with TfGM's wider cycle parking strategy. It is also anticipated that the lower car park usage currently being experienced, will enable construction to proceed with less disruption to users and local residents. In addition, we are currently assessing the potential requirement to construct a temporary car park to offset the loss of parking
- Noise, traffic and congestion - The Noise Impact Assessment at Radcliffe took place on Thursday 13th March 2020 between 16:05 and 20:05 and Friday 14th March 2020 between 06:10 and 10:10. The timing of the survey was determined to align to both the morning and evening peak. The survey concluded there would be an insignificant increase to the existing noise levels. The LPA's Pollution Control Officer has raised no concerns regarding noise disturbances.
- Why is it proposed to expand Radcliffe P&R rather than other P&R at Metrolink stops? -

The selection of Radcliffe P&R facility as a site to expand, has been reviewed with several factors in mind, including the wider Greater Manchester (GM) strategies and future development over the coming years. The Business Case completed for the Metrolink Capacity Improvement Programme (MCIP), which includes Radcliffe P&R, considers its strategic alignment with Transport for the North's vision to transform the region's economy, which is set out in 'The Northern Powerhouse: One Agenda, One Economy, One North' (2015) which recognises the importance of local connectivity. The Business case also considered the Greater Manchester Spatial Framework (GMSF). For Radcliffe this means sustainable travel, therefore reducing congestion, better access to employment areas, support regeneration of town centres, travel for future new housing. The proposed scheme at Radcliffe P&R is to be delivered in conjunction with the expansion at Whitefield P&R and not in isolation, to offer a combined increase in spaces for the area.

- What about cycle facilities, will these be improved? - A separate cycle scheme is being developed for Radcliffe Park & Ride and to upgrade where cycle parking provision in line with TfGM's wider cycle parking strategy. Plans for the car park extension will facilitate the delivery of the future cycling enhancements. Due to recent coronavirus, there is an increased use of sustainable travel modes such as cycling, and we are looking to continue the promotion of sustainable travel when patronage returns to normal levels. There are separate aspirations to connect the cycle parking to an established cycle route between the 'Banana Path' off Spring Lane, and Church Street West, by installing a cycle path along the west boundary of the Radcliffe Park & Ride site.
- There are already parking issues for residents on nearby streets, won't this scheme make it worse? - A residential parking scheme, is being promoted by Bury Council, was due to commence in May 2020 but due to Covid-19 restrictions this has meant it has been delayed but will still be delivered within similar timescales to the proposed Park & Ride expansion. The lining and signing works for this scheme have been ordered and once those have been introduced on site, an operative date for the scheme will be set. The expansions of the Radcliffe and Whitefield Park & Ride facilities look to absorb those Metrolink users currently parking on the surrounding streets and combined with the Residents Parking Scheme this will significantly reduce the problem. Also investigating the opportunity to provide a temporary car parking facility with Bury Council in order to reduce disruption during the works. TfGM is currently looking into how it manages its Park & Ride facilities across Greater Manchester, and this includes ways to ensure that users of the Park & Ride sites are Metrolink travellers only.
- Customers who are using the Radcliffe P&R facility are not Radcliffe locals and are travelling from further afield - In 2017, a survey was conducted of customers travelling to the Radcliffe Metrolink stop to inform the feasibility of this scheme - 21% of customers had driven less than 1 mile to the Park & Ride facility, 57% travelled 1 - 3 miles, 19% travelled 3 - 5 miles, and 3% travelled over 5 miles. The means that 78% (the majority) of users were driving less than 3 miles to use the Park & Ride facility. Bury Council also conducted a series of parking 'beat' surveys around the immediate streets to Radcliffe P&R. Capacity needs to be increased to accommodate population growth and also not cause detriment to the environment. Improvements also need to consider north and south bound travel and counteract overspill parking to nearby streets.
- What impact will this development have on residents in neighbouring streets due to loss of light by the structure? - Design features including light spill protection measures are included in the scheme. Cross-section drawing has been submitted to show the relationship of the structure to the nearest houses. Screening from vegetation has been considered.
- Have other future developments - new high school and ELPM site - been taken into consideration when developing this scheme at Radcliffe? - With the GM strategies in mind, the proposed Radcliffe Park & Ride expansion will serve as a first step in the wider development of Radcliffe - there are several transport interventions in Radcliffe, which are referenced in the Radcliffe Strategic Regeneration Framework (SRF). The expansion of the Radcliffe Park & Ride facility is the first scheme to be delivered in this wider plan. As a key stakeholder, TfGM are working with Bury Council to ensure that transport improvements form an integral part of the SRF by referring to a wider package of potential interventions such as cycling, walking and Metrolink stop improvements

- Security of the site - The current P&R has been awarded the park mark accreditation, indicating a low rate of crime and the adoption of appropriate security measures. . The proposed design will be constructed with similar security features.

The full response by the Applicant is available to view on the public file.

Those who had made representations to the application have been notified by letter of the Applicant's above response on 3/7/20.

Further objections following the applicant's response to representations received.

- TFGM response is disappointing and dismissive of objections and based very much on the business case alone. Little or no regard for what is good for the town of Radcliffe.

Air quality/pollution -

- Disagree and how can a 2 year old report be valid and relevant?
- No thought to new high school and how this will impact on traffic and pollution in the area.
- Better decision to develop at Bury.
- Their reference to new future cycle ways - all very nice words but with absolutely no substance and no plan.
- TfGM appear to have more concern about pollution and disruption during the construction of the proposed extra level than they do have about afterwards. TfGM seem to be convinced that a benefit of this proposal is that it can be done during this national pandemic. This argument is irrelevant.
- Disappointing that the EHO looks first at the construction phase and not the operational phase.
- Questionable the air quality assessment was desk top based and the analysis was only over 2 days and include a Saturday. Due to lack of physical data, it can be concluded the claims are unsafe.

Noise traffic and congestion -

- How can a 2 day survey inform the correct decision, one being on a Saturday and in June, a quieter time in the school calendar?
- What is known and acknowledged in reports by the applicant is that Spring Lane and other roads joining spring lane do experience high levels of congestion during the morning and evening rush hour. To claim any validity for a survey a number of sets of data should be collected over several fixed time periods spaced out over a number of weeks/months for morning and evening rush hour periods.
- How can 115 + cars not increase noise and pollution?
- No clear data is presented

Why expansion at Radcliffe? -

- The applicant response is a HOW rather than a WHY.
- The only reason Radcliffe has a shortage is because commuters are having to travel further than their local Metrolink to park at Radcliffe.
- The LPA must not be rushed into making any decisions - we are still in a pandemic situation.
- The proposal of a P&R does not necessarily have to be in Radcliffe, because the structure is already there and TfGM can just "Add on to it", that may be the cheapest and easiest option, but it will not stop people parking on the streets.
- There are still consultations on the Radcliffe SRF and GMSF with no conclusion at present. Waiting for a final decision would be advisable.
- The response from TfGM very much focuses on the business cases for the region and on Greater Manchester strategies and quotes documents dating back to 2015. It makes little comment about the community of Radcliffe and the benefit for Radcliffe.
- No benefit economically for Radcliffe due to the car park's out of town location.
- Increasing the catchment area must actually increase the volume of traffic coming in to the small town of Radcliffe
- It is stated that the GMSF requires principal town centres such as BURY to have improved access from a wider catchment' - So, in your own words this expansion of a

car park MUST be done at Bury

- Don't understand the reference to a new residents housing area of 'Elton Parkland'. I don't know where that is.

Parking issues for Radcliffe residents -

- Don't understand how the Parking Permits are linked to TfGM, they are provided by the council. The permits are not specifically issued to stop Metrolink commuters. They are to stop ANY parking.
- The current policy of not charging for parking is a flawed policy
- Cheaper for somebody who lives further away to drive to Radcliffe, park for free and then pay a small amount to travel by tram to Bury to work. How can that be a good justifiable policy?
- Not all streets are covered by the parking scheme - it will displace the problems elsewhere.

Customers who are using the Radcliffe P&R are not Radcliffe locals -

- The response refers to a survey carried out in 2017, again another dated document. The document then goes on to include data from a survey done at the Whitefield P&R, another example of the scant regard that TfGM are giving to the people of Radcliffe.
- A huge amount of any parking at the Radcliffe station should be devoted to Radcliffe residents
- Distinct lack of clear methodology for this data

Have other future developments been taken into consideration? -

- Fail to see how improving a car park for Commuters will improve the development of Radcliffe as a town.
- The document contains more repetition of nice words that TfGM have consulted and/or they are working with BMBC on the SRF and the new high school and on their aspirations of cycling routes, finding finance etc.
- Would like to see TfGM do a survey of those arriving and alighting the tram at the Metrolink station
- The disclosure by TfGM that they are already procuring new trams should also be included in the modelling, the likely increase in passenger numbers will add more traffic due to people being dropped off, taxis to and from etc
- Inadequate landscaping.
- Inadequate CCTV
- Increase in crime - out of date
- Covid Sars-19 has greatly impacted on the level of transport required and is likely to require in the near future. Therefore, planning permission would be premature.
- Considerable new housing is a contentious issue locally in any event.
- A temporary car park should have been sourced during this consultation. There are no guarantees that one will be in place.
- In summary, full thorough surveys need to be completed before a decision is made on the location of any P&R facilities.
- The opportunity to invest in what the customer would actually want, has been missed.
- There should be no changes now until such time that consultation on the Radcliffe SRF is concluded and the final developments are agreed

Support - Great idea

Following the submission of an updated Transport Assessment on 13/8/20, those who have made previous representations to the application have been informed of the additional information by letter on 14/8/20.

Comments received to the revised Transport Assessment are as follows:

- Original grounds for objecting to the application still valid - build the extra parking at Bury Interchange as a more practical solution.
- Increase the already excessive traffic flow through Radcliffe, increase the level of air pollution.
- More parking spaces should be provided in Bury. It would relieve congestion and truly encourage travel behaviour change and mode shift.

- Inaccurate, out of date and incorrect flawed data.
- The report states the facility is for commuters - by their own admission the applicant are not intending to make any provision for local people and residents to access or use.
- Noted that Bury council are going to fund new cycle parking but it appears only around the same number that is presently on site.
- Overlooking and visual intrusion to my house.

The applicant has provided a response to the above comments, summarised as:

- A new traffic count is to be completed in September.
- The parking accumulation data was collated in 2018 when the scheme was being developed. Usage of the park and Ride was higher in 2018 than the current Covid climate. The 2018 data therefore reflects 'normal' behaviours and forms the basis of our assessment.
- The Transport Assessment concludes the development would not have a material impact to the existing highway.
- Opportunities for car commuters to use public transport.
- The increase in traffic would not present a significant change in accident risk and risk would be negligible.
- Further P&R expansions are being explored.

Following the above objections and a re-assessment of the application submission documents, the applicant has confirmed the correct proposed parking numbers which have been provided on a revised layout plan and change to the application description.

In discussion with their colleagues at TfGM - Highway Analytical Forecasting Service (HAFS) and Urban traffic Control (UTC), the applicant has also carried out additional traffic surveys and provided the information in an updated Transport Assessment. The following documents have also been updated in line with the confirmed parking spaces and traffic assessments - Noise Impact Assessment, Air Quality Assessment, Design and Access Statement, Planning Statement.

Those who had made representations have been informed of the revised information by letter on 16/9/2020.

Comments received as follows -

- Extra pollution the increased number of vehicles will cause. Also, there are currently major problems with traffic at peak times so the addition of extra capacity will make matters much worse. Surely more parking could be made in Bury.
- The latest traffic surveys of 2nd September 2020 are flawed.
- No up to date survey of the use of the car park - photographic evidence show the car park in minimal usage.
- Recent announcements instruct people to work from home - the car park would remain predominantly empty.
- The roads used by metrolink customers are not just in the locality but further afield.
- The applicant has not addressed the issue of who their customers are.

Those who have made representations have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Borough Engineer - Drainage Section - No response received.

United Utilities (Water and waste) - No objection subject to a condition for the submission of a drainage scheme.

Environmental Health - Contaminated Land - No objection subject to conditions

Environmental Health - Pollution Control - No comments to make

Greater Manchester Police - designforsecurity - No objection

EDS Head of Parks and Countryside - No response received.

Greater Manchester Ecology Unit - No objection subject to conditions and informatives.
Transport for Greater Manchester (TfGM) - Highway Analytical Forecasting Service (HAFS) and Urban traffic Control (UTC) - Revised transport assessments have been provided and provide adequate conclusions. No objection.
Transport for Greater Manchester (TfGM) - Metrolink Dept - No objection subject to an informative.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
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
HT2/4	Car Parking and New Development
HT2/5	Public Car Parks
HT2/6	Replacement Car Parking
HT3	Public Transport
HT3/4	Schemes to Assist Metrolink
HT4	New Development
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
EN1/5	Crime Prevention
EN7	Pollution Control
HT2	Highway Network
HT6/1	Pedestrian and Cyclist Movement
EN8/2	Woodland and Tree Planting
HT6/2	Pedestrian/Vehicular Conflict

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 - At the heart of the NPPF is a presumption in favour of sustainable development and states the three objectives to achieving sustainable development which are:

- economic objective - to help build a strong, responsive and competitive economy , including identifying and coordinating the provision of infrastructure;
- social objective - to support a strong, vibrant and healthy communities....by fostering well-designed and safe built environments with accessible services;
- environmental objectives - contribute to protecting and enhancing the natural, built and historic environment, including making effective use of land including moving to a low carbon economy. Planning policies and decisions should play an active role in guiding development towards sustainable solutions.

Section 9 of the NPPF - Promoting sustainable transport seeks to ensure 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 development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

At paragraph 109, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Development that would generate significant amounts of movement should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

UDP Policy HT1 - A Balanced Transportation Strategy seeks to ensure a co-ordinated approach to the formulation of policies and proposals for the alteration, upgrading or improvement of the transport network. This includes implementing measures to increase attractiveness of public transport as a viable alternative to private travel; facilitating better interchange between different modes of transport; and improving the accessibility of public transport to those travellers whose mobility is impaired.

At policy HT2 - Highway Network seeks, amongst other things, to improve the operation and attractiveness of the public transport network, improve the flow of traffic and improve or protect the environment.

Policy HT3/4 - Schemes to Assist Metrolink seeks to support the provision of new or improved stations and car parks which will increase the available park and ride facilities on the Metrolink.

In considering new development, Policy HT4 - New development encourages proposals which will support the principles of sustainable development, assist the implementation of a balanced transportation strategy and minimise the environmental impact of traffic.

Principle and Need - The Applicant states that the proposals to expand the Radcliffe Park and Ride (P&R) Facility has been evaluated with regards to a number of factors, including the wider Greater Manchester Spatial Framework (GMSF) and Radcliffe Strategic Regeneration Framework (SRF) and future developments, and to address the on-street parking problems experienced by local residents due to the shortfall in capacity at the existing Metrolink car park.

The Metrolink Capacity Improvement Programme (MCIP) Business Case recognised that improvements to public transport and sustainable modes of travel must be enhanced, whilst also seeking to reduce air pollution and help deliver regeneration and economic growth to areas.

The Business Case, with specific reference to Radcliffe P&R, recognised that improvements at the site would provide a sustainable and attractive alternative to driving, thereby reducing congestion and carbon emissions, enable better access to employment and local areas, support regeneration in Radcliffe and the wider Borough, improve access to the wider catchment area and provide improved sustainable transport connectivity for new developments, particularly housing growth for the area.

The Applicant has highlighted Radcliffe as one of the stops for park and ride improvements as part of the Association of Greater Manchester Authorities (AGMA) Scheme, which recognised the shortfall of car parking at Radcliffe particularly on weekdays. Bearing in mind the 'bigger' picture aspirations of the GMSF and SRF, the expansion of the P&R facility at Radcliffe Metrolink would support long-term objectives for sustainable development, economic growth and at the local level would improve connectivity, alleviate pressure on the roads and address the local on-street parking problems.

It must be noted that the GMSF as a development plan would not have weight in the

planning decision making process and is not material at this time until the framework nears adoption, and the SRF would be a material planning consideration upon adoption. Both of these documents at present are for reference but not material at this time. What is clear is that the Council must prepare a local plan and following the requirements of National Policy seek to uphold an agenda for growth which would encourage the development of sustainable development for transport, housing and employment.

In addition, the Metrolink Improvement Programme includes the expansion at Whitefield's P&R for an additional deck at the station. Delivered in conjunction with Radcliffe, there would be a combined increase in spaces in the area.

The shortfall in capacity of the Radcliffe car park has resulted in overspill parking by users of the Metrolink on the surrounding streets, causing problems for the immediate residents that live in the locality and it is intended that the opportunity to expand the P&R facility would alleviate such pressures on the nearby streets.

In terms of the justification for the expansion at the Radcliffe P&R, the Applicant has sought to demonstrate that proposals have been developed and modelled appropriately taking into account the broader growth strategies and aspirations of a growth agenda as well as considering the benefits the scheme would bring to ease the immediate parking pressures in the immediate locality from commuter parking in relation to current demand. By providing the additional deck, the proposed development would continue to contribute to sustainable development in allowing greater use of public transport instead of encouraging longer vehicle movements between Bury and Manchester and beyond.

No one solution alone of sustainable travel would be a magic bullet, but overall on a growth agenda there must be a package of different options available. This Metrolink Scheme would provide one contribution and therefore as a principle must be acceptable. It is also noted that the resident parking scheme is in the process of being implemented.

Whether the development should be in Radcliffe or elsewhere, the site and use exists where it is and therefore is considered to be acceptable as a matter of principle. It is the details as to whether the scheme relates appropriately to its surroundings, works in relation to traffic flows, how it is considered in relation to immediate air quality for the area where it would be located and is considered in the wider scheme of approaches concerning sustainable travel options.

It is therefore considered the proposed development would comply with the principles of sustainable development and the NPPF and UDP Policies HT3/4 and HT4.

Design and layout - The proposed 2nd floor parking deck would be located directly on top of the existing 1st floor deck. In terms of the current arrangements on site, the existing car park layout would not fundamentally change as a result of the development. There would be some re-configuration of the circulation area around the main parking area and the 1st floor deck resulting in the removal of some spaces to facilitate the additional ramps and access around the car park.

The existing access and egress from/to Spring Street would operate as currently exists.

The development proposes additional tree planting which would be located along the eastern embankment to the tram line and to the western boundary of the site, providing additional screening to the houses beyond.

In terms of design, the proposed deck would be modelled on the design of the existing deck in terms of its appearance and materials, proposing a steel frame and horizontal barriers around the periphery of the deck. The surfacing would be finished in a dark grey asphalt or tarmac, as is standard for such multi-decked parking structures and the same used for the 1st floor deck.

It is therefore considered that by adding an additional deck to the existing structure, the requirement to address the parking capacity issues on the site would make best use of the potential land available. The car park facility would continue to operate within a safe and secure environment for Metrolink users.

The design would be appropriate and functional for the purposes it would serve and emulate the existing structure.

As such, the proposed development is considered to be acceptable and would comply with UDP Policies EN1/2, HT3/4, HT6/1 and HT4.

Impact on residential amenity - The nearest properties to the proposed development would be the terraced houses on Howarth Street and Barlow Street, to the west. There is a difference in levels between the car park and the land to the west, with the houses set approximately 2.7m lower than the site.

The existing decked car park is approximately 4.5m high to the top part of the rail which runs along the sides of the car park. The additional deck would increase the height of the structure to approximately 7.5m.

The row of houses on Howarth Street are perpendicular to the site, with only the side gable of No 45 facing the site. There would be a distance of 24m from the side gable of no 45 to the proposed deck and there is tree planting along this part of the boundary. Given the difference in levels, the distance between the houses and the site and that there would not be a direct interface between the site and the houses on Howarth Street, it is considered there would not be an overbearing relationship or a detrimental impact on this property or this row of houses.

The rear elevations of the houses on Barlow Street face the site and have habitable room windows directly opposite the existing car park and the 1st floor deck. The houses, set at a lower level already have some views of the car park with the first floor of the dwellings in line with the existing 1st floor deck. The proposed 2nd tier would be slightly higher than the roof of these houses.

There would be a minimum distance of approximately 32m from the decked car park to the rear elevations of Barlow Street. There is existing intervening landscaping with tree planting up to 12m high along part of the site boundary and proposed landscaping would fill in some of the gaps which would further screen the site. In addition, there are some industrial units which are located directly behind Nos 16-20 Barlow Street which obscure views of the car park.

The proposed 2nd floor deck would be erected in a material of a relatively lightweight appearance with the use of a steel frame and horizontal barriers, mirroring the existing form. The pedestrian access stairs to the decks are located at the opposite corners of the structure to the houses on Barlow Street and as such this would not add additional bulk or visual massing when viewed from the houses. Orientated to the west of the site and over 30m away, the properties would not experience significant or adverse periods of overshadowing from the proposed extension.

Given the distance to the houses on Barlow Street, the intervening industrial units and the existing and proposed landscaping along the western boundary, it is considered that the addition of the 2nd floor deck would not introduce an overbearing or dominant form when viewed from the houses and therefore not have a detrimental impact on the amenity of these occupiers.

It is therefore considered that the physical relationship of the 2nd deck to the nearby houses would be acceptable and the proposed development would comply with UDP Policies EN1/2.

Noise - A Noise Impact Survey has been carried out, the timings of which took account of both the morning and evening peak usages. The report has been assessed by the Council's Pollution Control Section. The Report concluded that there was likely to be an increase of between 0 and 0.6 in the existing ambient noise levels at the nearest noise sensitive receptor. This would indicate there would be no significant effects to the existing noise in the area and the Pollution Control Section are satisfied with this conclusion.

There is already a degree of noise which is generated by the Metrolink line itself, nearby industrial buildings as well as the existing car park. Given the relatively minimal increase in noise levels that would be generated by the development, it is considered there would not be a significant harm caused to nearby residential priorities or the area in general.

Lighting - The application proposes lighting similar to the current arrangement on the 1st floor deck, which consists of 4m high column mounted luminaires located around the periphery and within the parking areas of the new deck (as shown on the 3'D' visualisation plan). The lighting columns would be of a slimline type, facing inwards towards the car park and the lamp would be a 'top hat' design which would direct light downwards, the same as the existing columns. The lights would be controlled by a combination of daylight sensors and timers and a condition would ensure that the lights would only be on at the early parts of the day, to serve the first commuters and switch off half an hour after the last tram would leave the Metrolink stop, providing both security and safety to the station and commuters whilst minimising impacts from light pollution to those living in the immediate locality.

Lighting would also be fitted under the deck on a sensor module and emergency lighting provided to driving lanes, parking bays and to clearly define pedestrian walkways to provide a safer environment.

Located over 30m away from the nearest property, it is considered that given this separation distance, the directional orientation of the lighting, and control of the timings of luminance by condition, it is considered that the proposals would not cause any more harm or have an adverse impact on residential amenity than the existing arrangements on site.

In terms of light spillage from car headlights, the development proposes low level barriers around the periphery of the deck, and as are currently in situ for the existing 1st floor deck, which would shield light from vehicle headlights using the car park. It is therefore considered there would not be significantly more harm or impact to the residents to the west than the existing situation.

Air Quality/Air Pollution - The Environmental Health Section have been consulted on the proposed development.

The site is located within an Air Quality Management Area. Due to the nature of the development for 111 additional spaces, it is considered possible that the development would create an increase of more than 100 AADT (annual average daily traffic). Therefore, an air quality assessment has been carried out which has concluded, based on the modelled predicted concentrations, the impact on air quality of the redevelopment was considered negligible and therefore, based on the Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) Guidance, as 'not significant'.

The Report was reviewed by the EH Section and with consideration of the main issues raised in the representations received to the application regarding pollution and air quality.

The use of desktop-based methods and modelling to assess the impact on air quality.

The air quality assessment has been undertaken in line with methodology set out in the Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) Land-Use Planning & Development Control: Planning For Air Quality, dated January 2017. This guidance on how to undertake air quality assessments is recognised as best practice

by the Greater Manchester Air Quality Action Plan and was adopted as the preferred method of assessment in Action 1.2 of the Plan.

The timing and duration of the traffic count data.

The traffic count data used in the dispersion modelling was obtained from SCP Transport Planning. It is assumed the choice of day was to compare the different patterns of usage of the car park on a week day and a weekend. Given the current COVID-19 situation, any new traffic count carried out now would not be entirely representative of 'normal times' and the usage of the car park is likely to be significantly lower than the count carried out in 2018.

For the purposes of this assessment, traffic data was supplied for 2020. By the implementation of other environmental policies, air quality is predicted to improve in the future. However, in order to provide a robust assessment, emission factors for 2018 were used to provide a 'worse case scenario' and therefore confidence could be placed within the predicted pollution concentrations.

Lack of long-term air quality monitoring at site to carried out to show seasonal variations.

The assessment was carried out in line with agreed best-practice (EPUK/IAQM guidance as outlined above). It is not usual to undertake long-term monitoring for this sort of assessment unless there is no existing monitoring available for the local area. Air monitoring data is available for the automatic stations at Water Street, Radcliffe, Manchester Road, Whitefield, and also data from Radcliffe New Road, Whitefield. This data has been used to validate the output of the model and apply a verification factor.

Radcliffe monitoring station shows regular exceedances of the air quality objectives.

The monitoring data results for 2019 for Radcliffe Air Monitoring Station demonstrated the annual mean was well below the Annual mean Air Quality Objective.

Conclusion

The EH Section has found the air quality assessment report acceptable and agrees with the conclusion that the overall significance of potential impacts was determined to be not significant in accordance with the EPUK and IAQM guidance. However, mitigation measures including electric vehicle charging points and improved cycle facilities to encourage the use of low emission and low carbon transport options have been recommended. See discussion below.

Given the requirement to decrease NO₂ across Bury, as required by Defra in the 'UK Plan for Tackling Roadside NO₂', published in July 2017, it is important that the proposed development incorporates good design principles and best practice measures as outlined in IAQM and EPUK Guidance, to ensure emissions are minimised.

The section therefore welcome proposals to install mitigation measures such as electric vehicle charging points and cycle facilities to encourage the use of low emission and low carbon transport options.

There are currently no electric vehicle charge points at the site. However, the information submitted with the application suggests that 6 no. electric vehicle (EV) charging points are proposed in the future. Given the requirement to reduce emissions and improve air quality in the Borough, and in light of good design and best practice measures it is reasonable to apply a condition that details and a scheme for the provision of EV charging points/bays be submitted for approval.

The current COVID-19 crisis has also seen a significant increase in participation in cycling, and the EH Section are keen to see this continue. Radcliffe Metrolink Station is located close to National Cycle Network Route 6. The existing site currently has 5 cycle storage lockers and 5 Sheffield stands located adjacent to the site access. However, the Section

would welcome improved, secure cycle parking at the station, to encourage the uptake of the cycling and multi-modal travel. Given the current situation COVID-19 any new traffic count carried out now would not be representative of 'normal times' and the usage of the car park is likely to be significantly lower than the count carried out in 2018.

The Radcliffe Metrolink P&R site is included within the cycle and pedestrian route investment scheme which is being delivered collaboratively by Bury Council & Transport for Greater Manchester (TfGM) with Department for Transport funding. As such the proposed provision of cycle upgrades and storage facilities will be undertaken under a separate application, which includes for a dedicated cycle lane at Radcliffe and improved storage facilities

The aspiration of TfGM is to ensure that their plans for the car park extension will facilitate the delivery of future cycling enhancements. TfGM continue to promote the increase in use of sustainable travel modes such as cycling and the promotion of sustainable development. It is therefore considered that at this time, it would not be reasonable to put in place permanent cycle storage facilities given the future plans. It would, however, seem sensible for a temporary solution to be put in place to facilitate the extra demand for cycle parking which could arise from the proposed development and this would be informed by an appropriate condition.

It is therefore considered that the proposed development would not cause adverse or significant impact on residential amenity from nuisances of noise, light pollution, or air quality pollution and as such the development would comply with EN1/2, EN7, EN7/1 and EN7/2.

Highways issues

Parking

The existing car park currently provides a total of 369 parking spaces. The existing provision comprises 249 spaces (inc 22 disabled spaces) at level 0 and 120 at level 1.

With the re-configuration which would be required to facilitate the new accesses, circulation space and ramps, the scheme would provide:

- level 0 - 243 spaces (inc 22 disabled),
 - level 1 - 117 spaces
 - level 2 - 120 spaces (new deck),
- equating to an additional 111 and resulting in a total of 480 spaces.

SPD11 - Parking Standards in Bury does not advise on maximum standards for P&R facilities. For tram stations, it is stated that individual consideration be given to proposals where appropriate and practical.

TfGM have identified that the existing parking facilities at Radcliffe are regularly at capacity, resulting in users parking on nearby residential streets. The proposed development will aide in mitigating this problem as well as providing a more attractive and sustainable option to car travel.

The additional parking would be provided at an existing facility. It would not require any more land use than already is utilised and therefore appropriate in terms of its expansion, locality and sustainability.

It is therefore considered that the proposed development, in terms of the provision of the additional spaces would not conflict with UDP Policies HT2/4, SPD11 and the principles of the NPPF.

Replacement parking - The development would be carried out in phases, resulting in the loss of some spaces whilst enabling works are carried out and full closure of the car park following commencement of the main works. In order to maintain the availability of most of

the existing parking spaces for as long a period as possible, the preparation works to the existing structure would be undertaken whilst the car park remains partly open and in use.

The Applicant is conscious that on commencement of the construction works, users of the Metrolink P&R would need to be displaced elsewhere, and they are currently investigating the provision of a temporary parking facility in order to reduce disruption to local residents from parking on the nearby streets. It is anticipated that a planning application is shortly due for submission to deal with this. Notwithstanding this, a condition would be recommended requiring the submission of a temporary replacement parking scheme together with a timetable for implementation and re-instatement.

With a mitigation scheme in place, that would appropriately compensate for the loss of a number of parking spaces throughout each phasing of the development, it is considered that the scheme would make appropriate provision for parking displacement without the need to burden local streets and as such this would be acceptable.

Traffic and access

A traffic flow survey was carried out in 2017 and established that 21% of Metrolink customers drove for less than 1 mile, 57% between 1-3 miles, 19% travelled 3-5 miles and 3% travelled over 5 miles, resulting in 78% of users driving less than 3 miles away to use the P&R facility.

It can therefore be concluded that the majority of the existing car parking provision at the Metrolink serves local users in the area and the proposed development would continue to do so. The number of commuters from further afield are not likely to change.

The SCP Transport Assessment provides information that examines the consequences of the proposed expansion on the current highway and transportation systems. It has been updated since the original submission to also include new and up to date traffic count data (September 2020).

The Transport Assessment provides the following information:

- an examination of the current station car park operation;
- an appraisal of existing site conditions;
- a discussion of the proposed improvements; and
- an assessment of the potential traffic generation for the application proposals.

A parking accumulation survey was undertaken in 2018 to assess the existing usage of the car park. The additional 111 spaces has the potential to increase vehicle trips to the site given it was observed that the car park occupancy reached capacity. A peak hour trip rate for arrivals during the peak AM hour and departures during the peak PM has been derived from the survey. By dividing the accumulated vehicles arriving/departing the site during the peak hours against the existing number of parking spaces, a trip rate can be derived. This has been based on the 2018 surveys rather than the 2020 surveys, which recorded a greater number of vehicles and therefore provides a more robust, worse case assessment.

Using this methodology, it has been estimated that approximately 67 additional vehicles would arrive during the morning peak which would equate to one additional vehicle movement per minute. At the evening peak, departures from the site tend to be more staggered and it is estimated that 32 additional vehicles would leave the site, equating to the exit of a vehicle every 2 minutes.

The Transport Assessment has been updated since the original submission to also include new and up to date traffic count data. This was carried out in September 2020 at the request of TfGM HAFS and UTC in order to provide a robust and up to date assessment of traffic counts and flows, in addition to the previous data held from surveys carried out in 2014 and 2017.

The impact of the additional trips on the highway generated by the proposed development has been analysed in the Transport Assessment. The recent traffic surveys were

undertaken on 2nd September 2020 and when the school returned, although it is acknowledged that a small number were closed. The report further acknowledges that traffic flows are still affected by the measures relating to the Covid 19 pandemic. However they have been provided to obtain current traffic flows instead of relying solely on 2014 and 2017 data.

The results of the 2020 survey show that the existing access/egress arrangements would provide sufficient capacity for the levels of demand predicted for both the morning and peak periods. In terms of impact on the Spring Lane/Blackburn Street/Water Street/Abden Street junction, the survey results showed that the junction would operate within capacity at both peak periods and would not be significantly affected by the proposed development.

Whilst this shows improved results comparative to the 2014 and 2017 surveys which would have resulted in a higher baseline traffic flow at the junction from the development, the conclusion of the previous assessment was that the traffic generated by the proposed extension would not result in a significant impact at that junction.

This provides the reassurance that the traffic generated by the development could be accommodated in the future should traffic flows increase in the future from current levels experienced at this time.

Any increase in trips would likely be predominantly commuter trips which already take place on the highway and it is expected that with the expansion of the P&R to provide more parking for the Metrolink, local commuters who are having to travel to further afield to reach their destinations due to the lack of nearby parking facilities would instead be able to park at Radcliffe station and thereby reduce the number of cars on the road network and in doing so encourage more sustainable modes of travel.

The Transport Assessment considers that the proposed development would not have a significantly material impact on the operation of the highway network.

TfGM HFAS and UTC have reviewed the TAs submitted in support of the proposed application and consider that the Transport Assessment now provides adequate evidence that the impact on the traffic conditions have been considered in a satisfactory way for both applications. The conclusions are that there would be a minor impact on road network due to the extra traffic are valid for both applications.

The new traffic surveys are adequate considering the impact of COVID-19 on traffic flows now and for the foreseeable future. The previous TAs should be used to gain an understanding of the previous situation. The respective traffic teams of TfGM are comfortable with the flows used in the two sets of analysis.

In consideration of the TfGM analysis, the Council's Local Highway Authority have raised no objection to the proposed development in principle, subject to conditions.

As such, it is considered that the proposed development would be acceptable and would comply with UDP Policies HT2, HT3/4 and HT4.

Transport for Greater Manchester (TfGM) - Metrolink Dept - The Application relates to works being undertaken on behalf of Metrolink to improve the capacity of the Metrolink Park and Ride facility. The Section can confirm they are working closely with the Metrolink Project Team and the Contractor to ensure that the works do not adversely impact Metrolink Operations and that a Construction Management Plan will be agreed as part of the Contract prior to works commencing. Consequently, they do not require any Metrolink related Conditions to be attached to any consents granted in respects of this Application. An informative is recommended to advise on the details of Working Safely Near Metrolink just to reinforce their importance.

Security/anti-social behaviour - The proposed development would include a series of

mitigation measures designed to prevent anti-social behaviour. These would include installation of lighting, solid fire resistant bins, enclosing voids between stairs, provision of additional CCTV and securing the site out of hours.

The layout of the site also provides for good open circulation and well defined routes.

The current P&R has been awarded the Park Mark accreditation, indicating a low rate of crime and with the adoption of appropriate additional security measures, it is proposed the development would continue to be in compliance with such accreditation.

The applicant states that the car park is also patrolled on an ad-hoc basis to deter 'non-users' from using the car park and TfGM also work in partnership with GMP Neighbourhood Teams to share local information and knowledge and take part in joint initiatives to tackle anti-social behaviour.

The Applicant has submitted a Crime Impact Statement and have engaged with the Design for Security Team at Greater Manchester Police to follow up the CIS with an Addendum to the original submission.

The design for security team have raised no objection to the development proposals and recommend that a condition be included to reflect the physical security specifications set out in the report.

It is therefore considered that there would not be any adverse security implications or rise in anti-social behaviour as a result of the proposed development and as such the development would comply with UDP Policy EN1/5.

Ecology

GMEU have been consulted on the application.

Summary - There are unlikely to be any significant ecological issues associated with this development. Risks associated with bats, nesting birds and invasive species can be resolved via informative.

Bats - The building design and the nature of the development makes the risk of bats being present and/or disturbed very low. The existing structure has no cladding the only theoretical bat roosting habitat being the existing decking which is to be retained. GMEU recommend an informative is applied to any permission to remind the applicant that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Nesting Birds - Existing landscaping is only semi-mature and to be retained. The bird nesting potential is low. There is also a low risk of birds nesting within the existing car park. GMEU recommend an informative that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Invasive Species - Rail corridors are high risk for species such as japanese knotweed. However the development is significantly buffered from the corridor by the embankment below the line, which is managed. There is also no proposed impact on adjacent soft landscaping. GMEU are therefore satisfied that the risks of an offence are very low and recommend an informative is applied to any permission to advise the applicant of their responsibilities under the Wildlife & Countryside Act 1981, as amended.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2019 states that the planning system should contribute to and enhance the natural and local environment. The development is restricted to hard standing and the existing structure.

No negative impacts are likely. Native tree planting is proposed that would result in net gain. GMEU have no objection to the landscape proposals being conditioned.

Response to objectors - The issues raised have been covered in the above report and by the applicant's response to the representations received to the application

Conclusion

The Radcliffe Metrolink Stop Park and Ride is an established successful transport hub for passengers wishing to travel to and from the major centres of Manchester and Bury, providing a more attractive and sustainable option to car travel. It is considered that the proposals would help to promote sustainable modes of transport within the borough and reduce car usage in line with the principles of sustainable development as set out within the NPPF and UDP Policy HT1.

The existing parking facilities are regularly at capacity, resulting in passengers parking on nearby residential streets. The proposal to increase the existing parking capacity to 479 spaces would therefore help mitigate this issue, whilst reinforcing this existing sustainable option of travel to commuters and alleviating the pressure on the surrounding highway network.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 -
Plans
Location plan 2460-MA-01-ZZ-DR-A-PL01 rev 3
Proposed site and deck plans 2460-MA-01-ZZ-DR-A-PL03 rev P06
Proposed elevations 2460-EL03
Proposed site cross section 2460-MA-01-XX-SE-A-SE01 rev1
'3D' visualisation plan 2460-MA-01-ZZ-DR-A-VS01/VS02 rev 3 (entrance and exit)
Cycle provision plan (cycle store details only) 2460-MG-ZZ-DR-PL04
Proposed lighting and emergency lighting
MCIP003-BRN-BRL-RADPR-DR-E-LIG-0014 and 0015 levels 1 and 2
Re-built stair 1 - MICP003-BRN-BRL-RADPR-DY-Y-STR-0011 p2
Existing elevation 2460-MA-01-ZZ-DR-A-EL01 rev 2
Existing site and deck plans 2460-MA-01-ZZ-DR-A-PL02 rev 2
Tree survey by tba 4465.02
Tree protection plan by tba 4465.03
Landscape proposal by tba 4465.04

Reports

Noise Impact Assessment ref AC108130-1R1 dated September 2020

Air Quality Assessment ref AQ108137R1 dated September 2020
 Tree Survey report by tba Feb 2020 ref PD/4465/TSR/Feb20
 Arboricultural Impact assessment and method Statement by tba Feb 2020
 Transport Assessment by SCP September 2020 ref MC/200062/TA/5
 Lighting Design Philosophy MCIP003-BRN-BRL-RADPR-RP-E-ZZ-009
 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. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.
 In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must not be increased beyond the existing. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first use of the development hereby approved 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.
4. Following commencement of the development hereby approved, details and a scheme for the provision of EV Charging Points/Charging Parking Bays shall be submitted to and approved by the Local Planning Authority. The approved details/scheme only shall thereafter be implemented prior to the first use of the development hereby approved and thereafter maintained.
Reason. Information not submitted at application stage and in accordance with the principles of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.
5. Following commencement of the development hereby approved, details of the cycle storage provision and scheme shall be submitted to and approved by the Local Planning Authority. The approved provision shall thereafter be implemented and made available for use prior to the first use of the development hereby approved and thereafter maintained.
Reason. To secure satisfactory cycle facilities on site and in accordance with Unitary Development Policies HT6/1 - Pedestrians and Cycle Movement, HT3/4 - Scheme to Assist Metrolink and HT4 - New Development.
6. The development hereby approved shall be carried out in accordance with the submitted landscape proposals by tba landscape architects plan ref 4465.04. The approved scheme shall be implemented not later than 12 months from the first use of the development hereby approved or within the first available tree planting season, 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 Policies EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
7. The development hereby approved shall provide for 3 Schwegler bat boxes to be installed on retained mature trees which shall be provided prior to the first use of

the development hereby approved and thereafter maintained.

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. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
9. The development hereby approved shall be constructed in accordance with the design and materials used for the existing first floor deck, and as proposed on the '3D' Visualisation plans 2460-MA-01-ZZ-DR-A-VS01/VS02 Rev 3.
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.
10. The lighting columns to the upper deck hereby approved shall be switched off half an hour after the last Metrolink service to the Radcliffe Metrolink station and remain off until half an hour before the first service to the Radcliffe Metrolink station daily.
Reason. To protect the amenity of the nearby residential occupiers pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and EN7 - Pollution Control.
11. The development hereby approved shall be carried out in accordance with the security recommendations of the Addendum to the Crime Impact Statement by NSG Security Consultants dated July 2020. The security specifications shall thereafter be maintained.
Reason. To ensure the safe and secure development of the site for users of the Metrolink car park pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and EN1/5 - Crime Prevention.
12. No development shall commence unless and until details of a scheme for temporary alternative provision for parking has been submitted to and approved by the Local Planning Authority. The scheme shall include a timetable for implementation, details of any works required to provide the temporary car park and any re-instatement works following it ceasing operation. The approved scheme only shall thereafter be implemented and to the approved timetable.
Reason. To ensure there is adequate and accessible replacement car parking provision for users of the Metrolink whilst works are carried out and completed at the Metrolink car park, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/6 - Replacement Car Parking and HT3/4 - Schemes to Assist Metrolink.
13. 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:
 - Dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development;
 - Access point(s) to the site from the adopted highway, including any temporary works and measures required to protect highway users and facilitate vehicular access;

- Hours of operation and number of vehicle movements;
- Site hoarding/gate positions if proposed clear of appropriate visibility splays onto Spring Lane;
- A scheme of appropriate warning signage in the vicinity of the construction site access(es);
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and construction 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purpose.

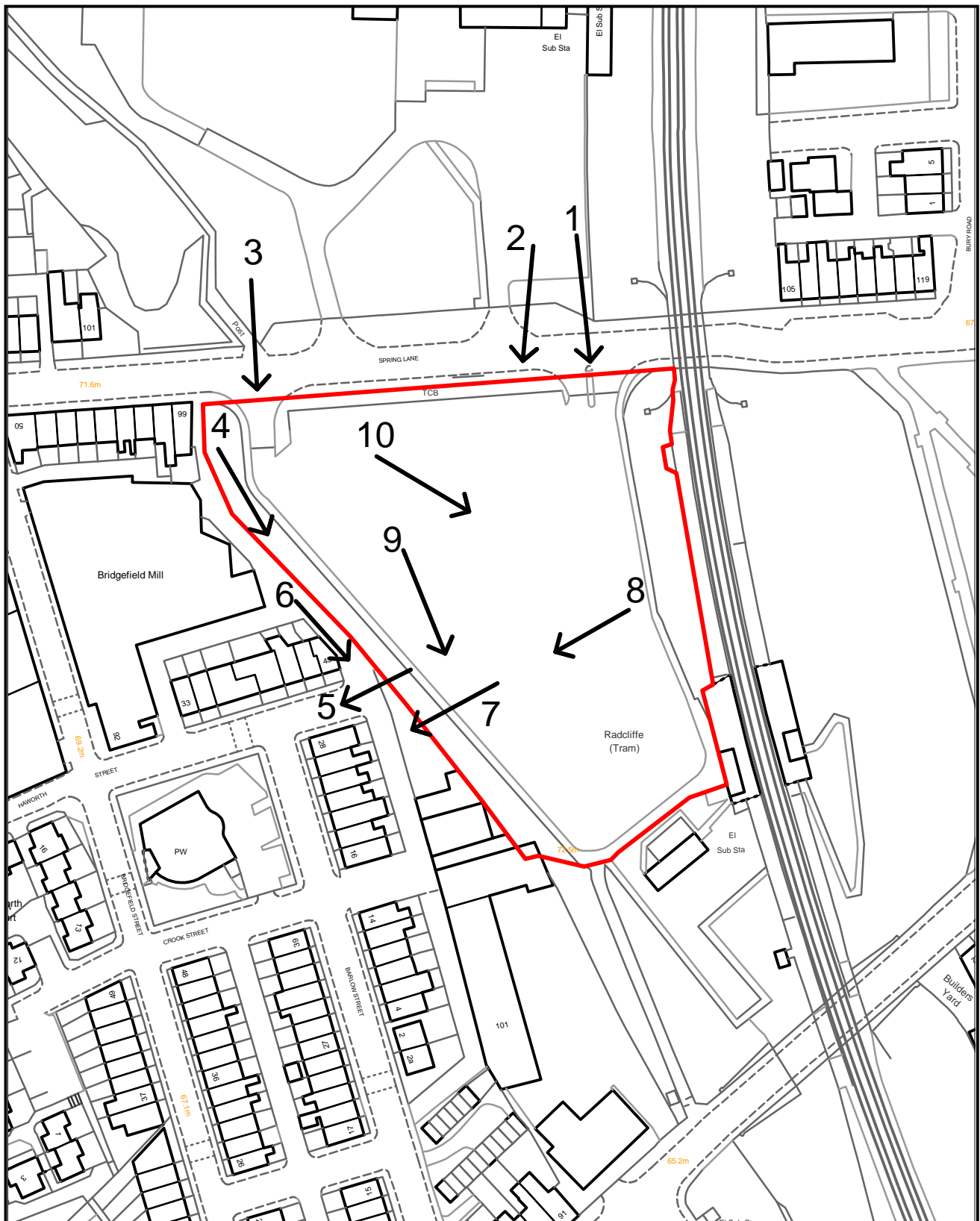
Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highway, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and 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.

14. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EN1/2 - Townscape and built design, HT2/4 - Car Parking and New Development and HT3/4 - Schemes to Assist Metrolink of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 65354

**ADDRESS: Radcliffe Metrolink Car Park
Spring Lane**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8

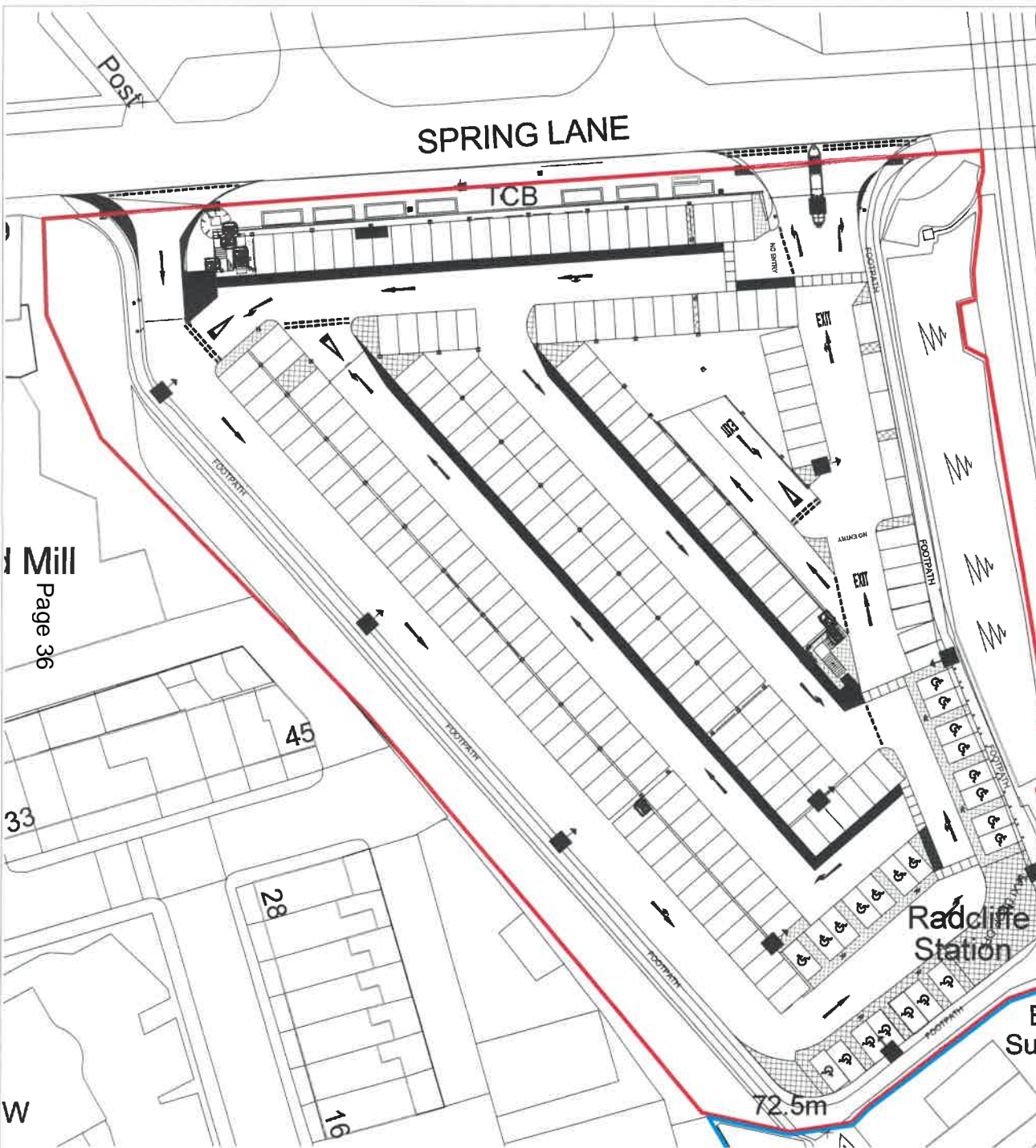


Photo 9



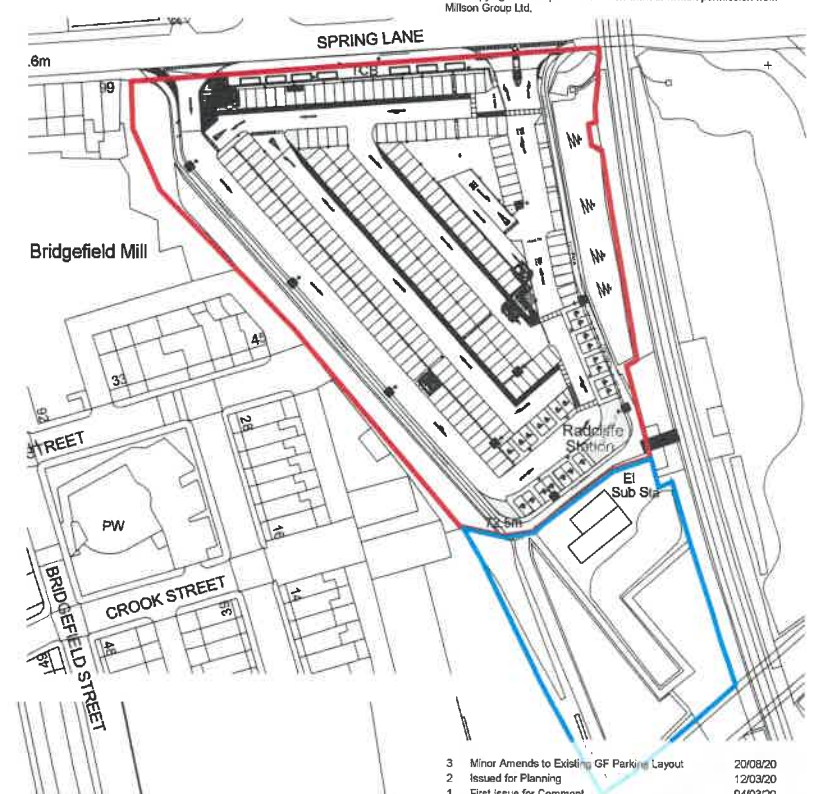
Photo 10





Location Plan 1250

1 : 1250



Drawing Information:
All levels and dimensions must be checked onsite by the contractor prior to commencement of works. Any variations must be reported to Millson Group Ltd. All information herein is the copyright of Millson Group Ltd. Copying in full or part is forbidden without written permission from Millson Group Ltd.

3	Minor Amends to Existing GF Parking Layout	20/08/20
2	Issued for Planning	12/03/20
1	First Issue for Comment	04/03/20

Rev	Revision History	By	Date
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Drawing:

Location Plan

Drawing Number:

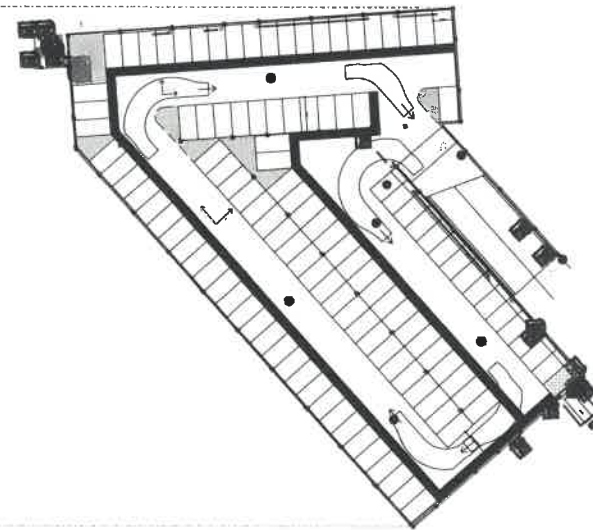
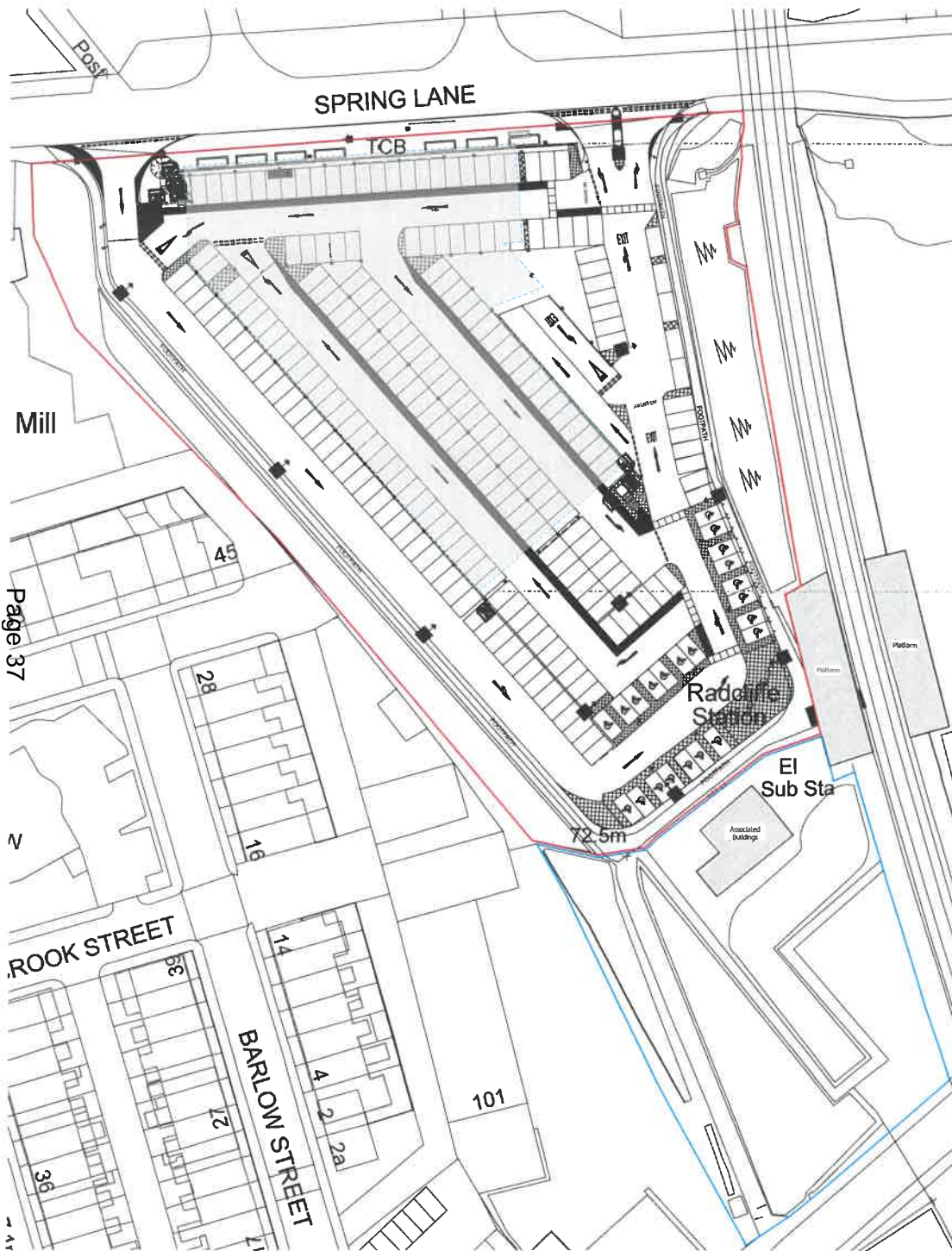
2460 - MA - 01 - ZZ - DR - A - PL01

Scales:	Size:	Date:
As indicated	A3	15/01/20
Drawn:	Checked:	Rev:
SD	LJ	3
Status:	Planning	

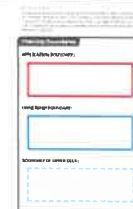


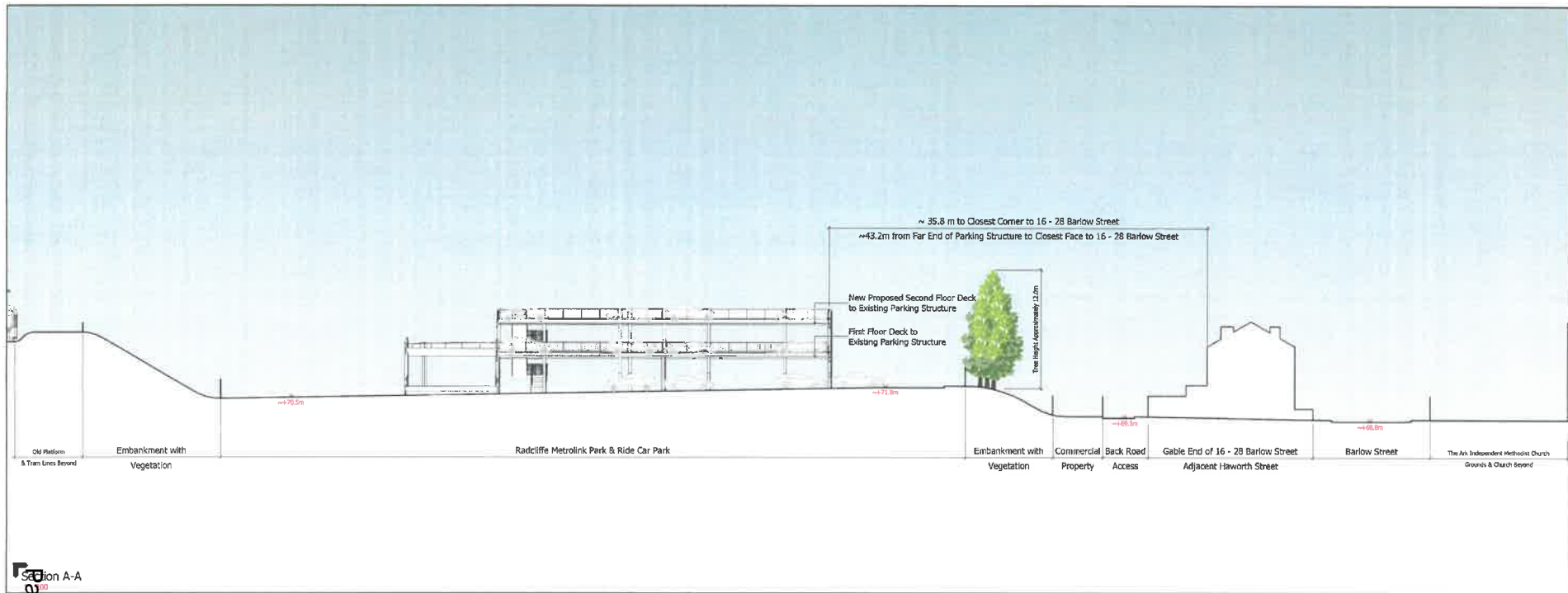
Byron House
10-12 Kennedy St
Manchester M2 4BY
0161 228 0558
www.millsongroup.co.uk
info@millsongroup.co.uk

2460 - Radcliffe P&R Extension



01 - Existing First Floor Deck
1:250





Section A-A



Section Plan
1:200

Notes:
1. The proposed site is shown in red.
2. The proposed site is shown in red.
3. The proposed site is shown in red.
4. The proposed site is shown in red.
5. The proposed site is shown in red.

Transport for Greater Manchester

Proposed Radcliffe Site Cross Section

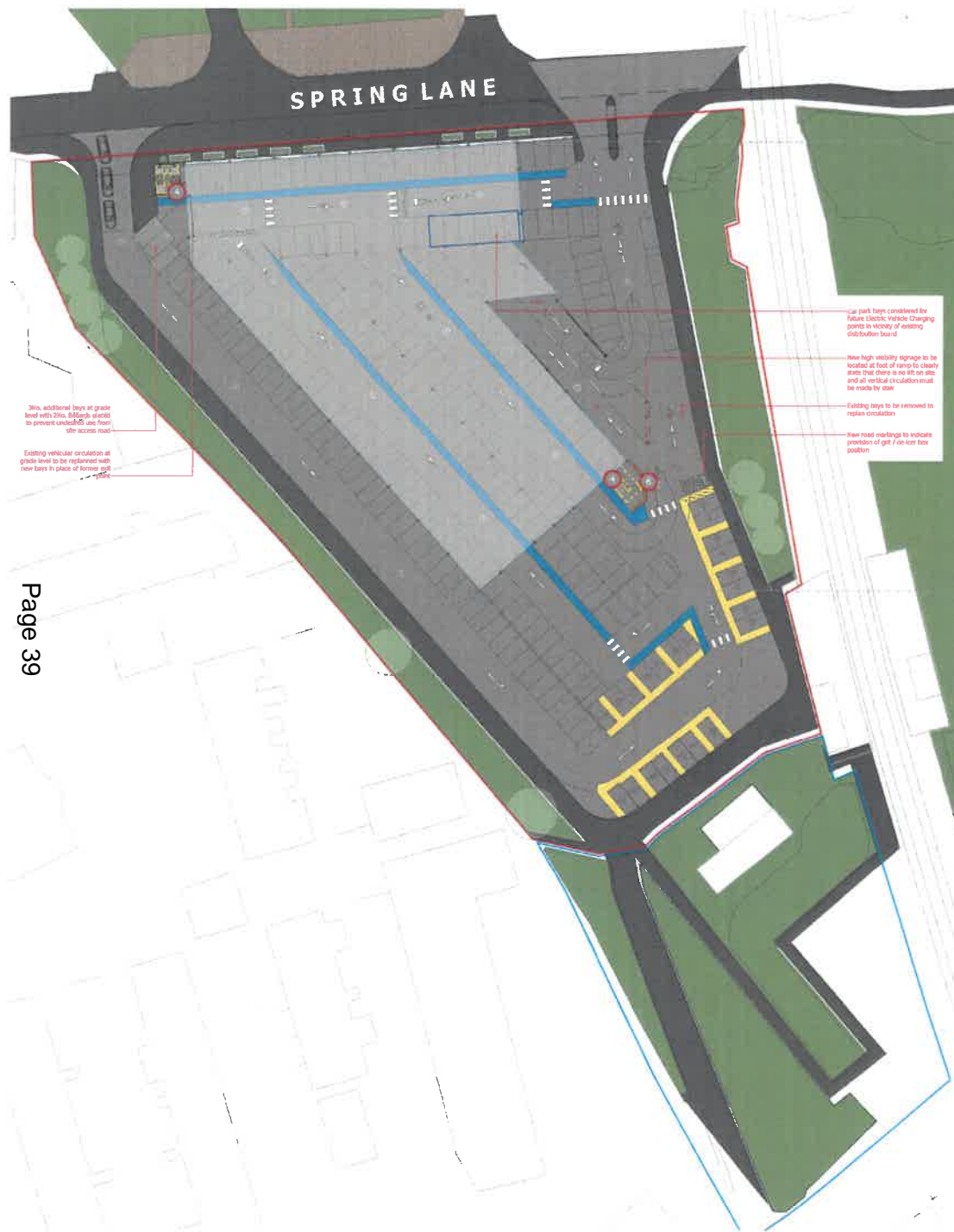
2460 - MA - 01 - XX - SE - A - SE01

Scale: 1:200	Sheet: A1	Date: 16/09/2020
Drawn: LJ	Checked: TB	Rev: 1

1

Mitson group

2460 - Radcliffe P&R Extension



01 - First Floor Deck (With Proposed Works)



02 - Proposed Second Floor Deck

[illegible]

QUESTION

Each patient requires a minimum of 1000 kcal per day. How many 1000 kcal packets should be given to a patient who weighs 150 lb and has a BSA of 2.0 m²?

ANSWER

10 packets

EXPLANATION

1. Calculate the patient's weight in kilograms (kg):

$$150 \text{ lb} \div 2.2 = 68.18 \text{ kg}$$

2. Calculate the patient's basal metabolic rate (BMR) using the Harris-Benedict equation:

$$BMR = 66 + (6.25 \times 68.18) + (13.75 \times 170) - (6.75 \times 40) = 1760 \text{ kcal/day}$$

3. Calculate the patient's total energy requirement (TER) by multiplying the BMR by the activity factor (1.2):

$$TER = 1760 \text{ kcal/day} \times 1.2 = 2112 \text{ kcal/day}$$

4. Calculate the number of 1000 kcal packets required by dividing the TER by 1000:

$$2112 \text{ kcal/day} \div 1000 = 2.112$$

5. Round the result to the nearest whole number: 2 packets.

[illegible]

APPROXIMATE DURATION:

NUMBER OF QUESTIONS:

NUMBER OF ANSWERS:



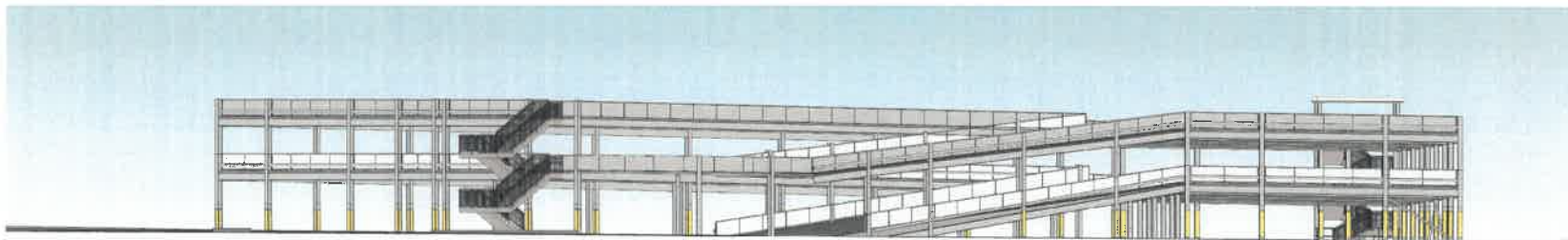
Transport for Greater Manchester

Proposed Site & Deck Plans

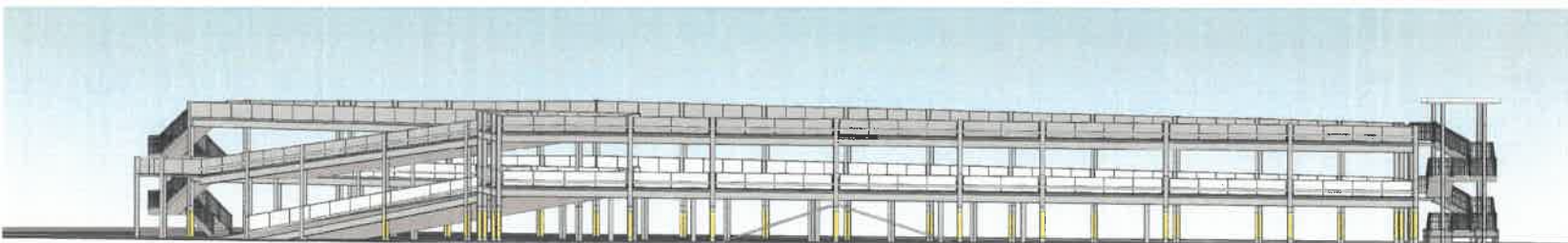
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DOE

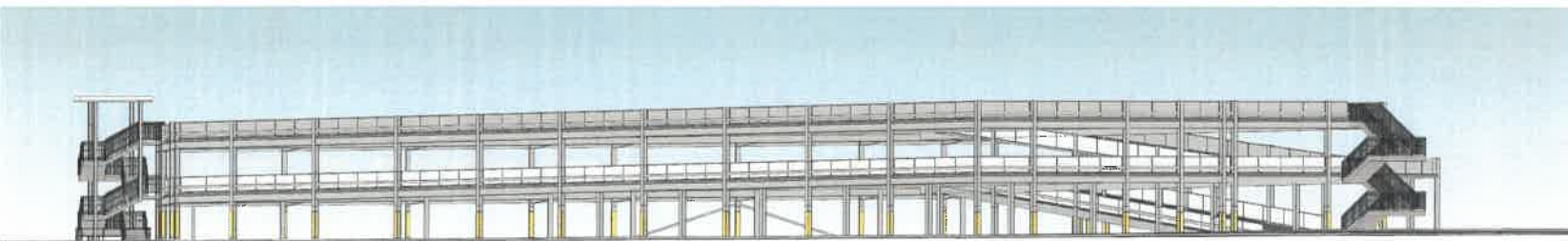
 Wilson[illegible]2466 **Madeline PBR Extension**



Proposed East Elevation Planning
 1:100



Proposed North Elevation Planning
 1:100



Proposed South Elevation Planning
 1:100



Proposed West Elevation Planning
 1:100



SPRING LANE

PLANTING SCHEDULE

Tree	Abbreviation	Species	Height	Girth	Specification	Pot Size	Number of Plants
ACE	ACE	Acer campestre	350-425cm	12-14cm	Heavy Standard: 3r/B	B	3
BP	BP	Betula pendula	350-425cm	12-14cm	Heavy Standard: 3r/B	B	4
SA	SA	Sorbus aucuparia	200-230cm		Feather: 2x	B	2
Total: 3							

Number	Abbreviation	Species	Specification	Density	Weight	Percentage Contribution
91	CORAV	Cornus avellana	Transplant 1.5 1/m ²		20%	
137	CRMON	Cornus monspeliensis	Transplant 1.5 1/m ²		50%	
48	ILEA	Ilex aquifolium	Transplant 1.5 1/m ²		10%	
91	PRUSP	Prunus spinosa	Transplant 1.5 1/m ²		20%	
24	ROSAR	Rosa arvensis	Transplant 1.5 1/m ²		5%	
14	ROSCA	Rosa canina	Transplant 1.5 1/m ²		5%	
48	VIBOP	Viburnum opulus	Transplant 1.5 1/m ²		10%	
Total: 45%						







Landscape Architecture
Arbiculture

Traverse Bridge Associates Ltd
Radcliffe Old Station
Sharnford Street, Macclesfield
Cheshire, SK10 1JY
Tel: 0161-404 2000
E-mail: info@traversebridge.co.uk

Project
RADCLIFFE PARK & RIDE
BOURNE PARKING
LANDSCAPE PROPOSAL

Date	Drawn	Checked	Design	Rev
FEB'20	BH	DG	1:250 A1	4465.04

KEY	
	EXISTING TREE TO BE RETAINED
	PROPOSED TREE PLANTING
	NATIVE SHRUB PLANTING
	EXISTING GRASS/ UNDERSTORY

Ward: Whitefield + Unsworth - Pilkington Park

Item 02

Applicant: Bourne Group Limited

Location: Whitefield Metrolink, Stanley Road, Whitefield, Manchester, M45 8AB

Proposal: Reconfiguration of the bus turning head and the erection of an additional deck and ramp to form a second floor to car park, providing in total an additional 123 no. spaces; landscaping scheme and lighting

Application Ref: 65465/Full

Target Date: 20/08/2020

Recommendation: Approve with Conditions

Description

The application relates to the car park which serves Whitefield Metrolink Station. The site is approximately 0.9 hectares in area located within the town centre. To the northern boundary is Whitefield Park which is separated from the site by dense tree planting and landscaping and to the east are industrial/commercial units which form the Park 17 industrial estate. The nearest houses are to the south on Nuttall Avenue which are separated from the car park by the Metrolink line which runs along this boundary in a north/south direction. To the north of the site is the access into the Metrolink station.

The northern part of the site provides a bus turning area and bus stops for local services with the southern part of the site utilised by the Metrolink car park which comprises two levels of parking - the ground floor level providing 101 No Standard bays and 13 No disabled bays (114 in total) and a first floor deck directly above for 94 spaces, equating to 208 total provision. The access into the car park is at the southerly point of the turning circle and follows an anti-clockwise direction around the car park. Pedestrian stairways are located at either end of the deck.

The access into the Metrolink site is off Stanley Road, opposite Morrison's supermarket and close to the 4-way junction with Bury New Road and Church Lane. The pedestrian entrance to the Metrolink platform is either via the car park or from the main road just outside of the site.

There are 5 Sheffield cycle stands located on the western side of the car park close to the disabled parking spaces.

The application proposes to erect a 2nd floor parking deck to provide additional parking for the station and uses of the Metrolink. With the re-configuration of the existing car park, there would be a net gain of 123 spaces provided.

The total number of spaces provided on completion would be 331 spaces.

The development would comprise:

- level 0 - 117 spaces (inc 13 disabled)
- grade level approach - 28
- level 1 - 88 spaces
- level 2 - 94 spaces (new spaces)
- resulting in the total of 331 spaces for the site.

The proposed deck would be located on top of the existing 1st floor deck, essentially mirroring the 1st floor arrangement which would provide a two way ramp and pedestrian stairwells. The layout of the existing car park would be re-configured to facilitate the new

circulation route, ramps and additional spaces required for the new deck.

The development also proposes alterations to the drop off area, bus turning area and bus stop in the northern section of the site. A turning area would still be provided to enable a circular route but it is now proposed to also provide additional parking spaces in this part of the site. The works to provide the spaces to the north and southern boundary would require some tree removal along the boundaries.

The direction of the one way traffic system into the main car park and decked floors would be re-configured to flow in a clockwise with the access into the main car park re-located to the current exit position and likewise the new exit formed at the existing entrance.

The new deck would comprise a lightweight steelframe with low horizontal safety barriers similar to those at the first floor level and finished in a dark grey asphalt or tarmac surface. There would be a ramp and two sets of pedestrian stairways built to facilitate access to the new deck, the same as the existing arrangement.

The application also proposes to incorporate lighting columns and emergency lighting within the new deck, together additional CCTV security cameras.

The scheme includes replacement planting along the north and southern boundary in the region where trees are proposed for removal.

The development would be built out in a phased approach. The applicant has submitted a phasing plan, with the works falling into 3 phases - Enabling works, (sectional closures of the existing car park), main works (full closure of the existing car park) finishing works (full closure) followed by completion.

The Whitefield Metrolink station would remain open throughout the construction period.

For information, a planning application has also been submitted by TfGM to erect a 2nd floor parking deck at the existing Metrolink car park in Radcliffe - planning reference 65354. It is anticipated this will be delivered in conjunction with the expansion at Whitefield.

The Applicant states that replacement parking to compensate for the loss of parking whilst the works are underway is being investigated. It is anticipated that an application for alternative temporary parking arrangements is to be submitted in due course. It is likely that a joint replacement scheme is to be submitted for both the Whitefield and Radcliffe sites whilst works are progressed. The provision of the replacement parking would be secured by condition and to be provided prior to the commencement of works at the Metrolink.

TfGM states that the proposed development at Radcliffe and Whitefield are the first in a number of expansions being explored for other Park and Ride Schemes (P&R Schemes) in the Greater Manchester Area for the future.

Relevant Planning History

56461 - Erection of deck to form first floor to car park to provide an additional 83 spaces - Approved 25/6/2013.

Publicity

Letters sent on 26/5/20 to 137 properties. A full list of those notified are available to view on the public file.

Site notice posted 28/5/20

Press advert 28/5/20.

A total of 5 representations received with the following issues raised -

- Deeply concerned about the addition of another level being added.
- Angry and disappointed that the story was in the Radcliffe Times 3 months ago before lockdown but the residents were never given the chance to air their views and ask any

questions as we have only been informed now.

- Would be unsightly, overbearing for the space and an eyesore basically a multi storey car park, causing 124 more cars to congest the small access road at a busy junction, pollution from extra cars and added traffic noise .
- Light pollution from lit area.
- Demographics of Besses , Radcliffe and Prestwich would mean that people making use of this extra parking would be driving less than 1 mile to use because of proximity to other stations -would it not be better to invest in secure bike stores at this location for people to cycle locally down to station .
- More CCTV is a joke - they do not monitor it now.
- Should be adding more cycle bays instead of 124 parking bays next to a children's playground.
- The car park is way too small for the amount of people who need to use the tram.
- Using a bike to get to the station is not practical or an option for alot of people.
- The car park extension would obscure views.
- There is no justification for the expansion as passenger numbers are down.
- As a staunch tree lover with strong environmental concerns, note the removal of some trees - these are beautiful mature trees - why is this necessary? Does it justify chopping trees down?
- There are some mature trees - identified as 5T, 6T and 9T to be removed.
- Need confirmation there would be no works to trees in Whitefield Park.

The Applicant has provided a response to the representations made above, summarised as follows -

- Air quality, pollution, and residents' well-being - The Transport Statement that has been submitted as part of the Planning Application for this scheme has concluded that the introduction of the proposed additional car park deck will not have a material impact on the operation of the highway network in this location. Results from the accumulation survey undertaken on Friday 22nd June 2018 and Saturday 23rd June 2018 were used to assess the existing usage of the station car park between 7.00am-19:00pm on both days. Air Quality Assessment - a detailed survey was conducted in February 2020, which was desktop based and concludes that "Based on the assessment results, air quality is not considered a constraint to planning consent for the proposed development." A separate cycle scheme is being developed for Radcliffe Park & Ride (P&R) , where cycle parking will be upgraded in line with TfGM's wider cycle parking strategy. It is also anticipated that the lower car park usage currently being experienced, will enable construction to proceed with less disruption to users and local residents. In addition, we are currently assessing the potential requirement to construct a temporary car park to offset the loss of parking.
- Noise, traffic and congestion - The Noise Impact Assessment at Radcliffe took place on Thursday 13th March 2020 between 16:05 and 20:05 and Friday 14th March 2020 between 06:10 and 10:10. The timing of the survey was determined to align to both the morning and evening peak. The survey concluded there would be an insignificant increase to the existing noise levels. The LPA's Pollution Control Officer has raised no concerns regarding noise disturbances.
- Why is it proposed to expand Whitefield P&R rather than other P&R at Metrolink stops? - The selection of Whitefield P&R facility as a site to expand, has been reviewed with several factors in mind, including the wider Greater Manchester (GM) strategies and future development over the coming years. The Business Case completed for the Metrolink Capacity Improvement Programme (MCIP), which includes Whitefield P&R, considers its strategic alignment with Transport for the North's vision to transform the region's economy, which is set out in 'The Northern Powerhouse: One Agenda, One Economy, One North' (2015) which recognises the importance of local connectivity. The Business case also considered the Greater Manchester Spatial Framework (GMSF). For Whitefield this means sustainable travel, therefore reducing congestion, better access to employment areas, support regeneration of town centres and travel for future new housing. The proposed scheme at Whitefield P&R is to be delivered in conjunction with the expansion at Radcliffe P&R and not in isolation, to offer a combined

increase in spaces for the area.

- What about cycle facilities, will these be improved? A separate cycle scheme is being developed for Radcliffe Park & Ride and to upgrade where cycle parking provision in line with TfGM's wider cycle parking strategy. Plans for the car park extension will facilitate the delivery of the future cycling enhancements.
- What impact will this development have on residents in neighbouring streets? Please provide a cross section drawing to indicate this has been taken into account - Feedback on the site has been considered and incorporated into the proposed design prior to the submission of planning. This includes light spill protection measures to shield neighbouring houses from car headlights. A cross section drawing has been submitted to show how the structure will stand in relation to the houses in closest proximity (Nuttall Avenue) and with regards to landscaping.
- Plans have been revised to show that trees - 5T and 6T would be retained.
- Confirm that all tree works would be within the boundary of the Metrolink site and no works relate to or involve trees in Whitefield Park. A tree planting scheme would be required by an agreed condition.
- Clarification on tree removal on plan 4464.02 Rev B - 9T (removal) , 10G (partial removal), 11G (partial removal), 12G (removal), 27G (partial removal).

The full response from the Applicant is available to view on the public file.

Those who had made representations to the application have been notified by letter of the Applicant's response on 3/7/20.

Comments received as follows:

- This car park is way too small for the amount of people who need to use the tram. - before lockdown I struggled nearly everyday to find a spot after 7.45 am - this forces people to use the Morrison's car park, or the surrounding streets.
- Unfortunately using a bike to get the station or walking is not an option for alot of people - especially working mums who are on a tight schedule anyway to get to work on time

Following the submission of an updated Transport Assessment on 13/8/20, those who have made previous representations to the application have been informed of the additional information by letter on 14/8/20.

Following a re-assessment of the application submission documents, the applicant has confirmed the correct proposed parking numbers which have been provided on a revised layout plan and change to the application description.

In discussion with their colleagues in TfGM Highway Analytical Forecasting Service (HAFS) and Urban Traffic Control (UTC), the applicant has also carried out additional traffic surveys and provided the information in an updated Transport Assessment. The following documents have also been updated in line with the confirmed parking spaces and traffic assessments - Noise Impact Assessment, Air Quality Assessment, Design and Access Statement, Planning Statement.

Those who made previous representations have been informed of the revised information by letter on 16/9/20.

Comments received -

- The flow of traffic on the first floor should be the other way round - seems stupid that you have to go all the way back round the first floor after you have come down from the second if you are on your way out. People will try and sneak right anyway if they think nothing is coming - just like they go through the exit now rather than drive all the way round to the back. At least you've had the sense to change that round on this new proposal.
- My only interest is the felling of trees and request reconsideration of felling 9T and 12G, and that the saplings from other areas are not removed.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions.

Borough Engineer - Drainage Section - No response received.

United Utilities (Water and waste) - No objection subject to a condition for the submission of a drainage scheme.

Environmental Health - Contaminated Land - No objection subject to conditions

Environmental Health - Pollution Control - No comments to make

Greater Manchester Police - designforsecurity - No objection.

EDS Head of Parks and Countryside - No response received.

Greater Manchester Ecology Unit - No objection subject to conditions and informatives.

Conservation Officer - No objection.

Transport for Greater Manchester (TfGM) - Highway Analytical Forecasting Service (HAFS) and Urban traffic Control (UTC)- Revised transport assessments have been provided and provide adequate conclusions. No objection.

Transport for Greater Manchester (TfGM) - Metrolink Dept - No objection subject to an informative.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
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
HT2/4	Car Parking and New Development
HT2/5	Public Car Parks
HT2/6	Replacement Car Parking
HT3	Public Transport
HT3/4	Schemes to Assist Metrolink
HT4	New Development
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
EN1/5	Crime Prevention
EN7	Pollution Control
HT2	Highway Network
HT6/1	Pedestrian and Cyclist Movement
EN8/2	Woodland and Tree Planting
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EC2/1	Employment Generating Areas
HT3/1	Schemes to Assist Bus Movement
HT3/2	Bus Services
HT3/3	Design of Roads for Bus Routes

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 - At the heart of the NPPF is a presumption in favour of sustainable development and

states the three objectives to achieving sustainable development which are:

- economic objective - to help build a strong, responsive and competitive economy , including identifying and coordinating the provision of infrastructure;
- social objective - to support a strong, vibrant and healthy communities....by fostering well-designed and safe built environments with accessible services;
- environmental objectives - contribute to protecting and enhancing the natural, built and historic environment, including making effective use of land including moving to a low carbon economy. Planning policies and decisions should play an active role in guiding development towards sustainable solutions.

Section 9 of the NPPF - Promoting sustainable transport seeks to ensure 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 development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

At paragraph 109, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Development that would generate significant amounts of movement should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

UDP Policy HT1 - A Balanced Transportation Strategy seeks to ensure a co-ordinated approach to the formulation of policies and proposals for the alteration, upgrading or improvement of the transport network. This includes implementing measures to increase attractiveness of public transport as a viable alternative to private travel; facilitating better interchange between different modes of transport; and improving the accessibility of public transport to those travellers whose mobility is impaired.

At Policy HT2 - Highway Network seeks, amongst other things, to improve the operation and attractiveness of the public transport network, improve the flow of traffic and improve or protect the environment.

Policy HT3/1 - Schemes to Assist Bus Movement seeks to promote and support measures to assist bus movement, including measures for highway improvements or traffic management schemes designed to assist bus movement, provision of lay-by's, bus turnarounds or other infrastructure designed to make bus operation more efficient and attractive to users.

Policy HT3/2 - Bus services - Seeks to ensure that adequate bus services and infrastructure are provided to meets the needs of those travelling.

HT3/3 - Design for Roads for Bus Routes seeks to ensure that where appropriate the road layout in all new developments incorporates appropriate roads to a sufficient standard of design to accommodate bus services.

Policy HT3/4 - Schemes to Assist Metrolink seeks to support th provision of new or improved stations and car parks which will increase the available park and ride facilities on the Metrolink.

In considering new development, Policy HT4 - New development encourages proposals which will support the principles of sustainable development, assist the implementation of a balanced transportation strategy and minimise the environmental impact of traffic.

Principle and Need - The Applicant states that the proposals to expand the Whitefield Park and Ride (P&R) Facility has been evaluated with regards to a number of factors, including the wider Greater Manchester Spatial Framework (GMSF) and future developments over the coming years.

The Metrolink Capacity Improvement Programme (MCIP) Business Case recognised that improvements to public transport and sustainable modes of travel must be enhanced, whilst also seeking to reduce air pollution and help deliver regeneration and economic growth to areas. With specific reference to Whitefield, improvements would provide sustainable and attractive alternatives to driving, enable better access to employment and local areas, support the regeneration of the town centre and provide improved links to new development and new housing in the Borough.

Whitefield was also highlighted as one of the stops for park and ride improvements as part of the Association of Greater Manchester Authorities (AGMA) Scheme, which recognised the shortfall of car parking at Whitefield particularly on weekdays. Bearing in mind the 'bigger' picture' aspirations of growth, the expansion of the P&R facility at Whitefield Metrolink would support long-term objectives for sustainable development, and ease congestion on key routes whilst bettering air quality along these corridors.

It must be noted that the GMSF as a development plan would not have any significant weight in the planning decision making process and is not material at this time until the framework nears adoption. What is clear is that the Council must prepare a local plan and following the requirements of National Policy seek to uphold an agenda for growth which would encourage the development of sustainable development for transport, housing and employment.

In addition, the Metrolink Improvement Programme includes the expansion at Radcliffe's P&R for an additional deck at the station. Delivered in conjunction with Whitefield, there would be a combined increase in spaces in the area.

The shortfall in capacity would alleviate the pressures and congestion on the local and wider routes between Bury and Manchester in particular and would also aide in relieving the pressure on overspill parking to the local surrounding streets.

In terms of the justification for the expansion at the Whitefield P&R, the Applicant has sought to demonstrate that proposals have been developed and modelled appropriately taking into account the broader growth strategies and aspirations of a growth agenda as well as considering the benefits the scheme would bring to ease the immediate parking pressures in the immediate locality from commuter parking in relation to current demand. By providing the additional deck, the proposed development would continue to contribute to sustainable development in allowing greater use of public transport instead of encouraging longer vehicle movements between Bury and Manchester and beyond.

No one solution alone of sustainable travel would be a magic bullet, but overall on a growth agenda there must be a package of different options available. This Metrolink Scheme would provide one contribution and therefore as a principle must be acceptable.

Whether the development should be in Whitefield or elsewhere, the site and use exists where it is and therefore is considered to be acceptable as a matter of principle. It is the details as to whether the scheme relates appropriately to its surroundings, works in relation to traffic flows, how it is considered in relation to air quality for the area where it would be located and is considered in the wider scheme of approaches concerning sustainable travel options.

It is therefore considered the proposed development would comply with the principles of sustainable development and the NPPF and UDP Policies HT3/4 and HT4.

Heritage - Part of the application site borders part of the north east boundary of the Whitefield All Saints Conservation Area.

Paragraph 189 of the NPPF requires that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 190 of the NPPF requires Local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Identified harm to a designated heritage asset or its setting, in this case the setting of the All Saints Conservation area, even when identified as less than substantial harm cannot preserve or enhance the character and appearance of a conservation area as a requirement of Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 without clear and convincing justification and public benefit.

The proposed second floor car parking deck and reconfiguration of the bus turning area would have no more significant impact on the setting of the conservation area than the existing car deck and turning area and no more prominent comparative to Morrison's supermarket and the lattice telecoms tower adjacent the north east boundary of the Metrolink site or within the visual context of the site. The interrelationship of these structures is such as to not represent a cumulative negative impact on the setting of the conservation area. The proposed second deck and turning reconfiguration would not interrupt views or vistas either in or out of the conservation area and would not be viewed within the setting of it.

Any trees or shrubs lost as a consequence of the development being carried out should be replaced and the perimeter rail for the proposed deck should be of the open mesh type in order to reduce the impact on the visual amenity of the occupiers of Nuttall Avenue.

It is therefore considered that the proposed development would not represent harm to the character and appearance of the conservation area and therefore would preserve it and as such would comply with the principles of the NPPF and Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990.

Design and layout - The proposed 2nd floor deck would be located directly on top of the existing 1st floor deck, maximising the use of the site to provide the additional parking spaces. This would require some re-configuration of level 0 and level 1 to provide the necessary circulation routes and ramps, but the general arrangement would remain unchanged.

There would, however be a change to the direction vehicles currently enter and exit the car park. The existing exit into level 0 would become the entrance, and likewise the existing entrance would thereafter become the new exit. This would enable traffic to manoeuvre straight into the car park rather than navigating part of the turning area, resulting in a more free flowing and safer route into and out of the car park.

The proposal to re-configure the drop off and turning areas would not fundamentally alter the space for vehicles to manoeuvre round the site but would better utilise this area of the site by re-locating the bus stop and providing parking bays where there are currently none.

It is proposed to provide 10 spaces along the northern boundary in place of the existing drop off zone. There is substantial tree planting along this area, some of which are identified as mature and in relatively good health. Two mature trees would be removed but these have been identified with defects and have low or moderate future growth potential. The majority of the trees would be retained and it is proposed to provide replacement native and heavy standard tree planting in this vicinity and with tree protection measures incorporated to protect the remaining trees (see Tree Section below).

The existing 'island' which consists of a raised tarmac strip would be replaced to provide 8 spaces

(4 for drop offs only and 4 parking bays) would still allow for traffic to circulate the site in a clockwise direction. It is also proposed to provide 5 additional parking bays along the front of the car park and a row of 8 spaces in place of the existing bus shelter, which would be replaced by a bus stop located just to the north. There would also be some tree loss which would be compensated for by replants. The existing bus service schedules would continue to operate as it does currently.

The existing access and egress onto Stanley Road from and to the site would remain unchanged. In terms of design, the proposed deck would be modelled on the design of the existing deck in terms of its appearance and materials, proposing a steel frame and horizontal barriers around the periphery of the deck. The surfacing would be finished in a dark grey asphalt or tarmac, as is standard for such multi-decked parking structures and the same used for the 1st floor deck.

It is therefore considered that by adding an additional deck to the existing structure, the requirement to address the parking capacity issues on the site would make best use of the potential land available whilst re-configuration of the turning areas would improve the circulation around the car park. The car park facility would continue to operate within a safe and secure environment for Metrolink users.

The design would be appropriate and functional for the purposes it would serve and emulate the existing structure.

As such, the proposed development is considered to be acceptable and would comply with UDP Policies EN1/2, HT3/1, HT3/2, HT3/3, HT3/4, HT6/1 and HT4.

Impact on residential amenity - The nearest properties to the proposed development would be the 2 storey semi-detached properties which are located to the west of the site on Nuttall Avenue. The rear of the houses face the site.

The existing decked car park is approximately 4.5m high to the top part of the rail which runs along the sides of the car park. The additional deck would increase the height of the structure to approximately 7.5m.

There would be a minimum distance of 30m from the structure to the houses on Nuttall Avenue at the closest point. There is fairly dense and mature tree planting between the car park and the tram line, which already obscures much of the existing structure from views. Whilst the development would add more height, with these intervening features additional tree planting and given the separation of 30m, it is considered that visual impact and outlook from the houses would not be detrimentally affected by the proposed development.

The proposed 2nd floor deck would be erected in a material of a relatively lightweight appearance with the use of a steel frame and horizontal barriers, mirroring the existing form and structure. There would be one set of pedestrian access stairs to the decks which would be located on the corner opposite to the houses on Nuttall Avenue but this would not add significant bulk to what already exists. In terms of overshadowing, these houses are orientated to the south of the site and loss of light would not be significantly harmful or adverse, particularly given the distance away of the proposed structure and the intervening features.

Given the distance away of the houses on Nuttall Avenue, the intervening existing and proposed landscaping along the southern boundary and the Metrolink tramline itself, it is considered that the addition of the 2nd floor deck would not introduce an overbearing or dominant feature when viewed from the houses and therefore not have a detrimental impact on the amenity of these occupiers.

It is therefore considered that the physical relationship of the 2nd deck to the nearby houses would be acceptable and the proposed development would comply with UDP Policies EN1/2.

The issues of impacts from noise, lighting, pollution and traffic are covered in the specific sections below.

Noise - A Noise Impact Assessment has been carried out, taking into account the morning and

evening peaks. The Report has been reviewed and assessed by the LPA's Pollution Control Section. The Report concluded that there would be a likely increase of between 0 and 0.1 to the existing ambient noise levels at the nearest noise sensitive receptor which would indicate that there would be no or no significant effects to the existing noise climate in the area. The Pollution Control Section are satisfied with this conclusion.

There is already a degree of noise which is generated by the Metrolink tram which runs between the car park and the houses on Nuttall Avenue. Given the relatively minimal increase in noise which would be generated by the proposed development, it is considered there would not be significant harm caused to local residents in terms of additional noise generation.

Lighting - The application proposes lighting similar to the current arrangement on the 1st floor deck, which consists of 4m high column mounted luminaires located around the periphery and within the parking areas of the new deck. The lighting columns would be of a slimline type and the lamp would be a 'flower pot' design which would direct light downwards, the same as the existing columns. The lights would be controlled by a combination of daylight sensors and timers and a condition would ensure that the lights would only be on at the early parts of the day, to serve the first commuters, and switched off half an hour after the last tram would leave the Metrolink stop, providing both security and safety to the station and commuters whilst minimising impacts from light pollution to those living in the immediate locality.

Lighting would also be fitted under the deck on a sensor module and emergency lighting provided to driving lanes, parking bays and to clearly define pedestrian walkways to provide a safer environment.

In terms of light spillage from car headlights, the development proposes low level barriers around the periphery of the deck, and as are currently in situ for the existing 1st floor deck, which would shield light from vehicle headlights using the car park. It is therefore considered there would not be significantly more harm or impact to the residents to the south than the existing situation.

Located over 30m away from the nearest property, it is considered that given this separation distance, the directional orientation of the lighting, and control of the timings of luminance by condition, it is considered that the proposals would not cause any more harm or have an adverse impact on residential amenity than the existing arrangements on site.

Air Quality/Air Pollution - The Environmental Health Section have been consulted on the proposed development.

The site is located within an Air Quality Management Area. Due to the nature of the development, it is considered possible that the development would create an increase of more than 100 AADT (annual average daily traffic). Therefore, an air quality assessment has been carried out which has concluded, based on the modelled predicted concentrations, the impact on air quality of the redevelopment was considered negligible and therefore, based on the Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) Guidance as 'not significant'.

It should be noted that air quality is predicted to improve in the future. However, in order to provide a robust assessment, given the current COVID-19 situation, in addition to the predicted 2021 traffic data, emission factors for 2018 were utilised within the dispersion model. The use of the 2018 emission factors are considered to provide a worst-case scenario and therefore a sufficient level of confidence can be placed within the predicted pollution concentrations.

Conclusion

The EH Section has found the air quality assessment report acceptable and agrees with the conclusion that the overall significance of potential impacts was determined to be not significant in accordance with the EPUK and IAQM guidance. However, mitigation measures including electric vehicle charging points and improved cycle facilities to encourage the use of low emission and low carbon transport option have been recommended. See discussion below

Given the requirement to decrease NO₂ across Bury, as required by Defra in the 'UK Plan for

Tackling Roadside NO₂', published in July 2017, it is important that the proposed development incorporates good design principles and best practice measures as outlined in IAQM and EPUK Guidance, to ensure emissions are minimised.

The section therefore welcome proposals to install mitigation measures such as electric vehicle charging points and cycle facilities to encourage the use of low emission and low carbon transport option.

There are currently no electric vehicle charge points at the site. However, the information submitted with the application suggests that 6 no. electric vehicle (EV) charging points are proposed in the future. Given the requirement to reduce emissions and improve air quality in the Borough, and in light of good design and best practice measures it is reasonable to apply a condition that details and a scheme for the provision of EV charging points/bays be submitted for approval.

The current COVID-19 crisis has also seen as significant increase in participation in cycling, which is encouraged to continue. The existing site currently has Sheffield stands, located adjacent to the site access. However, the Section would welcome improved, secure cycle parking at the station, to encourage the uptake of the cycling and multi-modal travel. It is understood that the Sheffield stands will be relocated adjacent to the ticket office for improved security.

The Whitefield Metrolink P&R site is included within the cycle and pedestrian route investment scheme which is being delivered collaboratively by Bury Council & Transport for Greater Manchester (TfGM) with Department for Transport funding. As such the proposed provision of cycle upgrades and storage facilities will be undertaken under a separate application.

The aspiration of TfGM is to ensure that their plans for the car park extension will facilitate the delivery of future cycling enhancements. TfGM continue to promote the increase in use of sustainable travel modes such as cycling and the promotion of sustainable development. It is therefore considered that at this time, it would not be reasonable to put in place permanent cycle storage facilities given the future plans. It would, however, seem sensible for a temporary solution to be put in place to facilitate the extra demand for cycle parking which could arise from the proposed development and this would be informed by an appropriate condition.

Highways issues

Parking

The existing car park currently provides a total of 208 spaces, comprising 114 (inc 13 disabled spaces) at level 0 and 94 at level 1.

With the re-configuration of the site and the additional parking proposed, the scheme would provide:

level 0 - 117 spaces (inc 13 disabled)

grade level approach - 28

level 1 - 88 spaces

level 2 - 94 spaces (new spaces)

resulting in the total of 331 spaces for the site.

SPD11 - Parking Standards in Bury does not advise on maximum standards for P&R facilities. For tram stations, it is stated that individual consideration be given to proposals where appropriate and practical.

TfGM have identified that the car park at Whitefield is used to capacity, and there are incidents of overspill parking to surrounding streets, plus additional traffic on commuter routes as people have to travel further to their destinations.

The proposed development would aide in mitigating this problem as well as providing a more attractive and sustainable option to car travel.

The additional parking would be provided at an existing facility. It would not require any more land use than already is utilised and therefore appropriate in terms of its expansion, locality and sustainability.

It is therefore considered that the proposed development, in terms of the provision of the additional spaces would be acceptable and comply with UDP Policies HT2/4, SPD11 and the principles of the NPPF.

Replacement parking - The development would be carried out in phases, resulting in the loss of some spaces whilst enabling works are carried out and full closure of the car park following commencement of the main works. In order to maintain the availability of most of the existing parking spaces for as long a period as possible, the preparation works to the existing structure would be undertaken whilst the car park remains partly open and in use.

The applicant is conscious that on commencement of the construction works, users of the Metrolink P&R would need to be displaced elsewhere, and they are currently investigating the provision of a temporary parking facility in order to reduce disruption to local residents from parking on the nearby streets. It is anticipated that a planning application is shortly due for submission. Notwithstanding this, a condition would be recommended requiring the submission of a replacement parking scheme together with a timetable for implementation and re-instatement.

With a mitigation scheme in place, which would appropriately compensate for the loss of number of parking spaces throughout each phasing of the development, it is considered that the scheme would make appropriate provision for parking displacement without the need to burden local streets and as such this would be acceptable.

Traffic and access -

The SCP Transport Assessment provides information that examines the consequences of the proposed expansion on the current highway and transportation systems. It has been updated since the original submission to also include new and up to date traffic count data (September 2020).

The Transport Assessment provides the following information:

- an examination of the current station car park operation;
- an appraisal of existing site conditions;
- a discussion of the proposed improvements; and
- an assessment of the potential traffic generation for the application proposals.

A parking accumulation survey was undertaken to assess the usage of the car park. The survey was carried out on 4 March 2020 from 7am to 7pm and all parking spaces were surveyed in 15 minute segments.

The additional 123 parking spaces has the potential to increase vehicle trips to the site given the car park occupancy reaches capacity. A peak hour trip rate for arrivals during the AM peak and departures during the PM peak has been derived from the on-site survey. By dividing the accumulated vehicles arriving/departing the site during the peak hours against the number of parking spaces, a trip rate can be derived. This has been based on the March surveys which recorded a greater number of vehicle movements and therefore provided a more robust, worse case assessment.

Using this methodology, it has been estimated that approximately 52 additional vehicles would arrive during the morning peak which would equate to one additional vehicle movement per minute. At the evening peak, departures from the site are already more staggered and it is estimated that 45 additional vehicles would leave the site, equating to the exit of one vehicle every 1-2 minutes. Other movements would likely take place out of peak periods.

The Transport Assessment has been updated since the original submission to also include new and up to date traffic count data. This was carried out in September 2020 at the request of TfGM HAFS and UTC in order to provide a robust and up to date assessment of traffic counts and flows, in addition to the previous data held from traffic count surveys carried out in 2000 and 2009.

The impact of the additional trips on the highway generated by the proposed development has been analysed in the Transport Assessment. The recent traffic surveys were undertaken in

September 2020 and when the schools returned, although it is acknowledged that a small number were closed. The report further acknowledges that traffic flows are still affected by the measures relating to the Covid 19 pandemic. However they have been provided to obtain current traffic flows instead of relying solely on 2000 and 2009 data.

The results of both the 2000, 2009 and 2020 surveys show that the existing access/egress arrangements would provide sufficient capacity for the levels of demand predicted for both the morning and peak periods. In terms of the access on Stanley Road and the Stanley Road/Bury New Road/Church Lane signalised junction to the west of the site the 2020 survey results showed that the junction would operate within capacity at both peak periods and would not be significantly affected by the proposed development.

Whilst this shows improved results comparative to the 2000 and 2009 surveys which would have resulted in a higher baseline traffic flow at the junction from the development, the conclusion of the previous assessment was that the traffic generated by the proposed extension would not result in a significant impact at that junction.

This provides the reassurance that the traffic generated by the development could be accommodated in the future should traffic flows increase in the future from current levels experienced at this time.

Furthermore, as the junction runs under SCOOT control, the results of the modelling presented are more pessimistic as the Transport Assessment accords that SCOOT provides up to 15% improvements in the delay over modelled results.

The proposed development would contribute to the shift away from relying on the use of the private car as the primary mode of transport and to encourage the use of the Metrolink and more sustainable and convenient ways to travel.

Any increase in trips to the site would likely be predominantly commuter trips which already take place on the highway and it is expected that with the expansion of the P&R to provide more parking for the Metrolink, local commuters who are having to travel to further afield to reach their destinations due to the lack of nearby parking facilities would instead be able to park at Whitefield station and thereby reduce the number of cars on the road networks and in doing so encourage more sustainable modes of travel.

The Transport Assessment considers that the proposed development would not have a significantly material impact on the operation of the highway network.

TfGM HAFS and UTC have reviewed the TAs submitted in support of the proposed application and consider that the Transport Assessment now provides adequate evidence that the impact on the traffic conditions have been considered in a satisfactory way for both applications. The conclusions are that there would be a minor impact on road network due to the extra traffic and are valid for both applications.

The new traffic surveys are adequate considering the impact of COVID-19 on traffic flows now and for the foreseeable future. The previous TAs should be used to gain an understanding of the previous situation. The respective traffic teams of TfGM are comfortable with the flows used in the two sets of analysis.

In consideration of the TfGM analysis, the Council's Local Highway Authority have raised no objection to the proposed development in principle, subject to conditions.

As such, it is considered that the proposed development would be acceptable and would comply with UDP Policies HT2, HT3/4 and HT4.

Transport for Greater Manchester (TfGM) - Metrolink Dept - The Application relates to works being undertaken on behalf of Metrolink to improve the capacity of the Metrolink Park and Ride facility. The Section can confirm they are working closely with the Metrolink Project Team and the Contractor to ensure that the works do not adversely impact Metrolink Operations and that a

Construction Management Plan will be agreed as part of the Contract prior to works commencing. Consequently, they do not require any Metrolink related Conditions to be attached to any consents granted in respects of this Application. An informative is recommended to advise on the details of Working Safely Near Metrolink just to reinforce their importance.

Security/anti-social behaviour - The proposed development would include a series of mitigation measures designed to prevent anti-social behaviour. These would include installation of lighting, provision of additional CCTV and securing the site out of hours.

The P&R is currently Park Mark accredited, and the Safer Parking Scheme is an initiative in partnership with the association of Chief Police Officers aiming to reduce fear and crime in parking facilities. These requirements mean that the parking operator has put in place measures to deter crime and anti-social behaviour. TfGM have liaised with Park Mark to ensure that the proposed scheme would continue to comply with the current accreditation based on the provision of security measures such as CCTV and lighting and TfGM's commitment to the reduction of crime on the Metrolink lines.

The applicant states that the car park is also patrolled on an ad-hoc basis to deter 'non-users' from using the car park and TfGM also work in partnership with GMP Neighbourhood Teams to share local information and knowledge and take part in joint initiatives to tackle anti-social behaviour.

Greater Manchester's dedicated Bus Watch scheme have special constables who have been tackling crime and anti-social behaviour on the bus network for over 2 years and who now also cover the Metrolink network. Since its inception, the initiative has reduced crime and anti-social behaviour across the region's bus network.

The Applicant has submitted a Crime Impact Statement and have engaged with the Design for Security Team at Greater Manchester Police to follow up the CIS with an Addendum to the original submission.

The Applicant has submitted a Crime Impact Statement and have engaged with the Design for Security Team at Greater Manchester Police to follow up the CIS with an Addendum to the original submission.

The design for security team have raised no objection to the development proposals and recommend that a condition be included to reflect the physical security specifications set out in the report.

It is therefore considered that there would not be any adverse security implications or rise in anti-social behaviour as a result of the proposed development and as such the development would comply with UDP Policy EN1/5.

Ecology -

GMEU have been consulted on the application.

Summary - Potential ecological issues include bats, nesting birds and invasive species.

Bats - The existing multi-storey car park is very low risk for bats consisting of open metal supports with no cladding that could provide bat roosting opportunities. Whilst there may be opportunities within the decking this is to be retained, with disturbance limited to adding an additional level. GMEU are therefore satisfied the risk are extremely low and can be covered by an informative.

The Ecology Report has identified that none of the trees scheduled for removal support potential roost features indicating there would be no adverse impact on bats. Bats are however likely to forage in the vicinity and it is therefore recommended that three Schwegler bat boxes are installed on retained mature trees. This would be a condition of an approval.

Nesting Birds - Trees and shrubs, potential bird nesting habitat, will be lost. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition that no works to trees or shrubs shall occur

between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Invasive Species - The ecological assessment only found one invasive species on site - *Rhododendron ponticum*. GMEU therefore recommend a condition for the submission of a method statement to detail the eradication or mitigation measures to control or remove this invasive species.

Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2019 states that the planning system should contribute to and enhance the natural and local environment. The main ecological impact is the loss of primarily non-native trees.

The majority of the trees requiring removal or pruning works are located along the northern boundary. There would also be some removal/pruning works to a group of trees to the south, where parking bays are also proposed. The Arboricultural Report assesses the trees to be removed as Category B - that is of moderate value.

The landscaping scheme proposes replacement tree planting to the north and replacement tree planting is proposed adjacent to the Metrolink (a wildlife corridor) using native species. GMEU have no objection to the proposed species which are native or the level of planting proposed but would also recommend the provision of three bat boxes on retained mature trees as mitigation for loss of ecological habitat. The detail can be conditioned.

Response to objectors - The issues raised have been covered in the above report and by the Applicant's response to the representations received to the application.

Conclusion

The Whitefield Metrolink Stop Park and Ride is an established successful transport hub for passengers wishing to travel to and from the major centres of Manchester and Bury, providing a more attractive and sustainable option to car travel. It is considered that the proposals would help to promote sustainable modes of transport within the borough and reduce car usage in line with the principles of sustainable development as set out within the NPPF and UDP Policy HT1.

The existing parking facilities are regularly at capacity, resulting in passengers parking on nearby residential streets. The proposal to increase the existing parking capacity to 332 spaces would therefore help mitigate this issue, whilst reinforcing this existing sustainable option of travel to commuters and alleviating the pressure on the surrounding highway network.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 -

Plans

Location plan 2459-MA-01-ZZ-DR-A-PL01 rev 2
Proposed site and deck plans 2459-MA-01-ZZ-DR-A-PL03 rev 6
Proposed elevations 2459-MA-01-ZZ-DR-A-EL02 rev 3
Proposed site cross section 2459-MA-01-XX-SE-A-SE01 rev1
'3D' visualisation plan 2459-MA-01-ZZ-DR-A-VS01 rev 2/VS02 rev 1/VS03 rev 1
Cycle provision plan 2459-MA-01-ZZ-DR-A-PL04
Proposed lighting and emergency lighting
MCIP003-CLH-BRL-WFDRD-DR-E-LIG-0014 and 0015 rev P01
Extension to stair 1 - MICP003-BRN-BRL-WFDPR-DR-Y-STR-0100 P1
Existing elevation 2459-MA-01-ZZ-DR-A-EL01 rev 2
Existing site and deck plans 2459-MA-01-ZZ-DR-A-PL02 rev 3
Tree Protection Plan 4464.02 Rev B
Rhododendron Distribution plan (only) by Dunelm ecology Figure 1
Landscape proposal by tba 4464.05 rev B

Reports

Noise Impact Assessment ref AC108131-1R1 dated 8/9/20
Air Quality Assessment ref AQ108136R1 dated September 2020
Tree Survey report by tba Feb 2020 ref PD/4464/TSR/Feb20
Arboricultural Impact Assessment and Method Statement Revision B by tba
Revised July 2020
Ecological Assessment by Dunelm ecology dated June 2020
Landscape management plan Rev B by tba Revised July 2020
Transport Statement by SCP Feb 20 ref MC/200063/TA/5 dated September 2020.
Lighting Design Philosophy by Claddagh Electrical Ltd

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. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must not be increased beyond the existing. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first use of the development hereby approved 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.
4. Following commencement of the development hereby approved, details and a scheme for the provision of EV Charging Points/Charging Parking Bays shall be submitted to and approved by the Local Planning Authority. The approved details/scheme only shall thereafter be implemented prior to the first use of the development hereby approved and thereafter maintained.
Reason. Information not submitted at application stage and in accordance with the principles of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

5. Following commencement of the development hereby approved, details of the cycle storage provision and scheme shall be submitted to and approved by the Local Planning Authority. The approved provision shall thereafter be implemented and made available for use prior to the first use of the development hereby approved and thereafter maintained.
Reason. To secure satisfactory cycle facilities on site and in accordance with Unitary Development Policies HT6/1 - Pedestrians and Cycle Movement, HT3/4 - Scheme to Assist Metrolink and HT4 - New Development.
6. The development hereby approved shall be carried out in accordance with the submitted landscape proposals by TBA landscape architects plan ref 4465.05 Rev B. The approved scheme shall be implemented not later than 12 months from the first use of the development hereby approved or within the first available tree planting season, 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 Policies EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
7. The development hereby approved shall be carried out in accordance with the recommendation in Section 4 of the Ecological Assessment dated June 2020 by Dunelm Ecology and to provide for 3 Schwegler bat boxes to be installed on retained mature trees which shall be provided prior to the first use of the development hereby approved and thereafter maintained.
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. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
9. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies 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.
10. Prior to any earthworks a method statement, and timetable detailing eradication and/or control and/or avoidance measures for rhododendron should be submitted to and approved in writing to the Local Planning Authority. The agreed method statement and timetable shall be adhered to and implemented in full.
Reason. The scheme does not provide full details of the actual extent of rhododendron in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

11. The development hereby approved shall be constructed in accordance with the design and materials used for the existing first floor deck, and as proposed on the '3D' Visualisation plans 2460-MA-01-ZZ-DR-A-VS01 rev 2 /VS02 rev 1/Vs03 Rev 1.
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.
12. The lighting columns to the upper deck hereby approved shall be switched off half an hour after the last Metrolink service to the Whitefield Metrolink station and remain off until half an hour before the first service to the Whitefield Metrolink station daily.
Reason. To protect the amenity of the nearby residential occupiers pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and EN7 - Pollution Control.
13. Notwithstanding the approved plan - Tree Protection Plan ref 4464.02B - the tree identified as 5T and 6T shall be retained and shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
14. The development hereby approved shall be carried out in accordance with the security recommendations of the Addendum to the Crime Impact Statement by NSG Security Consultants dated July 2020. The security specifications shall thereafter be maintained.
Reason. To ensure the safe and secure development of the site for users of the Metrolink car park pursuant to Bury unitary development Plan Policies EN1/2 - Townscape and Built Design and EN1/5 - Crime Prevention.
15. No development shall commence unless and until details of a scheme for temporary alternative provision for parking has been submitted to and approved by the Local Planning Authority. The scheme shall include a timetable for implementation, details of any works required to provide the temporary car park and any re-instatement works following it ceasing operation. The approved scheme only shall thereafter be implemented and to the approved timetable.
Reason. To ensure there is adequate and accessible replacement car parking provision for users of the Metrolink whilst works are carried out and completed at the Metrolink car park, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/6 - Replacement Car Parking and HT3/4 - Schemes to Assist Metrolink.
16. 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:
 - Dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development;
 - Access point to the site from the adopted highway, including any temporary works and measures required to protect highway users and facilitate vehicular access;
 - Hours of operation and number of vehicle movements;
 - Site hoarding/gate positions if proposed clear of appropriate visibility splays

- onto Stanley Road;
- A scheme of appropriate warning signage in the vicinity of the construction site access(es);
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and construction 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.

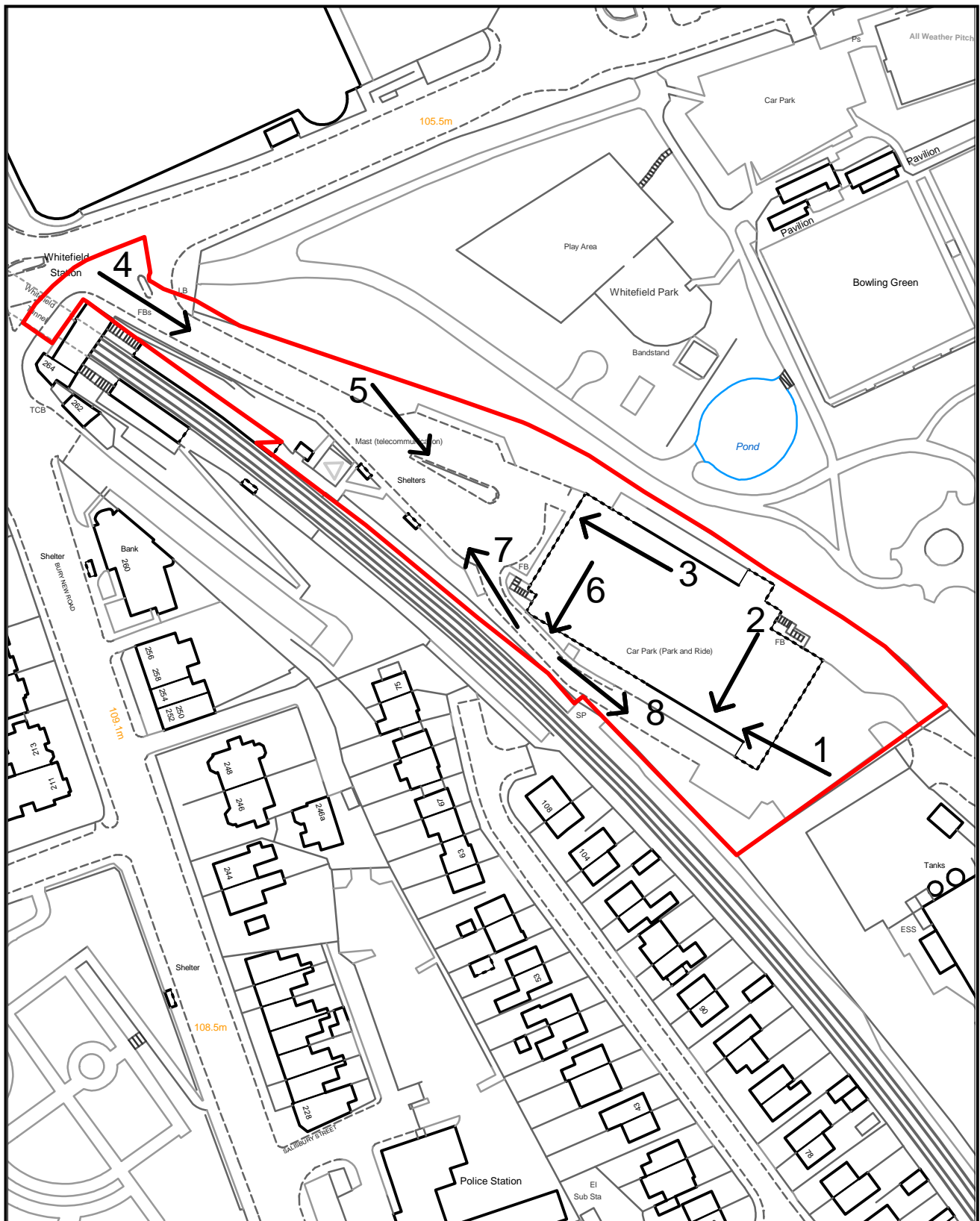
Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highway, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and 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.

17. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority and thereafter maintained at all times

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EN1/2 - Townscape and built design, HT2/4 - Car Parking and New Development and HT3/4 - Schemes to Assist Metrolink of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 65465

**ADDRESS: Whitefield Metrolink
Stanley Road**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



APPLICATION BOUNDARY:

OWNERSHIP BOUNDARY:



Page 67

Location Plan 500

1 : 500

Location Plan 1250

1 : 1250

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2 Minor Amends to Existing GF Parking Layout 20/08/20
1 First Issue (IDR) 16/04/20

Rev	Revision History	By	Date
2	Minor Amends to Existing GF Parking Layout		20/08/20
1	First Issue (IDR)		16/04/20

Client:



Drawing:

Location Plan

Drawing Number:

2459 - MA - 01 - ZZ - DR - A - PL01

Scale: As indicated	Size: A3	Date: 15/01/20
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Drawn: SD	Checked: LJ	Rev: 2
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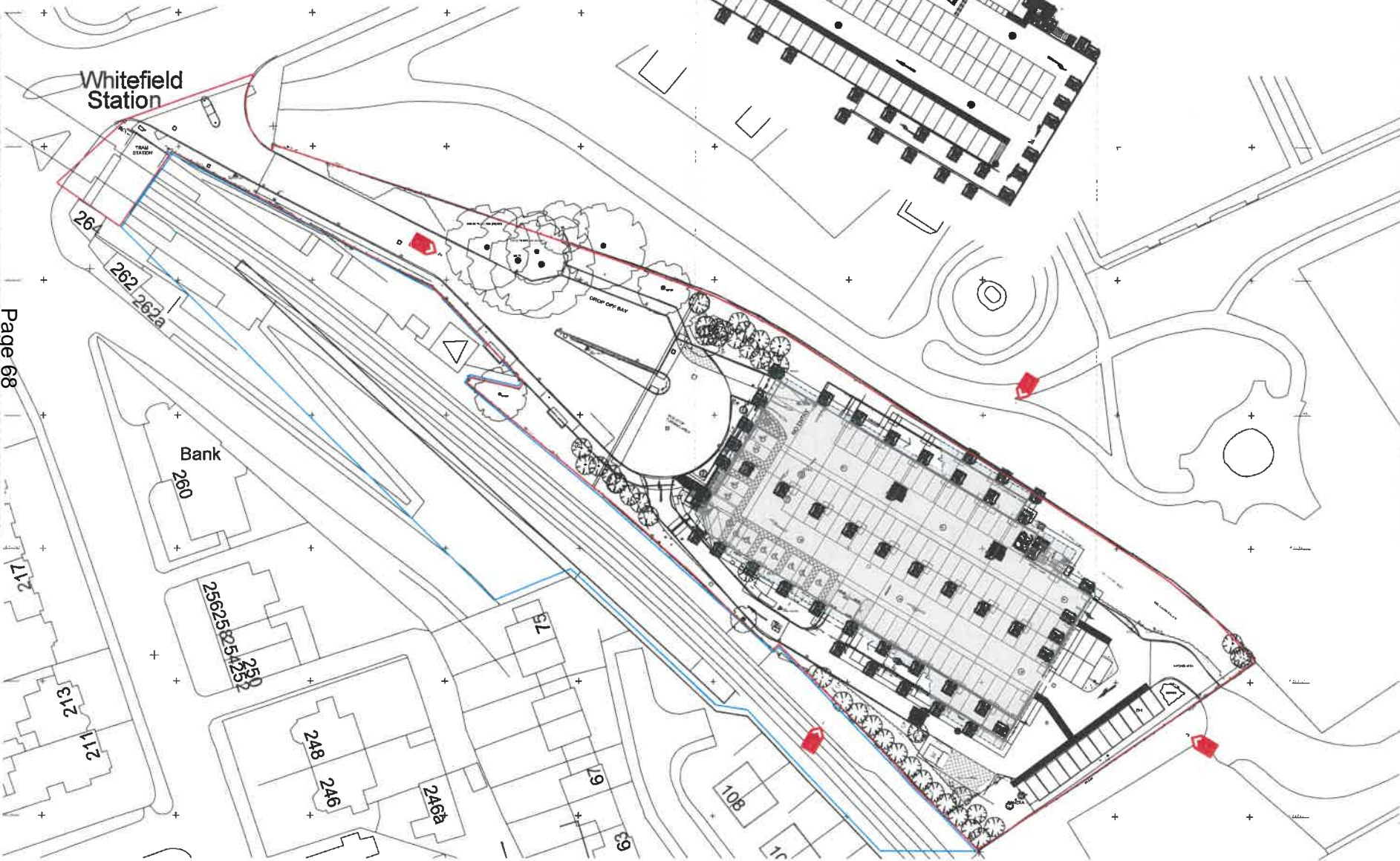
Status:

Planning



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Manchester M2 4BY info@millsongroup.co.uk

2459 - Whitefield P&R Extension



Existing Site Plan

Existing First Floor Deck

Legend

- Proposed New Building
- Proposed New Deck
- Proposed New Deck



Transport for Greater Manchester

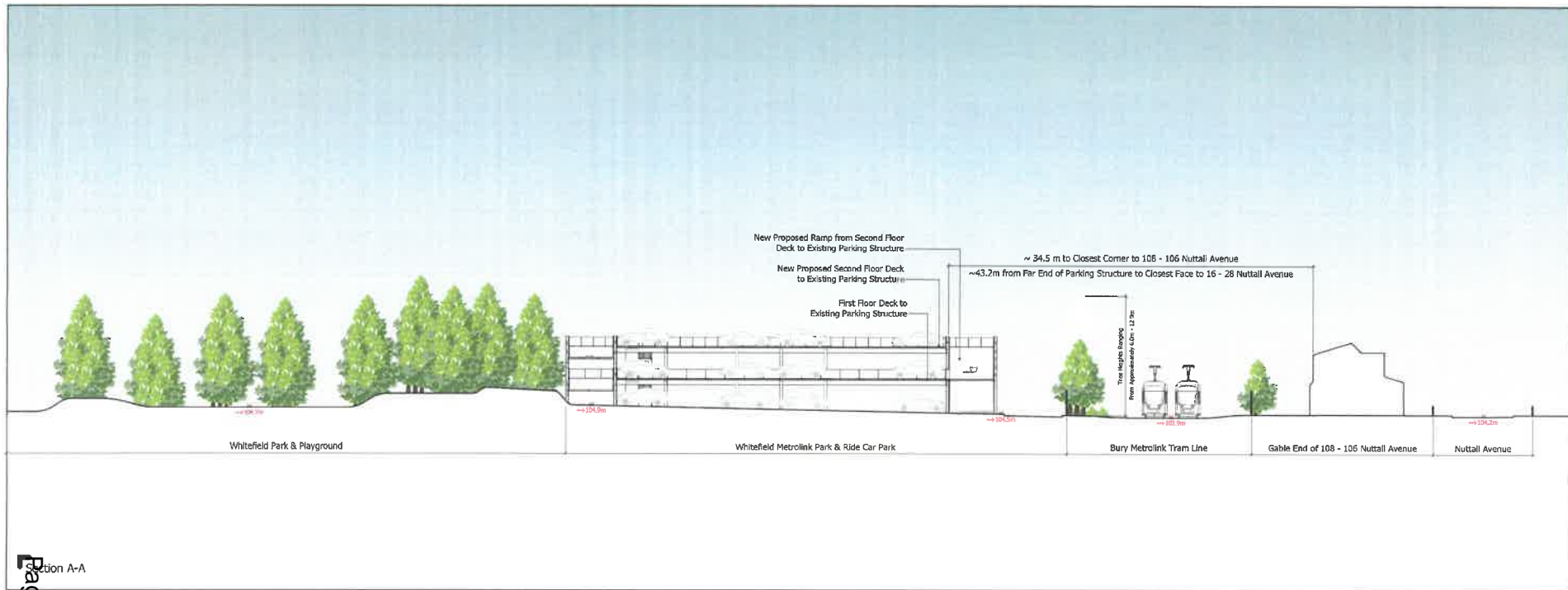
Existing Site & Deck Plans

2459 - MA - CL - Z2 - DR - A - PL02

3

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2459 - Whitefield PSA Emergence



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Transport for Greater Manchester

Drawings:
 Proposed Whitefield Site Cross Section

Drawing number:
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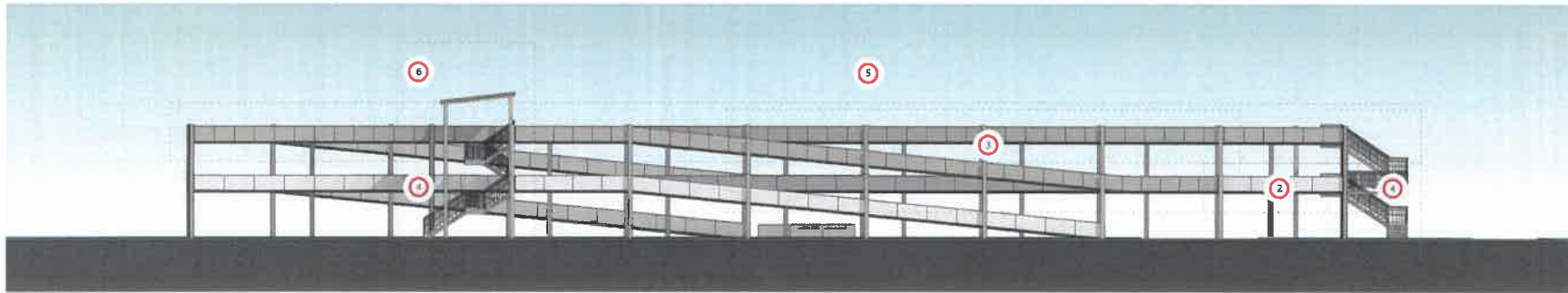
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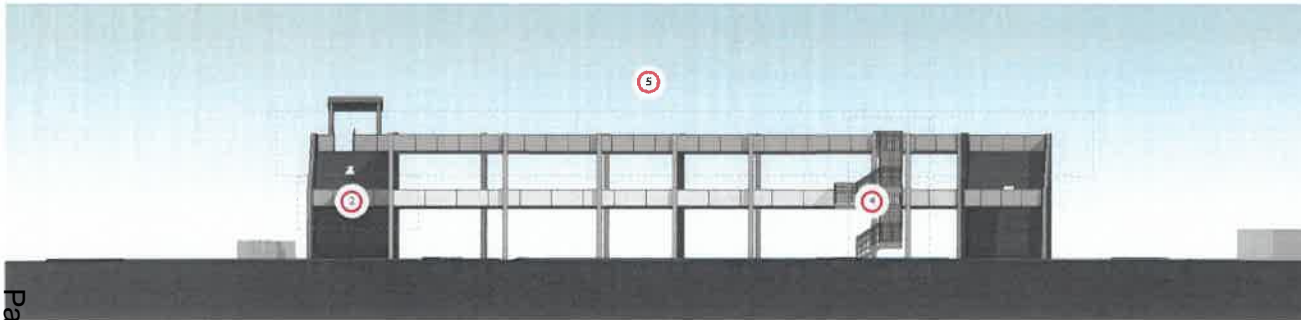
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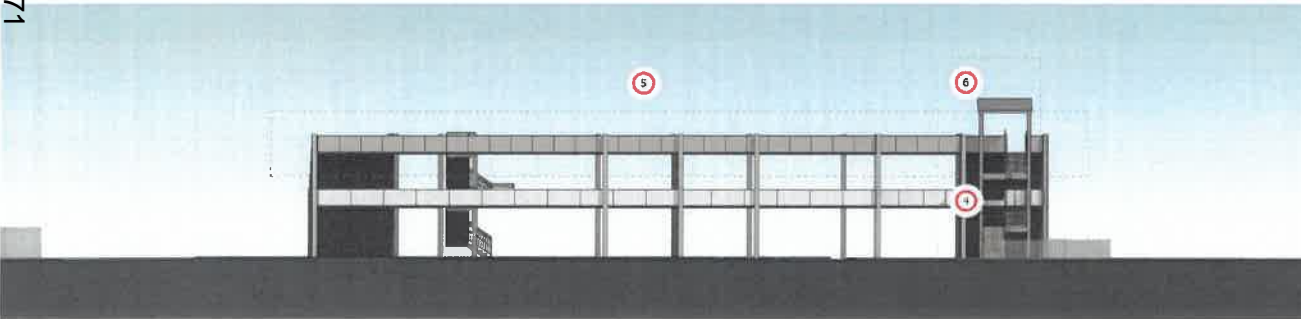
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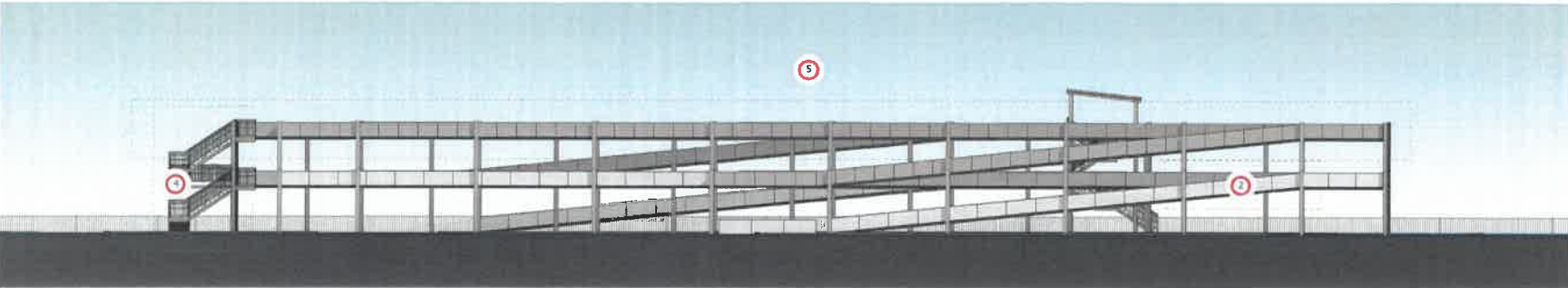
Proposed East Elevation
1:100



Proposed North Elevation
1:100



Proposed South Elevation
1:100



Proposed West Elevation
1:100

Notes:

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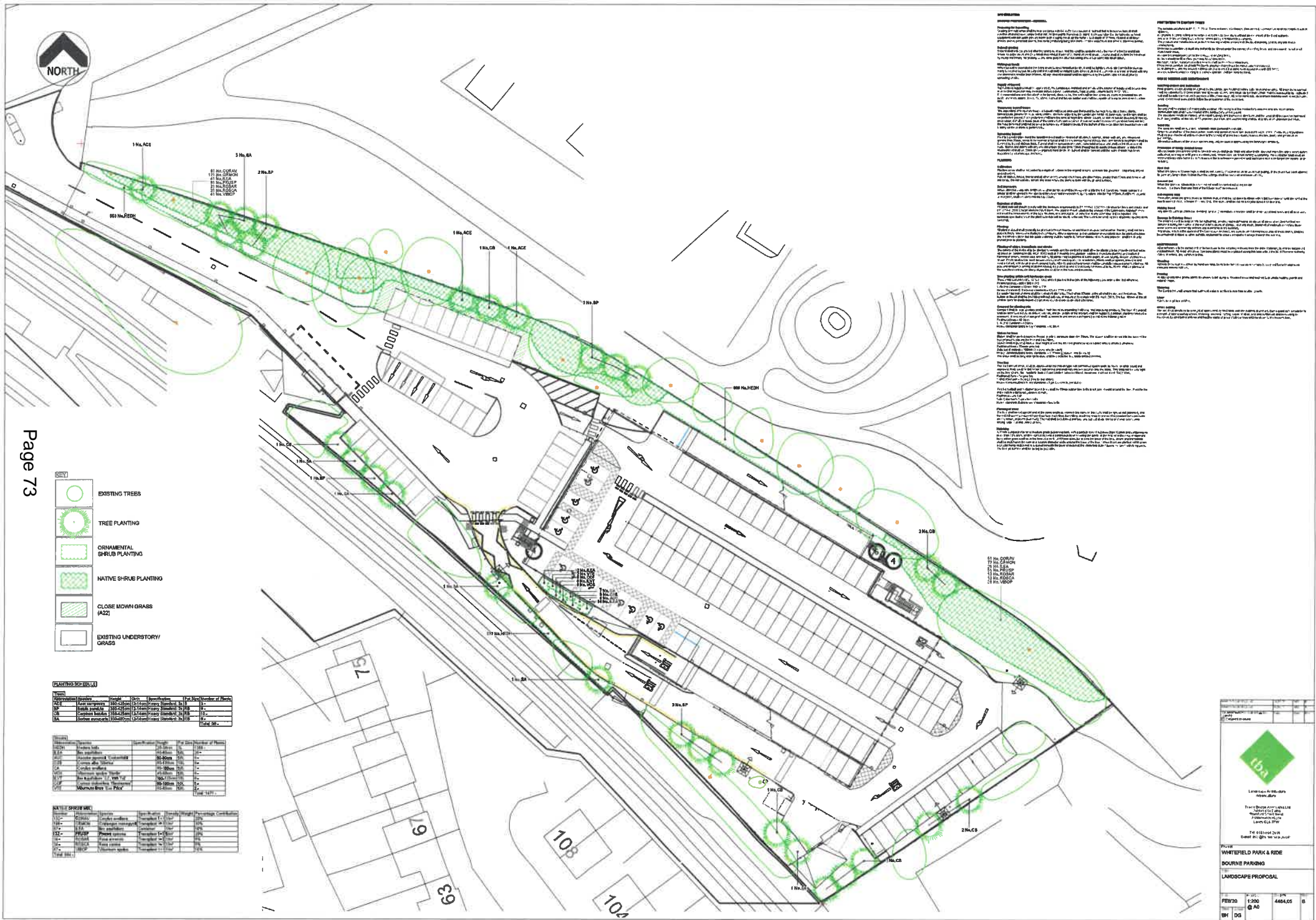
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 3D Visualisation



Drawing Number:
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Author:	SD	Rev:	1
Client:	Planning		

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Ward: Ramsbottom and Tottington -
Ramsbottom

Item 03

Applicant: Marshalls Mono Ltd

Location: Fletcher Bank Quarry/Ramsbottom Works, Manchester Road, Ramsbottom, Bury,
BL0 0DD

Proposal: Erection and operation of mortar and screed batching plant and associated
infrastructure

Application Ref: 65585/Full

Target Date: 25/08/2020

Recommendation: Approve with Conditions

Description

The application site forms part of a long established gritstone quarry of some 19 hectares, which is located on the eastern edge of Ramsbottom town centre at the higher end of the valley. The quarry site itself straddles the boundary between Bury Metropolitan Borough Council and Lancashire County Council. The site is located on the upper section of the valley and the land rises to the south east to a height of 290m Above Ordnance Data (AOD) adjacent to the quarry boundary.

The operations at the quarry are split into two areas. The northern part of the site contains the quarry void, which was excavated to a depth of 175 metres AOD. Infilling in the northern area has commenced in accordance with permission 43048 and 56576. There is a wheel wash, weighbridge and office adjacent to the access road and within the site, which are used in connection with the infilling operations. The wheel wash, weighbridge and office are at 200 metres AOD.

The southern part of the quarry is largely occupied by existing concrete products buildings, stocking area, site offices and quarry plant, which have full planning permission. Quarrying operations are taking place along the eastern edge of the quarry along a face which is around 60 – 70 metres high. The majority of the gritstone extracted from the quarry for stone, crushed sand and aggregates is used on site for the manufacture of concrete kerbs, flags and paving blocks. Access to the quarry is from a dedicated access road which connects the operational site to Manchester Road (A56).

There are residential dwellings to the northwest and west of the site, with the M66 motorway and Ramsbottom beyond. There is agricultural land and individual dwellings to the north and north east.

Proposed development

The applicant seeks consent for the erection and operation of mortar and screed batching plant. The proposed development would be located to the east of the internal access road, which is located to the south of the reception/office building. The proposed development would include the provision of:

- four upright cement storage silos and piped feeds, which are 12 metres high;
- enclosed aggregate loading hopper;
- covered conveyors;
- four aggregate bins with a 60 tonne capacity;
- enclosed mixer and batch tower (from where vehicles are filled); and
- a small batch control office;
- concrete hardstanding of the yard;
- aggregate storage bays of typical railway sleeper construction for storage of coarse

aggregate;

- portable type office and welfare unit
- concrete lined process water pits for storage of waste water 'wash out' from cleaning of the despatch lorries and plant mixer;
- small bunded fuel storage tank and admix tanks
- storage facilities and parking space for HGVs outside of operating hours.

All the metal plant and machinery will be painted a light grey colour

The proposed mortar plant is a batch production unit that mixes sands with cement and various admixtures to regulate colour and setting time to produce mortar and screeds for brick laying and flooring. The electronically powered mixer has a production capacity of 80 cubic metres per hour when operating continuously at maximum load and capacity. However, the plant would be used on an 'as needed' basis in response to actual orders, the production volumes it is suggested would be running at less than full capacity.

The mixing procedure uses a wet batch process and the mixing of the materials takes place in a fully enclosed mixer drum located immediately above the vehicle loading chute. The mixture or batch is discharged into the mortar lorry for transport to the construction site. The mortar has 36 - 72 hour shelf life.

Water for mixing is initially supplied from the public water mains and therefore supplemented as much as possible by grey water collected via the yard drainage system and from washout water collected in the process water pits/washout bays. The surface of the yard would be fully concreted to provide a hard wearing surface and would enable water run off within the yard to be collected and contained and provide flow for drainage to the washout bays.

The operating hours of the mortar batching plant proposed are:

- 05.00 - 19.30 on Monday to Friday
- 05.00 - 15.00 on Saturday

The plant would not operate on Sundays or Bank Holidays

The proposed development would be accessed from the existing access off Manchester Road. The proposed plant would provide permanent employment for 12 members of staff and would support additional jobs at quarry sites and local construction industry.

Relevant Planning History

Fletcher Bank Quarry has, in part, been subject to mineral extraction since the 19th Century. There were originally two sites, Fletcher Bank Quarry and Bank Lane Quarry. The quarry was granted planning permission to continue working stone in 1949 and over the following decades a number of permissions have been granted for quarry extensions. The following list includes the relevant planning permissions for the purposes of the review of mineral planning permissions under the Environment Act 1995 and which are the subject of this report.

Relevant Permissions

Ref. 13/4/16b — For a small area of quarry working to the north west of the site within Greater Manchester (Bank Lane). Approved in December 1949

Ref. 13/4/17 — For an area of land in the south eastern corner of the site, which is now occupied by the block plant works and falls entirely within Bury MBC. Approved in June 1949.

Ref. 13/4/1762 — For an extension to Bank Lane Quarry located to the north of the site - Approved in May 1964. This area has been worked.

Ref. 13/4/2524 — To extend the quarry by approximately 51 acres (21ha) covering land either side of the local authority boundary. The application was dealt with in two parts and

determined on the 8 November 1967. An area of 25 acres was given conditional consent whilst that to the extreme east and north of Rainford Lane was refused (non conformity with the Ramsbottom Plan). Quarrying operations are currently being undertaken in this area.

Ref. 13/4/2613 — For an extension of 9 acres to the east of the site to provide stone and overburden for use as fill on the Edenfield By-pass. Approved on 7 May 1968. This extension was a reduced area of that which was part refused under application 13/4/2524. The site is entirely within Rossendale. Quarrying operations are currently being undertaken in this area, which includes remaining permitted reserves.

Ref. C/00456/74 - For a 32 acres extension involving the joining of Fletcher Bank and Bank Lane quarries whilst nationalising the working scheme for the entire site. Approved on 25 August 1976. Approximately 60% of the area involved is within Bury MBC.

Review of Minerals Permissions (ROMP) Application 36288 - Determination of conditions for minerals/mining site (Peel) AC 22/4/09

Review of Minerals Permissions (ROMP) Application 36331 - Determination of conditions for minerals/mining site (Marshall's) AC 22/4/09

41599/03 for a new concrete products unit to replace the existing, Approved on 11 February 2004.

43048 - Quarry extension, construction demolition and excavation waste landfill operation; construction and demolition waste recycling facility and green waste composing operations at Fletcher Bank Quarry, Manchester Road, Ramsbottom. Approved with conditions - 21 December 2006.

45600 – installation of silos – approved – 25/1/06

56576 – Revised restoration for the northern part of Fletcher Bank Quarry involving the further importation of inert waste (950,000 cubic metres) up to December 2036. Approved with conditions – 15 October 2013.

57118 - Construction and operation of an Anaerobic Digestion plant including main reception building, biogas holder, associated storage tanks, 2 CHP engines, standby flare, service yard, weighbridge and offices, water management lagoon and landscaping (resubmission). Refused - 18 March 2014. Appeal dismissed - 26 November 2015

Adjacent site

62342 - Outline application for residential development for a pair of semi-detached dwellings with reserved matters for access, appearance, layout and scale; proposed parking area to adjacent commercial unit (formerly Fletcher Bank Garage). - Approve with Conditions 19/04/2018

Publicity

The neighbouring properties were notified by means of a letter on 30 June 2020 and site notices were posted on 20 July 2020.

1 letter in support of the application was received from the occupiers of Plunge Farm, which has raised the following issues:

- The application makes sense, with the volume of new home building set to increase in places like Bury and Ramsbottom.
- This plant is ideally located to service the housebuilding sector locally
- Such apparatus may even encourage a new generation of 'Bury Folk' to build the homes that these communities need.

139 letters have been received from the occupiers of
6, 14, 16, 20, 36, 40, 42, 55, 66, 70, 75, 78, 81, 98, 142, 155, 242, 389, 390, 394, 398, 400,

438 Whalley Road, Rockcliffe, 4 Green Acre Close, 22, 28, 32, 42, 119 Manchester Road, 48, 119, 164, 170, 173, 178, 182, 192 Peel Brow, 42, 76, 80, 85, 97 Bury New Road, 3, 5, 7, 8, 10, 12, 14, 26, 28, 30, 46 Cheshire Court, 1 Nero Street, 6 Shipperbottom Lane, 1 Millhouse Street, 45 Bleakholt Road, Springfield House, 9 Bank Street, 29, 35 Bury Old Road, 1, 26, 43 Ripon Hall Avenue, 12 Carrwood Hey, 4 Henry Street, 2 South Street, 2, 56, 58 Bye Road, Sheep Hey Farm House, 3 Ashbourne Court, 400 Bass Lane, 121 Market Street, 7 Cheviot Close, 89 Mercer Crescent, 17 Garden Court, 92 Bolton Road West, 52A Bridge Street, 19 Cliff Mount, 23, 25 Stanford Hall Crescent, 20 Clapgate Road, 2 Bamford Road, Twine Terrace, 59 St Andrews Close, Well Bank, 71 Bolton Street, 33 Crow Lane, 19 Lodge View, 889 Walmersley Road, 66 Tanners Street, 75 Stubbins Lane, 19 Windermere Drive, 5 Andrew Close, Bank Lane Farm, 9 Edith Street, 15 Cliff Mount, 1 Carr bank Drive, 45 Cross Lane, 2 Woodhead Close, 44 Inglewhite Close, 48 Rostron Road, 1 Osbourne Close, Bury, 28 Riverbank Drive, Radcliffe, which have raised the following issues:

- This development and the ongoing residential development will cause a huge increase in traffic on the roads, which cannot cope with the current levels of traffic.
- Extra site traffic will increase the volume of sand, dust and gravel tracked onto the road from this site.
- The hours of operation will increase noise pollution in this predominantly residential area.
- The additional 660 lorries on the road will create increased traffic and noise.
- The huge silos will be a blot on the landscape.
- Parking on Whalley Road is a nightmare.
- The plant will operate for 6 days a week. No no no
- The noise from Fletcher Bank is already substantial. It improved when they applied for the AD plant but has got worse again
- The huge silos will impact on views from Holcombe Hill
- Impact of additional traffic on cycling club in the locality
- The site owners do not take their responsibilities seriously. It took 5 years to get them to sweep the road.
- Cancer causing silicates and dust cover a half mile radius of the site.
- They already run machinery late at night.
- Noise disturbance from lorries is a major issue
- The noise impact assessment is inadequate given the close proximity of dwellings.
- Shuttleworth is a residential and green belt area and this development is incongruous and permission should be declined.
- Increased lorry movements will lead to vibration in residential properties
- The increase in traffic will make the junction of Manchester Road and Peel Brow more dangerous.
- Numerous complaints have been made to Environmental Health due to high levels of sand and dirt left by existing traffic. This has led to houses being flooded as drains are blocked with sand.
- This application should be delayed as due to Covid, residents may not have sufficient time to consider it.
- Any traffic heading south west would have to go down Peel Brow and over the bridge in Ramsbottom, which is fragile.
- No details of a public consultation have been provided.
- The hours of operation are unacceptable for a residential area.
- The local community has not been informed. I learnt of it from a local councillor. This would seem underhand practice.
- My business on Bridge Street would be affected by the increased volume of lorries.
- Many lorry drivers exceed the 40mph limit.
- There is no air monitoring in this town. The proposed development would place profit above the health of communities.
- Ramsbottom heritage society object to the application due to the increase in the number of lorries passing through the town centre and shaking the buildings to their foundations.
- My property price will go down.
- The planning inspector concluded that additional traffic weighed against the scheme at

- the inquiry into the anaerobic digestion plant. This will bring additional traffic.
- Impact of the proposed development on the tourist attractions in Ramsbottom.

The supporter and objector have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to a construction traffic management plan, access and turning facilities and car parking.

Drainage Section - No response.

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

Environmental Health - Air Quality - No objections subject to the inclusion of conditions relating to mitigation measures during construction phase and wheel washing.

Environmental Health - Pollution Control - No response.

Environmental Health - Commercial Section - No response.

Environment Agency - No response.

United Utilities - No objections, subject to the inclusion of conditions relating to foul and surface water drainage.

Minerals and Waste Planning Unit - No objections, subject to the inclusion of conditions (taken from the ROMP) permission relating to noise and dust limits & control and hours of operation.

GM Ecology Unit - No objections.

Waste Management - No response.

Pre-start Conditions - Agent to confirm in Supplementary Report.

Unitary Development Plan and Policies

EC2/2	Employment Land and Premises
EC3/1	Measures to Improve Industrial Areas
EC6/1	New Business, Industrial and Commercial
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN9/1	Special Landscape Areas
OL1/2	New Buildings in the Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT2/7	Lorry Parking
HT2	Highway Network
MW2	Environmental Considerations for Mineral Workings
MW2/1	Assessing Mineral Extraction Proposals
MW2/2	Planning Applications for Mineral Workings
MW2/3	Development Control Conditions (Minerals)
NPPF	National Planning Policy Framework
GMMWP	Greater Manchester Minerals and Waste Plan

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 (Minerals & Waste) -
GM Joint Minerals DPD (GMJMDDPD)**

The ten unitary authorities of Greater Manchester have jointly produced the Greater Manchester Joint Minerals Development Plan Document for the area which includes detailed development management policies, the identification of sites and preferred areas for a range of minerals extraction and safeguarding.

Policy 1 states that in line with the presumption of sustainable development set out in the NPPF positive consideration will be given to minerals development which accords with the policies set out in this document and with all other relevant local plan policies. Such development will be considered to be sustainable unless other material considerations indicate otherwise.

Policy 2 states that all proposals for minerals working or the provision of minerals infrastructure will be permitted anywhere where any adverse impacts on the following criteria is avoided or can be appropriately mitigated:

- controlled waters and flood risk management
- landscape and visual intrusion
- biological and geological conservation including European sites
- Historic environment and built heritage
- Best and most versatile agricultural land
- infrastructure
- traffic and access
- amenity
- air quality
- land instability
- potential land use conflict
- design, phasing and operational details
- aviation safety.

Policy 11 states that development on or adjoining an existing mineral working or site containing minerals infrastructure will be permitted provided it would not have an unacceptable impact on the continuation of mineral working or the continued operation of the minerals infrastructure.

When the development is likely to have an unacceptable impact on the continuation of mineral working or the continued operation of the minerals infrastructure the applicant will be required to clearly demonstrate either:

- the mineral working and/or mineral infrastructure is no longer required;
- the need for the proposed development outweighs the need to continue the mineral working and/or the need to retain the mineral infrastructure.

Bury Unitary Development Plan

Policy MW2 states that the Council will ensure that new or extended mineral workings or mineral exploration will not have an unacceptable impact on the local environment. Following the extraction of materials, the Council will ensure that the sites are adequately and, where appropriate, progressively restored.

The proposed development would provide a mortar and screed batch plant within the site of Fletcher Bank Quarry. The site is an active quarry and is still being worked under the current consents until 2042. The proposed development would be located within the main area of existing building infrastructure on the plateau. The main plateau is located to the west of the quarry face. The agent has confirmed that a consent is sought for the proposed development until 2042, which would tie in with the consents on the active quarry.

In consideration that the site contains a significant degree of associated uses with the quarry comprising aggregate facilities etc, it is an understandable proposal to utilise part of that process for the development described. The intention of the UDP Policy MW2 is to consider and govern mineral workings, associated activity and appropriate restoration or worked sites. The applicant has made the case that this development is linked to the productivity of this site and equally for the development to be removed following cessation of extraction.

The proposed development would be well screened and due to the temporary nature, would not have a significant adverse impact upon the landscape. The site contains quarry materials and as such, there are no ecological constraints. The proposed silos would be 12 metres in height and would not impact upon aviation safety. The location of the manufacturing plant indicates that infrastructure would be available. As such, and subject to the consideration of other policies relating to Green Belt, noise, traffic and ecology, is considered to be compliant with policy MW2 and be conditioned if appropriate to ensure removal of the activity and associated infrastructure.

The Minerals and Waste Planning Unit has no objections, subject to the inclusion of conditions (taken from the ROMP) permission relating to noise and dust limits & control and hours of operation. Therefore, the proposed development would be in accordance with Policies 1, 2 and 11 of the Greater Manchester Joint Minerals Plan and Policy MW2 of the Bury Unitary Development Plan.

Principle (Green Belt) and impact upon openness - The site is located within the Green Belt.

Paragraph 134 of the NPPF states that the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 145 considers the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, 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 purpose of including land;
- the extension or alteration of a building provided 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;
- limited affordable housing for local community needs; and
- limited infilling or 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 identified affordable housing need within the area of the Local Planning Authority.

Paragraph 146 states that other certain forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. These are:

- mineral extraction
- engineering operations

- local transport infrastructure which can demonstrate a requirement for a Green Belt location
- the re-use of buildings provided that the buildings are of permanent and substantial construction
- material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)
- development brought forward under a Community Right to Build Order or Neighbourhood Development Order

Policy OL1/5 states that within the Green Belt other development, not including buildings, will not be inappropriate unless:

- it maintains openness and does not conflict with the purposes of including land in the Green Belt; or
- in the case of mineral extraction, it does not conflict with the purposes of including land in the Green Belt, and high environmental standards will be maintained and the site well restored.

Proposals for other development not falling into one of the above categories is inappropriate development and is, by definition, harmful to the Green Belt. Any harm to the Green Belt holds significant weighting in any decision. Any development proposals considered to involve inappropriate development will only be permitted in very special circumstances.

The proposed development would consist of plant machinery, storage areas and portacabin of offices and welfare facilities. It would be located within the existing disturbed and operational part of the quarry and as such, any change would be viewed in the context of an existing industrial setting within an operational quarry void. The existing highway layout would remain unchanged. The proposed development would not be minerals development, but would be for minerals related development in that it would utilise the materials immediately derived from the mineral extraction. As such, the proposed development would not meet the exceptions listed above and a case for Very Special Circumstances would be required to overcome the harm to the openness of the Green Belt.

The applicant has put forward the following case for VSC:

- The proposed development would not conflict with the five purposes of Green Belt in the NPPF.
- Whilst the proposal is not for minerals extraction, it is for minerals related development, which is co-located on an existing and established minerals extraction site.
- High environmental standards of operation will be met and the proposal would not affect restoration of the wider quarry site.
- The application site would be lowered to minimise the impact upon the openness and would located within an established industrial site.
- The proposed development would be temporary and would be removed when the quarrying ceases in 2042.

The existing landscape and topography of the quarry as well as the existing buildings on site assists to contain the visibility of the proposed development. The ground level would be lowered, which would further reduce the visual impact of the proposed development. The proposed development would be visible to the surrounding Public Rights of Way, but the users of these footpaths would view the proposed development against the backdrop of the existing buildings on site. The proposed development may be visible from Holcombe Road, but it would be barely perceptible in the wider area and would be obscured by buildings, walls and trees and topography. As such, the proposed development would not alter the character and openness of the landscape.

The proposed development would be a temporary consent until 2042, which is linked to the operating periods for the quarry and as such, would not be a permanent addition. As such, given the location of the proposed development and the temporary nature of it, the proposed development would not have a significant adverse impact upon the openness of the Green Belt and would result in a very minor difference in appearance, but would not impact to alter the character of the area.

These issues are very particular to this site and existing context. As is required by law, each case must be considered on its own merits. As such, the case for VSC would overcome the harm to the openness of the Green Belt from this proposed development. Therefore, the proposed development would be appropriate development and would be in accordance with Policies EN1/2, OL1/2 and OL1/5 of the Bury Unitary Development Plan and the NPPF.

Air quality - An Air Quality Assessment was received as part of the application. The report was revised to include five additional sensitive receptors have been added to the dispersal modelling carried out using ADMS-Roads (version 5.0). These sensitive receptors are the closed properties to the proposed development:

- R14 - Fletcher Bank Garage, Whalley Road
- R15 - 32 Manchester Road
- R16 - 38 Manchester Road
- R17 - 40 Manchester Road
- R18 - Shipperbottom House, Manchester Road

The model has been used to predict changes in NO₂, PM₁₀ and PM_{2.5} due to traffic generated from the proposed development at sensitive locations in the vicinity of the site.

The additional of the 5 sensitive locations has not significantly altered the output of the modelling. For the new receptors on Manchester Road, a slight increases of between 0.14 and 0.21 µg/m³ of nitrogen dioxide were predicted (maximum 29.63 µg/m³ at R14), a change of between 0.25 and 0.52%. The predicted concentrations were below 75% of the Air Quality Objective (AQO), for the remainder of the receptors. Therefore, the impacts on annual mean NO₂ concentrations as a result of road vehicle exhaust emissions associated with the development are still predicted to be 'negligible' at all sensitive receptor locations considered.

The predicted concentrations of PM₁₀ at the new sensitive receptors are still well below the annual mean objective of 40µg/m³ for both the 'without development' and 'with development' scenarios (maximum 14.39 µg/m³ for 'with development' scenario at R14). Only slight increases of between 0.03 and 0.05 µg/m³ were predicted for the 'with development' scenario, a change in concentration of between 0.0% at all locations. The predicted concentrations were all well below 75% of the of the AQO, therefore, the impacts on annual mean PM₁₀ concentrations as a result of road vehicle exhaust emissions associated with the development were predicted to be 'negligible' at all sensitive receptor locations considered.

Based on the updated modelled predicted concentrations, the impact on air quality of the proposed development is still considered negligible and therefore, based on the IAQM and EPUK Guidance, 'not significant'. The Environmental Health - Air Quality Section has no objections, subject to the inclusion of conditions relating to mitigation measures during construction phase and wheel washing. Therefore, the proposed development would be in accordance with Policy EN7/1 of the Bury Unitary Development Plan.

Ecology - The proposed development would be located on an area of bare ground and as such, there is no ecological value. On the wider quarry site there are bird nesting constraints and constraints in relation to badgers. However, the site for the proposed development is located several hundred metres from the edge of the quarry. There is negligible risk of disturbance to these species from the proposed development. GM Ecology Unit agree that there are no ecological issues associated with the proposed development. Therefore, the proposed development would not harm any protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Noise - The plant operation would start at 05.00 and there would be no commercial vehicle/HGV movements between the hours of 05.00 and 06.00. At 05.00, staff would arrive in their own vehicles and the plant would be brought into use. The proposed development would be located adjacent to the concrete block factory and in the middle of a working

quarry. The concrete block factory has a permanent consent and can operate on a 24 hour basis.

The nearest residential dwellings to the proposed plant would be some 280 metres to the west of the site. It is considered that given the distance involved and the location of the site within the existing industrial buildings, the operation of the proposed plant and machinery would not have a significant adverse impact upon the amenity of the neighbouring properties.

The commercial vehicle movements would start at 06.00 and would involve the batches being delivered to local construction sites only. Deliveries of materials to the site would start at 08.00. The nearest residential properties would be 54 metres away from the access road and front onto Whalley Road, which is a main throughroute. It is suggested that there would be 12 lorry movements between 06.00 and 07.00 and it should be noted that the existing concrete block factory can operate on a 24 hour basis. As such, the addition of 12 lorries would not create a significant adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Highways issues - The proposed development would utilise the existing access to the quarry from Manchester Road. The proposed development would generate vehicle movements to the site bringing raw materials and from the site, when delivering the concrete to the respective construction sites.

During the week, there would be 24 lorries delivering to the site (sand, aggregate and cement) and 82 lorries delivering the concrete to the respective sites. On a Saturday there would be 36 lorry movements from the site and no deliveries of raw materials. The lorry movements would be spaced out across a 12 hour period and during the busiest hour would represent 1 lorry every 5 minutes. As such, the proposed development would not generate a significant level of traffic. The Traffic Section has no objections to the proposal, subject to the inclusion of conditions relating to a construction traffic management plan, access and turning facilities and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies HT2 and EC6/1 of the Bury Unitary Development Plan.

Response to objectors

- The issues relating to impact upon the Green Belt, traffic, noise, visual impact, air quality have been addressed in the report above.
- The number of lorry movements would be 106 per day on Monday to Friday and 36 on Saturdays, not 660 lorries.
- The proposed development would provide parking facilities on site and would not impact upon parking on Whalley Road.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The permission hereby granted is for a limited period only, namely for a period expiring on 2042, and the building and works comprising the development for

which planning permission is hereby granted are required to be removed at the expiration of the said period and the land reinstated to its former condition to the written satisfaction of the Local Planning Authority within 6 months of the date of this decision.

Reason. The development is of a temporary nature only.

2. This decision relates to drawings numbered 60609154.RB.02, 60609154.RB.03, 60609154.RB.04, 60609154.RB.05, 60609154.RB.06, 60609154.RB.07, 60609154.RB.08, 60609154.RB.09, 60609154.RB.10, 60609154.RB.11, 60609154.RB.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 plant and machinery hereby approved shall be painted in light grey.
Reason. In the interest of visual amenity pursuant to EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

4. 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.

5. 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 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.

6. 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.

7. The construction phase mitigation measures as detailed in Tables 7.1 and 7.2 of the air quality assessment report (White Young Green, Reference: A118217, August 2020) shall be implemented in full before the development hereby approved is brought in to use and maintained while the plant is in operation.

Reason. To protect the air quality in the locality pursuant to Policy EN7/1 - Atmospheric Pollution of the Bury Unitary Development Plan and Section 10 of the

National Planning Policy Framework.

8. Vehicles shall pass through a wheel wash before driving on the highway. If the wheel wash is not operational, alternative mitigation measures shall be put in place and agreed by the Local Planning Authority.
Reason. To protect the air quality in the locality pursuant to Policy EN7/1 - Atmospheric Pollution of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework
9. 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:
- Routing for construction traffic from the adopted highway to avoid, where practicably possible, Whalley Road, Shuttleworth;
 - Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
 - Parking on site of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
 - 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.

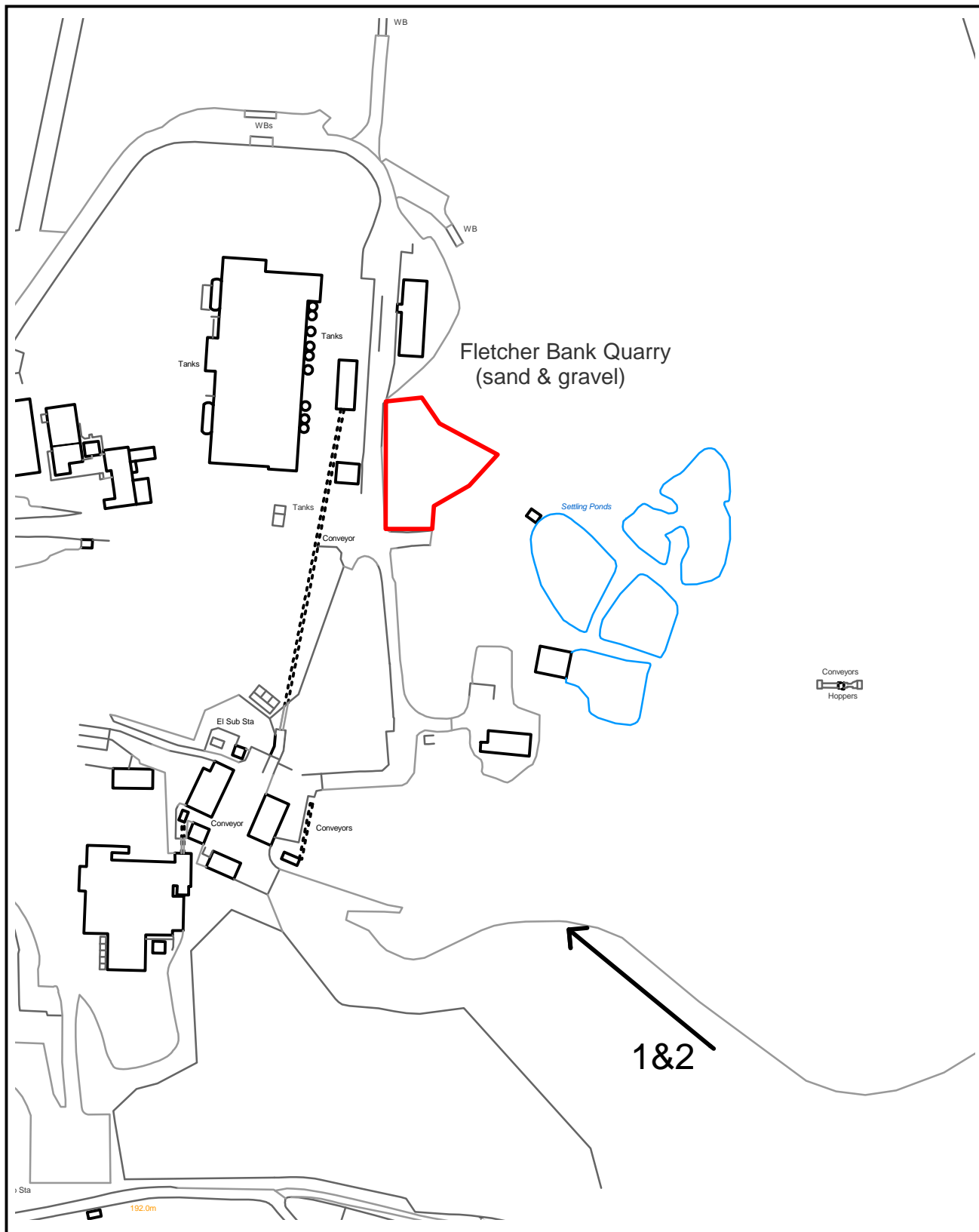
The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the 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.

10. The access and turning facilities indicated on the approved plans shall be provided and demarcated before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
11. All plant, equipment and other machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification, and shall be maintained in accordance with that specification at all times throughout the development.
Reason. To safeguard the amenity of local residents and adjacent properties/landowners and land users pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 65585

**ADDRESS: Fletcher Bank Quarry
Manchester Road, Ramsbottom**

Planning, Environmental and Regulatory Services

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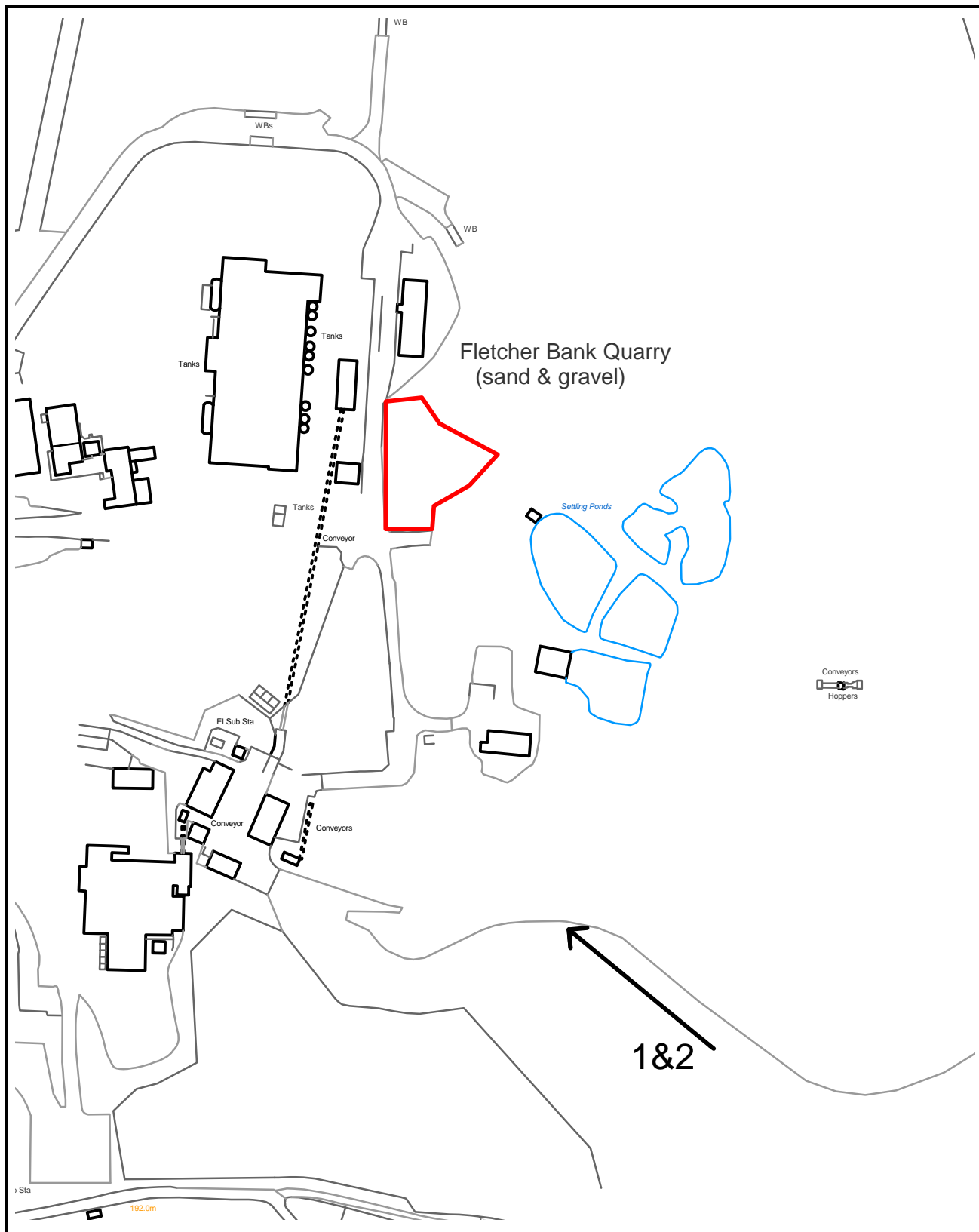
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Notes

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 65585

**ADDRESS: Fletcher Bank Quarry
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Planning, Environmental and Regulatory Services

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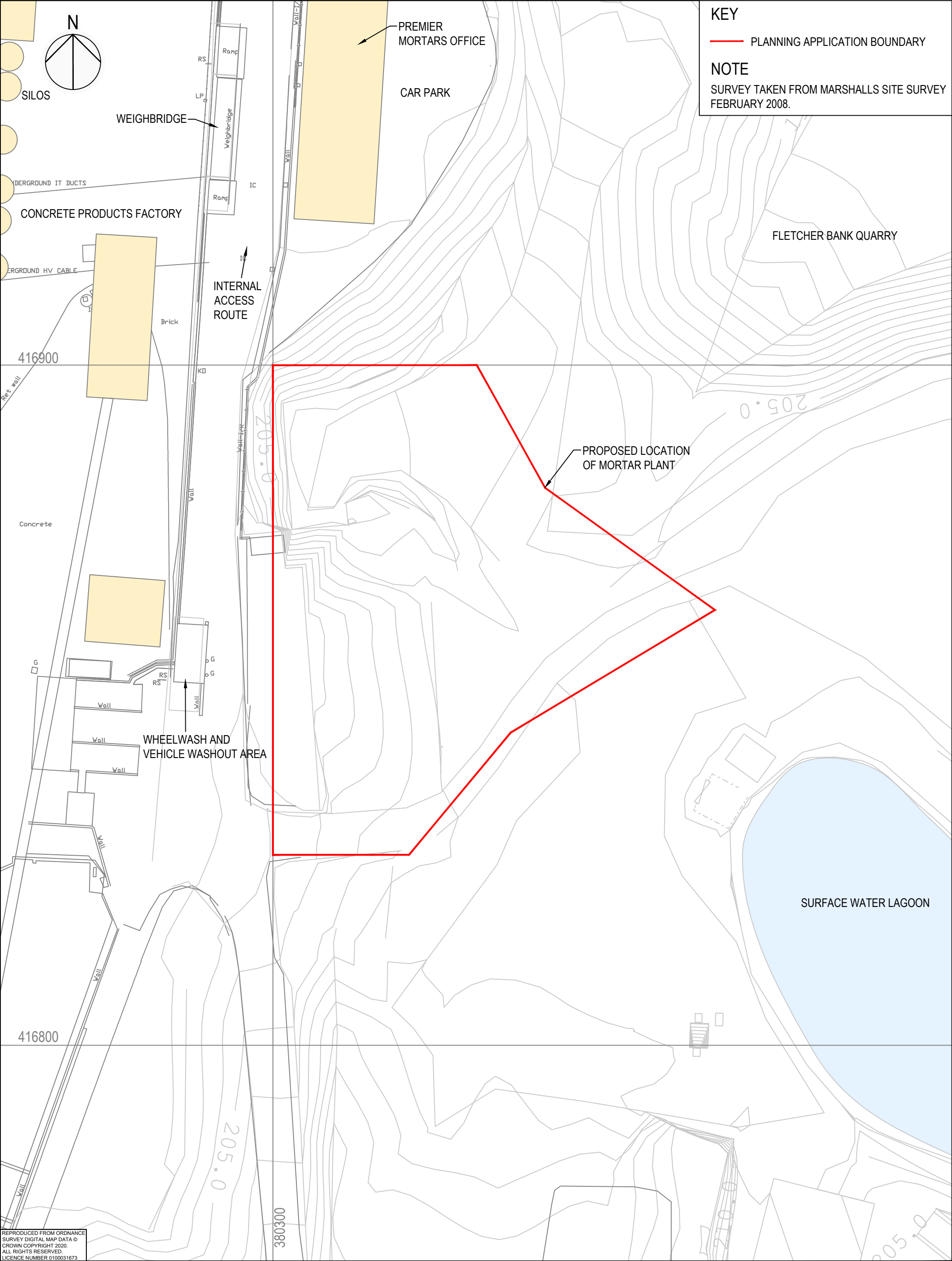
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Photo 1


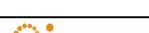


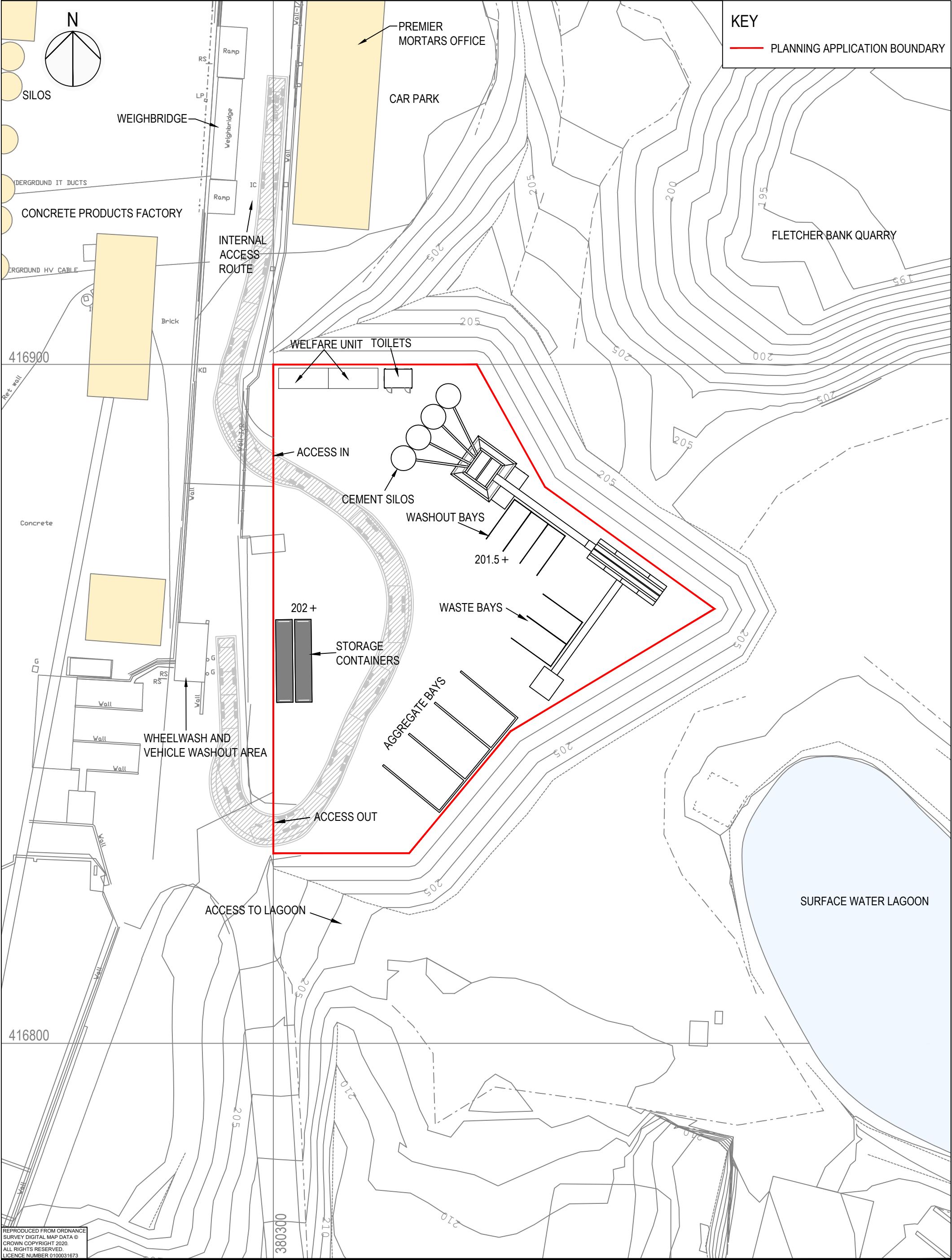
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Project Title		Figure Title		Purpose of issue					AECOM	
MARSHALLS RAMSBOTTOM PROPOSED MORTAR PLANT		EXISTING LAYOUT		PLANNING					<div></div>	
				Designed	Drawn	Checked	Approved	Date		
Client <div> Marshalls Premier Mortars and Screeds</div>		-		AAO	IS	IS	06/20	Royal Court, Basil Close Chesterfield Derbyshire, S41 7SL Telephone: (01246) 209221 Fax: (01246) 209229 www.aecom.com		
		AECOM Internal Project No. 60609154							Figure Number	
		Scale @ A3 1:500					Page 92		60609154.RB.03	
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Project Title

MARSHALLS RAMSBOTTOM
PROPOSED MORTAR PLANT

Client


Marshall's
Premier Mortars and Screeds

Figure Title

PROPOSED MORTAR PLANT LAYOUT

Purpose of issue

PLANNING

Designed	Drawn	Checked	Approved	Date
-	AAO	IS	IS	06/20

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60609154

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Page 93

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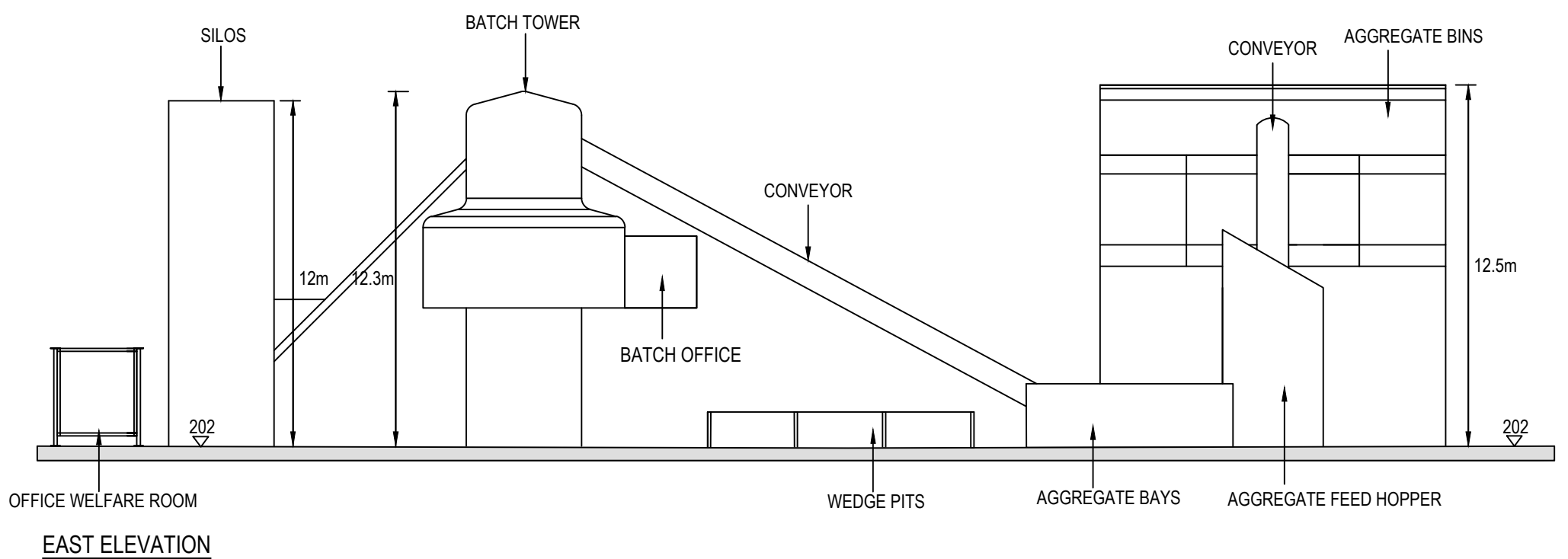
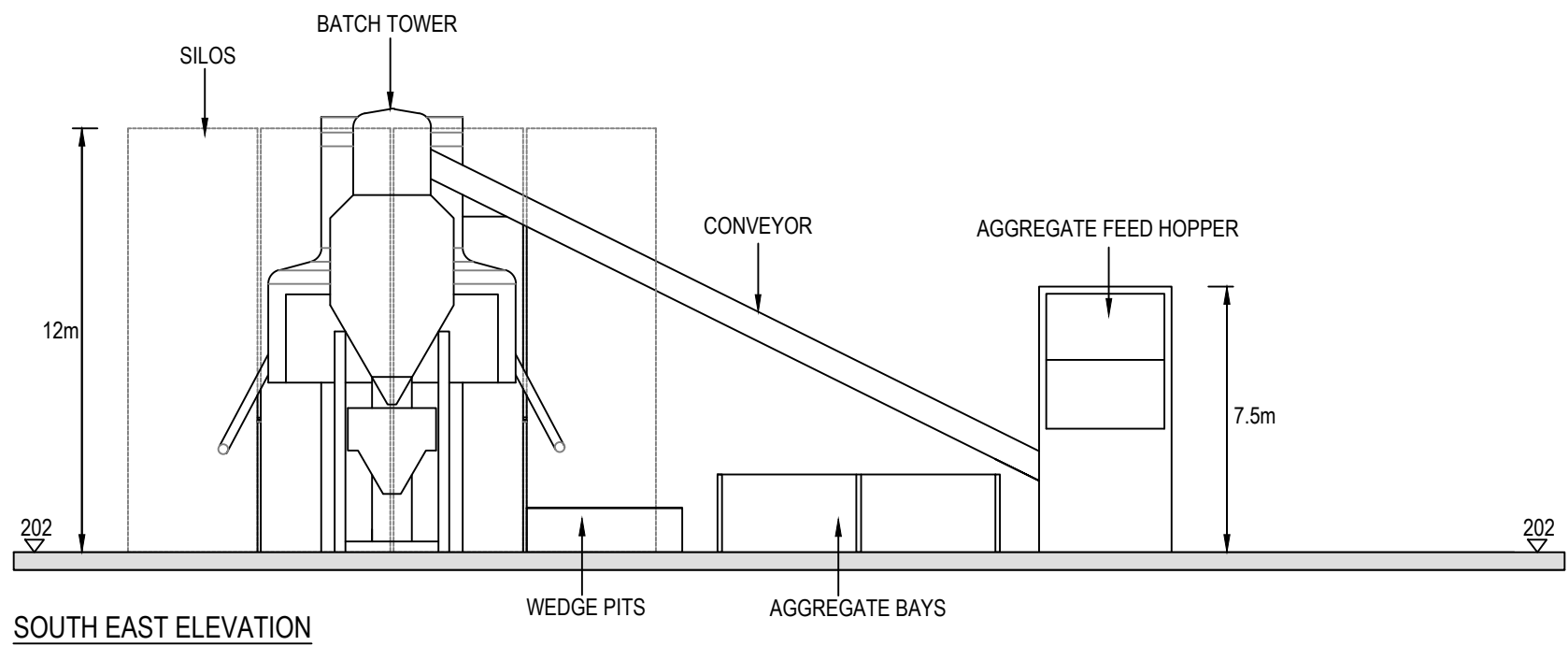
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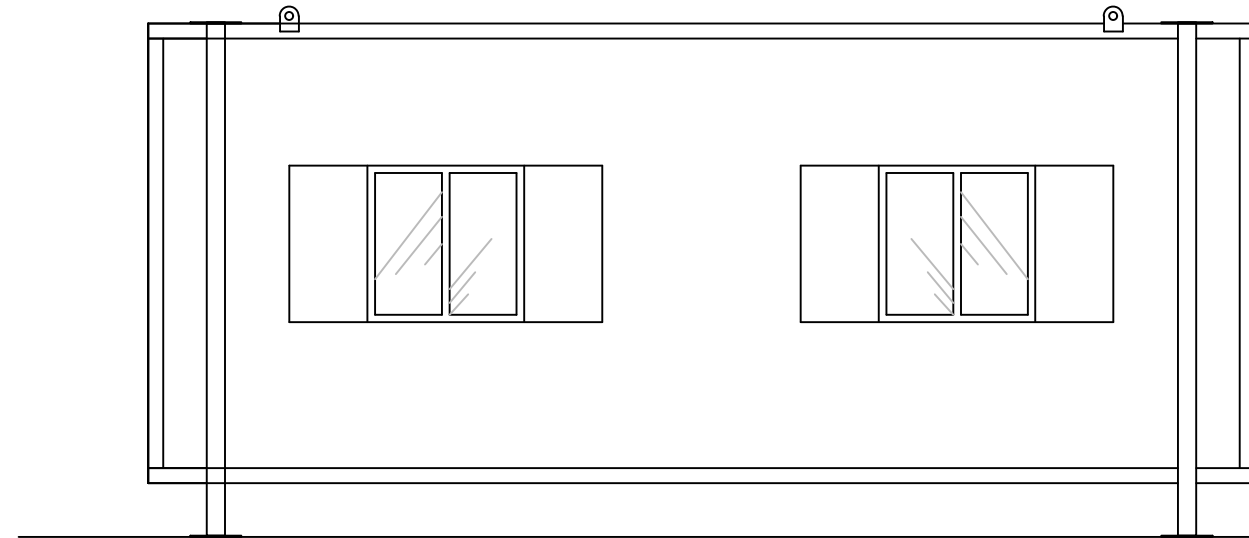
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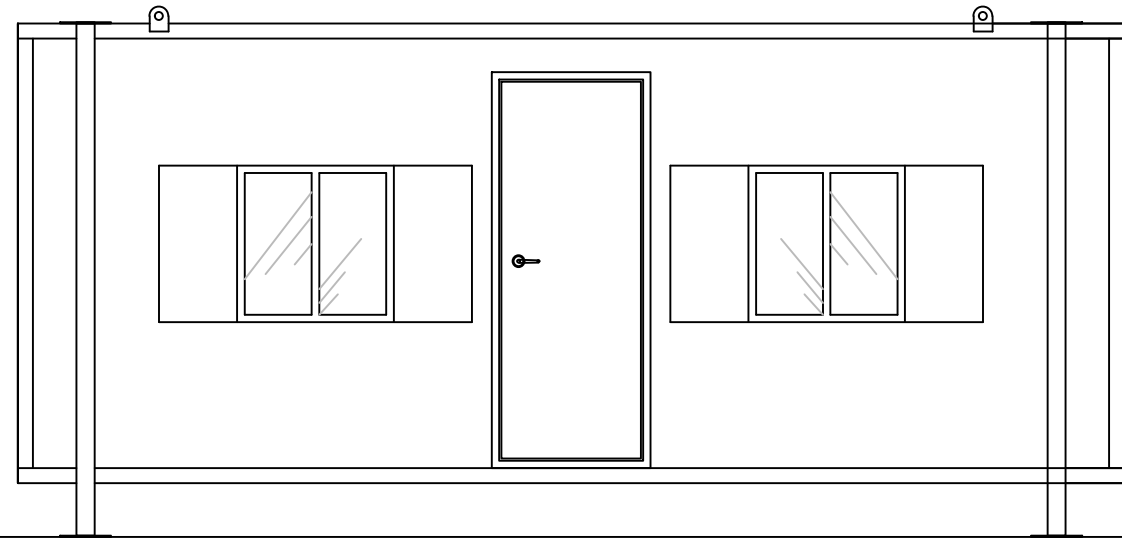
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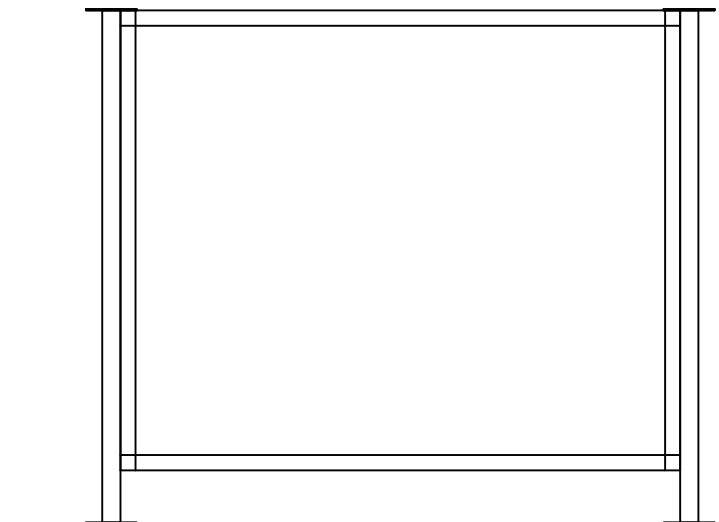


7.3m
REAR ELEVATION

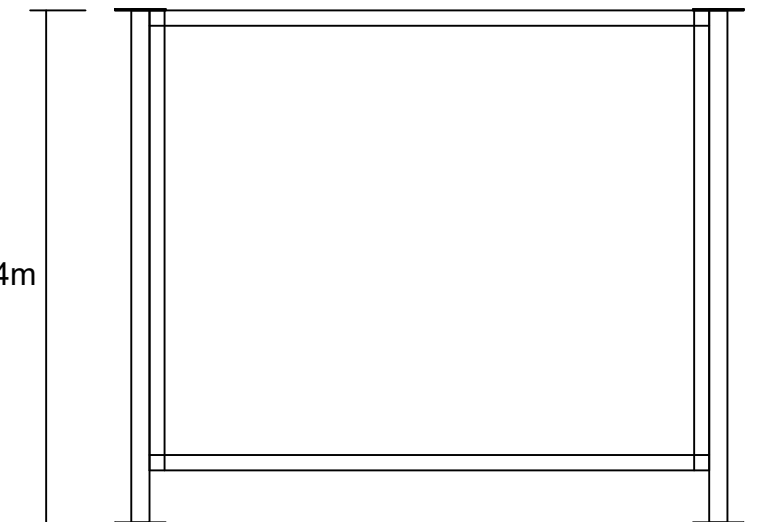


7.3m
FRONT ELEVATION

3.4m

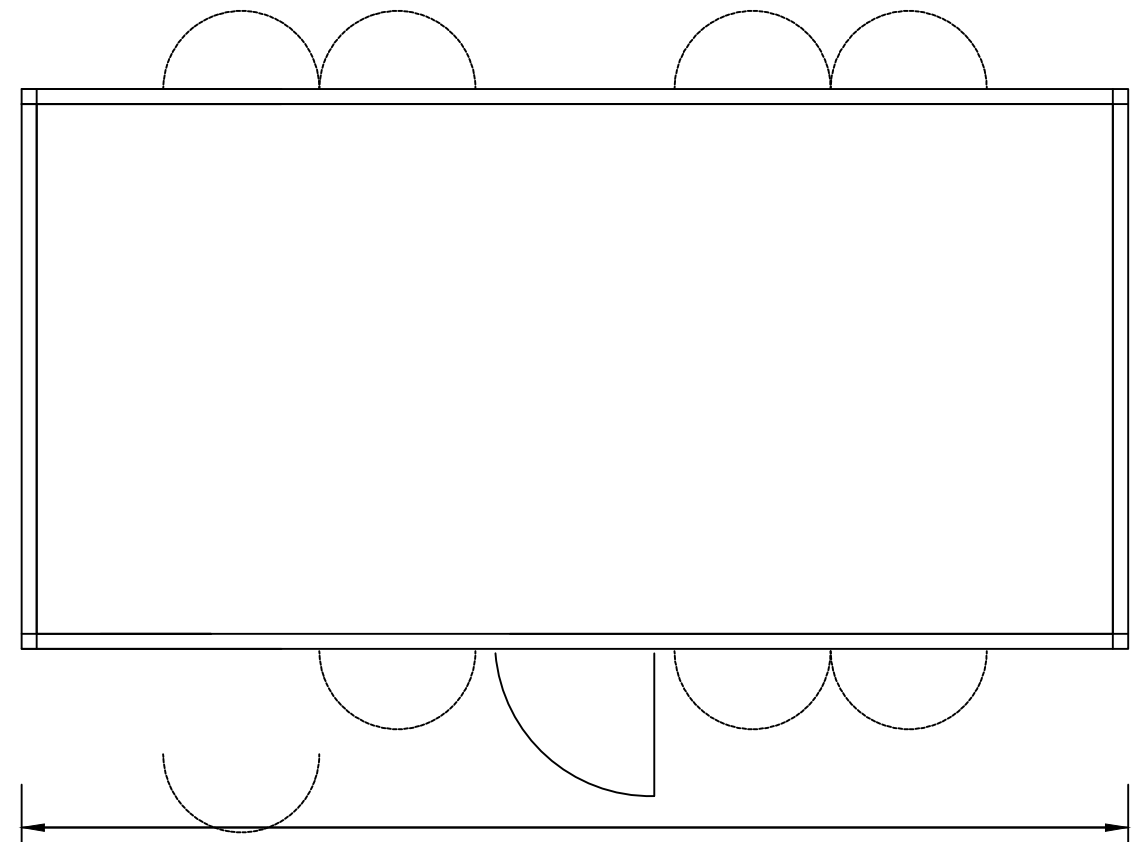


4m
END ELEVATION





4m
END ELEVATION

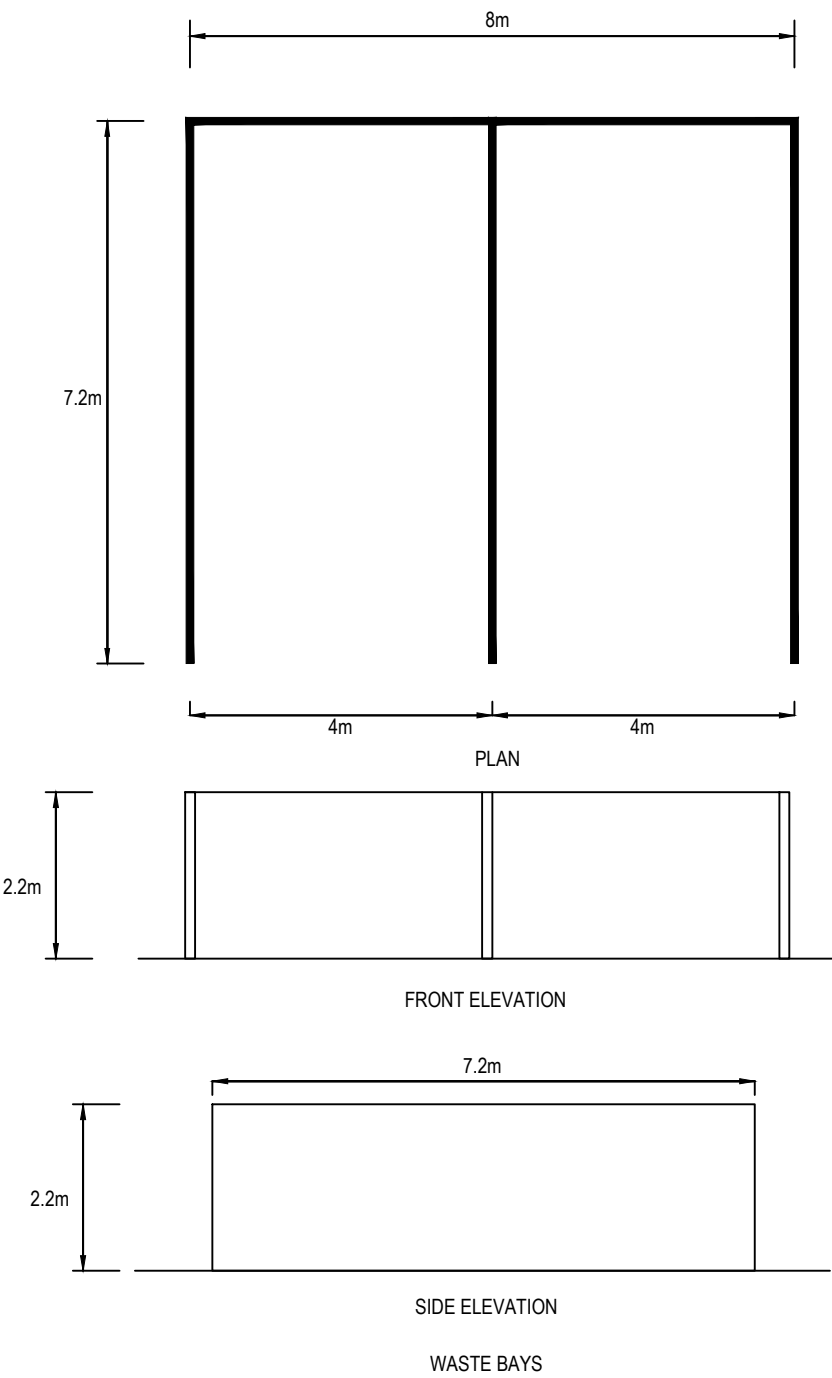
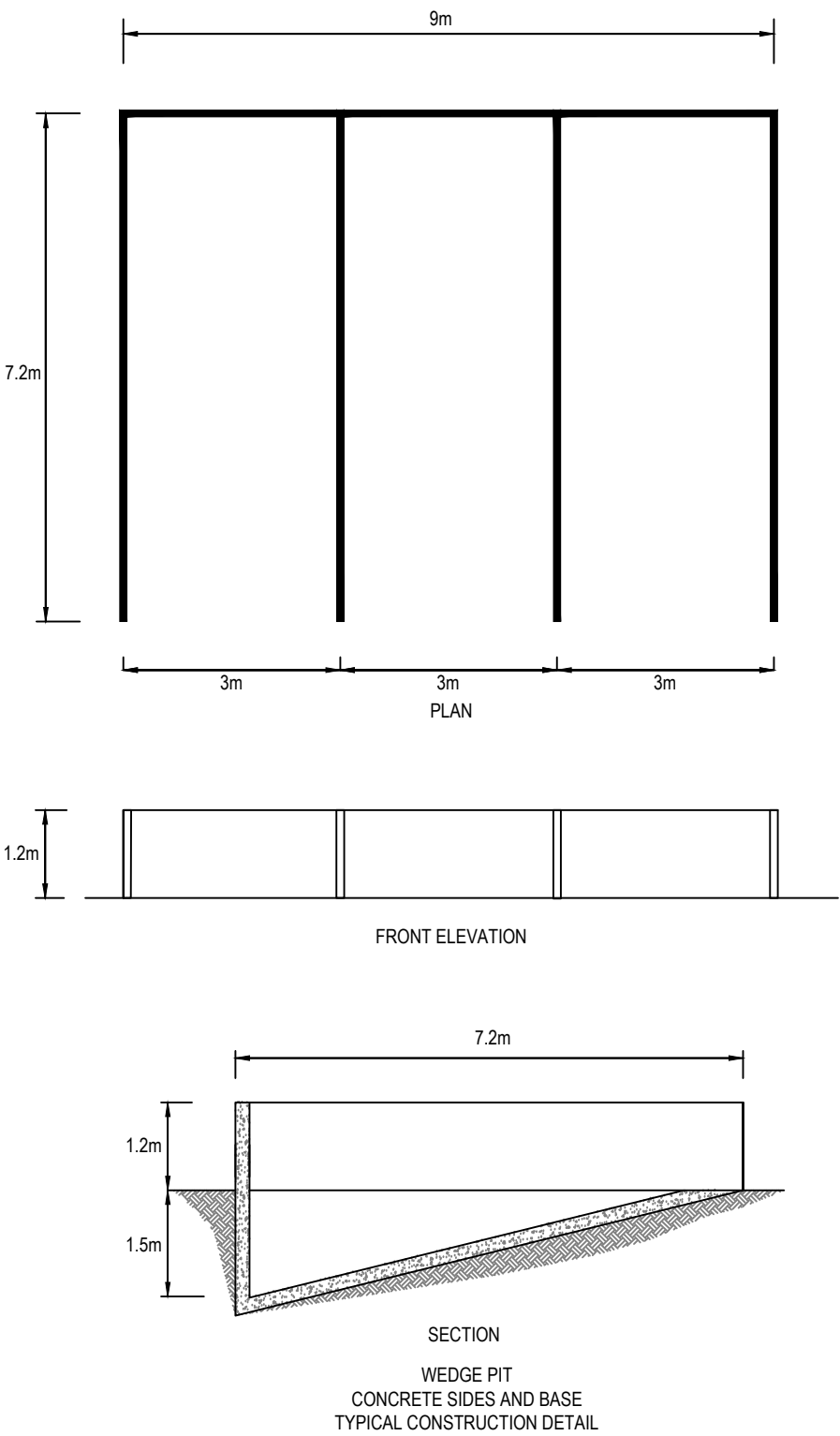
3.4m




3.4m

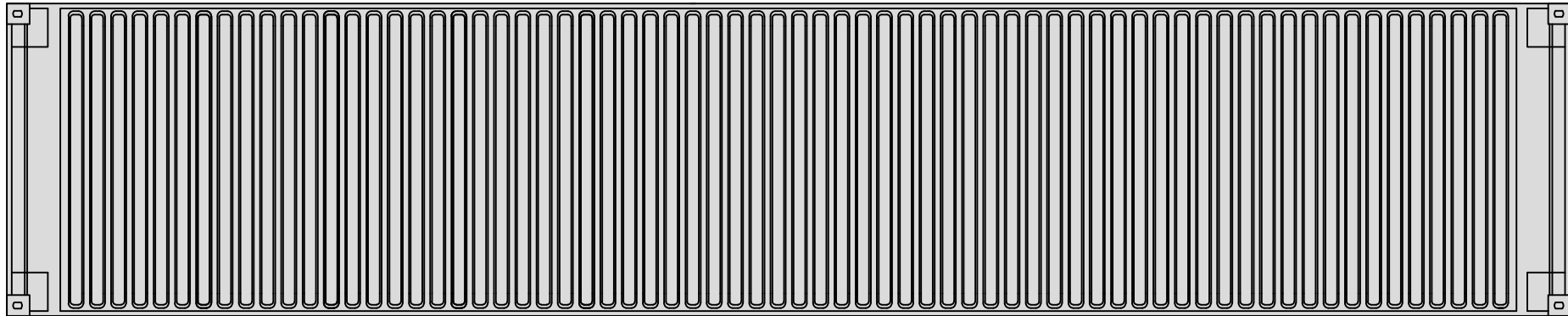
PLAN

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Client 			Designed -	Drawn AAO	Checked IS	Approved IS	Date 06/20		Drawing Number 60609154.RB.07	Rev		
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			Scale @ A3 1:50			Zone / Mileage -						

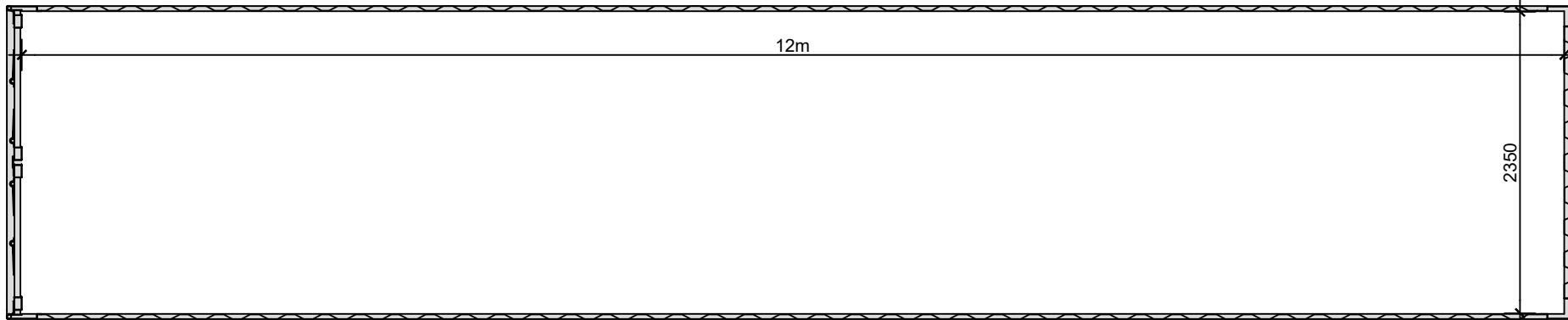
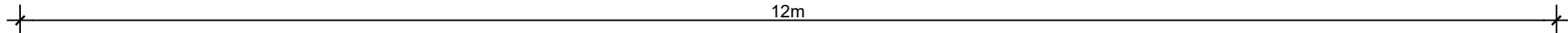


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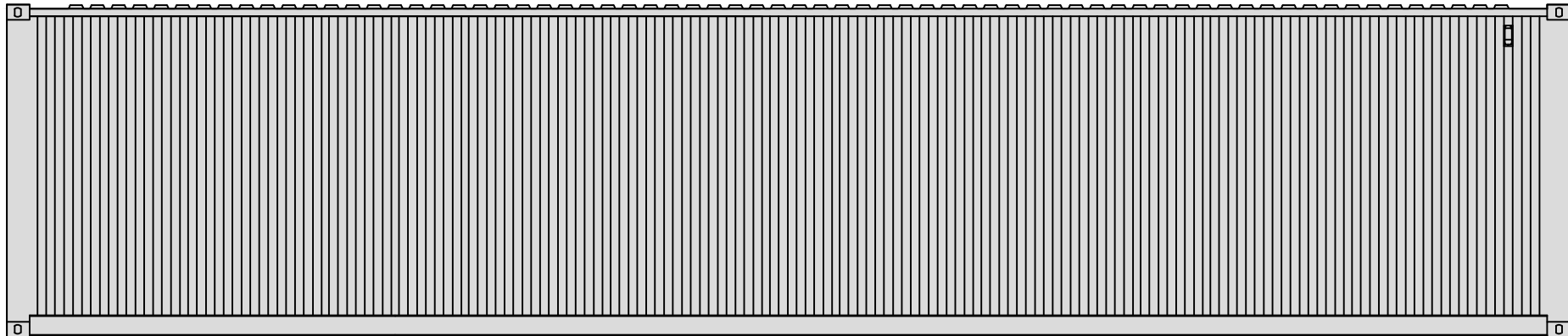
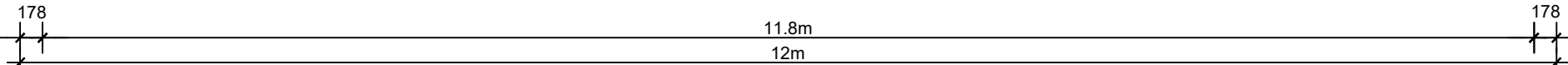
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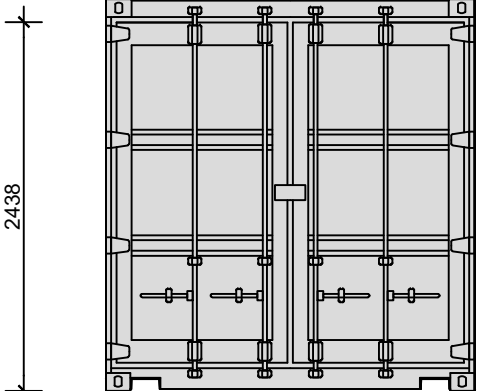
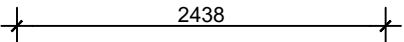
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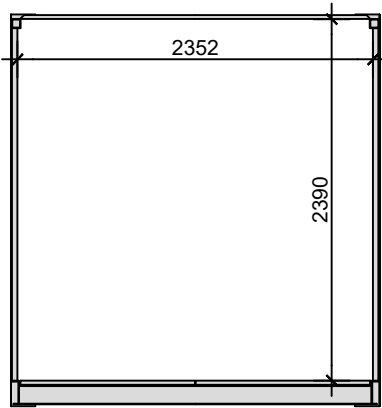
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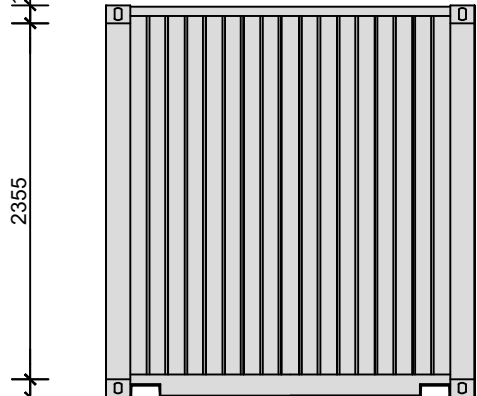
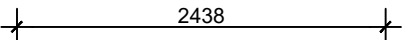
SIDE ELEVATION





END ELEVATION

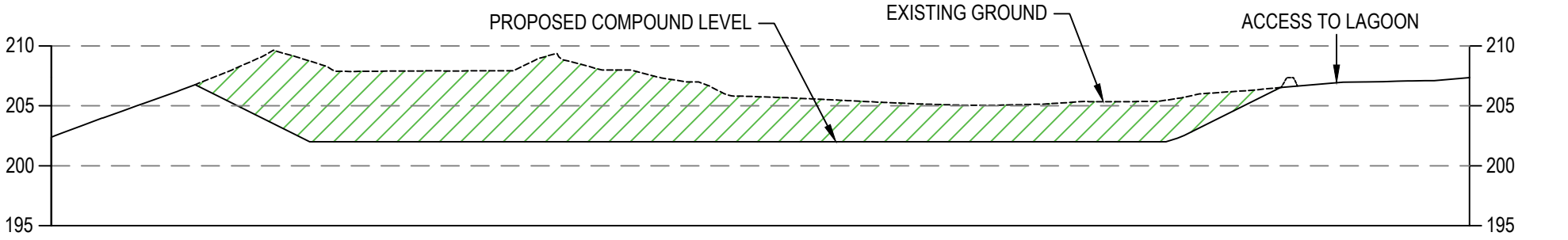
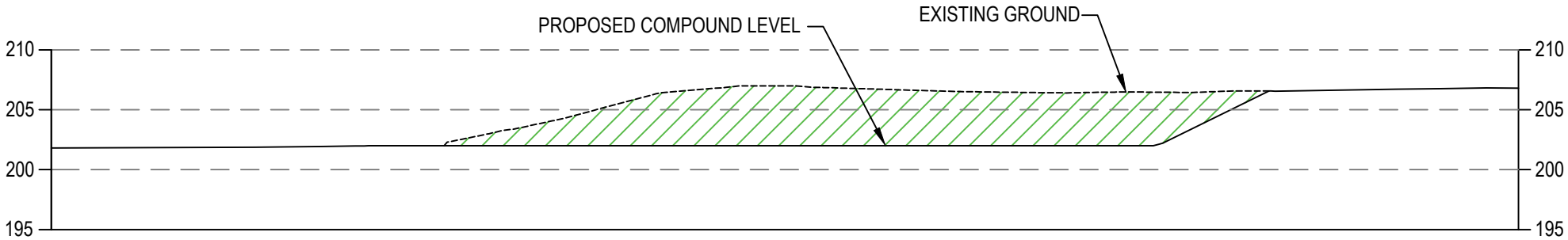
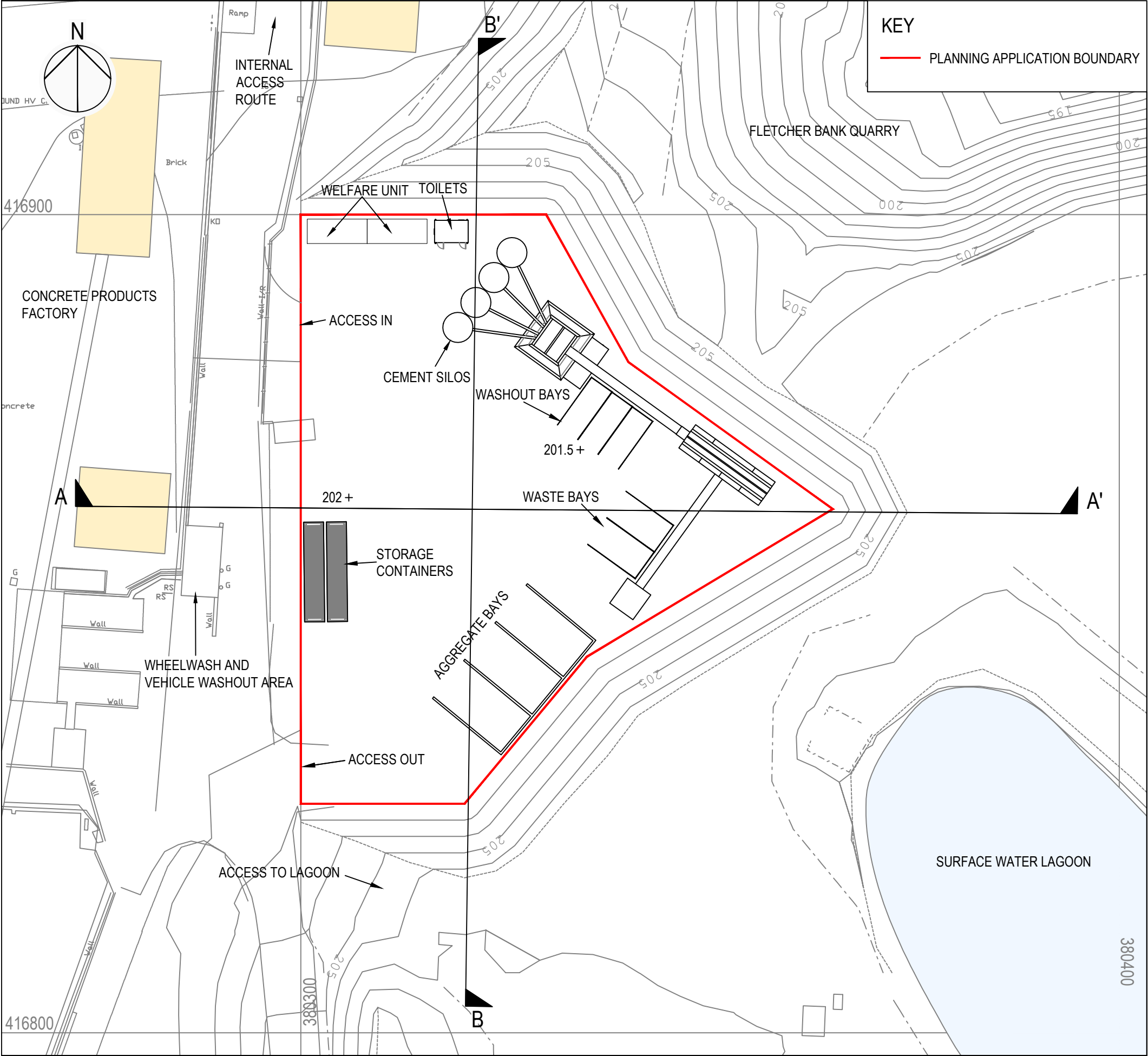


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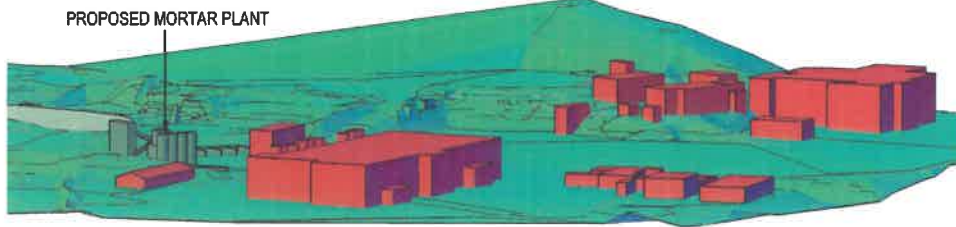


END ELEVATION

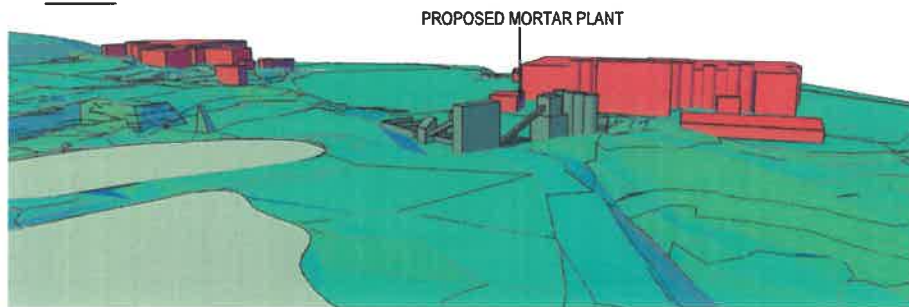
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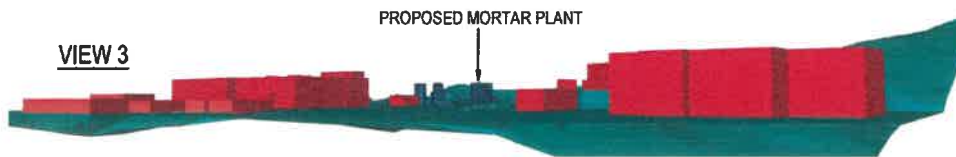
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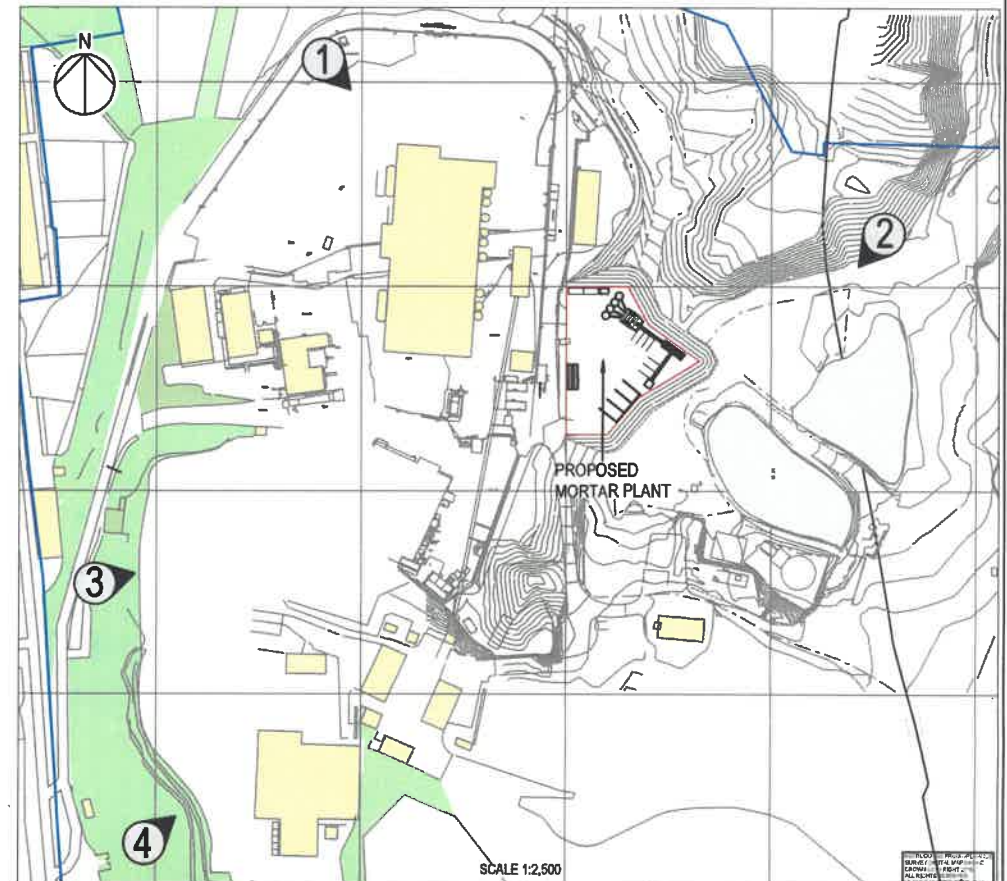
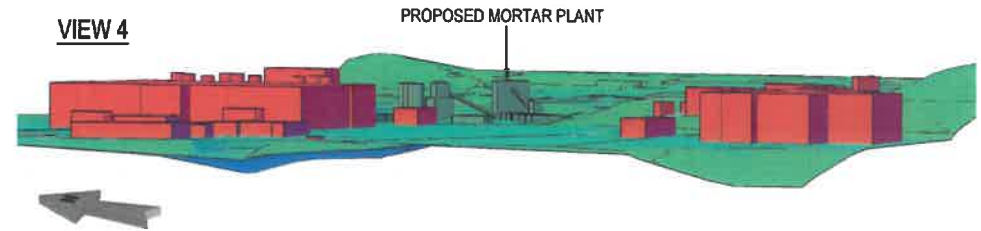
VIEW 2





VIEW 3



VIEW 4



<div>Project Title</div> <div>MARSHALLS RAMSBOTTOM PROPOSED MORTAR PLANT</div>	<div>Drawing Title</div> <div>VIEWS / ELEVATIONS</div>	<div><div>Purpose of Issue</div><div>PLANNING</div><div><div>Designed -</div><div>Drawn AAO</div><div>Checked IS</div><div>Approved IS</div><div>Date 09/20</div></div></div> <div><div>AECOM Internal Project No. 60609154</div><div>Scale @ A3 1:2,500</div></div> <div><div>Suitability -</div><div>Zone / Mileage -</div></div>	<div><div>THIS DOCUMENT HAS BEEN PREPARED PURSUANT TO AND SUBJECT TO THE TERMS OF AECOM APPOINTMENT BY ITS CLIENT. AECOM ACCEPTS NO LIABILITY FOR ANY USE OF THIS DOCUMENT OTHER THAN BY ITS ORIGINAL CLIENT OR FOLLOWING AECOM EXPRESS AGREEMENT TO SUCH USE, AND ONLY FOR THE PURPOSES FOR WHICH IT WAS PREPARED AND PROVIDED.</div></div>	<div><div>AECOM Royal Court, Basil Close Chesterfield Derbyshire, S41 7SL Telephone: (01246) 209221 Fax: (01246) 209225 www.aecom.com</div><div><div></div></div></div>
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Ward: Whitefield + Unsworth - Unsworth

Item 04

Applicant: Mr Nield

Location: Hollins House Farm, Hollins Lane, Bury, BL9 8AS

Proposal: Conversion of 2 no. barns to 2 no. dwellings

Application Ref: 65632/Full

Target Date: 17/08/2020

Recommendation: Approve with Conditions

Description

The site is located in Hollins Village and contains one T-shaped barn building and a residential dwelling, which are located around a hardstanding. The barn is constructed from red brick with a slate roof. The barn is located on the road side and the application site is approx 1.5 metres higher than the road. The barn is single storey in height along the road side. and is two storeys in height north to south. A section of the barn located close to the boundaries of 18 Prospect Place and Howard Hill collapsed a few years ago and the bricks remain on site. The two storey dwelling is located to the south east of the site and the private garden is located in the southern half of the site.

The site is accessed from Hollins Lane and the access is positioned at a 45 degree angle to it.

There is a pub and associated car park to the west and there are residential properties to the south west. There is a golf course to the south and a terrace of dwellings to the east. There is a dwelling, community centre to the north with open land beyond.

The proposed development involves the conversion of the existing barn into two dwellings and would include a two storey extension to the southern end of the barn, which would be sited on the footprint of the collapsed part of the barn. Parking would be provided off the existing courtyard for the two proposed dwellings and the existing dwelling. The access would be moved to the unadopted access land to the east of the site. This would be widened to 4.5 metres for the first 5 metres and a footpath provided on the eastern side.

Relevant Planning History

47451 - Two storey front extension at Hollins House Farm, Hollins Lane, Bury. Approved with conditions - 13 February 2007

55816 - Conversion of derelict buildings into 4 no. dwellings and 3 no. single storey extensions and 1 no. two storey extension at Hollins House, Hollins Lane, Bury. Withdrawn - 28 October 2013.

Publicity

The neighbouring properties were notified by means of a letter on 30 June and a press notice was published in the Bury Times on 9 July 2020. Site notices were posted on 9 July 2020.

9 letters have been received from the occupiers of 233, 237, 239, 241, 243 Hollins Lane, 14, 16, 18 Prospect Place, which have raised the following issues:

- Object strongly - loss of light as the proposed development would be higher than our property.
- The 2 floor extension would reduce the amount of light available
- Loss of privacy - the elevations show windows directly facing our home and they will be

able to see into our lounge and bedrooms

- Noise and disturbance from the increased use and traffic
- Unacceptable danger from the release of asbestos during construction
- Loss of trees and ecological habitat
- Loss of the current view would impact upon residential amenity
- Residents at 231 to 245 Hollins Lane park their vehicles at the rear of the unadopted road - entering adjacent to 231 Hollins Lane and exiting adjacent to Hollins House Farm as this is the safest direction for entry/exit (all residents follow a one way system).
- If the unadopted road is narrowed or blocked either, before, during or after construction then residence will not be able to park at the rear of their properties.
- Residents at 231 to 245 Hollins Lane are responsible for and maintain the unadopted road so should have a strong voice in any long term proposals affecting it.
- There is a very well used Public footpath, with lots of families and dog walkers frequently using the unadopted road to access this facility. There is no mention in the application of this footpath?
- There will no longer be vehicle access for the 8 properties adjacent to Hollins House Farm and we will not have an exit road
- This will have a detrimental effect on the value of the properties as we will all have to park on the main road which would make the road outside of our houses too narrow for two cars to pass safely
- Currently our bins are located in the proposed 1 metre walkway.
- Is the exit point safe and is there the correct visibility

The neighbouring properties were notified of revised plans on 9 September.

5 letters were received from the occupiers of 14, 16, 18 Prospect Place and 239 Hollins Lane, which have raised the following issues:

- To be clear I am not objecting to the building development but about the proposed use of the unadopted road that belongs to 235-243. I believe the applicant has enough land of his own to resolve his issue of access onto Hollins Lane without using the unadopted road.
- Crucially, residents treat the unadopted road as a one way system, so the fact that up to 9 vehicles would be using our exit onto Hollins Lane to both arrive and depart, is not only unacceptable but unsafe because as we drive round the (blind) bend, we would not expect to see a vehicle coming towards us.
- Additionally, residents use the space along the wall of 235 to leave their bins for collection, the plans would indicate the applicant requires this space to manoeuvre onto Hollins Lane.
- Our original objections remain as the revised plan will make no difference to the concerns raised regarding loss of light and overshadowing.
- Elevations A and H show windows directly facing the living areas of our home
- There will be no change to the noise and disturbance from the proposed use, hazardous materials released during construction, nature conservation & visual amenity.
- As the applicant's land is higher than ours, it will impact on loss of light and privacy to our property.
- Nature would be affected as there are bats, birds, foxes and hedgehogs which live on the site.
- We will take legal action to stop the development being built.
- Impact upon our health during construction.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to inclusion of conditions relating to access, construction traffic management plan, turning facilities, car parking and bin storage.

Drainage Section - No response.

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

Public Rights of Way Officer - No objections.

Conservation Officer - No objections.

Waste Management - No response.

GM Fire Service - No response.

GM Ecology Unit - No objections, subject to the inclusion of a condition relating to landscaping and informatives relating to bats and nesting birds.

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

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
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2	Conservation and Listed Buildings
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/5	Waste Water Management
OL1/4	Conversion and Re-use of Buildings in the Green Belt
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
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 - 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 site is located within the urban area and there are residential dwellings to the east and west of the site. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Design and layout - The proposed development involves the conversion of the existing barn into two dwellings. A structural report was submitted with the application and this confirms that the proposed buildings are capable of conversion but would require some elements of the walls to be rebuilt.

The proposed development would create some new openings and would use the existing openings. Elevations F and G, which face Hollins Lane would retain the existing openings and would retain the original character of the building. Elevation H would face the pub and car park and elevation D would face the internal courtyard. Both elevations would have some new openings, but the proposed windows would be of a variety of shapes and sizes, which would reflect the character of a barn.

The agent has submitted revised plans, which has reduced the footprint of the proposed two storey extension and it would not project beyond the boundary with the rear garden of No. 16 Prospect Place.

Elevations A, B and C would relate to the proposed two storey extension to the barn and would be more contemporary. The proposed two storey extension, with the exception of elevation A, would face the internal courtyard. The proposed development would utilise large openings, which are a characteristic of a barn building. Given the location, it is considered that the proposed development would be a clear modern addition, which would complement the character of the existing building. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/1, EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - The level of private amenity space for the proposed dwellings and the existing dwelling would be acceptable and there would be space within the rear or side garden for bin storage. There would be a retaining wall and pavement provided along the boundary with Hollins Lane and the existing gate and gate posts would be re-provided within the site. Along the western boundary there would be timber boarded fencing, which would be acceptable and match the existing. As such, the proposed boundary treatments would be acceptable. The proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/1, EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case.

To be clear, the proposed dwelling in yellow on the plans will be referred to as barn 1 and the proposed dwelling in blue on the plans will be referred to as barn 2.

There would be 23 metres between barn 1 and the front elevation of No. 260 Hollins Lane, which would comply with the aspect standards.

There would be 15 metres between the front elevation of barn 2 and the existing dwelling on site and 13 metres between the southern elevation of barn 1 and the two storey blank gable of barn 2. Both of these distances would exceed the relevant aspect standard.

There are windows in the gable elevation of the pub and it is not clear whether these relate to a habitable room or not. However, there are no existing openings in the gable end of the barn and none are proposed. As such, the proposal would not have any greater an impact

than the existing building. The proposed windows on the southern elevation of barn 1 and the western elevation of barn 2 would be screened by the existing wall along the western boundary.

The proposed two storey extension would occupy the former location of the barn, which collapsed. The proposed openings on the ground floor would relate to a cloak, en-suite window and at first floor, a toilet. All of these are non-habitable room windows and the windows would comply with the aspect standards.

The application site is 1 metre higher than the properties on Prospect Place and as such, 3 metres should be added to the aspect standards. There would be 19 metres between the rear elevation of No. 18 Prospect Place and the proposed building, which would exceed the 16 metre aspect standard. The plans were revised to ensure that the proposed building would not project past the boundary with the garden to No. 19.

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

Bats - A bat survey was submitted as part of the application. The two buildings on site were surveyed and there was no evidence to suggest that bats were utilising the buildings. Therefore, the risk to bats would be low. GM Ecology Unit has no objections subject to inclusion of conditions relating to landscaping and informatives relating to bats and nesting birds. Therefore, the proposed development would not impact upon a protected species and would be in accordance with Policy EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Highways issues - Currently the site is accessed via an access, which is at a 45 degree angle to Hollins Lane and the visibility from this access is restricted considerably by the existing barn building.

The proposed development involves creating a new access, which would be used by the two proposed dwellings and the existing dwelling. The access would utilise the existing unadopted access track adjacent to No. 245 Hollins Lane and would widen the existing track to 4.6 metres and provide a 1 metre wide footpath for a length of 8 metres. This would allow for a car to enter and leave at the junction of Hollins Lane and the existing access.

There have been objections to the use of this road as the new access to this site as the occupiers of the terraced row of dwellings already use this access as a 1 way system. The proposed development would not prohibit the current users of the road to use the access in the way they do already. But it would create a safer access, with appropriate visibility splays and a footpath.

There is a public footpath which passes along the unadopted access road and continues to the south. The proposed works involve the provision of a 1 metre wide footpath adjacent to No. 245 Hollins Lane, which would improve conditions for users of the Public Right Of Way.

Within the development site, a large courtyard area would provide turning facilities for all three properties (2 proposed dwellings and 1 existing dwelling). An area of hardstanding would be provided for bins to be stored on collection days for the proposed residents..

The Traffic Section has no objections, subject to the inclusion of conditions relating to access, construction traffic management plan, turning facilities, car parking and bin storage. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards is 3 spaces per dwelling, which would equate to 9 spaces.

The proposed development would provide 3 spaces for barn 1 and the existing dwelling.

Barn 2 would have 1 parking space and a garage providing 2 parking spaces. Whilst garages are not normally counted towards the parking standards, it is considered that there would be space within the large courtyard to park 2 vehicles and accommodate any visitors. As such, the level of parking provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Response to objectors

- The issues relating to loss of privacy, loss of light, loss of ecological habitat, access to the site, have been addressed in the report above.
- Loss of view and impact upon property prices are not material planning considerations and cannot be taken into consideration.
- The proposed development would create two residential dwellings, which would not generate any additional noise over and above the existing surrounding levels.
- The issues of the release of asbestos during construction is not a material planning consideration and would be a matter for the Health and Safety Executive.
- The proposed development would not have a direct relationship with Nos 12, 14 and 16 Prospect Place and would comply with the aspect standards.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 17/492.SLP, 17/492.SBP, 17/492.01, 17/492.05B, 17/492.06, 17/492/6C, 17/492/07A 1 OF 2, 17/492.08A 2 OF 2, Tree constraints plan 001, Tree protection plan 002 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. 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.

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 15 - Conserving and enhancing the natural environment.

6. 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.

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.

7. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; 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 Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

8. 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.

9. 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 submission and approval of a relevant planning application. Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
10. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwellings 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.
11. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:
- Alteration of the existing vehicular and pedestrian site access arrangements and widening of the existing unadopted access/Public Footpath No. 91, Bury, onto Hollins Lane to a scope and specification to be agreed, incorporating the provision of the new section of footway as shown, pedestrian connection to the site and associated works at the existing gate/steps to enable access to the proposed bin storage area, new kerb radii, dropped pedestrian crossing point, demarcation of the revised limits of the adopted highway, relocation/replacement of the affected public right of way pole and direction sign and all associated highway and highway drainage remedial works required as a result of the development;
 - Scheme of surface water drainage works/hardstanding materials to ensure that surface water will not be discharged from the site, increased hardstanding areas and widened access onto the adjacent adopted highway.

The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to the development hereby approved being first occupied.

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 the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

12. 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:
- Dilapidation survey, to a scope to be agreed, of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development, works to the site access and boundary and as a result of statutory undertakers connections to the site;
 - Access point and route for construction traffic from the adopted highway;
 - Hours of operation and number of vehicle movements;

- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoardings/gate positions clear of the existing shared access/Public Footpath No. 91, Bury, including the provision, where necessary, of temporary pedestrian facilities/protection measures;
- 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.

13. The turning facilities indicated on the approved plans shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

14. The bin storage arrangements and hardstanding area to be used for the storage of bins on collection day indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being first occupied and thereafter be maintained available for use at all times

Reason. To ensure adequate off-highway bin storage arrangements are provided within the curtilage of the site, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

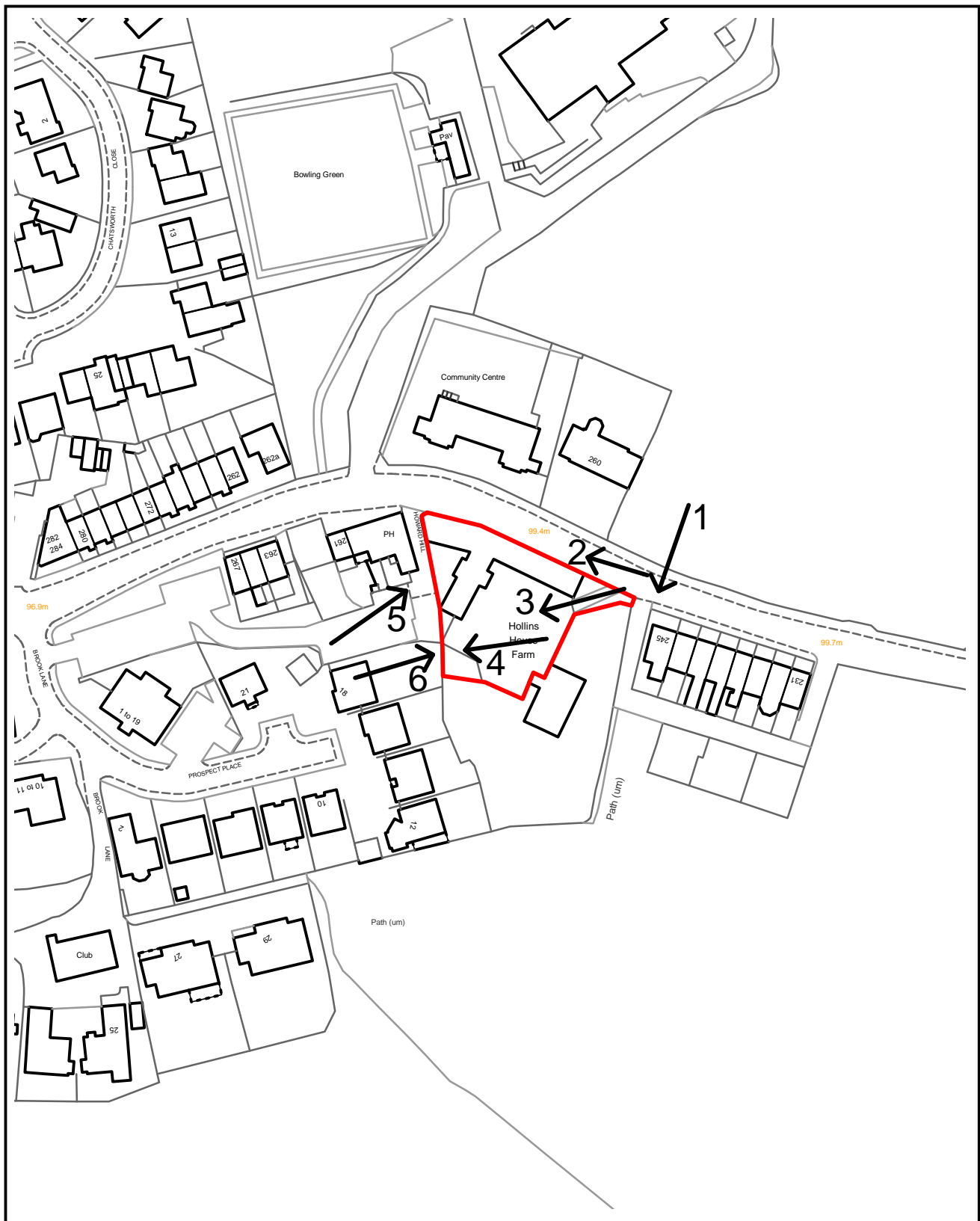
Policy EN1/2 - Townscape and Built Design

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 Leach** on **0161 253 5322**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 65632

**ADDRESS: Hollins House Farm, Hollins Lane
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Photo 1



Photo 2



Photo 3



Photo 4



65632

Photo 5



Photo 6



HOLLINS LANE

HOWARD HILL

Unadopted Road

245

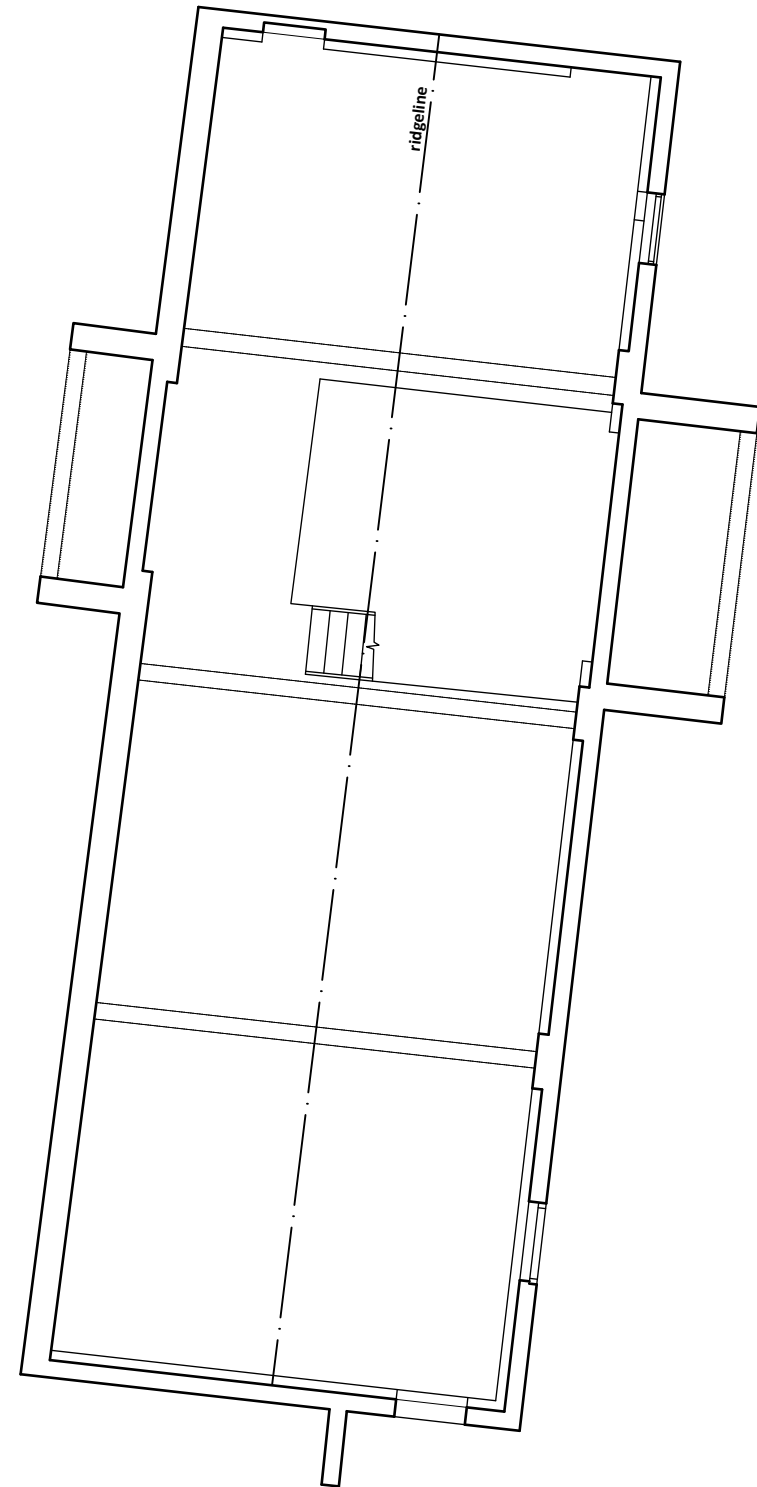
EXISTING SITE with
GROUND FLOOR

Project	2no. PROPOSED NEW DWELLINGS: HOLLINS HOUSE FARM
Drawing	EXISTING SITE PLAN
Client	Mr. W. NIELD
Dwn. By	CMc
Scale	1:100
Drg. No.	17/492.01
Drg. Size	A1
Date	MARCH 2018

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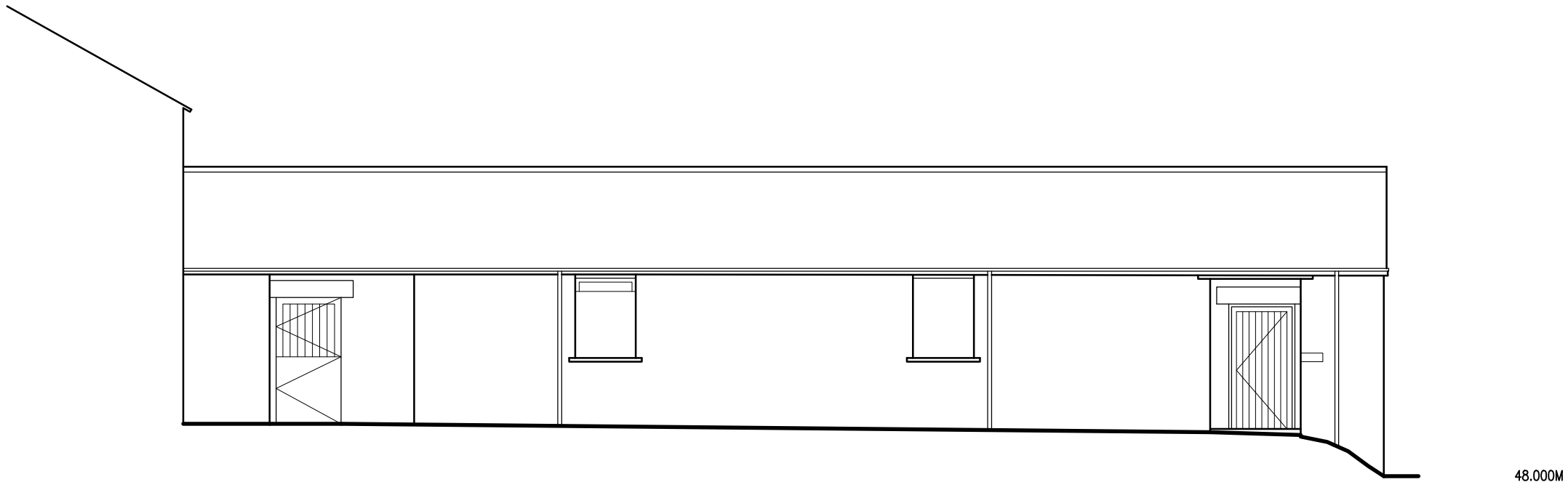
3 MANCHESTER ROAD BURY LANCASHIRE BL9 0DR
TELEPHONE 0161 764 8314 E-MAIL mail@holtarchitects.co.uk

DO NOT SCALE DRAWING

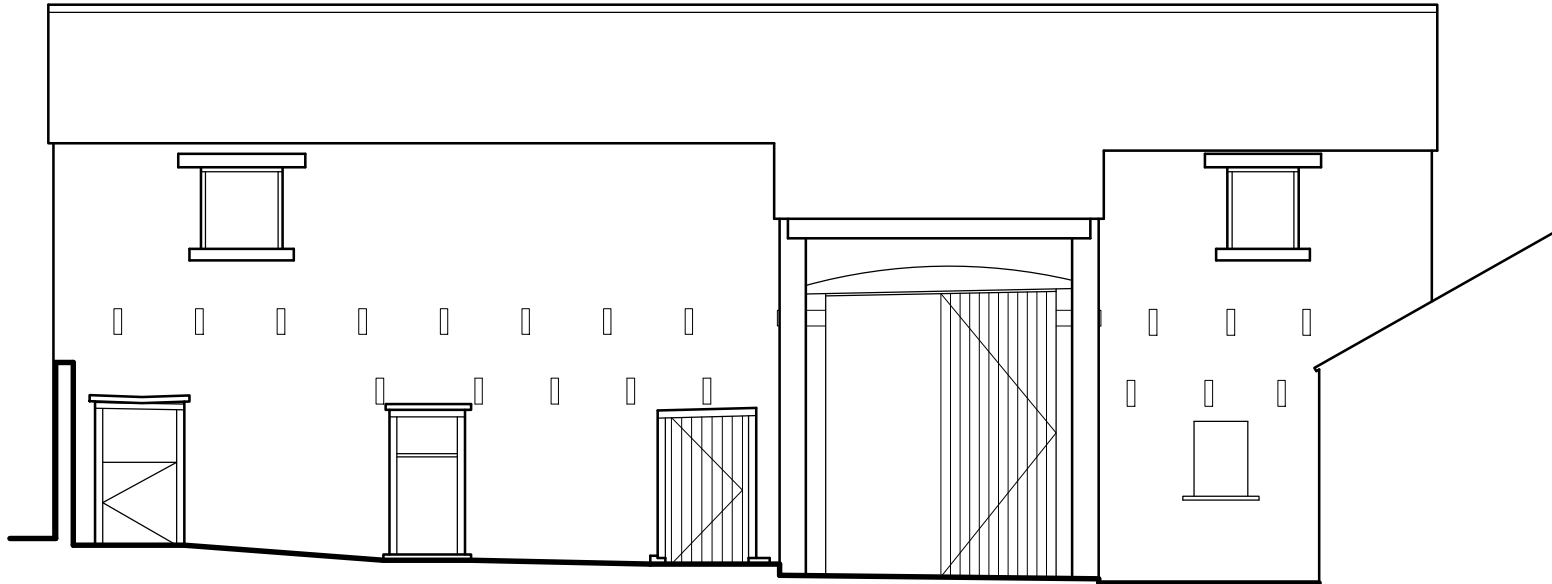


EXISTING FIRST FLOOR

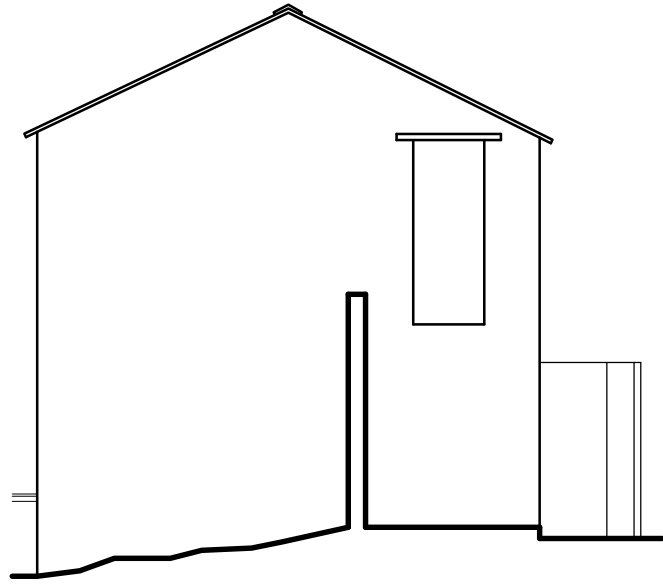




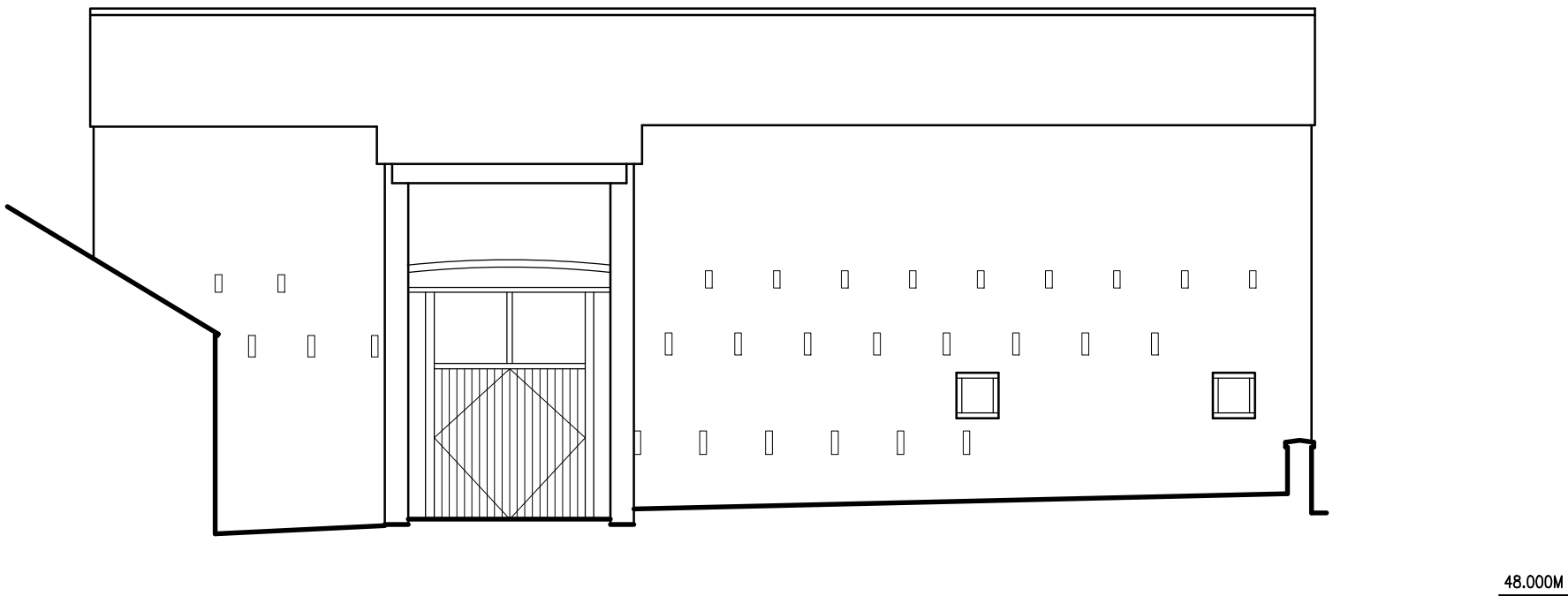
ELEVATION A



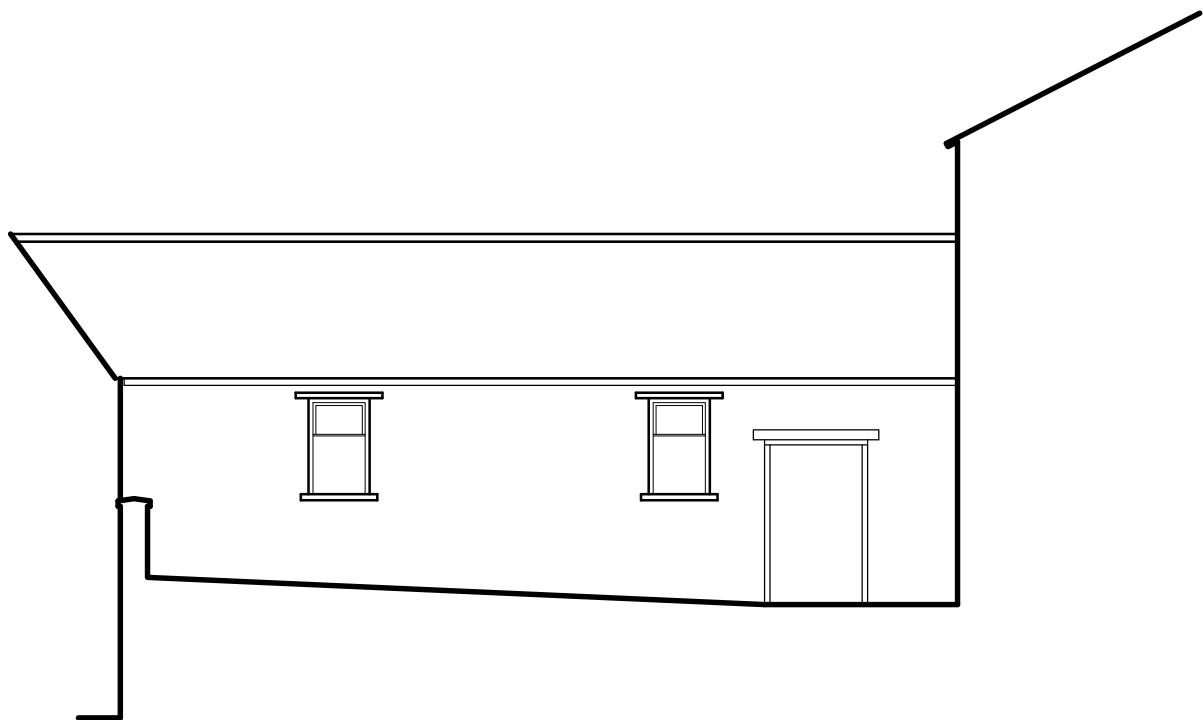
ELEVATION B



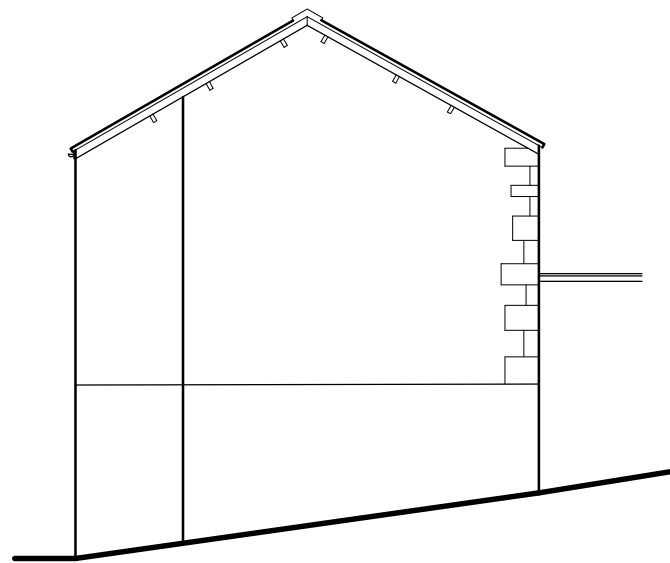
ELEVATION C



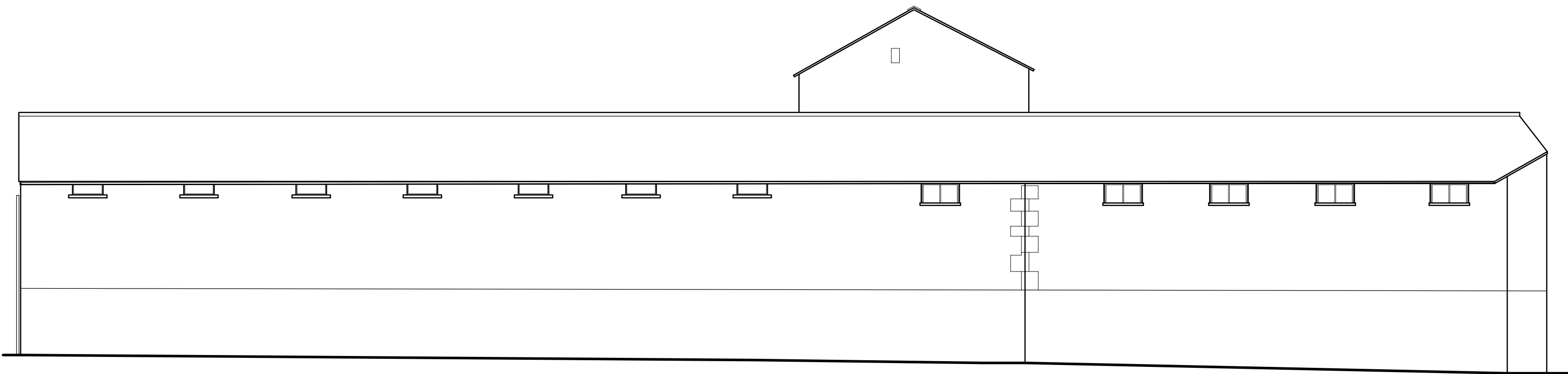
ELEVATION D



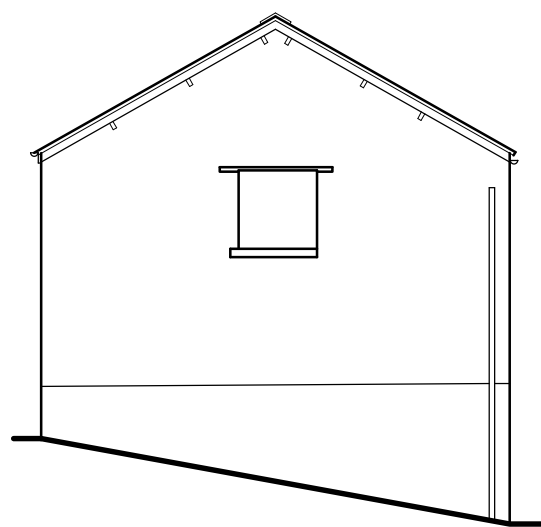
ELEVATION E



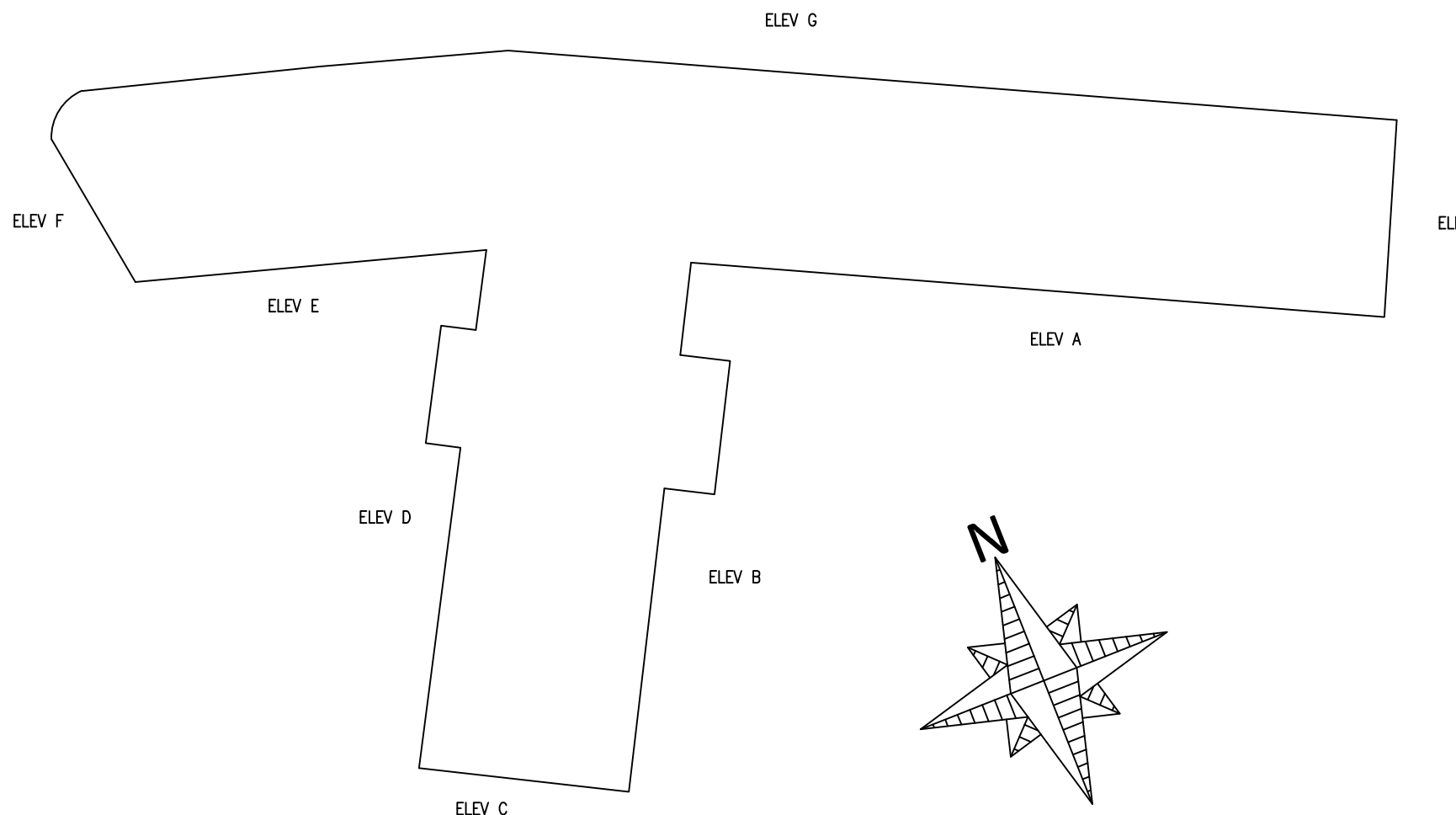
ELEVATION F



ELEVATION G



ELEVATION H



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• All works to be carried out in accordance with current statutory Health and Safety Regulations.		
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REV.	AMENDMENTS	D

Project	2no. PROPOSED NEW DWELLINGS:
Drawing	HOLLINS HOUSE FARM
	EXISTING ELEVATIONS
Client	Mr & Mrs W. NIELD
Dwn. By	RH
Scale	1:100
Drg. No.	17/492.06
Drg. Size	A1
Date	AUGUST 2019

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REV.	AMENDMENTS	DATE
A	Floor Plans Altered	06/20
B	Gable elevation altered and additional parking added	25/08/20

BOUNDARY FENCES



TIMBER PANEL AND POST FENCE

SOFT LANDSCAPING



COBBLES



STONE FLAGS



STONE FLAGS TO PAVEMENT



Project	2no. PROPOSED NEW DWELLINGS: HOLLINS HOUSE FARM
Drawing	PROPOSED SITE PLAN
Client	Mr. W. NIELD
Dwn. By	RH
Scale	1:100
Drg. No.	17/492.05B GROUND FLOOR/SITE PLAN
Drg. Size	A1
Date	05/2020

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HOLLINS LANE

60M VISIBILITY SPLAY

PAVEMENT

NEW RETAINING WALL

TREE REMOVED

UNADOPTED ACCESS LANE

ORIGINAL GATE POST
REPOSITIONED

EXISTING
HOUSE

1.8m CLOUED BOARD FENCE

CANOPY

49.30

49.15

HOWARD HILL

KITCHEN

DINING

LOUNGE

CORRIDOR

BEDROOM 4

BEDROOM 3

BATHROOM

BEDROOM 2

MASTER BEDROOM 1

DRESSING

EN-SUITE

UTILITY

W.C.

ENTRANCE HALL

EN SUITE

EN SUITE

BEDROOM 3

BEDROOM 4

UTILITY

ENTRANCE HALL

CLOAKS

W.C.

EN SUITE

BEDROOM 2

GARAGE

TERRACE

49.10

49.40

49.64

48.78

47.80

48.93

47.25

47.24

24

1:100



PROPOSED SITE with GROUND FLOOR LAYOUT

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REV.	AMENDMENTS	DATE
A	Floor Plans Altered	05/20
B	Gable elevation altered, additional parking added	25/08/20
C	Study window altered	27/08/20

BOUNDARY FENCES



TIMBER PANEL AND POST FENCE

SOFT LANDSCAPING



COBBLES



STONE FLAGS



STONE FLAGS TO PAVEMENT



Project	2no. PROPOSED NEW DWELLINGS: HOLLINS HOUSE FARM
Drawing	PROPOSED FIRST FLOOR/SITE PLAN
Client	Mr. W. NIELD
Dwn. By	RH
Scale	1:100
Drg. No.	17/492.6C
Drg. Size	A1
Date	05/2020

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HOLLINS LANE

PAVEMENT

NEW RETAINING WALL

TREE REMOVED

ORIGINAL GATE POST
REPOSITIONED

UNADOPTED ACCESS LANE

EXISTING
HOUSE

HOWARD HILL

1.8m CLOSED BOARD FENCE

LP

STUDY

CANOPY

VOID

EN SUITE

DRESSING

BEDROOM

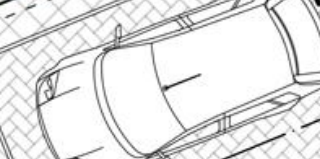
STUDY SPACE

VOID TO HALLWAY

KITCHEN

DINING

W/C



49.40

49.64

49.10

48.78

47.80

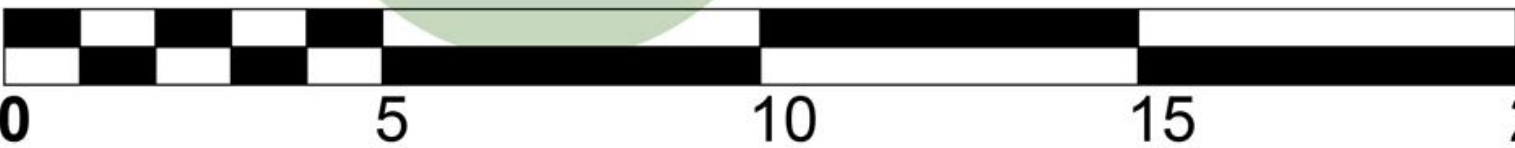
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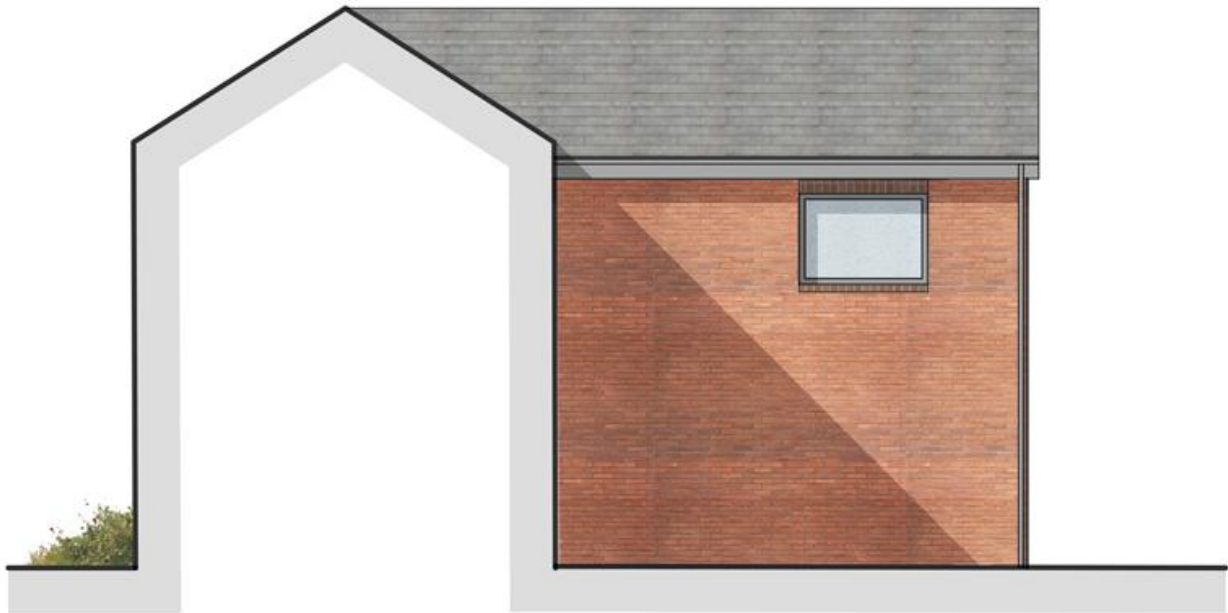




ELEVATION A



ELEVATION B



ELEVATION C

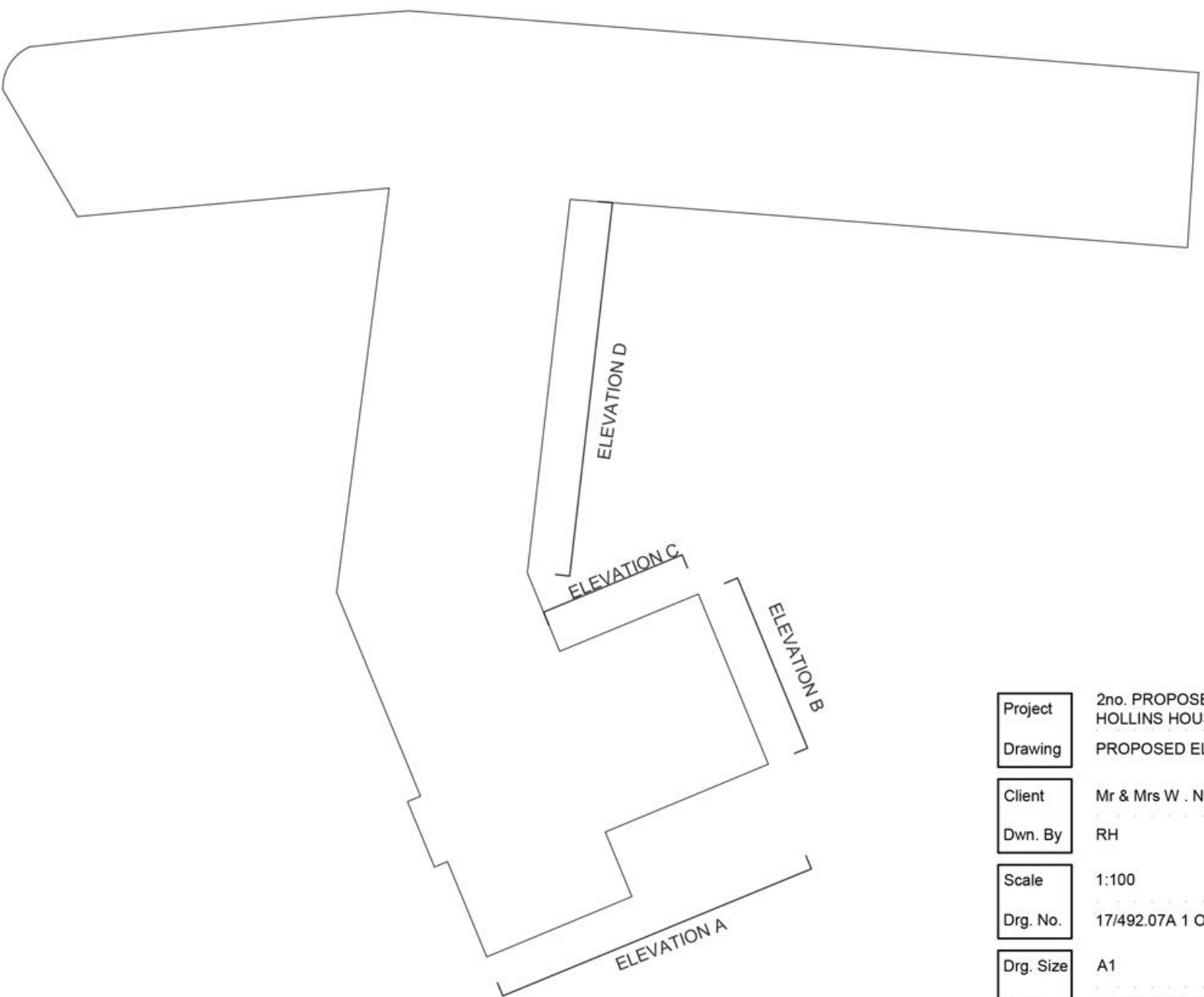


ELEVATION D

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REV.	AMENDMENTS	DATE
A	Elevation A altered	25/08/20



Project	2no. PROPOSED NEW DWELLINGS: HOLLINS HOUSE FARM PROPOSED ELEVATIONS
Client	Mr & Mrs W. NIELD
Dwn. By	RH
Scale	1:100
Drg. No.	17/492.07A 1 OF 2
Drg. Size	A1
Date	AUGUST 2019

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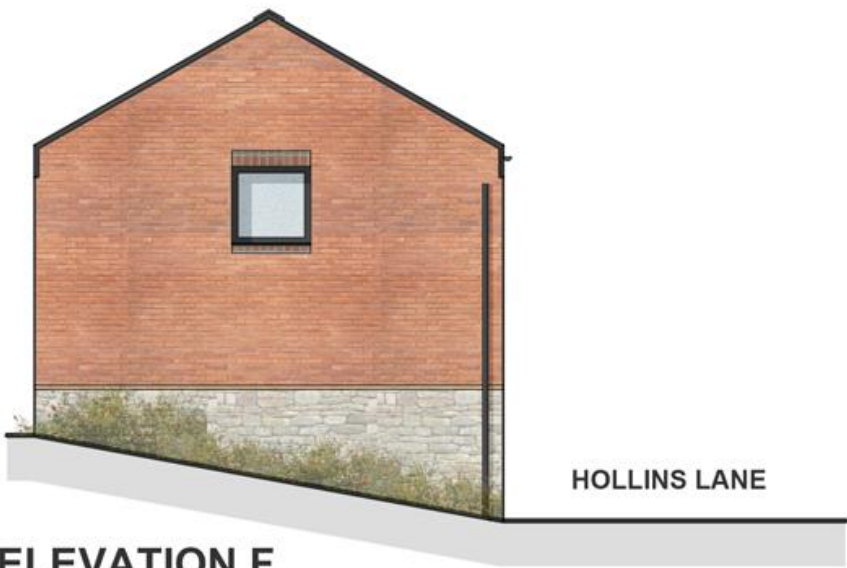
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- | | | |
|------|----------------------------|----------|
| REV. | AMENDMENTS | DATE |
| A | Elevation H window altered | 28/08/20 |



ELEVATION E



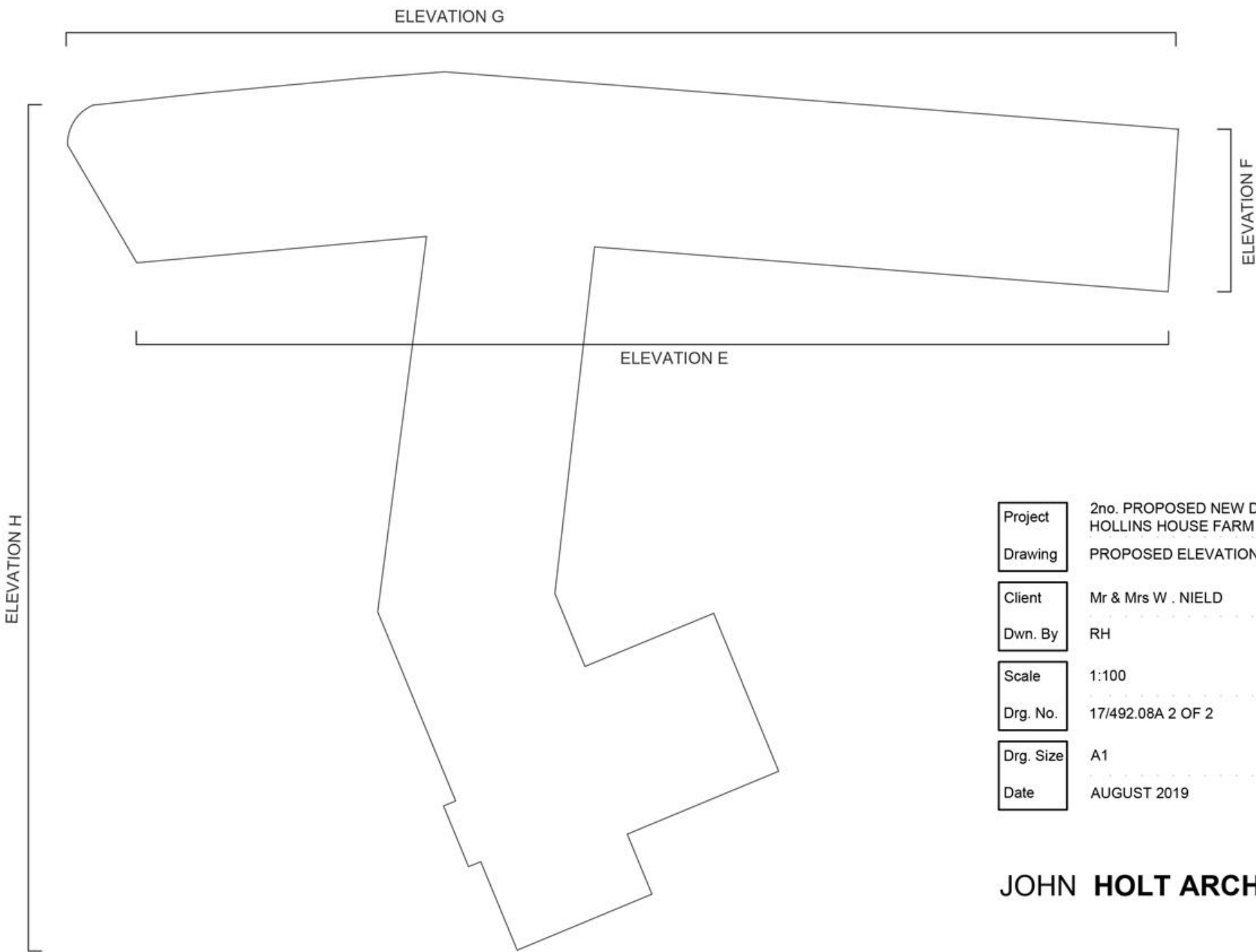
ELEVATION F



ELEVATION G



ELEVATION H



Project	2no. PROPOSED NEW DWELLINGS: HOLLINS HOUSE FARM
Drawing	PROPOSED ELEVATIONS
Client	Mr & Mrs W. NIELD
Dwn. By	RH
Scale	1:100
Drg. No.	17/492.08A 2 OF 2
Drg. Size	A1
Date	AUGUST 2019

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Ward: Bury West - Church

Item 05

Applicant: Cornell Group

Location: Land adjacent to 121 Lowercroft Road, Bury, BL8 3PA

Proposal: Erection of 6 no. small business units (Class B1)

Application Ref: 65668/Full

Target Date: 25/08/2020

Recommendation: Approve with Conditions

Description

The site relates to a vacant plot of land 0.22 hectares in size which is located in an area of mixed residential and commercial development.

To the west and north west, the site is bounded by a dense tree lined banking beyond which are houses on Bowland Close which are elevated above the site. To the north, adjacent to the site is No 121 Lowercroft Road and opposite to the east are houses on Wigglesworth Close. The land drops away to the south and the industrial/commercial units which are on Lowercroft Mill and Business Park are set at a lower level and accessed from the 'dip' of Lowercroft Road which forms the main route through the area.

Lowercroft Road itself rises quite steeply from south to north and the site sits in an elevated position comparative to Lowercroft Road by approximately 2-3m.

Land to the south west of the site is allocated as Green Belt, West Pennine Moors, Wildlife Links and Corridors and a Special Landscape Area and there is also a blanket TPO to the south western boundary. However the site does not encroach these designated areas of land and any built development on the site would not affect the protected trees.

The site itself is vacant and has previously been cleared of trees, (all of which were self-seeded) and the works were carried out in consultation with the Council's Tree Officer. Low level scrub and grass have now started to grow back. The site is not allocated in the Bury UDP as a specific land use but formerly accommodated a mill building and has a historical industrial/commercial use. There has been approval on the site for four residential dwellings which was granted in 1994 but this was not implemented. There have been no subsequent planning applications for the site.

This application seeks permission for a business/commercial development for B1 Uses for six units with associated parking, bin storage and landscaping.

The site itself is level although it sits in an elevated position above Lowercroft Road, between 2 and 3m higher due to the gradient of the road. The six units would be laid out in a linear formation running west to east located towards the southern boundary of the site. The northern part of the site would comprise the servicing and turning areas for vehicles with a total of 14 parking spaces (including 1 disabled space) - 10 located directly in front of the units and 4 nose-in to the north boundary, alongside which would be the bin store. A pedestrian pathway would be provided around the perimeter of the units with hedge planting along the east and southern path.

Access into the site would be formed from the existing entrance which is located off Lowercroft Road at the north eastern corner of the site, and would require improvement and widening works.

Trees would be retained along the northern boundary of the site, together with those outside the site along the western boundary. Additional tree and shrub planting is proposed along the eastern part of the site adjacent to Lowercroft Road with shrubbery and turf forming the remaining perimeter of the site.

Each unit would be single storey and have a floor area of 79 sqm covering a total of 474 sqm of built development. The units would have a monopitch roof with a ridge height of 6.9m sloping to 3.8m.

The units themselves would be built to a high design specification, modern and contemporary in appearance. The north elevation would comprise facing brickwork with large aluminium framed glazed opening and door entrance to each unit. The remaining elevations would be clad in aluminium profile sheet walling with grey profile roof cladding.

The units would be targeted towards start-up businesses for ventures in the locality.

The applicant has carried out community consultation prior to the submission of the application and has had extensive pre-application discussions with the Local Planning Authority.

The applicant has submitted a comprehensive set of documents which includes a full Transport Assessment and traffic analysis, Noise Report and Ecology Appraisal.

Relevant Planning History

No recent history

Publicity

Letters sent on 9/7/20 to properties at Lowercroft Mill, Lowercroft Industrial Estate, Wrigglesworth Close, Lowercroft Road, Bowland Close.

17 representations received.

10 objections received from Nos 2 Bowland Close, 2,3,4,5, 6, 7, 9,11 Wrigglesworth Close, 32 Sherwood Avenue.

The following issues were raised -

- Traffic congestion on Lowercroft Road & general noise pollution.
- Danger to road users - Insufficient parking for the occupiers of the six units and visitors to them, causing vehicles to be parked on Lowercroft Road which has a steep incline. It is not wide enough to accommodate parked vehicles.
- A similar concern was raised when the planning application was submitted for 121, Lowercroft Road. Reassurances were given that there would be sufficient parking spaces. This has proved not to be the case. Police have had cause to issue fixed penalty notices to vehicles of visitors to the home.
- This road wasn't meant for so much traffic. An increase in goods vehicles is not safe next to a children's home.
- Some small business units are already vacant at Lowercroft Business Park, which is yards away. There is a need for affordable housing, as per the GMSF. This plot is a brownfield site, which should be used for the construction of dwellings, rather than more unnecessary industrial units, especially as the area is predominantly residential. It's not appropriate to add further industrial units into this residential area, especially as there is a proposal to build houses on the Greenbelt land nearby.
- There has previously been a business use on the property (since demolished) and therefore somewhat difficult to object to a new similar single story structure.
- The land is directly opposite Wrigglesworth Close - a small residential development of 10 houses - the development will effectively create a new cross road junctions.
- Within 20m is another crossroads with Dow Lane - access to a large residential estate. Lowercroft Road is also a bus route.
- There are industrial estates near by which attract traffic, and from visitors and employees.

- Lowercroft Road is by topography a dangerous road and well known accident black spot. The development only proposes 10 spaces.
- the current bus stop is sited adjacent to the land and will require re-siting.
- What does the future hold for parking for local residents/?
- The site is predominantly residential in character.
- Fearful the B1 use class may be amended at a later date. assurances of the operational hours are only valid until the point of approval.
- The site is raised substantially and would invade the privacy of the residents of Wrigglesworth Close, particularly into the rear garden of No 2 and bedrooms of Nos 1 and 3.
- Lack of parking for the site will result in overspill parking on Wrigglesworth Close.
- Hairpin turn into the site will cause hazards on the highway.
- Exiting the site will cause hazards to pedestrian safety due to poor visibility.
- the slope from the site would cause surface water to exasperate the already unacceptable and frequent flood water running down the roadside at that point.
- Pedestrians at the bus stop would seriously impair the view of oncoming traffic when vehicles emerge from the site. Unlikely there would be a sustainable alternative location for the new bus stop which will require re-siting.
- As a worst case scenario, potential vehicles from certain tenants may generate up to 600+ vehicle movements.
- B1 may restrict the use but not the size and number of delivery vehicles and vehicles disregard yellow lines put in place.
- It is feared the site would become an area for congregations out of hours.
- Operational times should be restricted no more than 0800 to 1800 weekdays.
- Already heavy traffic in the area.
- Traffic calming measures have long been in place on Lowercroft Road
- Inadequate existing pedestrian footways.
- Lowercroft Road is a popular cycle route and any increase in obstructions would cause problems for cyclists.
- Detrimental effect on house prices.
- Lack of parking will make access to my own driveway will be more difficult than presently.
- The site provides a valuable soak away for area and flooding will be worse once the site is built on - more so in Winter.
- Only 4 designated visitor parking within Wrigglesworth Close and with only 2 spaces per unit, overspill parking to Wrigglesworth close will be a nightmare and will cause access problems for larger vehicles - ambulance and refuse collection.
- The traffic survey is out of date and traffic has increased massively on this route in the last couple of years.
- Lowercroft has been an expanding residential area for many years and now is not a time to introduce unnecessary commercial buildings when so many units adjacent have become unoccupied

Objection received from Councillor Walker:

- The surrounding area has become dominated by modern housing and is residential in character.
- Over the years as a Councillor I have argued for this site to be devoted to housing - supported a previous application to build houses on the west of Lowercroft Road which would have saved a lot of environmental intrusion in recent years - there needs to be more housing on brownfield sites and the separation of housing and commercial use.
- Specifically object to any proposal to increase the traffic problem in accessing and leaving the site on a steep hill which is used as a popular speedy cut through from Radcliffe to Tottington.
- The proposed egress from 6 business units where vehicles would have to make a sharp turn into fast moving traffic coming down the steep hill and accelerating up towards Walshaw
- A small number of houses on this plot would not generate nearly as much vehicle

movement.

- Have been involved in efforts for traffic calming measures and can vouch for the dangers inherent in this key route.
- Daily traffic surveys with the application show 300 to 400 vehicles in an hour in each direction
- Finally, ask whether we need employment units in a residential area rather than in employment sites, when we are looking for sites for houses which do not affect the nearby Green Belt?

Petition of objection with 6 signatures

1 Comment (no address) -

- Concern is the tall trees on the sloping bank that borders your right of way running west to east from Bowland Close to Lowercroft Road.
- It would seem better if the sloping bank was re-landscaped and planted with new smaller trees [3/4 m high], shrubs and greenery that would be more aesthetic against the site fence which I understand is 1.8m high.
- A final point is will the site entrance from Lowercroft Road be locked when the site is not in use to cut down on illegal parking.

2 letters of Support

5 Bowland Close - Comments were made prior to formal application submission.

- Have viewed the draft proposals and illustrations and have no objections to the proposals if carried out as planned.
- These show sensitivity to the environment and hopefully this will continue for time to come.

Support on behalf of 121 Lowercroft Road -

- The application is accompanied by a Transport Statement which confirms the proposed access is safe and the level of parking complies with Local Plan policies. The proposal will bring about the reuse of the site, whilst providing new job opportunities in Bury. This investment in vacant, unused land should be supported. The redevelopment of this land will have a positive impact on the area, increased daytime activity should be viewed as a positive, the occupation of the site would remove any potential for misuse or further deterioration of the vacant land. As the closest neighbour to the site, we support this application.

Applicant has provided a comprehensive response to the objections which have been raised to address the concerns relating to traffic generation, access, parking, drainage and amenity issues. The response includes the following information:

- The Highway data concludes the area does not have an accident or safety problem which would be compromised by the proposed development;
- The units would be for a B1 use only and further consents would be needed for a change of use;
- The parking is based on planning policy and is in compliant with the maximum standards;
- The site entrance has been designed and has been tracked to provide and facilitate safe access for vehicles to and from the public highway;
- Trips to the site would be significantly below the accepted standard for this type of development;
- The LPA's Highway Section have raised no objection and are satisfied with the proposed access arrangements and scale and nature of the development in this location.
- The front elevations of the units have been re-designed with glazed openings - there are no large openings for vehicular access to the units.
- In conclusion, the proposed development would be of a small scale commercial development which would accord with planning policies.

Those who had made representations were notified of this response by letter dated 13/8/20.

2 further letters of objection received from -

No 4 Wigglesworth Close:

- Professionals support the proposals with what appears to be textbook drawings and little appreciation of existing ground levels, slopes and minimal pedestrian walkways adjacent to the site.
- My observations are based on 30+ years of experience and knowledge of the locality.
- Parking policy may dictate the number of spaces per unit - in reality this is not a location where there is availability for overspill
- The occupants of No 121 use existing entrance as their own parking - once the development takes place where will they park?
- The applicant admits larger rigid vehicles may have problems especially on a convergence of 3 pedestrian walkways, 2 site entrances and a fast running highway.
- Blase dismissal of pedestrians at the bus stop - this is well used by commuters and school children
- Failure to recognise the existing diagonal line from the corner of Wigglesworth Close to the west side pavement of above 121 Lowercroft Road being taken by pedestrians - what will further development bring?
- The number of attendees at the care home conflicts with those quoted - simply by number of vehicles parked there for the duration of the day.
- Much of the applicant's response states some issues relating to drainage, highways, road traffic, environmental impact are 'someone else's problem' such as the LA, police, UU.
- In a nutshell, this is an attempt to cram too much into too little space and the adverse effects will be left for the authorities and local residents to deal with.
- Once again Lowercroft Road suffered severe flooding (25 August) in the vicinity of Wigglesworth Close. What action have your department taken with regards to the proposed planning application for six commercial units on currently open land opposite Wigglesworth Close in the knowledge that surfacing and building on what is currently a soak away will exasperate the problem suffered for many year.

21 Croft Drive:

- It would be far better to use this land for housing. It is in a nice area and with the current need for housing as opposed to business units we have to utilise all the suitable brownfield sites available to prevent the irreversible destruction of our green belt.

Those who have made representations have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - No objections subject to conditions

Traffic Section - No objection subject to conditions

Greater Manchester Ecology Unit - No objection subject to conditions.

United Utilities (Water and waste) - No objection subject to condition for submission of a drainage scheme

Transport for Greater Manchester - No objection

Waste Management - No response received.

Borough Engineer - Drainage Section - No response received.

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

Unitary Development Plan and Policies

NPPF National Planning Policy Framework

EC4/1 Small Businesses

EC5/1 Office Development in Bury Town Centre

EC6 New Business, Industrial and Commercial Development

EC6/1 New Business, Industrial and Commercial

EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN6/4	Wildlife Links and Corridors
EN7/2	Noise Pollution
EN8/1	Tree Preservation Orders
EN9/1	Special Landscape Areas
H3	Incompatible Uses in Residential Areas
H3/1	Assessing Non-Conforming Uses
H3/2	Existing Incompatible Uses
OL1/1	Designation of Green Belt
OL7/2	West Pennine Moors
HT2/4	Car Parking and New Development
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
SPD11	Parking Standards in Bury

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

The NPPF in Chapter 7 - Ensuring the vitality of town centres at Paragraph 86 states that LPA's should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available should out of centres be considered. At Para 87, in considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

H3/1 - Assessing Non-Conforming Uses - Proposals for the development of non-conforming uses in primarily residential areas will not be permitted where considered to be incompatible. Factors taken into account when assessing such proposals include noise, vibration, smell, fumes, smoke, dust, visual intrusion, traffic generation and parking arrangements and hours of operation.

Where residential amenity can be protected, conditions can minimise the impact on neighbouring properties. Proposals for extensions to existing industrial and commercial uses within residential areas will be dealt with on this basis.

H3/2 - Existing Incompatible Uses - Where these operate, the Council will seek to ensure that any existing conflicts are resolved where possible and where opportunities arise, and where appropriate, implement measures to -

- control future land uses so as to minimise or remove conflicts;
- control the intensification or expansion of non-conforming uses where possible;
- control the operation of adjacent uses where possible in order to minimise areas of conflict and potential nuisance;
- introduce some environmental improvements of traffic management schemes where appropriate.

EC4/1 - Small Businesses - Proposals will be acceptable where the scale of the development is appropriate to and the use 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.

EC5 - Offices - supports development in appropriate locations, with the main location in

Town Centres.

EC5/3 - Other Office Locations - Outside town and district centres, and sites identified for office use, development for further office uses will not be permitted except for:

- small scale developments, providing a direct service to a local area;
- refurbishment or conversion proposals which would result in the retention of buildings of architectural or historic interest;
- proposals for office type working where existing residential amenity would not be adversely affected.

EC6/1 - Assessing New Business, Industrial and Commercial Development - Development will be expected to be of a high standard of design and appearance and to take account of the surrounding environment, amenity and safety of employees, visitors and adjacent occupiers.

Factors to be considered when assessing proposals will include:

- scale, size, density, layout, height and materials;
- access and car parking provision;
- landscaping and boundary treatment;
- the effect on neighbouring properties;
- the safety of employees, visitors and adjacent occupiers.

Planning Principle - land use - The proposal is for the erection of 6 small business units comprising a mixture of B1a (offices) and B1c (light industrial) uses.

The application site is currently vacant having previously been occupied by a mill, and is unallocated in the Bury Unitary Development Plan (UDP). The site is located within a mixed use area with employment premises located to the south of the site and residential to the north.

Policy EC4/1- Small Businesses - states that 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.

Policy EC5/3 - Other Office Locations - states that outside town and district centres, and sites identified for office use, development for further office uses will not be permitted except in certain circumstances, including small scale developments providing a direct service to a local area.

The Council has undertaken a comprehensive assessment of all employment sites within the Borough to determine their suitability for continued employment use from a land use perspective. Whilst the assessment did not consider the application site (given that the site is not currently in employment use), it did conclude that the employment sites to the south of the application site were suitable in land use terms for continued employment use. The site is unallocated and closely connected to the adjacent business estate. As such, the proposed development of the application site for employment uses is considered to be acceptable in land use terms.

Paragraph 86 of the NPPF states that a sequential test should be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up to date plan. Annex 2 of the NPPF defines offices as a main town centre use.

The applicant has put forward a planning case for the suitability of the site for office use and has undertaken a sequential assessment to consider whether there are any suitable and available sites within or adjacent to an appropriate existing centre that is capable of accommodating the proposed use.

A number of sites have been considered. Individual units identified within nearby town, local and neighbourhood centres were assessed and brownfield sites which occupy edge of

centre locations and a greenfield site which is located in-centre have also been assessed and discounted on grounds of suitability. The sequential assessment concluded that there are no suitable town centre sites and this is considered to be a satisfactory conclusion.

Taking into account the scale of the proposed development, which it is understood is targeted towards small start-up businesses, and the mixed use nature of the area in which the site is located it is considered that the principle of the proposal does not conflict with UDP Policies EC4/1 and EC5/3 or the NPPF's approach to main town centre uses, subject to highway and amenity considerations.

In policy terms it is therefore considered that the proposed development on this site and in this location would be acceptable in principle and would comply with the principles of the NPPF.

Layout and scale - The site would provide for 6 commercial units and a parking and servicing area.

The 6 units would be located along the southern boundary of the site in a linear formation. Utilising this area of the site for the built development would relate more closely to the industrial estate to the south of the site boundary rather than being positioned to the north of the site nearer to the residential development.

A total of 14 parking spaces would be provided, including a disabled space, with 10 directly in front of the units separated by a kerbed edge and 4 spaces nose-in to the northern boundary. The bin store would be located next to the 4 parking spaces and readily accessible for waste management to access. The remaining site area would comprise the servicing yard where there would be adequate manoeuvring areas for delivery, refuse vehicles and occupiers of the site to turn and exit the site in a forward gear.

The existing access at the north eastern part of the site would be modified and widened to orientate the entrance parallel to the road. This would improve the visibility and safety of the access comparative to the current arrangement which is set at an angle and closer to the driveway of No 121 Lowercroft Road and the pedestrian footpath.

The site would be bounded by a 1.8m high close boarded timber fence to the north and western boundaries with the existing fencing retained at the rear/south of the site. Along the boundary with Lowercroft Road, it is proposed to retain the existing dry stone wall and plant additional trees and shrubbery on the banking/verge which would soften the development and provide some screening of the site from views.

For a small scale commercial development for this particular site and location, and taking into account the location of the existing industrial estate and residential properties, it is considered that the proposed layout and site arrangements and scale of the development would be appropriate and would be in compliance with UDP Policies EC4/1, EC6/1, EN1/2, HT2/4 and HT6/2.

Design and appearance - The application proposes a development of a high quality specification with a modest yet contemporary and modern design approach to the external appearance of the building.

The palette of materials described would be simplistic yet effective to create clean finishes and lines to the fenestrations of the units. The front of the units would be brick faced with large slimline aluminium framed windows and entrance door symmetrically positioned within each unit. The remaining elevations would be formed from a vertical sheet cladding with a profiled roof cladding in a dark grey. Security shutters would protect the window and entrance and when retracted would be hidden within a hidden box.

Kerb edging would be formed in front and around the units and the perimeter of the parking and servicing areas to provide a defined separation of the different spaces.

The parking bays in front of the units would be defined by a contrasting blockwork to the tarmac serving area and a hedge planted around the perimeter of the units together with the landscaping along the Lowercroft Road boundary would soften the development.

The appearance of the units are considered to be modest, not exceptional but acceptable. It is therefore considered that the proposed design and appearance for a small scale industrial development of this character and locality would be acceptable and would therefore comply with UDP Policies EC4/1, EC6/1 and EC1/2.

Impact on the surrounding area - Due to the topography of the surrounding land and the gradient of Lowercroft Road, the site is elevated above the main road, approximately 3.5m higher at the southern end and levels out to meet the entrance to Lowercroft Road. The site itself forms a level platform and it is proposed to position the units in a linear formation along the southern boundary of the site.

The units would be 6.9m high dropping to 3.8m high as the roof slopes from south to north.

The houses closest to the site are to the north on Lowercroft Road, Bowland Close to the north west and west and Wigglesworth Close directly opposite to the east. The impact of the siting of the units and relationship of the units and development to the adjacent houses is assessed below.

Visual impact

The houses on the direct boundary of the site, Nos 121 Lowercroft Road, Nos 1 and 3 Bowland Close and opposite the site, Nos 1 and 2 Wigglesworth Close are the closest properties to the site.

No 121 Lowercroft Road - This property is directly adjacent to the site entrance and is positioned with the side elevation facing the development site. It would be 26.3m away from the units. Four parking spaces and the bin store would be located along the shared boundary.

No 121 is elevated approximately 1m higher than the site and there are no habitable room windows on the side elevation which would be overlooked from the development. In addition, it is proposed to erect a 1.8m high timber boarded fence along the northern boundary of the site which would screen part of the servicing and parking area. It is also proposed to retain the trees between the site and the boundary which would provide further screening and privacy to No 121.

The driveway access to No 121 is located next to the proposed entrance to the site. The site entrance would require improvement and widening works and there would be some separation between the two. Vehicle tracks would not overlap and a clear visibility would be provided on exit from both locations.

It is therefore considered there would not be a significant impact on No 121 Lowercroft road.

Nos 1 and 3 Bowland Close - The properties on Bowland Close are just over 5m higher than the site itself and the units would be in excess of 20m away from No 3 and 30m from No 1. Any views which could be had of the site would oversail the proposed building and car park area and with the existing tree planting and additional landscaping proposed, it is considered that they would be of a sufficient distance and elevated relationship not to be significantly affected by the proposed development.

Nos 1 and 2 Wigglesworth Close - No 1 has a diagonal relationship to the site, and proposed site entrance. The property itself is more than 25m from the entrance and over 50m from where the units would be located and as such visual impact and intrusion is considered not to be significant.

No 2 is directly opposite the site to the east, located across Lowercroft Road. This property

would be set just under 2m lower than the site and the proposed units and there would be a distance of approximately 26m between No 2 and the units. No 2 has a blank gable wall and there are no windows on the side elevation of the proposed units. Landscaping is also proposed along the eastern boundary of the site which when matured, would provide a screen and soften the development from view.

Given the separation distances, the intervening road and that there are no habitable room windows which would be overlooked, the relationship to No 2 is considered to be acceptable.

Noise - The nature of the development for B1a and B1c uses is for 'any industrial processes (which can be carried out in any residential area without causing detriment to the amenity of the area) (Use Classes Order 24 March 2020). The B1a and B1c units would be small in scale and therefore processes which could be carried out and the number of employees would be limited and restricted by the size of the units themselves.

To support the application and ensure that no significant impact would be experienced as a result of noise associated with the development, an Acoustic Assessment has been carried out.

The Acoustic Assessment concludes that physical construction of the unit in itself would mitigate for noise output. With the addition of insulation to each unit, the report concludes that the recommended sound levels would be comfortably achieved and would be compliant with British Standard 4142:2014 which is the criteria to apply and consider in relation to noise.

The assessment was also carried out when roller shutter doors were proposed on the front elevation. These have now been removed and the frontages would be fully enclosed with glazed windows and access door only, which would contain noise within the building.

For the external car parking areas, noise could be generated by cars/vehicles arriving and leaving, car doors slamming plus any deliveries which may be associated with the proposed uses.

The nearest houses to the parking area would be those to the north, No 121 Lowercroft Road and No 1 Bowland Close. The Report recommends that a 1.8m high acoustic fence along the northern boundary of the site would provide sufficient attenuation to ensure that disturbance by vehicles using the site would not adversely affect the residents who live close by.

The proposed site plans show that such a fence would be located to the northern and western boundary, and with a condition to ensure this is in place prior to occupation, the proposed development is considered to be acceptable.

The Pollution Control Section have been consulted on the application and note that the sound assessment included a penalty of 9dB be applied rather than the standard 5dB and with the mitigation measures recommended have no further comments to make.

It is therefore considered with the mitigation measures in place which would be controlled by condition, the proposed development would be acceptable and comply with UDP Policy EN7/2.

Hours - The application does not state the hours of operation which are being applied for. Whilst the uses would be for those which are accepted in residential areas, it is considered to be reasonable to control the operations on the site to times where it would be expected that occupiers of nearby residencies would be performing daily duties and normal day to day tasks as allowing operations to continue unfettered could lead to noise and disturbance at more unsocial hours of the day. In this case, it is reasonable that the site be operational Monday to Friday 8am to 6pm and Saturdays 9am to 6pm (no Sunday or Bank Holiday working).

Highways issues

A Transport Assessment has been submitted in support of the application and includes speed surveys, traffic surveys and trip assessments.

Traffic generation - The office element of the development, being for private uses, would generate relatively little in the way of trips back and forth from the site, usually being the full-time base for those occupying the units. The B1c 'light industrial' uses (those which can be carried out in any residential area without causing detriment to the amenity of the area), would tend not to generate the need for deliveries of bulky goods by a larger vehicle type.

The size and scale of the units would also restrict the type of processes or uses which could actually be accommodated in what are relatively small scale units.

Unlike other commercial or industrial type units, the proposed units themselves are only accessible by foot, as there are no large openings for vehicles to enter or back up to for unloading purposes. Deliveries would likely tend to be those which could be handled by person, and therefore not of a significant size, bulk or weight or require larger vehicle types. The Traffic Surveys which have been carried out have confirmed that the local network has no capacity issues and the trips to the site and the adjacent junctions would have flows which would not have a significant impact on the locality.

TfGM and the Highway Authority have raised no objections to the type of scale of development proposed with regards to traffic generation to the area.

Access - It is proposed to utilise part of the existing opening which is located at the north east corner of the site. Improvements and widening works to the access would be required to enable 2 vehicles to pass each other entering and exit the site safely. Detailed plans have been submitted to show the improvement works, together with a tracking plan which shows that vehicles, including delivery type vehicles, could access and leave the site without causing obstructions on the highway or impacting on the free flow of traffic along this stretch of Lowercroft Road.

As above, the type of units for a B1 use would not generate larger vehicle types and in any event, the scale and size of the access and the manoeuvring areas within the site would self-regulate the vehicles which could access the development.

Local residents are concerned that the position of the access would conflict with the access to Wigglesworth Close opposite the site and Dow Lane to the north east, approximately 55m away.

Wigglesworth Close is a cul de sac which serves 10 residential properties. Vehicle movements to and from the cul de sac would be at staggered times, by more domestic type vehicles and given the number of properties it serves, does not cause a significant amount of traffic. Whilst the site would generate traffic the scale of the development for 6 small scale units would be such that trips are unlikely to be frequent and would be by car or smaller van/lorry type vehicles and as such conflict with the Close is considered not to be significant to cause highway safety concerns. Similarly, Dow Lane, located 55m away is considered to be of a sufficient distance not to obstruct traffic flow to this road.

There is also the concern that the footpath which runs between the site and the gable of No 121 Lowercroft Road would be affected. The site entrance would be separated from the footpath and access to the footpath would not be impeded by the new entrance. Visibility to and from the site and also for pedestrians would be of an accepted standard to ensure there would not be a detrimental impact to safety.

The proposed access has been assessed by the Highway Authority and concluded to be of a standard acceptable to the location and type of development.

Parking - The residents have raised parking as one of the particular concerns of the application, suggesting there would be overspill parking onto Lowercroft Road and Wigglesworth Close in particular.

The development proposes to provide 14 parking spaces (including 1 disabled space) and 2 cycle stands.

SPD 11 advises that for a B1a office use, 1 space per 35 sqm is required. There is no specific parking standards for a B1c use. However, for a B1 business park, 1 space per 40 sqm is required.

The applicant has stated that units would comprise a mix of B1a office/B1c light industry, with a cap of 2 units for B1a office. In taking this ratio of proposed development, a maximum of 13 spaces would be required. A worst case scenario, should all 6 units be occupied as a B1a office use, a maximum of 14 spaces would be required.

The development proposes to provide 14 spaces which would comply with maximum standards and policy guidance for this type of development.

The Highway Section have raised no issues or objections to the amount of parking which is proposed for the development and as such the proposed parking is considered to be acceptable.

As such, it is considered that the proposed development would not have a detrimental impact on highway safety, the free flow of traffic to the area or generate significant amounts of traffic or trips to the site which would cause concern for the Highway Authority.

Since the 'relaxation' of the use class order on 1st September 2020, uses within the B1 Class (B1a, B1b, B1c) are now under a new Use Class E. The new Use Class E now includes retail shops, cafe and restaurants, nurseries and gyms and change between these uses would not require planning permission. Some of these uses would put more demands on parking and generate significantly more traffic and trip generations than a private office use and light industrial use would. It is therefore considered sensible and reasonable to include a condition that the approved development relate to a B1a and B1c type use only.

Transport for Greater Manchester (TfGM) response - TfGM have been consulted on the proposals and do not raise any objections, and other than advising that the bus stop be relocated 10m south so it would not directly affect the radius of the site access, suggestions from TfGM relate to how best improve land use/transport integration through the development proposals.

The applicant has taken on board their suggestions and provided a response to TfGM who have no further comments to make with regards to the highway, access and traffic elements of the development.

With regards to the relocation of the bus stop, this would be covered by a condition and as such it is considered the safety of users of the bus stop would not be significantly affected by the proposed development.

Air quality - Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, the Environmental health Section recommends that one EV charging point for every 1000m2 of commercial floorspace.

The proposed site plan shows that one EV point would be provided adjacent to parking space No 11 and as such this would be acceptable.

Ecology

Greater Manchester ecology Unit (GMEU) have been consulted on the application.

Bats

A group of sycamore would be lost. These trees are large enough to provide bat roosting habitat. GMEU therefore recommended that prior to determination the trees are assessed for bat roosting potential.

The applicant's ecologist has confirmed that any trees with bat roosting potential are to be retained which is confirmed in the document 'Further Recommendations following Consultation with Local Neighbourhood' on Page 2. As a further enhancement 2 Schwegler 2F General Purpose Bat Box's within that area are proposed.

GMEU have confirmed that no further bat surveys would be required and that the recommendations for ecological mitigation can be conditioned.

Nesting Birds

The development will result in the loss of 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. GMEU recommend a condition to restrict tree and shrub removal.

Invasive Species

The site is high risk for invasive species such as Himalayan balsam and Japanese knotweed. However, the Ecological Report did not identify any invasive species on site. An informative is therefore recommend that should invasive species be found on site, works should cease and a suitably experienced consultant contacted.

Contributing to and Enhancing the Natural Environment

Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. GMEU are satisfied that given the nature and scale of the site, the proposed soft landscaping plan would be acceptable and can be conditioned.

Community Consultation - Prior to the submission of the application, the applicant engaged with residents surrounding the site on Wigglesworth Close, Bowland Close, Gisburn Drive and Lowercroft road (22 in total). Letters and an information leaflet were sent to explain the proposals, obtain feedback and seek to make amendments to address observations or concerns.

Residents raised issues of potential noise from the future occupiers of the units, impacts on existing trees, landscaping and ecology and security.

A second letter was sent to residents to explain how the applicant had sought to address any responses they had received before they submitted the application to the LPA.

In terms of noise, it was clarified that the use would be for a B1 use class - that is office, or an industrial process which can be carried out in any residential area without causing detriment to the amenity of the area. A noise survey has also been carried out and recommendations would be adhered to. An ecology report would be submitted with landscaping and ecological enhancement measures incorporated. Images were provided to give an indicating of what the units would look like and where would they would be located on the site to take account of the local residents.

Discussion with the LPA would be ongoing to address issues any issues raised throughout the application process.

Whilst objections have still been made to the application, the applicant's community engagement is welcome and demonstrates their intention to work with the local residents and be 'good neighbours'.

Response to objectors

- Drainage - Many parts of the Borough experienced flooding and drainage issues arising

from Storm Francis on the 25th August. United Utilities have been consulted on the application and have raised no objection with a recommended condition for the submission of a drainage strategy.

- The application is not for a residential development and to be assessed on the development proposals in this application and the policies to which it relates.
- All other issues relating to traffic, access, parking, noise and impact on visual and residential amenity have been covered in the above report.
- Comments in relation to the GMSF - the plan is not sufficiently mature enough to warrant any material planning weight.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 -

Plans by Partington Associates - 3855-19-100; 3855-19-102 Rev S3;
3855-19-103; 3855-19-104 Rev S2; 3855-19-106 Rev S1;
Plan by DTPC - Access and Layout Plan J807 access fig1 rev A;
Plans by Urban Green - UG_440_LAN_DRW_GA_01 Rev P05;
UG_440_LAN_DRW_HL_02 Rev P05; UG_440_LAN_DRW_SL_03 Rev P05;
UG_440_LAN_DRW_FF_05 Rev P03
Arboricultural Impact Assessment October 2019 by Urban Green
Ecological Surveys by Living Ecosystems dated 5th January 2019, updated by
Addendum by Living Ecosystems dated 25th June 2020

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 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.

4. Following the provisions of Condition 3 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.

5. Prior to first occupation of the development hereby approved, the EV charging point shown on approved drawing 3855-19-102 Revision S3 shall be provided and thereafter maintained.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and safeguard public health and quality of life pursuant to the principles of the NPPF.

6. The development hereby approved shall be carried out in accordance with the recommendation of the Ecology Survey by Living Ecosystems dated 5 January 2019, Further Recommendation by Living ecosystems dated 25th June 2020 and Section 4.12 of the Arboricultural Impact Assessment by Urban Green dated October 2019 .

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.

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s. The scheme shall include details of the drainage works/hardstanding materials to ensure that surface water will not be discharged from the site onto the adjacent adopted highway. 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, secure proper drainage and to manage the risk of flooding and pollution 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.

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

Reason. 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.

9. No development shall commence unless and until details of the bin store enclosure have been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented prior to first occupation and use of the site and thereafter maintained.
Reason. In the interests of visual and residential amenity pursuant to Bury Unitary development Plan Policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development and HT2/4 - Car Parking and New Development.
10. The development and uses hereby approved shall be only be used, occupied and serviced between the following hours:
Monday to Friday - 8.00am to 6pm
Saturdays - 9am to 6pm.
There shall be no Sunday or Bank Holiday working.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies Bury Unitary Development Plan Policies EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design and EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
11. The premises to which this approval relates shall be used for offices (B1a) and light industrial development (for processes which can be carried out in any residential areas without causing detriment to the amenity of the area - B1c Use Class)) and for no other purpose (including any other purpose in Use Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development.
12. Prior to first occupation and use of the development hereby approved, the boundary fences treatment detailed on the approved plans shall be erected and thereafter maintained in situ whilst it serves the development.
Reason - To secure the satisfactory development of the site and to protect the residential amenity of the adjacent occupiers pursuant to Policies EC4/1 - Small Businesses, EC6/1 - assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design and EN7/2 - Noise Pollution of Bury Unitary Development Plan.
13. Prior to first occupation, the development hereby approved shall be carried out in accordance with the mitigation measures recommended and detailed in Sections 3 and 4 of the Acoustic Assessment Report by Martin Environmental Solutions (report no. 1858-3 dated May 2020) to install internal acoustic insulation, fit trickle ventilation and erect a 1.8m high timber boarded fence to the northern boundary.
Reason. To protect the residential amenity of occupiers of the adjacent residential dwellings pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design and EN7/2 - Noise Pollution.
14. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved by the Local Planning Authority before the development is commenced. Only the approved materials 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

EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development and EN1/2 - Townscape and Built Design.

15. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed 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.
16. The development hereby approved shall be carried out in accordance with the Hard and soft landscape general arrangement plan dwg - UG_440_LAN_DRW_GA_01 Rev P05 . The approved scheme shall be implemented not later than 12 months from the date the building(s) is first occupied/available for use or within the first available tree planting season,; 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 Policies EC6/1 - Assessing New Business, Industrial and Commercial Development EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
17. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
18. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:
- Dilapidation survey, to a scope to be agreed, of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development, works to the site boundary and as a result of statutory undertakers connections to the site;
 - Formation of the proposed site access onto Lowercroft Road to an industrial specification to be agreed, incorporating the provision of a tactile paved crossing point on the new section of adopted highway, review of bollard positions proposed, accommodation works to a scope to be agreed to tie into existing arrangements at the interface with the adjacent adopted footpath/vehicular access to No. 121 Lowercroft Road and the footway to the north of the site, widening and reconstruction of the Lowercroft Road footway abutting the site to a minimum width of 2.0m in addition to the widening to the limits of the visibility splay shown, associated alterations to the existing dry stone wall required to achieve the widened footway, relocation/replacement of the affected street lighting column, relocation/replacement of the affected road gullies, relocation of bus stop NC2232 and all associated works required by TfGM, demarcation of the revised limits of the adopted highway and all

associated highway and highway drainage remedial works and alterations to affected road markings required as a result of the development;

- Provision of a street lighting assessment of the new junction arrangements onto Lowercroft Road, and, if required, subsequent scheme of improvements to existing street lighting on the adopted highway;
- A scheme for the review of the need and, if required, subsequent provision of waiting restrictions on Lowercroft Road in the vicinity of the proposed site access and the Wigglesworth Close junction to ensure that the proposed arrangements can be safely implemented on the adopted highway, including details of the measures proposed, all necessary modifications to road markings and signage and a timetable for implementation;
- "Submission of staged road safety audits in accordance with requirements in the document entitled 'GG 119 - Road Safety Audit'.
- The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to the development hereby approved being brought into use.

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 Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design, EN5/1 - New Development and Flood Risk and HT6/2 - Pedestrian and Vehicular Conflict.

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

- Access point(s) for construction traffic from the adopted highway;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding/gate positions clear of the agreed visibility splays onto Lowercroft Road, including the provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
- 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being brought into use.

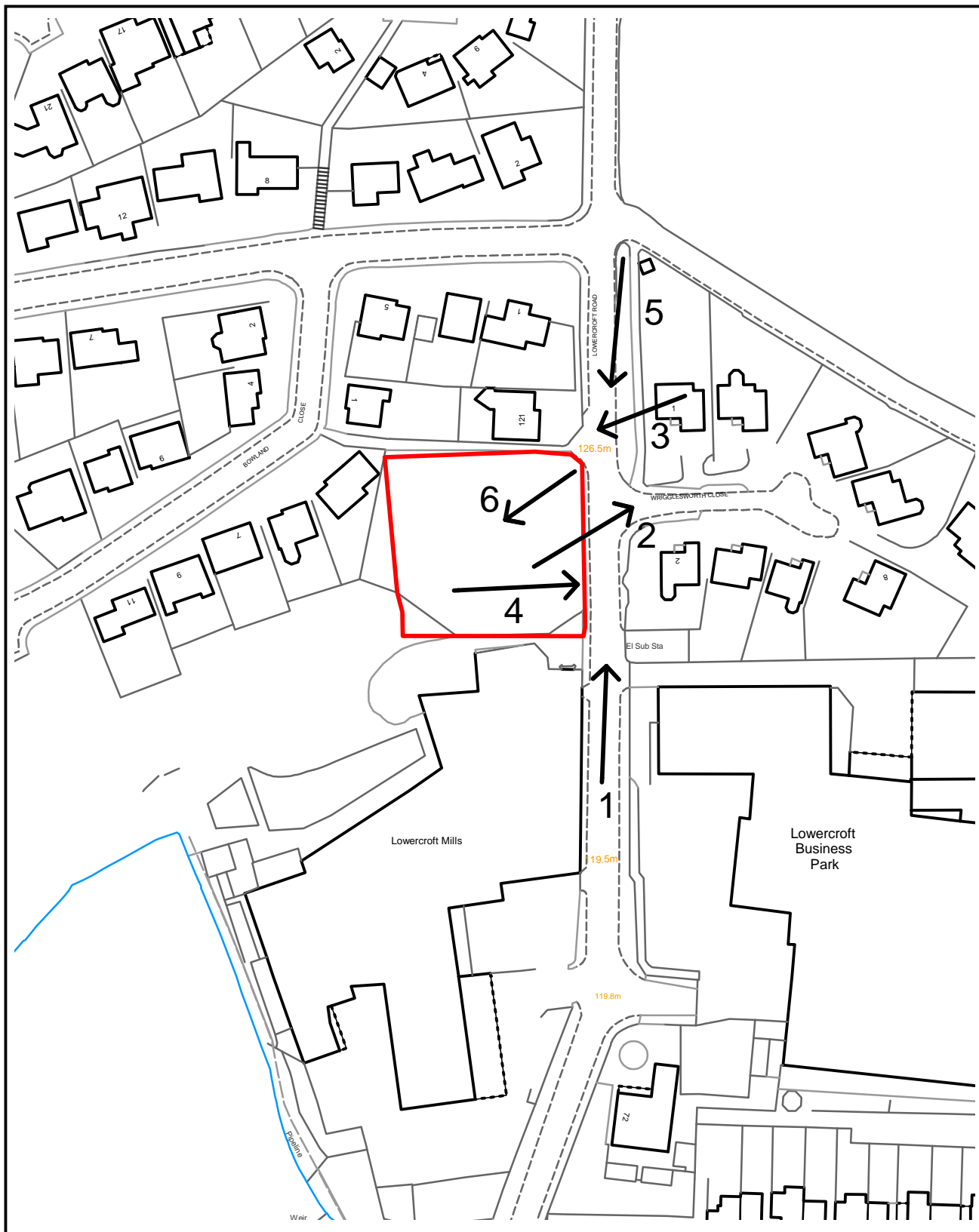
Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction 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.

20. No development shall commence unless and until a 'Delivery Management Plan' has been submitted to and agreed in writing by the Local Planning Authority, incorporating measures to restrict vehicles to the sizes indicated on the submitted swept path analysis plans and detailed in the supporting statement. The 'Plan' and measures subsequently approved shall be implemented before the development is brought into use.
Reason. To ensure that adequate consideration is given to the size of service vehicles accessing the site and that the servicing facilities proposed can accommodate such vehicles, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development, HT6/2 - Pedestrian and Vehicular Conflict.
21. The measures to prohibit individual vehicular access into the units shown on the approved plans, incorporating the provision of a full height kerb adjacent to car parking spaces 1 - 10 and the southerly leg of the HGV turning facilities /delivery area and the provision of full height glazing with external security shutters (and not roller shutter doors) to each unit, shall be implemented before the development is brought into use and thereafter maintained at all times.
Reason. To ensure that adequate consideration is given to the size of service vehicles accessing the site and that the servicing facilities proposed can accommodate such vehicles, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design, and HT2/4 - Car Parking and New Development.
22. The turning facilities and area to be kept clear indicated on the approved plans shall be provided and demarcated before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development, EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development, HT6/2 - Pedestrian and Vehicular Conflict.
23. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EC4/1 - Small Businesses, EC6/1 - Assessing New Business, Industrial and Commercial Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

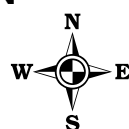
Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 65668

ADDRESS: Land adjacent to 121 Lowercroft Road



Bury
COUNCIL

Planning, Environmental and Regulatory Services

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65668

Photo 1



Photo 2



65668

Photo 3



Photo 4



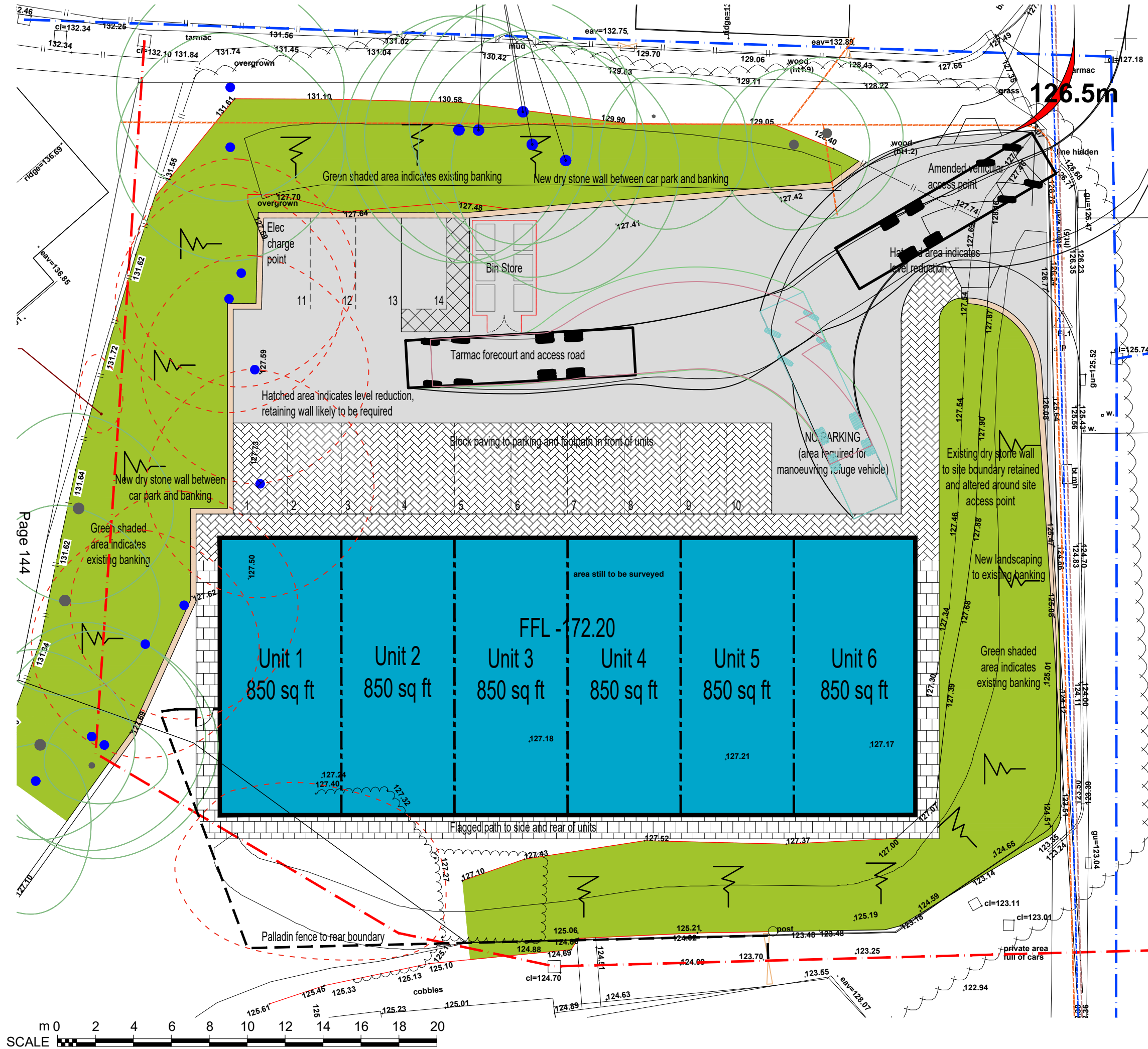
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Photo 5



Photo 6





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REVISION STATUS

S Information issued for feasibility or scheme design.
T Information issued for tender purposes only.
C Information issued for Construction.
NB: Only those drawings containing a C revision to be used for construction.

NOTES

KEY

- Foul sewer
- Surface water sewer
- LV Electric
- Water supply
- BT

REVISION	DATE	DESCRIPTION
S3	13.08.20	Bin store repositioned
S2	06.01.20	Boundary and surface treatment added
S1	11.12.19	Trees added (retained and removed)

CLIENT
Cornell group

PROJECT
Proposed Small Business Units
Lowercroft Road, Bury

DRAWING TITLE
Proposed Site Layout

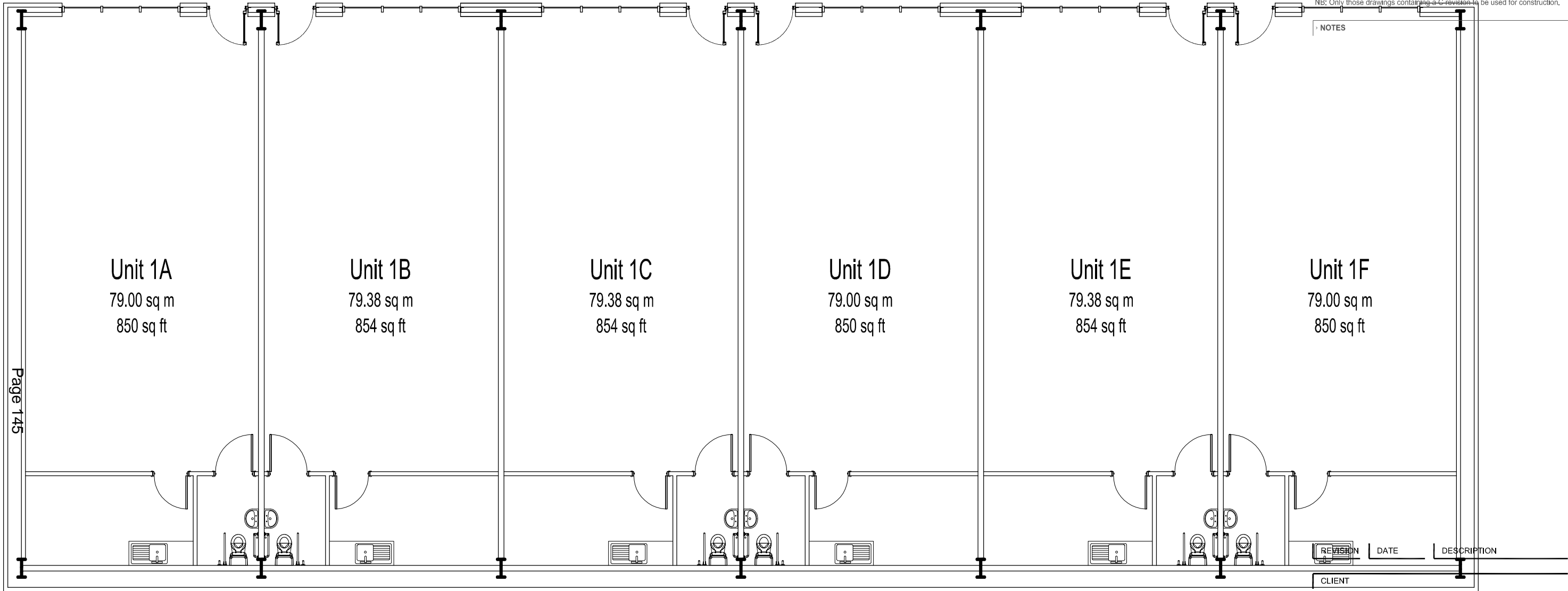
SCALE	DATE	DRAWN	CHECKED
1:200 @ A3	DEC '19	PRH	DGT

DRG NO.	REVISION
3855-19 - 102	S3

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› **NOTES**

REVISION	DATE	DESCRIPTION
CLIENT		
Cornell group		

PROJECT
Proposed Small Business Units
Lowercroft Road, Bury

DRAWING TITLE
Proposed Plan

SCALE 1:100 @ A3	DATE DEC '19	DRAWN PRH	CHECKED DGT
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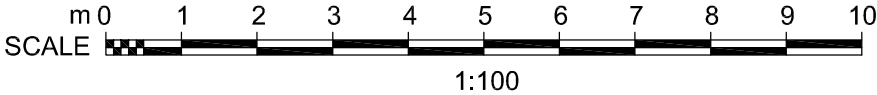
DRG NO. 3855-19-103	REVISION -
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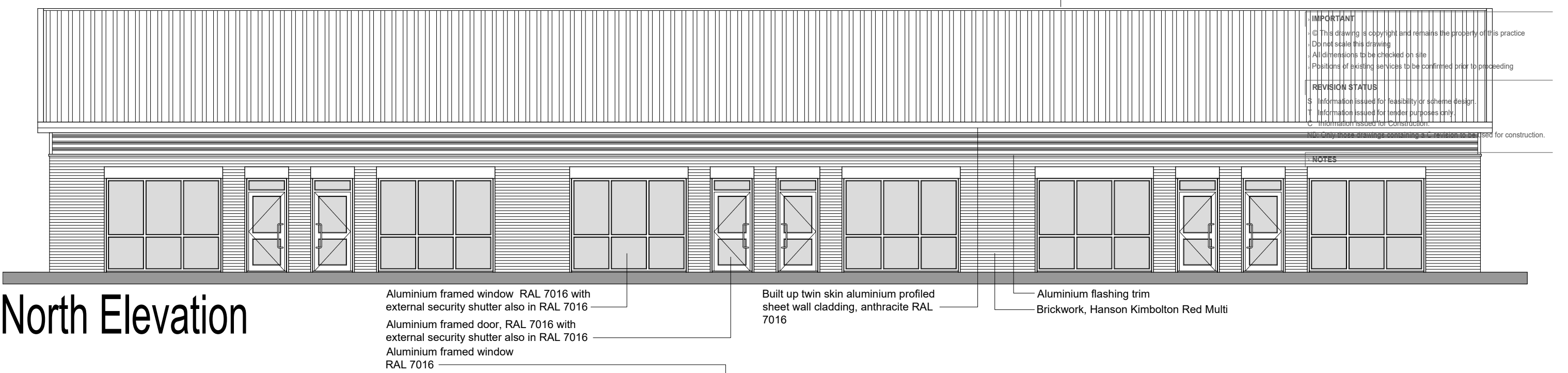
13 Gillibrand Street
Chorley PR7 2EJ
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Fax: (01257) 231915
e-mail: info@partington-associates.com
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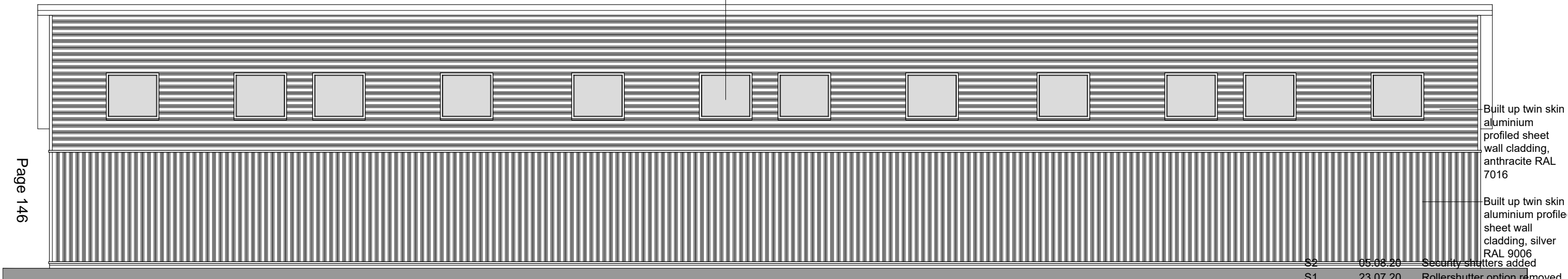
Page 145

Plan

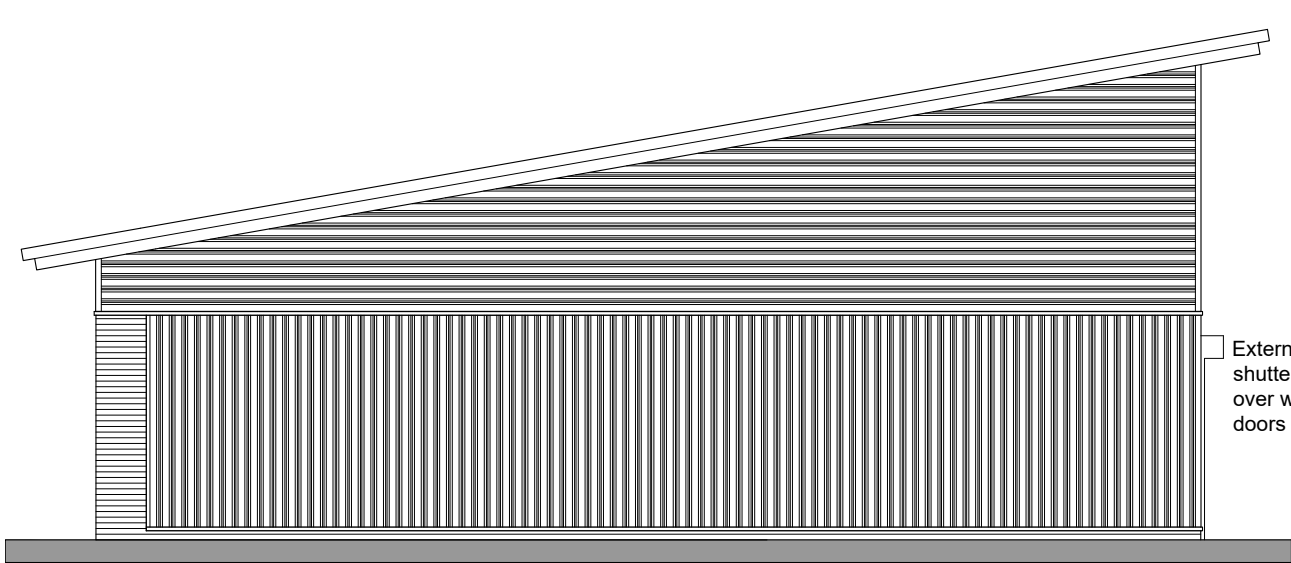




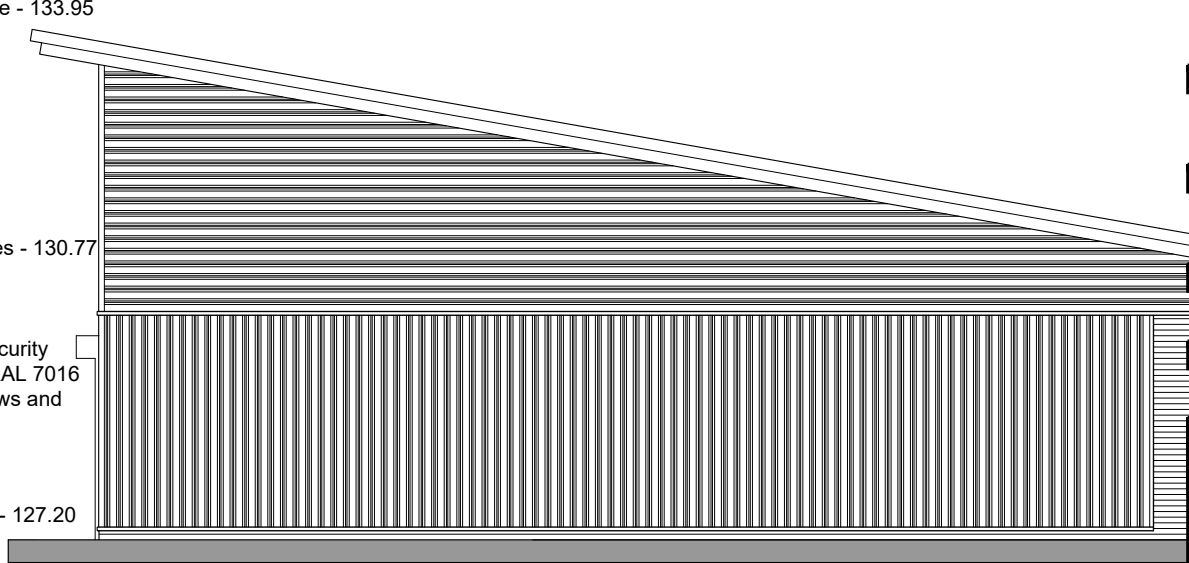
North Elevation



South Elevation



West Elevation



East Elevation

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NOTES		

S2	05.06.20	Security shutters added
S1	23.07.20	Rollershutter option removed

REVISION	DATE	DESCRIPTION
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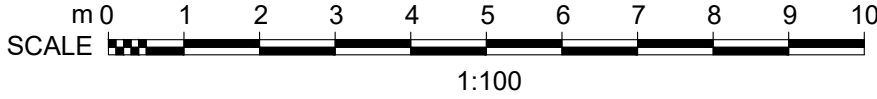
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PROJECT
Proposed Small Business Units Lowercroft Road, Bury

DRAWING TITLE
Proposed Elevations

SCALE	DATE	DRAWN	CHECKED
1:100 @ A3	DEC '19	PRH	DGT

DRG NO.	REVISION
3855-19-104	S2



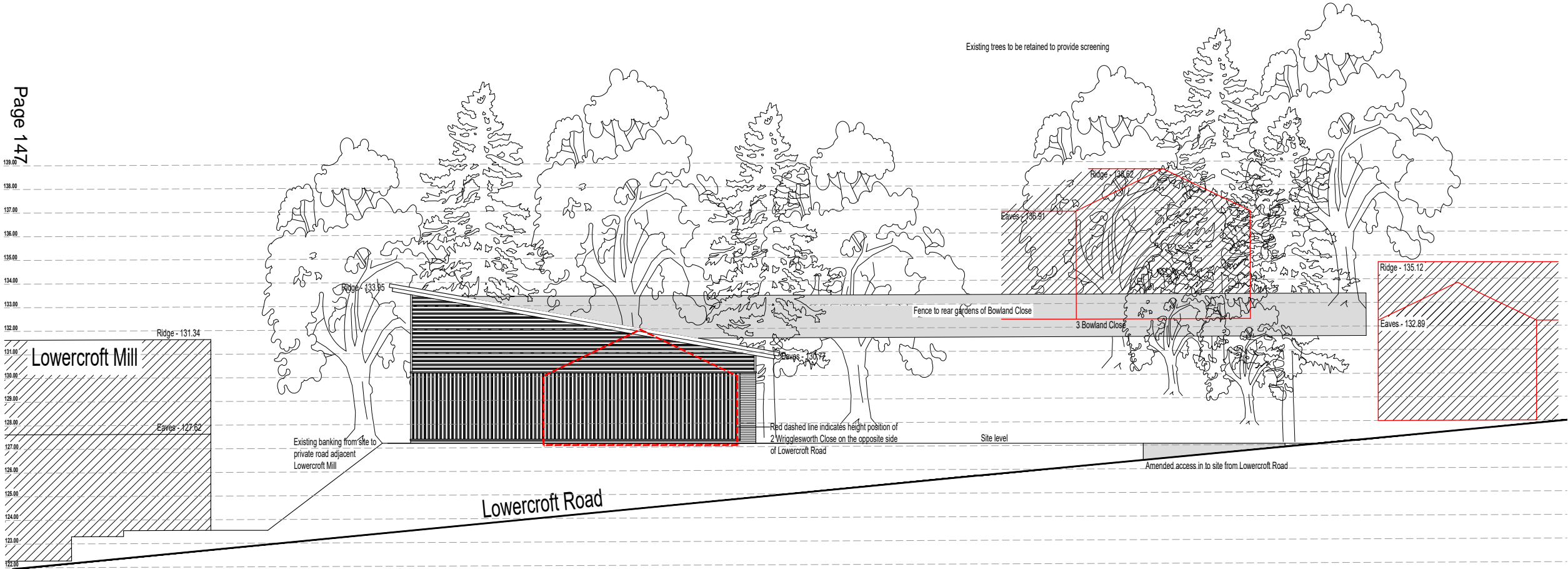
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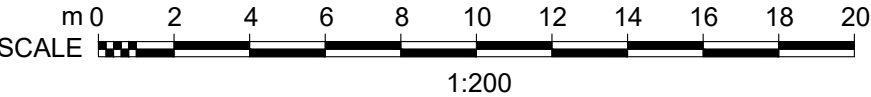
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Site Elevation/Section Illustrating Height Relationship With Neighbouring Buildings
View Taken Through Lowercroft Road Looking West

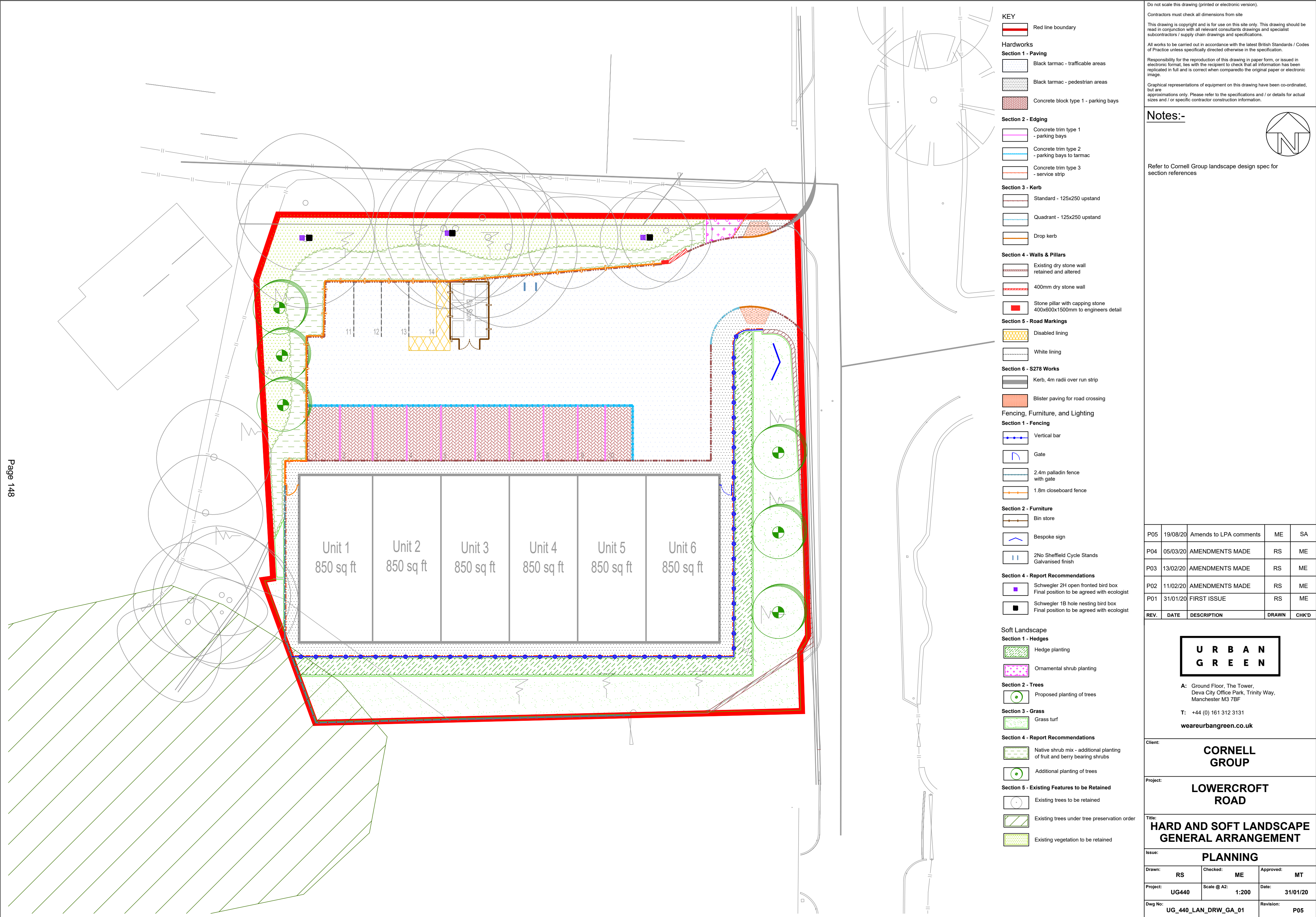


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NOTES	

S1	23.07.20	East to West Section Added	
REVISION	DATE	DESCRIPTION	
CLIENT			
Cornell group			
PROJECT			
Proposed Small Business Units Lowercroft Road, Bury			
DRAWING TITLE			
Proposed Site Section			
SCALE	DATE	DRAWN	CHECKED
1:200 @ A3	DEC '19	PRH	DGT
DRG NO.			REVISION
3855-19-106			S1

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- KEY**
- Red line boundary
- Hardworks**
- Section 1 - Paving**
- Black tarmac - trafficable areas
 - Black tarmac - pedestrian areas
 - Concrete block type 1 - parking bays
- Section 2 - Edging**
- Concrete trim type 1 - parking bays
 - Concrete trim type 2 - parking bays to tarmac
 - Concrete trim type 3 - service strip
- Section 3 - Kerb**
- Standard - 125x250 upstand
 - Quadrant - 125x250 upstand
 - Drop kerb
- Section 4 - Walls & Pillars**
- Existing dry stone wall retained and altered
 - 400mm dry stone wall
 - Stone pillar with capping stone 400x600x1500mm to engineers detail
- Section 5 - Road Markings**
- Disabled lining
 - White lining
- Section 6 - S278 Works**
- Kerb, 4m radii over run strip
 - Blister paving for road crossing
- Fencing, Furniture, and Lighting**
- Section 1 - Fencing**
- Vertical bar
 - Gate
 - 2.4m palladin fence with gate
 - 1.8m closeboard fence
- Section 2 - Furniture**
- Bin store
 - Bespoke sign
 - 2No Sheffield Cycle Stands Galvanised finish
- Section 4 - Report Recommendations**
- Schwegler 2H open fronted bird box Final position to be agreed with ecologist
 - Schwegler 1B hole nesting bird box Final position to be agreed with ecologist

- Soft Landscape**
- Section 1 - Hedges**
- Hedge planting
 - Ornamental shrub planting
- Section 2 - Trees**
- Proposed planting of trees
- Section 3 - Grass**
- Grass turf
- Section 4 - Report Recommendations**
- Native shrub mix - additional planting of fruit and berry bearing shrubs
 - Additional planting of trees
- Section 5 - Existing Features to be Retained**
- Existing trees to be retained
 - Existing trees under tree preservation order
 - Existing vegetation to be retained

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Notes:-

Refer to Cornell Group landscape design spec for section references

P05	19/08/20	Amends to LPA comments	ME	SA
P04	05/03/20	AMENDMENTS MADE	RS	ME
P03	13/02/20	AMENDMENTS MADE	RS	ME
P02	11/02/20	AMENDMENTS MADE	RS	ME
P01	31/01/20	FIRST ISSUE	RS	ME
REV.	DATE	DESCRIPTION	DRAWN	CHK'D

U R B A N
G R E E N

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Deva City Office Park, Trinity Way,
Manchester M3 7BF

T: +44 (0) 161 312 3131

weareurbangreen.co.uk

Client:	CORNELL GROUP		
Project:	LOWERCROFT ROAD		
Title:	HARD AND SOFT LANDSCAPE GENERAL ARRANGEMENT		
Issue:	PLANNING		
Drawn:	RS	Checked:	ME
Project:	UG440	Scale @ A2:	1:200
Dwg No:	UG_440_LAN_DRW_GA_01	Approved:	MT
		Date:	31/01/20
		Revision:	P05

Ward: Ramsbottom and Tottington -
Ramsbottom

Item 06

Applicant: Mr Malik

Location: 62 Bridge Street, Ramsbottom, Bury, BL0 9AG

Proposal: Change of Use from cafe (Class A3) to hot food takeaway (Class A5), to include extract flue and staircase at the rear

Application Ref: 65723/Full

Target Date: 16/09/2020

Recommendation: Approve with Conditions

Description

The application relates to a vacant shop premises which is located in Ramsbottom Town Centre and within the designated Ramsbottom Conservation Area. The premises are within a row of other shops and commercial businesses in a mix of different uses which form one of the main shopping frontages in the town. Above the shops on this row are residential units, storage/office areas or uses ancillary to the businesses.

Access to the rear of the premises is either via Smithy Street or a walkway which is located between Nos 6 and 8 Silver Street. This access also serves the rear of the adjacent commercial and residential properties.

The ground floor of the premises was formerly a cafe (Use class A3) and the upper floor vacant. The property itself is a stone mid-terrace build which has a single storey rear extension which serves as a store room. There is a small external yard area which provides bin store facilities and access to the rear of the property.

The application seeks the change of use from a cafe to a hot food take away. The business would operate from the ground floor with the 1st floor used for storage purposes.

It is also proposed to form an external staircase to the rear of the property for access to the first floor and incorporate an internal flue which would project 1.4m from the rear roof plane. There are no proposals to change the shop front.

Hours proposed are Sunday to Thursday 11am to 11.30pm and Friday and Saturday 11am to 12.30pm.

Relevant Planning History

62200 - Prior approval for proposed change of use from shop (Class A1) to cafe (Class A3)
- Prior Approval Required and Granted 23/01/2018
19/0046 - Change of use of first floor flat to business use - 01/04/2019

Publicity

Letters sent on 3/8/2020 to properties on Square Street, bridge street, Silver Street.

Site notice posted 14/8/20

Press advert in the Bury Times 6/8/20.

Ten letters of objection received from Nos 3A Square Street, 2 Silver Street, 93, 12A Bolton Street, 64, 64A Bridge Street, 36 Market Place, 18 Manor Street, 9A Square Street with the following issues:

- Would like to know more regarding what kind of takeaway is being proposed, hours of

operation etc. I already have 3 kebab/ pizza places within 200 yards of my property and there are a large number of restaurants / other takeaways within the same walking distance, so I do not see how another is necessary.

- Takeaways can be hotspots for ASB / nuisance depending on their operating hours and the kind of food being served
- Concerned there may be some interference with my right to quiet enjoyment of my home.
- Also why is a staircase required at the rear? Will this affect my right to quiet enjoyment? Are there plans to have trade waste bins at the rear as this could affect access to properties? Trade waste bins are a must in my opinion having seen numerous poisoned rats in the back alley
- My home is attached to the premises - hot food takeaways can open late but the application states no hours - late opening would have a devastating impact on my life
- Have a party wall with the property - noise disturbance
- No indication of the use of the first floor
- New staircase proposed would be beside my outside wall - could encourage noise nuisance and make it difficult to access my gutter and roof
- Concerned about the extraction system - noise, odour, vibration
- Hope it will be refused - if approved ask that the use be ground floor only and soundproofing installed in the building
- Increase in litter.
- Cars parking up along the main road blocking the street.
- The face of Ramsbottom has changed considerably over the past few years with traditional shops being replaced with bars, restaurants, bistros and takeaways. It has reached a point where enough is enough and more traditional shops should be encouraged to provide a balance of businesses.
- Concerned about the business hours attracting people at unsociable hours.
- Despite the recent inclusion of opening hours (89 ½ hours per week excluding set up and clear up) this application is still devoid of many details as to what their plans are. This is concerning as any business would usually have a fully detailed plan. This application is the equivalent of asking you to sign a blank cheque.
- Currently, on the even numbered block on Bridge Street between Square Street and Silver Street there are no businesses' which open outside of daytime hours. This gives a nice buffer between the many takeaways near the top of Bolton Street and those further down Bridge Street. It would be a shame to lose this as it gives a safe passage to walk from the area I live to the supermarkets in the evening.
- Lowering the flue means odours will be dispersed nearer to the ground potentially causing problems for locals.
- Due to lack of evidence to the contrary, I assume this is not going to be a salad bar or a supplier of any other wholly healthy option. As we presently are still in the Covid epidemic do we really want more business here that will encourage people to congregate? Also, we have an obesity problem, should we not be encouraging more healthy eating rather than more "hot food" takeaways. To approve this application would make the council look disinterested in taking steps to encourage more healthy eating.
- Additionally, as a dog owner, I have needed to be wary about the presence of food waste, broken glass, rat droppings and pest poison pellets whilst walking my dog. An increase in food waste and littering has a chance in increasing the presence of pests.
- If the rear of the property is used as an entrance/exit, this will likely mean this will regularly be used as an entrance/exit. The presence of more cars could result in residents not being able to access their cars in an emergency.
- Substantial building works are currently being carried out internally.
- If the decision is granted it will not show your department in a good light.

Those who have objected have been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Waste Management - No objection.

Environmental Health - Pollution Control - No objection subject to the submission of a ventilation scheme.

Conservation Officer - No objection

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EC4/1	Small Businesses
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
S1/2	Shopping in Other Town Centres
S2/2	Prime Shopping Areas and Frontages
S2/6	Food and Drink

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.

Chapter 7 - Ensuring the vitality of town centres of the NPPF at para 85 states that policies and decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. Policies should define a network and hierarchy of town centres and promote their long term vitality and viability - by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses and reflects their distinctive characters.

UDP Policy S1/2 - Shopping in Town centres seeks to maintain and strengthen retail roles in other town centres. The main emphasis will be on consolidation and enhancement of the centres.

UDP Policy S2/2 - Prime Shopping Areas and Frontages seeks to maintain retailing as the predominant land use at ground floor level. proposals for change of use will be assessed on their merits and take account of factors to include:

- a) design and appearance of the proposed frontage;
- b) maintenance/provision of a display window at ground floor where appropriate;
- c) access for the mobility impaired where appropriate;
- d) whether the proposal will give rise to disturbance or nuisance.

In addition, where a proposal would lead to more than 10% of any identified prime shopping frontage being in non-retail use the Council will also take into account:

- e) the location and prominence of the proposal within the prime shopping frontage;
- f) the number, distribution and proximity of other premises in non-retail use;
- g) the particular nature and character of the use proposed, including the level of activity associate with it.

UDP Policy S2/6 on food and drink which states that, in considering all proposals which involve restaurants, hot food takeaways, cafes, snack bars, wine bars and public houses, the Council 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 (now A3, A4 and A5) 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

Policy principle - Use

The application site is located within Ramsbottom Town Centre and as such policies S1/2 (Shopping in other town centres) and S2/2 (Prime shopping areas and frontages) of the 1997 adopted Bury Unitary Development Plan (UDP) are relevant. Under Policy S2/2 the Council seeks to maintain class A1 retailing as the predominant land use a ground floor level within prime shopping areas and frontages by taking into account a range of factors. Given the proposed use of the premises as a hot food takeaway, the proposal should also be considered against Policy S2/6.

The majority of the criteria set out under UDP policy S2/6 are matters of detail but, in terms of principle, criterion (b) considers whether the proposal would result in an over-concentration of food and drink uses which could adversely change the nature or character of a centre as a whole.

It is understood that the unit subject of this application is currently vacant having previously been used as a café (use class A3). As such at the present time the unit is generating no activity. The property sits within a parade of six units, the other five units in the frontage are all currently in A1 use therefore as a result of this application the proportion of A1 uses would not change in this frontage. On the opposite side of Bridge Street there is a parade of shops consisting of ten units, three of which are currently in use as food and drink establishments. On this basis it is considered that the proposal would not result in an over-concentration of food and drink uses which would adversely change the nature or character of the centre as a whole. Furthermore the proposal would have a positive impact in bringing a vacant unit back into use and make a positive contribution to help support the long term vitality and viability of the town centre.

In addition, it is acknowledged that the face and character of town centres is now changing and it is acknowledged in the NPPF that other uses offer variety and alternative choices and venues which draw people to town centres to promote their long term vitality and viability.

It is therefore considered that the proposed development would be acceptable in planning policy terms and would comply with the principles of the NPPF and UDP Policies S2/2 and S2/6.

Heritage - Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 sets out the duties imposed upon a Local Planning Authority in respect of Conservation Areas in exercising its planning functions.

In Chapter 16 - Conserving and enhancing the historic environment, the NPPF advocates positive strategies for the conservation and enjoyment of the historic environment, recognising that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

Paragraph 189 states that in determining applications, LPA's should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control policies

only support proposals where it can be demonstrated that development would preserve or enhance the special character of the area. In the case of re-use of buildings or the introduction of new uses, the impact of the proposal on the character or appearance of the area and the fabric of the building will be considered.

The site is within the Ramsbottom Town Centre Conservation Area and a Heritage Assessment has been submitted with the application.

The application site is located within a continuous frontage of shops, commercial premises and residential properties in a prominent part of the town centre. As a vacant premises, it does not contribute positively to either the vitality of the shopping centre or the character of the conservation area. UDP Policy EN2/1 and para 192 of the NPPF considers the positive benefits of the re-use of buildings and contributing to the economic vitality of an area, providing it would conserve or enhance the Conservation Area.

The re-use of the building would bring positive benefits in preserving the historic character of the area and contributing to the vitality and viability of the town centre and given the hours of operation in an area of Bridge Street with a burgeoning night time economy, would not harm the character of the conservation area and would at least preserve it.

The proposed flue is considered acceptable as the majority of the extraction system would be located internally and the proposed staircase, also at the rear within the existing yard is considered not to harm the character or appearance of the conservation area and as such would preserve it.

There would be no alterations to the traditional shop frontage and as such no change to the important historic fabric of the building.

As such, it is considered that in heritage principles, the re-use of the building would preserve Ramsbottom town centre and would comply with the principles of the NPPF and UDP Policies EN2/1 and EN2/2.

Impact on residential amenity - Impacts on residential amenity would likely arise from noise and disturbance which could be created by the use and smells from food cooked on the premises.

Noise and disturbance - A hot food takeaway can have the tendency to generate more activity and noise, as trips by customers would be more frequent but for less prolonged periods of time, including waiting in the area whilst food is prepared and eaten.

There are residential properties and flats above shops in the area and No 2 Silver Street shares a party wall with the application site. Activity and noise from within and outside the premises could cause noise and disturbance to the occupiers of these residential units.

During the day, the premises would function amidst other businesses, where comings and goings from shoppers and visitors are expected in shopping areas. Patronage to the premises during the day would also tend to be more 'low-key' within a shopping and daytime environment.

During the evening, takeaways tend to experience a greater number of trips at the later hours and although trips are likely to be more brief than other food establishments such as restaurants, groups may still congregate and talking and general behaviour may be louder and more disruptive.

The premises are located in the middle of the town centre where it would be expected to find a number of uses, which are also open later in the evening, and which would be part of town centre living.

The application proposes opening until 11.30pm Sunday to Thursday and 12.30pm on

Friday and Saturdays. Whilst a town centre location and the use considered acceptable in principle and with regard to the adjacent and close by residential properties, the hours are a little excessive when most other businesses would be closed and the town more peaceful and quiet at the later part of the night. It is therefore considered that during the week, 11pm and at weekends, 11.30pm would be reasonable in this location and this would be a condition of the application.

These hours would not be unreasonable for this particular location and would align with other late night uses which are found in the town.

The Pollution Control Section have raised no objection to the type of use proposed, but it would be recommended that a soundproofing scheme be incorporated between the party wall of the adjacent occupiers to ensure that noise from the premises would be mitigated to acceptable degrees and this would be required prior to the first use and occupation of the development.

In view of the above considerations and with the appropriate conditions in place, it is considered that the proposed use would be acceptable in this location of the town centre.

Fumes and smells - The plans show that a ventilation flue would be located internally and would project 1.4 m from the rear roof plane. The Pollution Control Section have not raised any objection in principle to the proposed system, but have recommended a condition that details of the functioning of the flue be submitted for approval to ensure that fumes are dispersed into the atmosphere without causing harmful smells and pollution to the area or surrounding occupiers.

From a visual amenity perspective, only 1.4m of flue would be visible and given it would be located at the rear it is considered there would not have a significant impact on the visual amenity of the area and the development would continue to preserve the character of the conservation area.

Rear staircase - It is proposed to access the 1st floor via a new set of steps and through a doorway which would be formed from an existing first floor window. The steps would be located at the rear of the premises and directly adjacent to the wall of No 2 Silver Street. The new access could generate some noise and disturbance from users where previously there was none. Rather than metal steps which can be rattle and echo, the applicant has sought to mitigate against noise by using timber treads and enclose the stairs with a canopied covering. This would be conditioned.

As the first floor would be used for storage purposes only, it is unlikely that the steps would be in a constant use, and lesser so in the evening and late at night when it is likely that any equipment or products which are stored at 1st floor and are associated with the use and needs of the business would already be collected for the evening trade.

It is therefore considered that the location and use of the proposed staircase would not cause significant or detrimental disturbances to the adjacent properties.

It is also noted that there are 2 small windows in the rear elevation of the adjacent property. These windows are blocked internally and as such there would be no issues from overlooking or privacy.

As such, with suitably worded conditions, it is considered the proposed development would not have a significant or adverse impact on the amenity of adjacent occupiers and would be acceptable and would comply with EN1/2, EN7/2, S2/2 and S2/6.

Visual amenity - There are no proposed changes to the shop front which would be retained as existing.

Highways - The premises are located in a town centre and a highly sustainable location,

and where it would not be expected that dedicated parking be provided for individual shops or for restaurants and bars. It is likely that in such a location, patrons would either live nearby or within walking distance or would visit the premises following an evening out in the town centre. There are also a number of public car parks in the area, and on street parking available later in the evening.

As such, it is considered there would not be any parking issues and the Highways Section have raised no objection in this regard.

Bin storage - Bins for the previous business were stored in the rear yard area and there would be no change to this arrangement for the proposed use which would provide an adequate storage area for the scale and type of development proposed.

The Waste Management Team and Highways Section have raised no objection to the proposed development or the proposed storage of waste facilities and as such is considered acceptable and in compliance with UDP Policies EN1/2 and S2/6.

Response to objections

- Litter - Adequate bin store facilities would be provided and stored in the rear yard area, as is currently the arrangement for the previous cafe use.
- The use of the premises for a hot food take away has been assessed in policy terms and the use considered acceptable and would not result in an over concentration of this type of use. To bring a vacant premises in a town centre back into use would contribute to the town's vitality and viability.
- All other issues have been considered 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 Paragraph 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 numbered - Existing plans and elevations PM7-01A; Proposed plans and elevations PM7-02B; Block plan PM7-03 - 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 bin storage facilities indicated on the approved plans shall be provided before the use hereby approved commences and shall subsequently be maintained at all times.
Reason. To ensure adequate off-highway bin storage facilities are provided within the curtilage of the site, in the interests of road safety pursuant to Bury

Unitary Development Plan Policies EN1/2 - Townscape and Built Design and S2/6 - Food and Drink.

4. No development shall take place unless and until a scheme to soundproof the party walls and floor/ceiling between the ground floor and the first floor has been submitted to and approved by the Local Planning Authority. Such works that form the approved scheme shall be completed before the development hereby approved is brought into use.
Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities to protect the residential amenities of the future occupiers of the flat pursuant to UDP Policies S2/2 - Prime Shopping Areas and Frontages, S2/6 - Food and Drink and EN7/2 Noise Pollution.
5. The external staircase hereby approved shall be fitted with timber treads and covered by a black canopy in accordance with the details on approved plan PM7-02B prior to the first use of the development hereby approved and thereafter maintained.
Reason. To protect the amenity of occupiers of the adjacent residential properties pursuant to Bury Unitary Development Plan Policies S2/2 - Prime Shopping Areas and Frontages, S2/6 - Food and Drink and EN7/2 Noise Pollution.
6. The use hereby permitted shall not be open to customers outside the following times:
10am to 11.00pm - Sunday to Thursday
10am to 11.30pm Fridays and Saturdays.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies S2/2 - Prime Shopping Areas and Frontages, S2/6 - Food and Drink, EN1/2 - Townscape and Built Design and EN7/2 Noise Pollution of the Bury Unitary Development Plan.
7. No development shall commence unless and until a scheme for treating, diluting and dispersing fumes and odours 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.

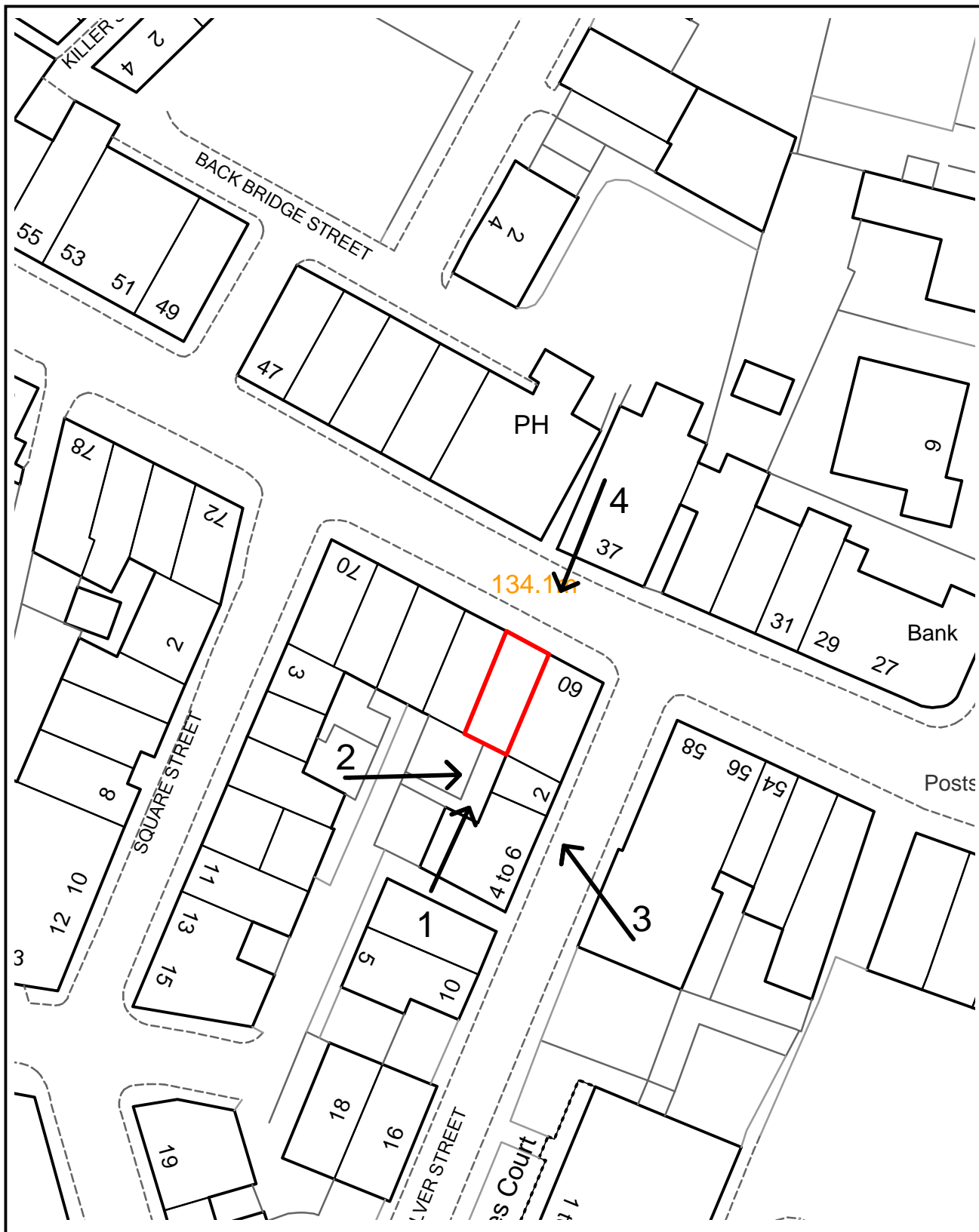
The scheme as approved shall be implemented prior to the first use of the development hereby approved and thereafter maintained in accordance with the approved scheme whilst it shall serve the development.
Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policies S2/2 - Prime Shopping Areas and Frontages, S2/6 - Food and Drink, EN1/2 - Townscape and Built Design, EN7/1 - Atmospheric Pollution and EN7/2 Noise Pollution.
8. No development shall commence unless and until details of the canopy covering to the rear external staircase hereby approved have been submitted to and approved by the Local Planning Authority. The approved details only shall be implemented prior to the first use and occupation of the development hereby

approved and thereafter maintained.

Reason. In the interests of visual and residential amenity pursuant to EN1/2 - Townscape and Built Design, EN2/1 - Character of Conservation Areas, EN2/2 - Conservation Area Control and EN7/2 Noise Pollution of the Bury Unitary Development Plan.

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

Viewpoints



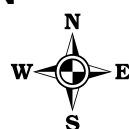
PLANNING APPLICATION LOCATION PLAN

APP. NO 65723

**ADDRESS: 62 Bridge Street
Ramsbottom**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Plan 1



Plan 2



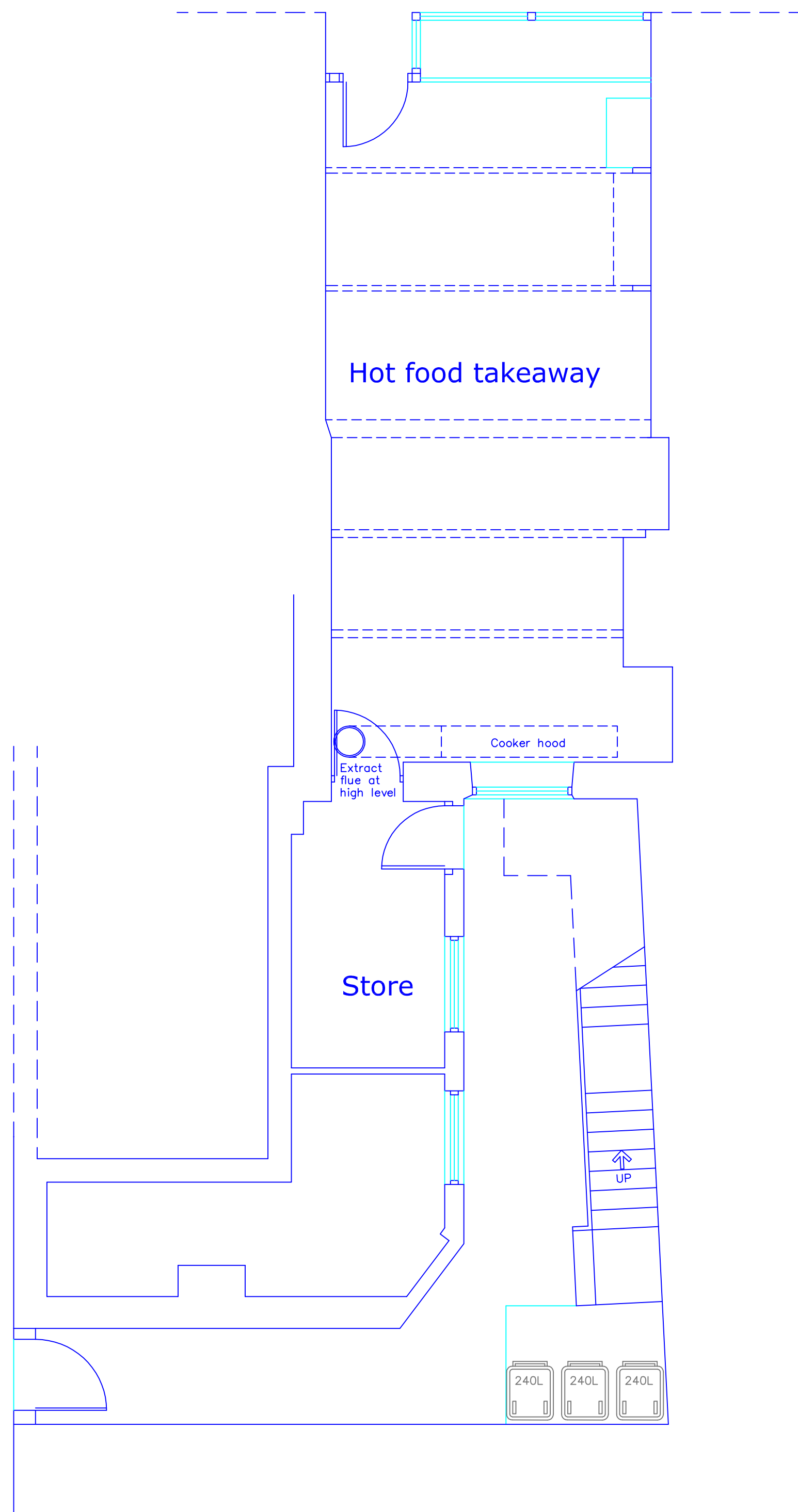
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Plan 3

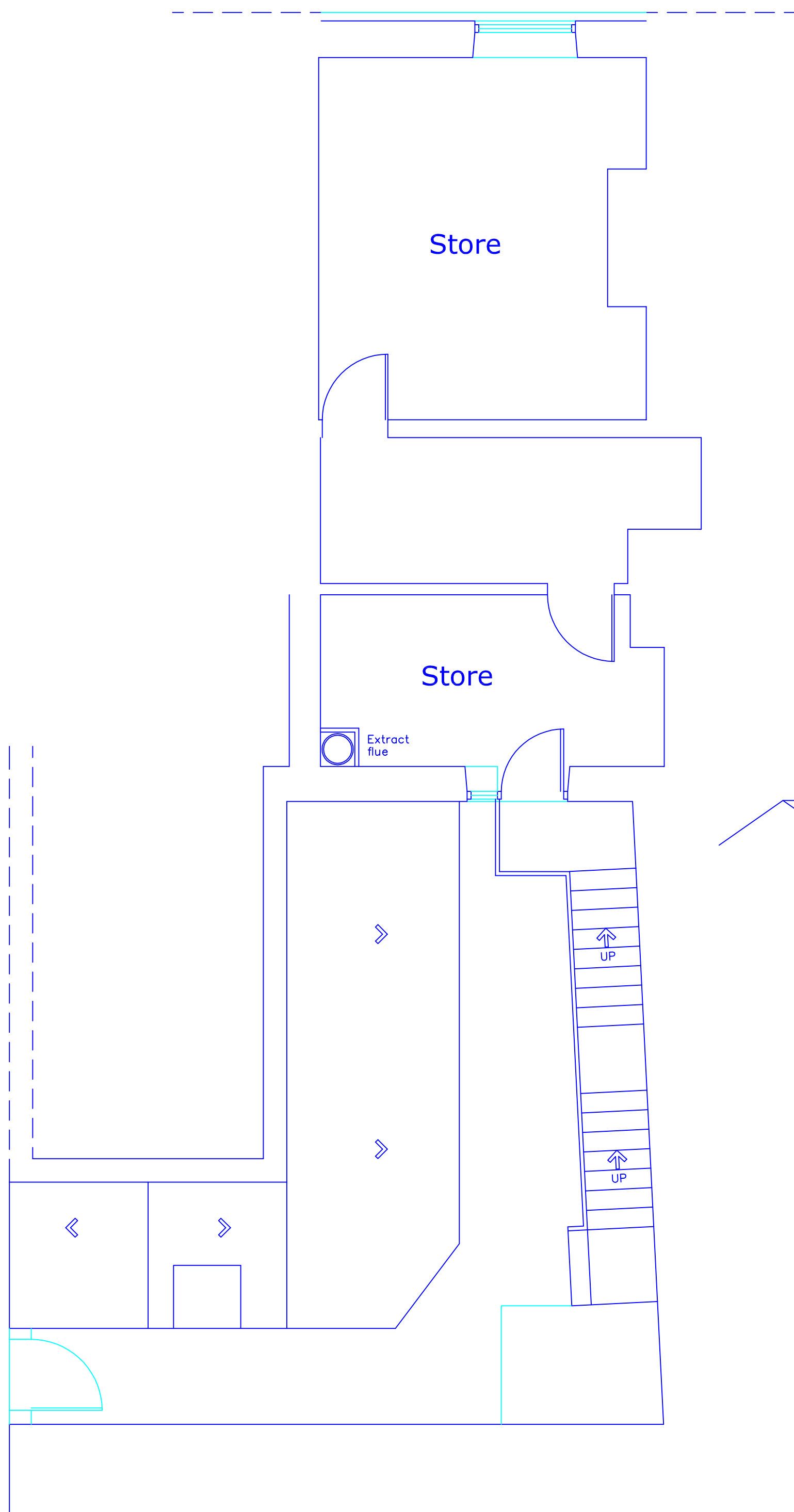


Plan 4

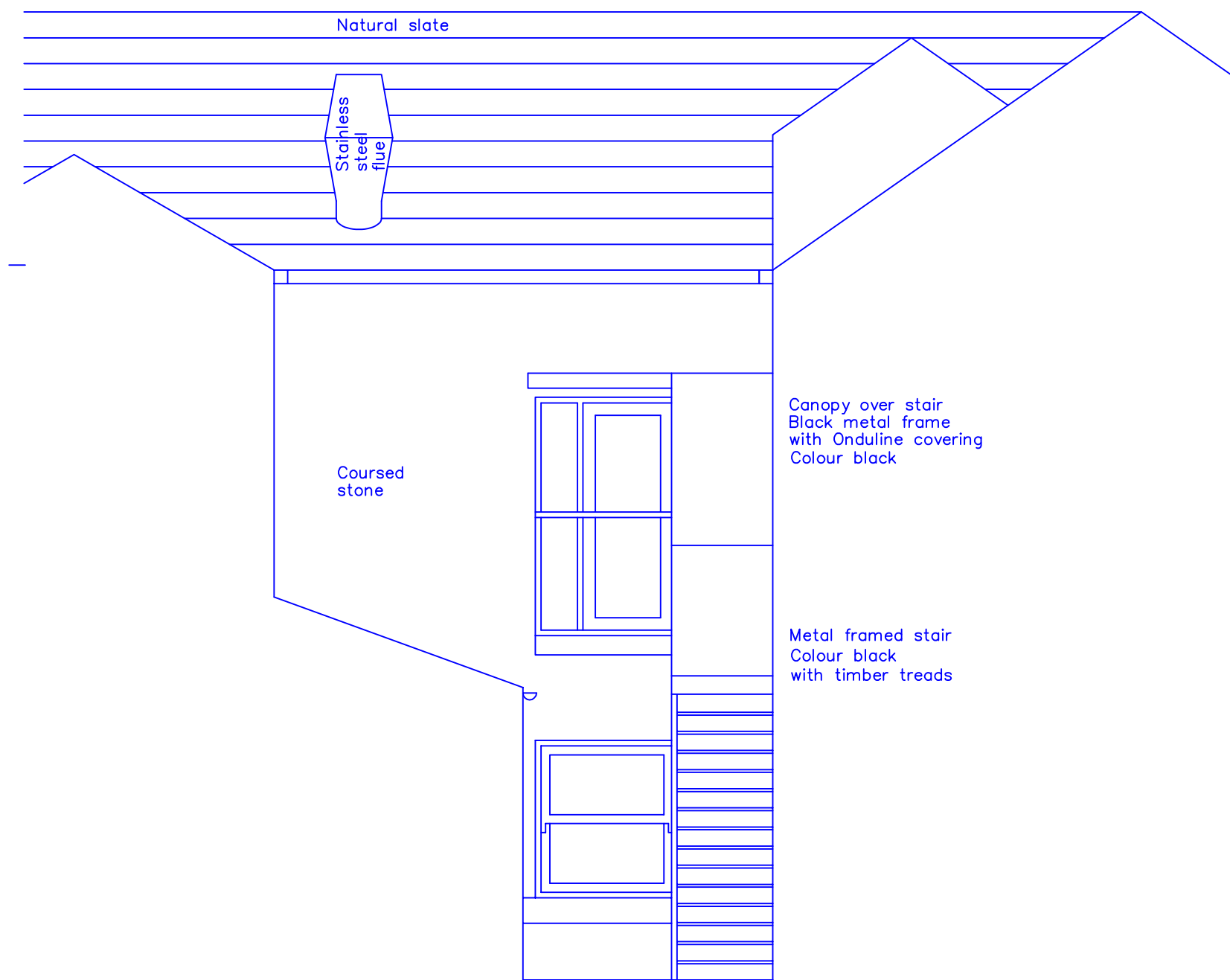




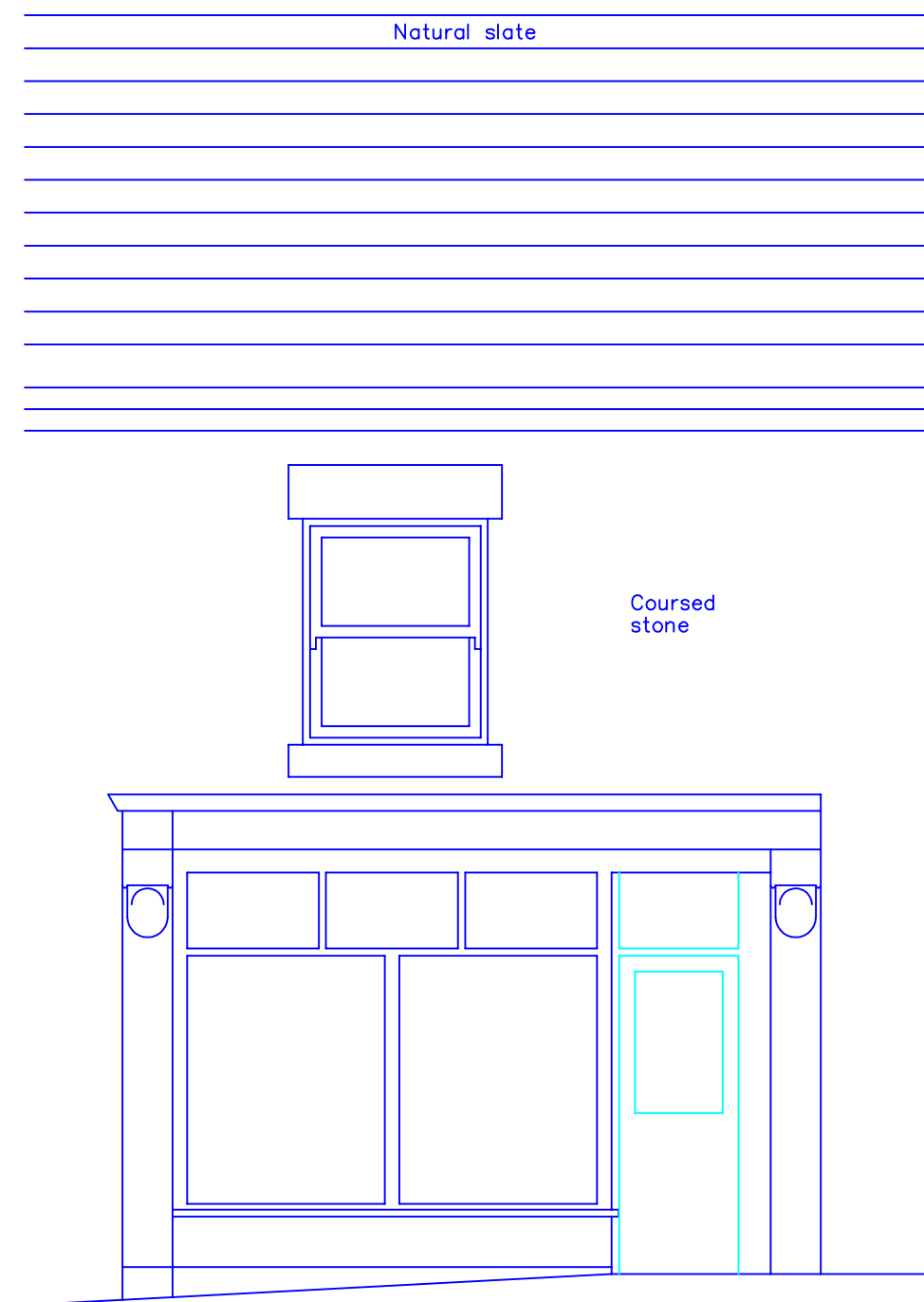
Proposed Plan
Ground Floor



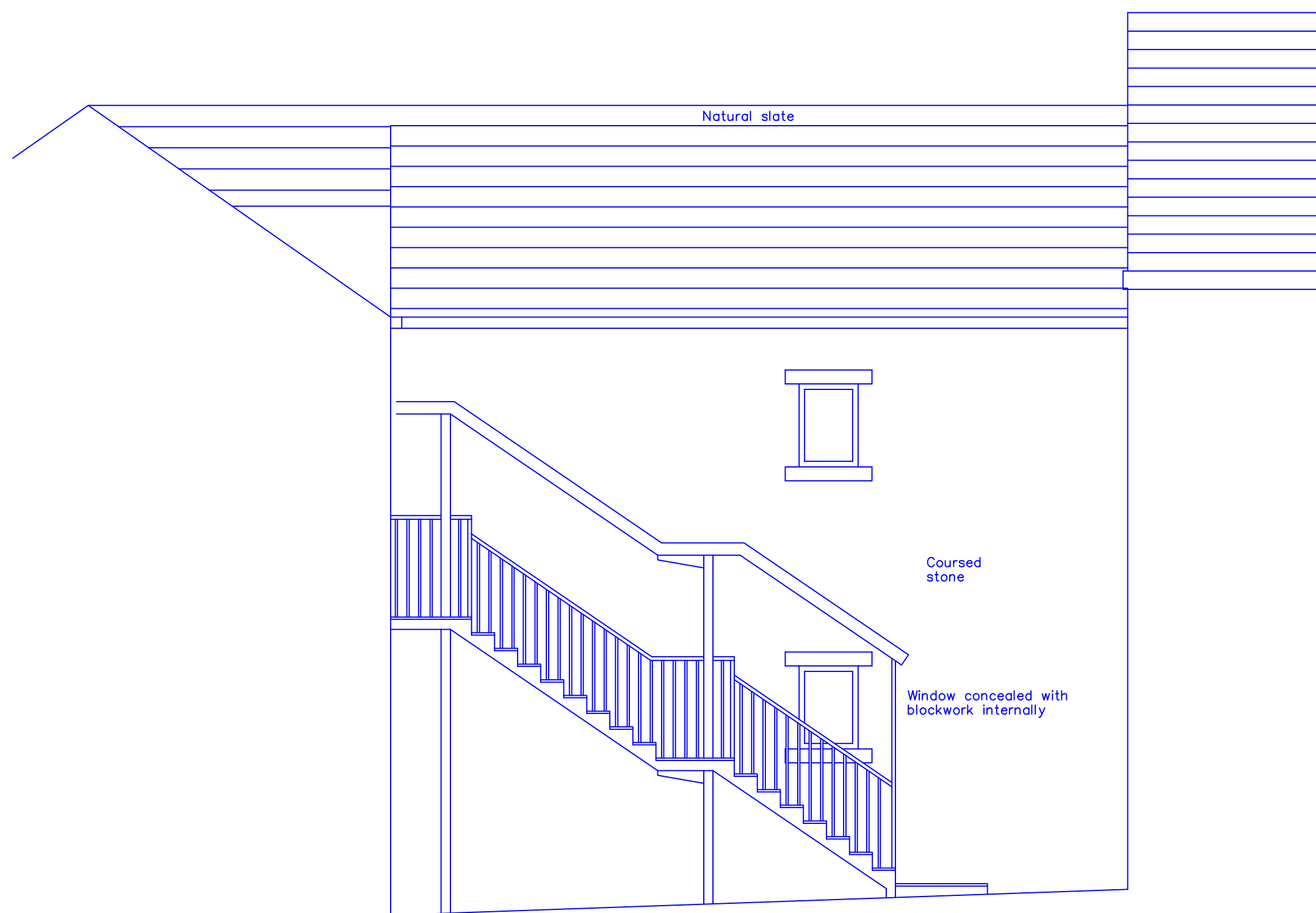
Proposed Plan
First Floor



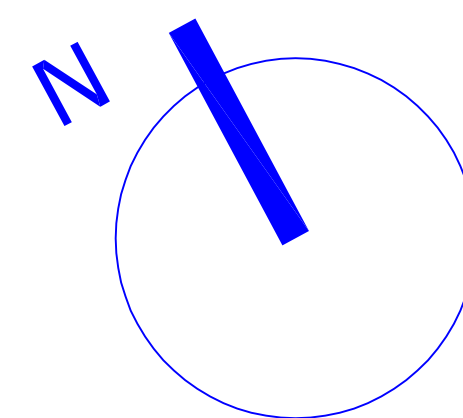
Proposed Rear Elevation



Proposed Front Elevation



Proposed Side Elevation



B Extract flue internal 14.09.2020
A Side elevation added with stair
Bins Indicated / flue reduced in height 20.08.2020

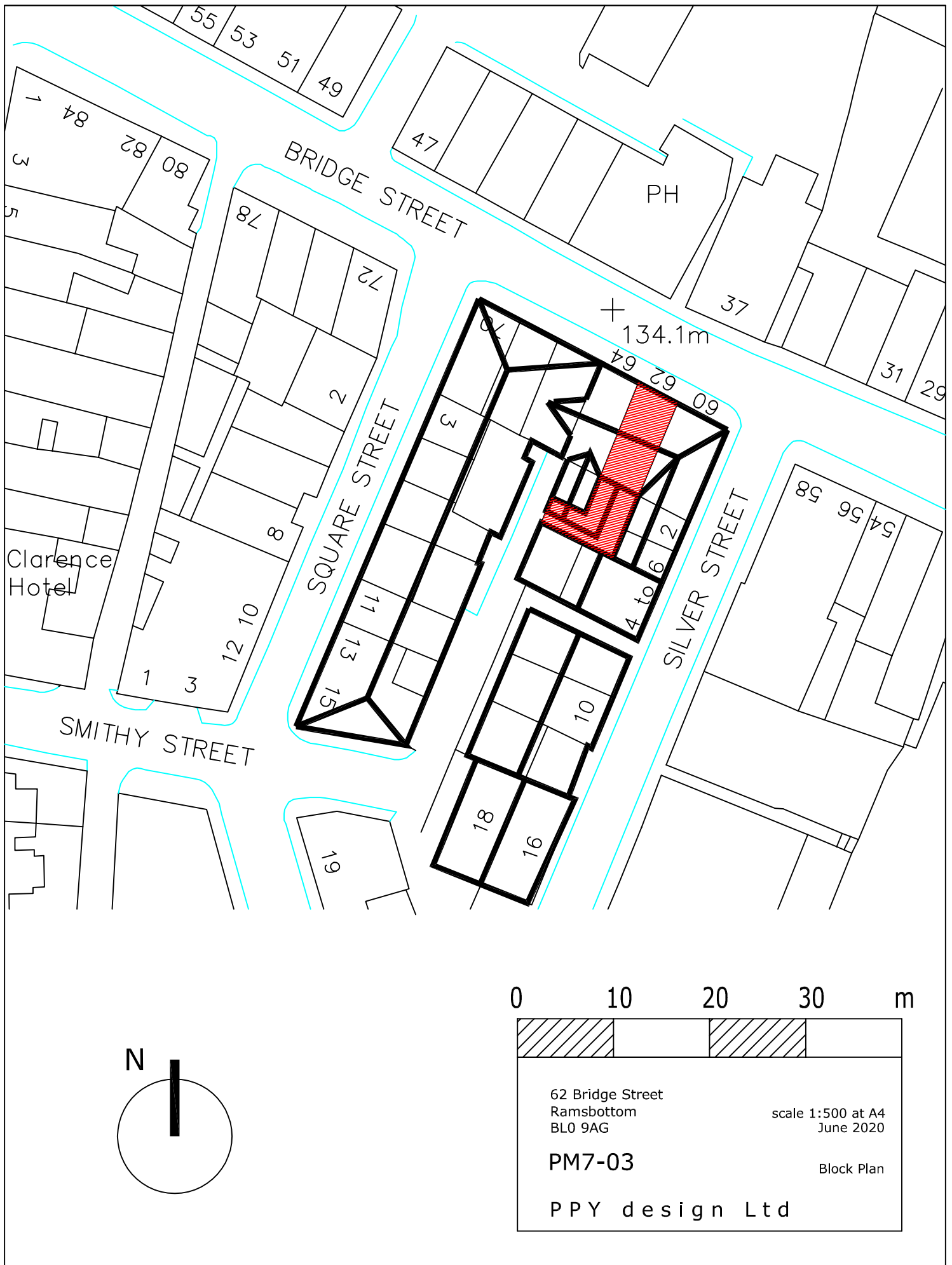
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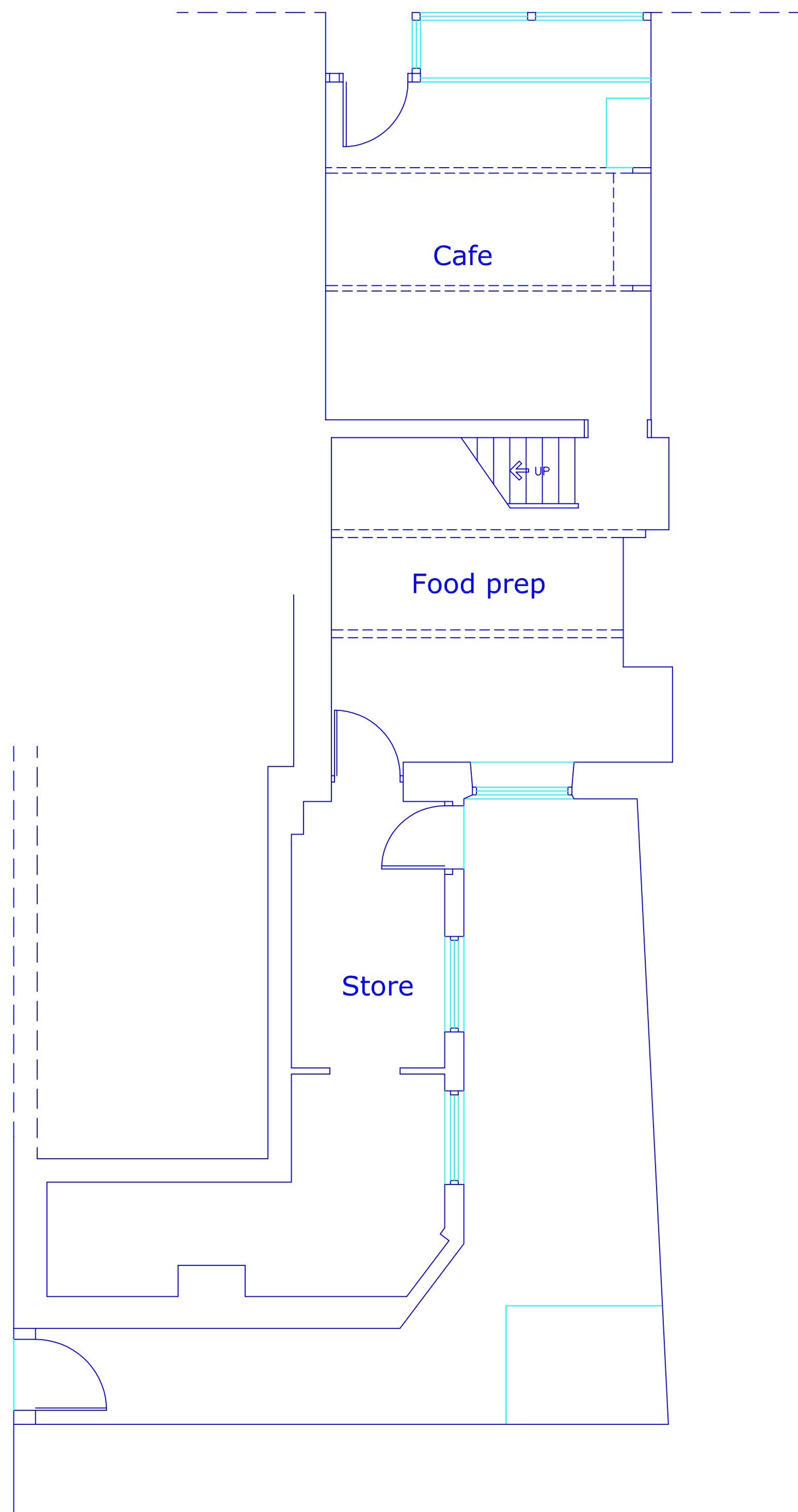
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62 Bridge Street Ramsbottom BL8 9AG	scale 1:50 @ A1 June 2020
PM7-02B Proposed Plans & Elevations	
PPY design Ltd	

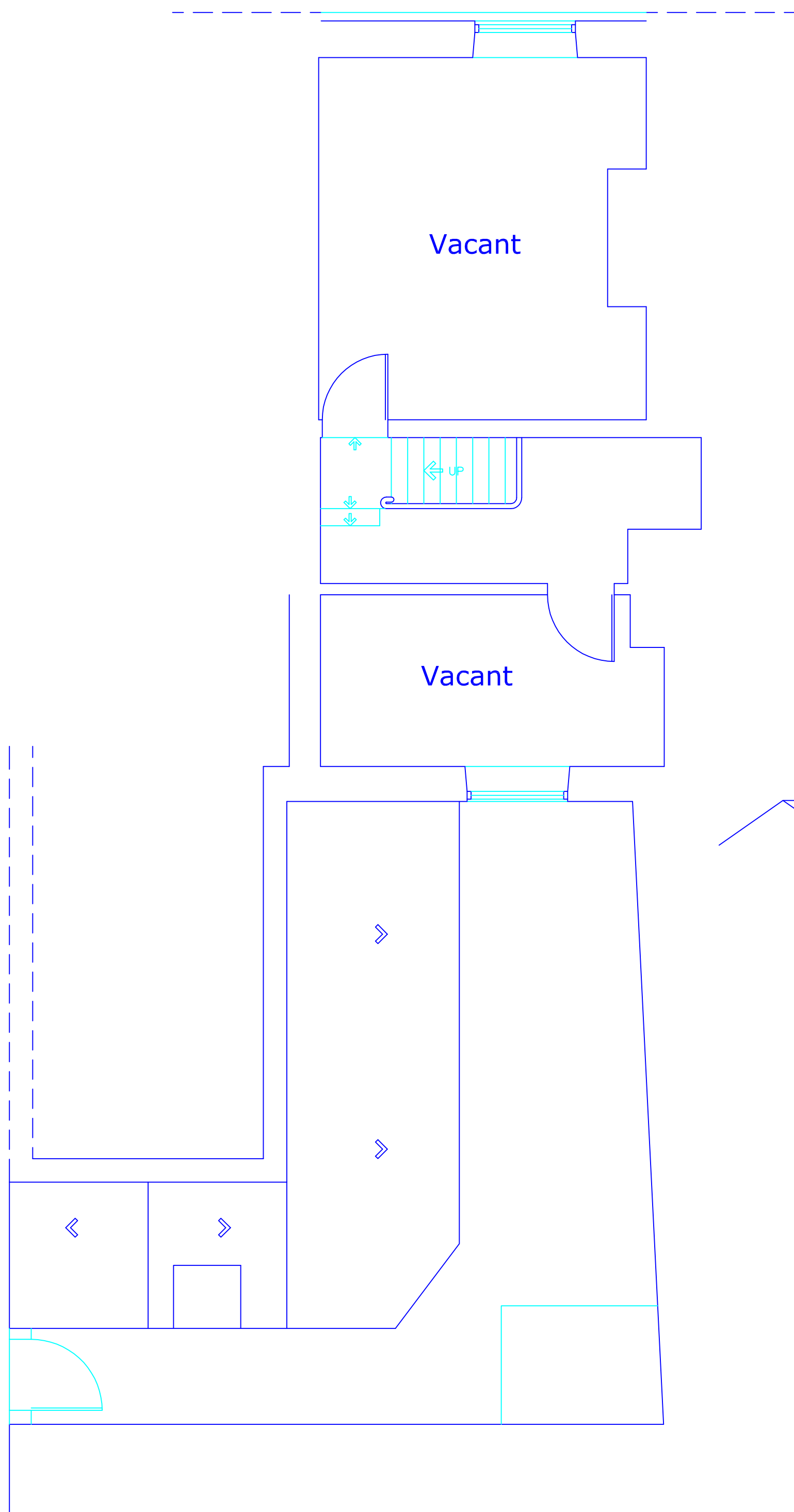
2 Helmshore Road, Holcombe Village
Ramsbottom, Lancashire BL8 4PA

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T. 01706 822731 M. 07712 669482

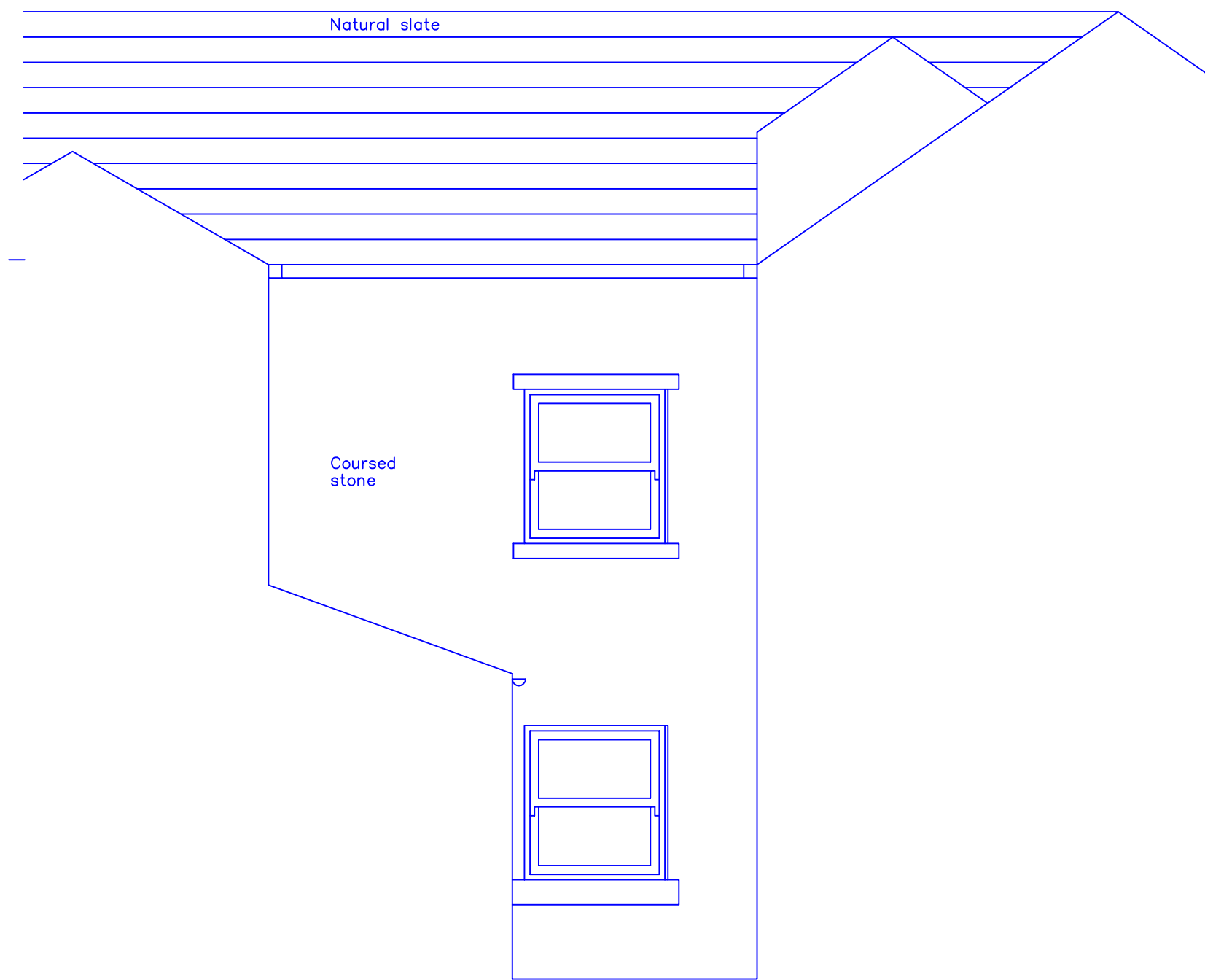




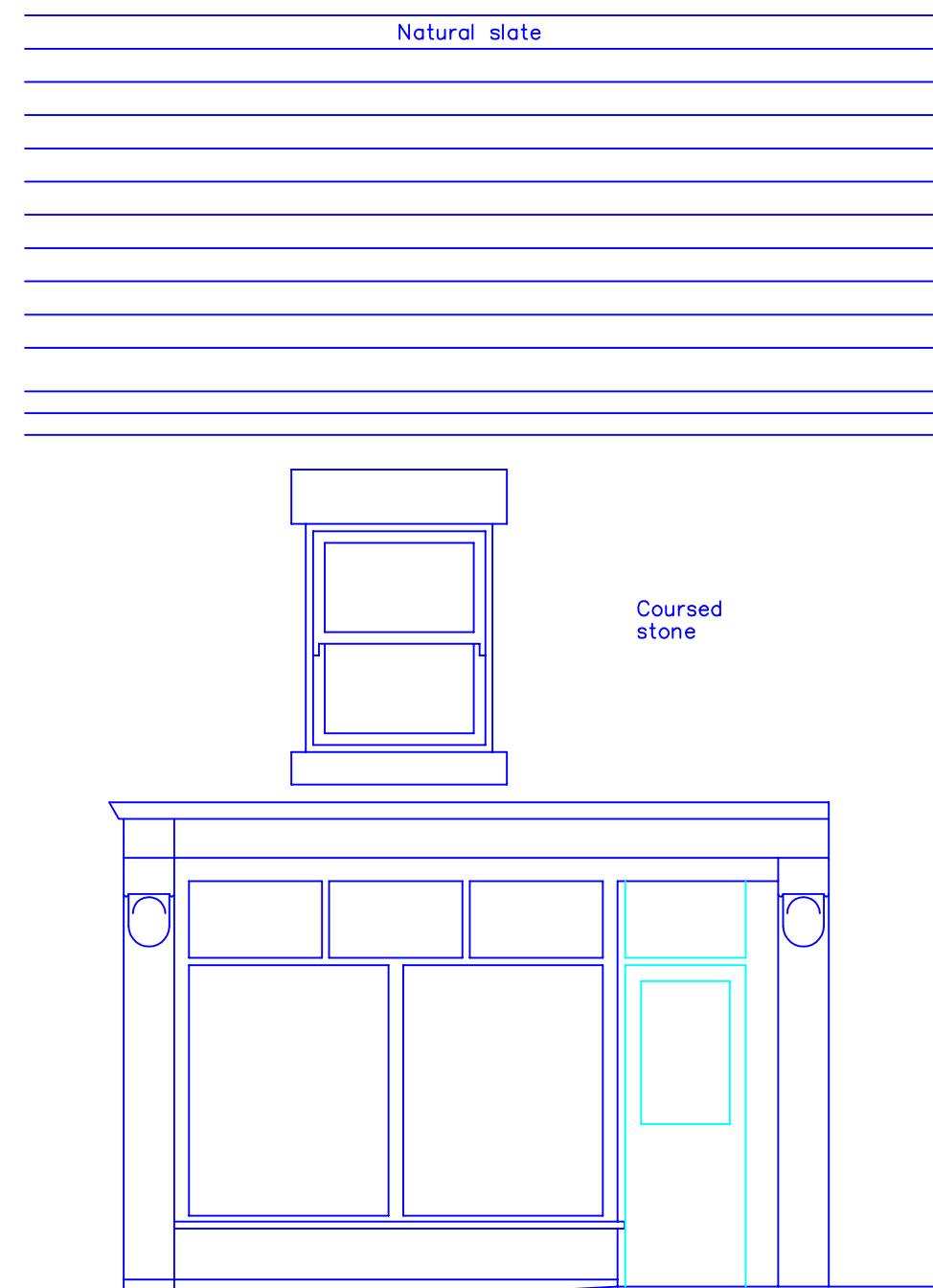
Existing Plan
Ground Floor



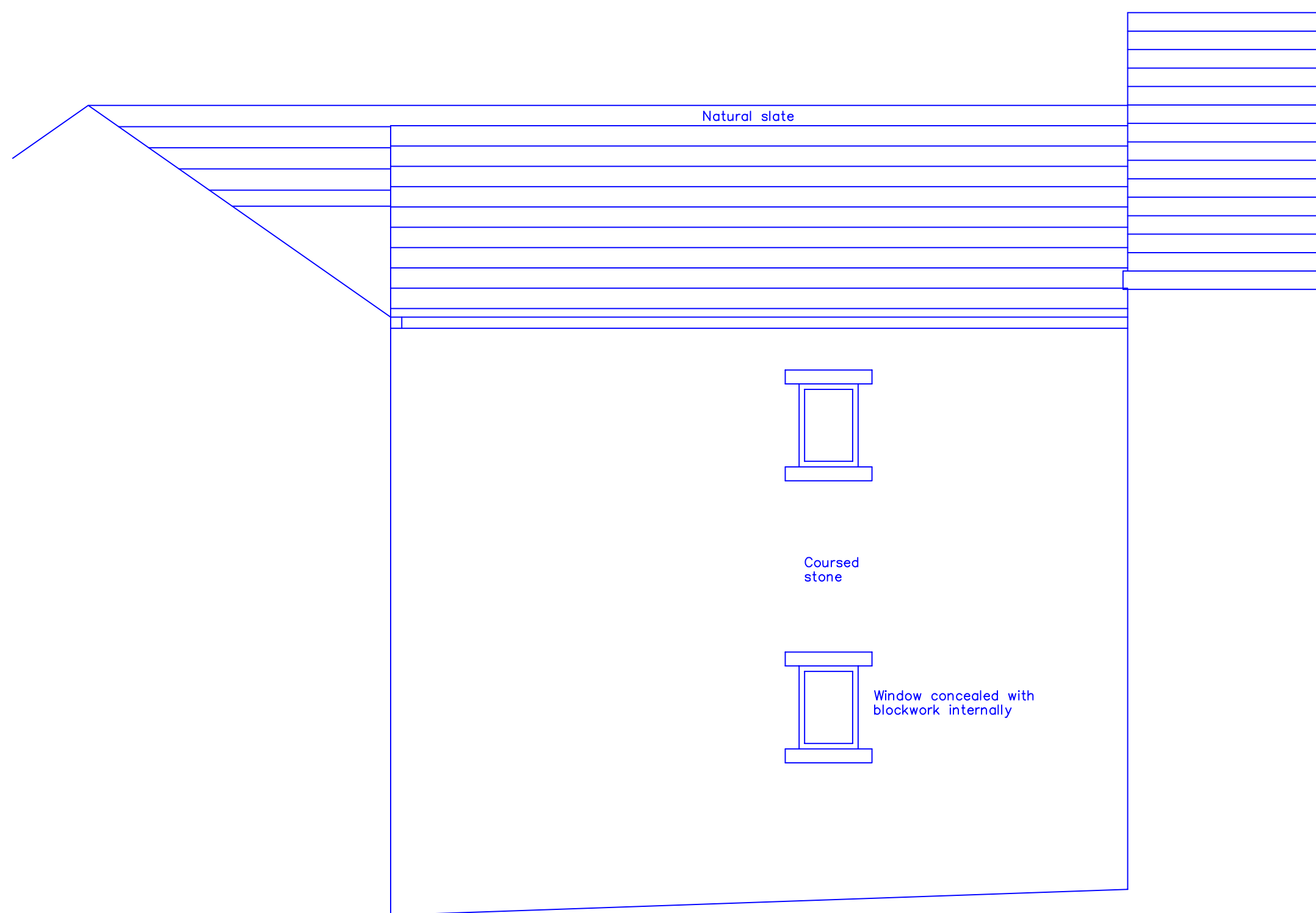
Existing Plan
First Floor



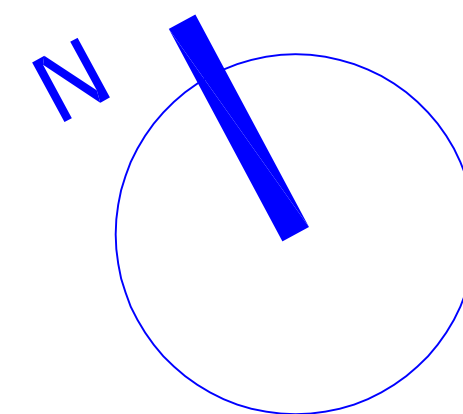
Existing Rear Elevation



Existing Front Elevation



Existing Side Elevation



A Side elevation added 20.08.2020

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62 Bridge Street Ramsbottom BL0 9AG	scale 1:50 @ A1 October 2017
PM7-01A Existing Plans & Elevations	
PPY design Ltd	

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REPORT FOR NOTING

Agenda Item 5

Bury
COUNCIL

**Agenda
Item**

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	06 October 2020
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 24/08/2020 and 27/09/2020



Ward: **Bury East**

Application No.: 64637 **App. Type:** FUL 24/08/2020 Refused
Location: Omnibus Depot, 55 Rochdale Road, Bury, BL9 7XX
Proposal: Extension to form workshop (Class B2)

Application No.: 65624 **App. Type:** FUL 27/08/2020 Approve with Conditions
Location: 16 Hewart Drive, Bury, BL9 7NF
Proposal: Part two/part single storey extension at rear and porch at front

Application No.: 65748 **App. Type:** ADV 08/09/2020 Approve with Conditions
Location: 5-9 The Rock, Bury, BL9 0YB
Proposal: 1no. internally static illuminated fascia, 1no. internally static illuminated projecting sign, 1no. non- illuminated opening hours acrylic panel, 1no. non-illuminated frosted vinyl manifestation 1no. non- illuminated letter box surround 1no. non-illuminated night safe header 1no. non-illuminated ATM header

Application No.: 65758 **App. Type:** GPDE 02/09/2020 Prior Approval Not Required - Extension
Location: 18 Maudsley Street, Bury, BL9 0SZ
Proposal: Prior approval for proposed single storey rear extension

Ward: **Bury East - Moorside**

Application No.: 65622 **App. Type:** FUL 04/09/2020 Approve with Conditions
Location: First Floor, 1-7 Peter Street, Bury, BL9 6AB
Proposal: Change of use from D1 to martial arts academy D2

Application No.: 65736 **App. Type:** FUL 03/09/2020 Approve with Conditions
Location: 15 Inglewood Close, Bury, BL9 7LD
Proposal: Loft conversion with dormer at rear and single storey extension at front

Application No.: 65750 **App. Type:** GPDE 25/08/2020 Prior Approval Required & Granted - Ext
Location: 13 Talbot Grove, Bury, BL9 6PH
Proposal: Prior approval for proposed single storey rear extension

Application No.: 65781 **App. Type:** LDCE 22/09/2020 Refused
Location: Cottage 2 Hague Hall Farm (Further Davises Farm), Mather Road, Bury, BL9 6TJ
Proposal: Lawful development certificate for existing use as cottage

Application No.: 65782 **App. Type:** LDCE 22/09/2020 Refused
Location: Cottage 1 Hague Hall Farm (Further Davises Farm), Mather Road, Bury, BL9 6TJ
Proposal: Lawful development certificate for existing use as cottage

Ward: **Bury East - Redvales**

Application No.: 65674 **App. Type:** FUL 25/08/2020 Approve with Conditions
Location: 42 Somerset Drive, Bury, BL9 9DQ
Proposal: First floor rear extension

Application No.: 65689 **App. Type:** FUL 08/09/2020 Approve with Conditions
Location: 13 St Peters Road, Bury, BL9 9RA
Proposal: Single storey side extension, front porch and render to external elevations

Application No.: 65690 **App. Type:** LDCE 24/08/2020 Lawful Development
Location: Bury Waste Water Treatment Works, Crossfield Street, Bury, BL9 9TF
Proposal: Lawful development certificate for existing development of ground mounted solar array

Application No.: 65706 **App. Type:** FUL 25/08/2020 Approve with Conditions
Location: 203 Parkhills Road, Bury, BL9 9AJ
Proposal: Single storey extension at front, first floor rear extension and single storey rear extension

Application No.: 65717 **App. Type:** FUL 07/09/2020 Approve with Conditions
Location: 11 Grosvenor Street, Bury, BL9 9BJ
Proposal: Two storey extension at side/rear and single storey extensions at rear; Loft conversion with rear dormer; Pitched roofs and alterations to front elevation

Application No.: 65718 **App. Type:** FUL 02/09/2020 Approve with Conditions
Location: 17 St Peters Road, Bury, BL9 9RA
Proposal: Erection of detached outbuilding at front

Application No.: 65745 **App. Type:** FUL 14/09/2020 Approve with Conditions
Location: Bury Grammar School Playing Fields, Buckley Wells, Bury, BL9 0TZ
Proposal: Erection of a wall and earth bund which form part of a wider scheme to improve flood protection along the River Irwell

Application No.: 65751 **App. Type:** FUL 11/09/2020 Approve with Conditions
Location: 712 Whitefield Road, Bury, BL9 9PL
Proposal: Demolition of attached garage to be replaced with Two storey side extension; Erection of single storey outbuilding

Application No.: 65809 **App. Type:** FUL 22/09/2020 Approve with Conditions
Location: Land between the River Irwell and Metrolink embankment
Proposal: Four areas of ground raising, totalling 7757m3 of ground with a surface area of 7113m2.

Application No.: 65810 **App. Type:** FUL 23/09/2020 Approve with Conditions
Location: Land between the River Irwell and Metrolink embankment
Proposal: Excavating 7757m3 of ground with a surface area of 8217m2 to create a wetland habitat area.

Ward: **Bury West - Church**

Application No.: 65646 **App. Type:** FUL 25/08/2020 Approve with Conditions
Location: New Victoria Mills, Wellington Street, Bury, BL8 2AL
Proposal: Change of use of part of first floor from retail showroom (Class A1) to mixed use retail showroom, events and exhibition area (Sui Generis) with associated external alterations to include external staircase

Application No.: 65711 **App. Type:** FUL 03/09/2020 Approve with Conditions
Location: Rota Engineering, Wellington Street, Bury, BL8 2BD
Proposal: Single storey extension at side with new pitched roof

Application No.: 65716 **App. Type:** FUL 07/09/2020 Approve with Conditions
Location: 4 Slaidburn Drive, Bury, BL8 3DG
Proposal: Two storey side extension

Application No.: 65721 **App. Type:** FUL 08/09/2020 Approve with Conditions
Location: 37 Belmont Drive, Bury, BL8 2HU
Proposal: Single storey extension at front/side with alterations to roof and replacement of existing flat roof at side with pitched roof

Application No.: 65789 **App. Type:** FUL 25/09/2020 Approve with Conditions
Location: 506 Bolton Road, Bury, BL8 2DU
Proposal: Single storey extension at front for porch and WC

Ward: **Bury West - Elton**

Application No.: 65164 **App. Type:** FUL 24/08/2020 Approve with Conditions
Location: Our Lady Of Lourdes Roman Catholic County Primary, Rudgwick Drive, Bury, BL8 1YA
Proposal: Installation of modular temporary building

Application No.: 65677 **App. Type:** FUL 28/08/2020 Approve with Conditions
Location: 5 Balcombe Close, Bury, BL8 4PL
Proposal: Conversion of garage to living accommodation and first floor extension at side

Application No.: 65695 **App. Type:** FUL 17/09/2020 Approve with Conditions
Location: 6 Newhaven Close, Bury, BL8 1XX
Proposal: Single storey rear extension

Application No.: 65732 **App. Type:** FUL 03/09/2020 Approve with Conditions
Location: 8 Hunstanton Drive, Bury, BL8 1EG
Proposal: Two storey extension at side/front; Single/two storey extension at rear

Application No.: 65756 **App. Type:** GPDE 24/08/2020 Prior Approval Not Required - Extension
Location: 40 Holme Avenue, Bury, BL8 1HN
Proposal: Prior approval for proposed single storey rear extension

Ward: **North Manor**

Application No.: 65691 **App. Type:** FUL 28/08/2020 Refused
Location: 376 Bolton Road, Tottington, Bury, BL8 4JR
Proposal: Addition of wrought iron railings and stone piers on existing stone wall at front

Application No.: 65699 **App. Type:** FUL 24/08/2020 Approve with Conditions
Location: 13 Stretton Road, Ramsbottom, Bury, BL0 9SX
Proposal: Two storey side extension; Canopy at front; Widening of existing driveway

Application No.: 65703 **App. Type:** FUL 03/09/2020 Approve with Conditions
Location: 149 Longsight Road, Tottington, Bury, BL8 4DA
Proposal: Single storey extension to north/east/south elevations with loft conversion and widening of existing driveway

Application No.: 65709 **App. Type:** FUL 28/08/2020 Approve with Conditions
Location: 31 Oak Avenue, Ramsbottom, Bury, BL0 9UY
Proposal: Single storey extension at side/rear, canopy at front and render to external elevations

Application No.: 65712 **App. Type:** FUL 28/08/2020 Approve with Conditions
Location: 85 Summerseat Lane, Ramsbottom, Bury, BL0 9RQ
Proposal: Single storey extension at side/rear and first floor extension at side

Application No.: 65724 **App. Type:** GPDE 24/08/2020 Prior Approval Not Required - Extension
Location: 13 Palatine Drive, Bury, BL9 6RL
Proposal: Prior approval for proposed single storey rear extension

Application No.: 65783 **App. Type:** FUL 22/09/2020 Approve with Conditions
Location: 12 Walton Drive, Bury, BL9 5JU
Proposal: Single storey extension at side with pergola and decking

Ward: **Prestwich - Holyrood**

Application No.: 65483 **App. Type:** FUL 07/09/2020 Approve with Conditions
Location: 37 Parkville Road, Prestwich, Manchester, M25 2QG
Proposal: Two storey side; Single storey rear extension; Roof canopy over front elevation

Application No.: 65539 **App. Type:** FUL 03/09/2020 Approve with Conditions
Location: 93 Heywood Old Road, Middleton, Manchester, M24 4QS
Proposal: Two storey extension at side and single storey extension at rear

Application No.: 65660 **App. Type:** FUL 28/08/2020 Approve with Conditions
Location: 363 Bury Old Road, Prestwich, Manchester, M25 1QA
Proposal: Change of use of first floor from dwelling (C3) to offices (B1); Raise roof of rear outrigger to allow internal floor to be level; New roller shutter; Ramp to front.

Application No.: 65671 **App. Type:** FUL 17/09/2020 Approve with Conditions
Location: 95 Simister Lane, Prestwich, Manchester, M25 2SU
Proposal: Two storey extension at side with rear dormer and first floor balcony at rear

Application No.: 65700 **App. Type:** FUL 10/09/2020 Approve with Conditions
Location: 18 Guest Road, Prestwich, Manchester, M25 3DL
Proposal: Removal of existing conservatory and erection of single storey extension at side/rear

Application No.: 65730 **App. Type:** FUL 07/09/2020 Approve with Conditions
Location: 14 Oldfield Road, Prestwich, Manchester, M25 2GG
Proposal: Step lift installation and associated building works

Application No.: 65744 **App. Type:** FUL 04/09/2020 Approve with Conditions
Location: 13 Pine Grove, Prestwich, Manchester, M25 3DR
Proposal: Single storey rear extension and raised patio

Application No.: 65776 **App. Type:** FUL 22/09/2020 Approve with Conditions
Location: 405 Middleton Road, Prestwich, Manchester, M24 4QZ
Proposal: Single storey extension at side; Side landing window raised above new side roof; Tiled roof to existing conservatory

Ward: **Prestwich - Sedgley**

Application No.: 64877 **App. Type:** ADV 04/09/2020 Approve with Conditions
Location: Unit B, Gateway Centre, Ardent Way, Prestwich, M25 9WD
Proposal: 2 no. externally illuminated fascia signs

Application No.: 65118 **App. Type:** FUL 28/08/2020 Split Decision
Location: 14 The Meadows, Prestwich, Manchester, M25 1DT
Proposal: Proposal A: Gym building to rear garden.
Proposal B: Single storey front extension with veranda

Application No.:	65636	App. Type:	FUL	03/09/2020	Refused
Location:	2 Deyne Avenue, Prestwich, Manchester, M25 1EJ				
Proposal:	Single storey side extension with open roof; Raised patio; Dormer extension to side				
Application No.:	65675	App. Type:	FUL	26/08/2020	Approve with Conditions
Location:	20 Bland Road, Prestwich, Manchester, M25 9WL				
Proposal:	Single storey rear extension with external stepped access with handrail and raising part of rear upper garden terrace patio				
Application No.:	65694	App. Type:	FUL	24/08/2020	Approve with Conditions
Location:	16 Parkway, Prestwich, Manchester, M25 0JE				
Proposal:	Two storey extension at side/rear, single storey extension at rear and front porch				
Application No.:	65697	App. Type:	FUL	18/09/2020	Approve with Conditions
Location:	81-83 Windsor Road, Prestwich, Manchester, M25 0DB				
Proposal:	Erection of access ramp and integrated trolley bay at front				
Application No.:	65705	App. Type:	FUL	28/08/2020	Approve with Conditions
Location:	25 Mountheath Industrial Park, Ardent Way, Prestwich, Manchester, M25 9WE				
Proposal:	Blocking up of existing side elevation fire escape door and relocation to rear elevation				
Application No.:	65729	App. Type:	FUL	17/09/2020	Refused
Location:	1 Circular Road, Prestwich, Manchester, M25 9NR				
Proposal:	Conversion of existing lower ground floor level into 1no. self-contained dwelling				
Application No.:	65738	App. Type:	LDCP	03/09/2020	Lawful Development
Location:	40 George Street, Prestwich, Manchester, M25 9WS				
Proposal:	Lawful development certificate for proposed single storey rear extension.				
Application No.:	65779	App. Type:	FUL	22/09/2020	Approve with Conditions
Location:	7 Heywood Road, Prestwich, Manchester, M25 1FB				
Proposal:	Erection of detached garage with dual pitched roof at side				
Application No.:	65786	App. Type:	FUL	22/09/2020	Approve with Conditions
Location:	76 Meade Hill Road, Prestwich, Manchester, M8 4LP				
Proposal:	Two storey extension at side/rear and ground floor extensions at rear				
Application No.:	65793	App. Type:	FUL	25/09/2020	Approve with Conditions
Location:	5 East Meade, Prestwich, Manchester, M25 0JJ				
Proposal:	Single storey extension at rear with steps to garden level				

Application No.: 65800 **App. Type:** GPDE 10/09/2020 Prior Approval Not Required - Extension
Location: 6 Lancaster Drive, Prestwich, Manchester, M25 0HZ
Proposal: Prior approval for proposed single storey rear extension

Ward: **Prestwich - St Mary's**

Application No.: 65170 **App. Type:** FUL 25/09/2020 Approve with Conditions
Location: Rainsough Cottage, 5 Rainsough Brow, Prestwich, Manchester, M25 9SU
Proposal: Demolition of existing dwelling and outbuildings and erection of 4 no. dwellings

Application No.: 65672 **App. Type:** FUL 26/08/2020 Approve with Conditions
Location: 5 Barnhill Avenue, Prestwich, Manchester, M25 9WJ
Proposal: First floor extension at side, single storey extension at rear, front porch, replacement windows, rendering of external walls and widening of existing driveway

Application No.: 65707 **App. Type:** FUL 04/09/2020 Approve with Conditions
Location: 2 Carmona Drive, Prestwich, Manchester, M25 3JN
Proposal: Two storey extension at side/rear

Application No.: 65742 **App. Type:** FUL 07/09/2020 Approve with Conditions
Location: 3 Barnhill Avenue, Prestwich, Manchester, M25 9WJ
Proposal: Redevelopment of bungalow to provide first floor and living accommodation in roof space with the raising of ridge height of roof

Ward: **Radcliffe - East**

Application No.: 65692 **App. Type:** LDCP 24/08/2020 Lawful Development
Location: 143 Bury And Bolton Road, Radcliffe, Manchester, M26 4JY
Proposal: Lawful development certificate for proposed single storey side extension

Application No.: 65746 **App. Type:** FUL 14/09/2020 Approve with Conditions
Location: Hardy's Gate Bridge, Dumers Lane, Radcliffe, M26 2QJ
Proposal: Raising the upstream parapet level along the full extent of Hardy's Gate Bridge by 0.25 metres to provide additional flood protection; Strengthening of the parapet by reinforcing dowel bars; Installation of twin stainless steel debris cables spanning the river immediately upstream of the bridge.

Application No.: 65747 **App. Type:** FUL 10/09/2020 Approve with Conditions
Location: 27 Seddon Avenue, Radcliffe, Manchester, M26 2GP
Proposal: Single storey rear extension

Ward: **Radcliffe - North**

Application No.:	65538	App. Type:	FUL	02/09/2020	Refused
Location:	15 Victoria Street, Ainsworth, Bolton, BL2 5RB				
Proposal:	Raising of roof ridge height with loft conversion and front dormer with balcony				
Application No.:	65564	App. Type:	FUL	02/09/2020	Approve with Conditions
Location:	19 Cobden Street, Radcliffe, Manchester, M26 4HR				
Proposal:	Part demolition and conversion of existing community centre/club to form 1 no. dwelling with new pitched roof and alterations to fenestration				
Application No.:	65626	App. Type:	FUL	23/09/2020	Approve with Conditions
Location:	The Bungalow, Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT				
Proposal:	Conversion of property to 1 no. residential building; increase to the roof height, two storey extension and associated parking and landscaping, change of use of land to residential garden				
Application No.:	65710	App. Type:	LDCP	03/09/2020	Lawful Development
Location:	6 Sherbourne Close, Radcliffe, Manchester, M26 3UP				
Proposal:	Lawful development certificate for proposed - the proposal is to build a single storey extension at the rear, which will be attached to the original extension, the original extension is 4 x 3 metres, the proposed extension will be going out 4metres the same as the original extension and going to the edge of the original house, which will make the extension 4 x 2.7 metres				
Application No.:	65725	App. Type:	FUL	07/09/2020	Approve with Conditions
Location:	5 Tintagel Court, Radcliffe, Manchester, M26 3TY				
Proposal:	Two storey rear extension				
Application No.:	65726	App. Type:	FUL	03/09/2020	Approve with Conditions
Location:	81 Salisbury Road, Radcliffe, Manchester, M26 4NQ				
Proposal:	Single storey extension at front and side				
Application No.:	65741	App. Type:	FUL	17/09/2020	Split Decision
Location:	1 Clyde Terrace, Radcliffe, Manchester, M26 4PL				
Proposal:	Proposal A - Dropped kerb and creation of parking space. Proposal B - Single storey front/side extension.				
Application No.:	65794	App. Type:	LDCP	22/09/2020	Lawful Development
Location:	17 Burghley Close, Radcliffe, Manchester, M26 3XZ				
Proposal:	Lawful development certificate for proposed single storey rear extension				
Application No.:	65816	App. Type:	GPDE	18/09/2020	Prior Approval Required & Granted - Ext
Location:	41 Stanley Road, Radcliffe, Manchester, M26 4HG				
Proposal:	Prior approval for proposed single storey rear extension				

Ward: **Radcliffe - West**

Application No.: 65670 **App. Type:** FUL 25/08/2020 Approve with Conditions
Location: 23 Hollinhurst Road, Radcliffe, Manchester, M26 1LF
Proposal: Single storey extension at front and two storey side extension; Formation of driveway/new vehicular access at front; Replace existing hedge with 2.1 metre high boundary wall/fence at side

Application No.: 65854 **App. Type:** PIAPA 10/09/2020 Prior Approval Not Required
Location: 21-23 Water Street, Radcliffe, Manchester, M26 3DE
Proposal: Prior approval for proposed change of use from shop to dwelling

Ward: Ramsbottom + Tottington - Tottington

Application No.: 65644 **App. Type:** FUL 03/09/2020 Approve with Conditions
Location: 51 Shipston Close, Bury, BL8 1QH
Proposal: Two storey extension at side/single storey extension at side/rear; Front porch

Application No.: 65647 **App. Type:** FUL 24/08/2020 Approve with Conditions
Location: 260 Turton Road, Tottington, Bury, BL8 4AJ
Proposal: Single storey extension at front and porch alterations

Application No.: 65673 **App. Type:** FUL 28/08/2020 Approve with Conditions
Location: Springfield, Turton Road, Tottington, Bury, BL8 3QG
Proposal: New roof to existing single storey extension and addition of spiral staircase leading to first floor roof terrace with glazed balustrade above garage and changes to windows/doors

Application No.: 65688 **App. Type:** FUL 18/09/2020 Approve with Conditions
Location: 59 Bradshaw Road, Walshaw, Tottington, Bury, BL8 3PN
Proposal: Change of use of land at rear to extend existing residential garden and single storey extensions at rear of dwelling

Application No.: 65701 **App. Type:** FUL 04/09/2020 Approve with Conditions
Location: Moorgate Farm, Turton Road, Tottington, Bury, BL8 3QQ
Proposal: Replacement of existing agricultural building

Application No.: 65737 **App. Type:** GPDE 28/08/2020 Prior Approval Not Required - Extension
Location: 128 Scobell Street, Tottington, Bury, BL8 3DF
Proposal: Prior approval of proposed single storey rear extension

Application No.: 65780 **App. Type:** FUL 25/08/2020 Approve with Conditions
Location: 12 Watling Street, Tottington, Bury, BL8 3QS
Proposal: First floor extension over existing ground floor extension

Application No.: 65851 **App. Type:** CON 09/09/2020 Raise No Objection
Location: Heyhead Farm, Bowstone Hill Road, Bolton, BL2 4LS
Proposal: Article 18 consultation from Bolton Council (ref 20/08748) for Erection of two storey educational facility to provide classroom, baking area, toilets and office facilities

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.:	65056	App. Type:	FUL	10/09/2020	Approve with Conditions
Location:	Higher House, Moor Road, Ramsbottom, Bury, BL8 4NX				
Proposal:	Removal of existing vehicular access gates, stone pillars and curved wall; Construction of new curved wall in its original configuration attached to the main house; Widening of existing double gates adjacent an outbuilding; Provision of outdoor car parking; Refurbishment of the outbuilding for use by locals as a communal bin store				
Application No.:	65057	App. Type:	LBC	10/09/2020	Approve with Conditions
Location:	Higher House, Moor Road, Ramsbottom, Bury, BL8 4NX				
Proposal:	Listed building consent for removal of existing vehicular access gates, stone pillars and curved wall; construction of new curved wall in its original configuration attached to the main house; widening of existing double gates adjacent an outbuilding; provision of outdoor car parking; refurbishment of the outbuilding for use by locals as a communal bin store.				
Application No.:	65659	App. Type:	FUL	24/08/2020	Approve with Conditions
Location:	1 Cotswold Close, Ramsbottom, Bury, BL0 9LJ				
Proposal:	Two storey extension at side and single storey extension at rear				
Application No.:	65681	App. Type:	FUL	25/08/2020	Approve with Conditions
Location:	38 Roseberry Close, Ramsbottom, Bury, BL0 9FQ				
Proposal:	Change of use of land to residential use for the creation of additional garden space and repositioning of 2m high fence to within 1m of boundary				
Application No.:	65702	App. Type:	LDCP	25/08/2020	Refused
Location:	28 Bolton Street, Ramsbottom, Bury, BL0 9HX				
Proposal:	Lawful development certificate for proposed change of elevation to the rear of the property in way of an additional door and window				
Application No.:	65749	App. Type:	FUL	04/09/2020	Approve with Conditions
Location:	25 Brooklands Road, Ramsbottom, Bury, BL0 9SW				
Proposal:	Removal of single storey lean-to and erection of single storey rear extension, removal of existing conservatory to create raised patio and cement rendering to external rear walls.				
Application No.:	65762	App. Type:	FUL	08/09/2020	Approve with Conditions
Location:	Land adjacent to 173 Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0DG				
Proposal:	Erection of 1 no. detached dwelling				
Application No.:	65774	App. Type:	FUL	08/09/2020	Approve with Conditions
Location:	2 Beechacre, Ramsbottom, Bury, BL0 9LS				
Proposal:	First floor extension at side with front dormer and roof alterations including balcony; Replacement of existing conservatory at rear with single storey extension				
Application No.:	65815	App. Type:	GPDE	10/09/2020	Prior Approval Not Required - Extension
Location:	41 George Road, Ramsbottom, Bury, BL0 9NQ				
Proposal:	Prior approval for proposed single storey rear extension				

Ward: Whitefield + Unsworth - Besses

Application No.:	65198	App. Type:	GPDE	02/09/2020	Prior Approval Not Required - Extension
Location:	36 Hardmans Road, Whitefield, Manchester, M45 7BD				
Proposal:	Prior approval for proposed single storey rear extension				

Application No.:	65652	App. Type:	FUL	10/09/2020	Approve with Conditions
Location:	391 Parr Lane, Bury, BL9 8NA				
Proposal:	Single storey extension at rear				

Application No.:	65678	App. Type:	FUL	02/09/2020	Approve with Conditions
Location:	97 Swinton Crescent, Bury, BL9 8PB				
Proposal:	Single storey side and rear extension				

Ward: Whitefield + Unsworth - Pilkington Park

Application No.:	65733	App. Type:	FUL	08/09/2020	Refused
Location:	51 Hillingdon Road, Whitefield, Manchester, M45 7GL				
Proposal:	Construction of 2m high site boundary wall				

Application No.:	65734	App. Type:	FUL	09/09/2020	Approve with Conditions
Location:	11 Sycamore Place, Whitefield, Manchester, M45 7FQ				
Proposal:	Two storey extension at side				

Application No.:	65753	App. Type:	FUL	16/09/2020	Approve with Conditions
Location:	3 Richmond Close, Whitefield, Manchester, M45 7PW				
Proposal:	First floor extension at side/rear				

Ward: Whitefield + Unsworth - Unsworth

Application No.:	65560	App. Type:	FUL	21/09/2020	Approve with Conditions
Location:	2 Rhodes Drive, Bury, BL9 8NH				
Proposal:	Erection of replacement detached garage, a basement store room to garage below; Replacement 1.8m and 1.5m high boundary wall and fence arrangements with 1 no. electric sliding gate, and 1 no. electric sliding pedestrian gate.				

Application No.:	65713	App. Type:	FUL	04/09/2020	Approve with Conditions
Location:	22 Linksway Drive, Bury, BL9 8EP				
Proposal:	Single storey extension with terrace at rear				

Application No.:	65755	App. Type:	FUL	10/09/2020	Approve with Conditions
Location:	333 Hollins Lane, Bury, BL9 8BD				
Proposal:	Single storey rear extension				

Total Number of Applications Decided: 101

REPORT FOR NOTING

Agenda Item 6

Bury
COUNCIL

**Agenda
Item**

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	06 October 2020
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:	<p>Planning Appeals:</p> <ul style="list-style-type: none"> - Lodged - Determined <p>Enforcement Appeals</p> <ul style="list-style-type: none"> - 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

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**Planning Appeals Lodged
between 24/08/2020 and 27/09/2020**



Application No.: 65562/FUL

Appeal lodged: 25/08/2020

Decision level: DEL

Appeal Type: Written Representations

Recommended Decision: Refuse

Applicant: Mr Spillard

Location 41 Arthur Lane, Ainsworth, Bolton, BL2 5PR

Proposal Conversion of stable to dwelling with single storey extension

Total Number of Appeals Lodged: 1

<p align="center">Planning Appeals Decided between 24/08/2020 and 27/09/2020</p>



Application No.: 64720/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Andrew Industries Ltd

Location: Andrew Textile Industries Ltd, Walshaw Road, Bury, BL8 1NG

Proposal: Variation of condition no. 17 (affordable housing provision to include vacant building credit) of planning permission ref. 64128

Appeal Decision: Allowed

Date: 08/09/2020

Appeal type: Informal Hearing

Application No.: 65003/GPDE

Decision level: DEL

Recommended Decision: Prior Approval Required

Applicant: Mr Kahed Kapacee

Location: 5 Brook Drive, Whitefield, Manchester, M45 8FR

Proposal: Prior notification for proposed single storey rear extension

Appeal Decision: Allowed

Date: 18/09/2020

Appeal type: Written Representations

Appeal Decision

Hearing Held on 18 August 2020

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th September 2020

Appeal Ref: APP/T4210/W/19/3242597

Andrew Textile Industries Ltd, Walshaw Road, Bury BL8 1NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Andrew Textile Industries Ltd against the decision of Bury Metropolitan Borough Council.
 - The application Ref 64720, dated 26 September 2019, was refused by notice dated 22 November 2019.
 - The application sought planning permission for an outline application for the demolition of all existing buildings and erection of up to 108 no. dwellings with new vehicle and pedestrian access, landscaping and associated works and details of access (matters of layout, scale, appearance and landscaping are reserved) without complying with a condition attached to planning permission Ref 64128, dated 31 July 2019.
 - The condition in dispute is No 17 which states that: The development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure 25% Affordable Housing provision. The scheme for affordable housing shall include a mechanism for delivery, in accordance with policy H4/1 – Affordable Housing and its associated SPG5 – Affordable housing Provision in New Residential Developments. The scheme shall be submitted as part of the reserved matters application and the affordable housing provision shall be delivered in full accordance with the approved details.
 - The reason given for the condition is: To ensure that the development would contribute to satisfying the need for affordable housing provision pursuant to Bury Unitary Development Plan Policy H4/1 – Affordable Housing and the associated Development Control Policy Guidance Note 5 – Affordable Housing Provision in New Residential Developments.
-

Decision

1. The appeal is allowed and planning permission is granted for an outline application for the demolition of all existing buildings and erection of up to 108 no. dwellings with new vehicle and pedestrian access, landscaping and associated works and details of access (matters of layout, scale, appearance and landscaping are reserved) at Andrew Textile Industries Ltd, Walshaw Road, Bury BL8 1NG in accordance with the application Ref 64720, dated 26 September 2019, without compliance with condition number 17 previously imposed on planning permission Ref 64128, dated 31 July 2019 and subject to the conditions as set out on the attached schedule, including an amended condition 17.

Preliminary matter

2. In response to travel restrictions currently in place due to the COVID-19 pandemic, I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available, supplemented by additional evidence at the hearing. The main parties have agreed to the appeal proceeding on this basis.

Background and Main Issue

3. Planning permission was granted for the erection of up to 108 no. dwellings with new vehicle and pedestrian access, landscaping and associated works and details of access (matters of layout, scale, appearance and landscaping are reserved) at the appeal site¹. Condition 17 of that planning permission required that the Council approve in writing a scheme to secure 25% Affordable Housing provision.
4. The appellant considers that Vacant Building Credit (VBC) should apply to the proposal, which would have the effect of reducing the amount of affordable housing provided below that required by the appealed condition. Therefore, a S73 application was submitted to "vary" the condition on the original permission to allow for VBC to be taken into account when determining the amount of affordable housing to be provided on the site.
5. The Council refused that planning application as it considered that the appellant had failed to demonstrate that the building had not been vacated for the sole purpose of redevelopment.
6. In that context, the main issue in this case is whether the appealed condition is necessary and reasonable having regard to VBC provisions and national planning policy and guidance.

Reasons

7. Policy H4/1 of the Bury Unitary Development Plan 1997 (UDP) states that the Council will encourage the provision of affordable housing through negotiation, partnership agreements and the identification of land suitable for such purposes. There will be a particular emphasis given towards encouraging the development of affordable housing as an integral part of large housing developments.
8. The Council's Development Control Policy Guidance Note 5: Affordable Housing Provision in New Residential Developments 2004 (DCPGN) requires that on housing developments of 25 or more houses, 25% should be provided as affordable homes. That is reflected in the wording of the appealed condition No 17. The proposal before me now, which would have the effect of reducing the level of affordable homes on the appeal site to less than 25%, would be contrary to Policy H4/1 and the DCPGN.
9. Planning law requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Both the National Planning Policy Framework (the Framework) and associated Planning Practice Guidance (PPG) which both post-date adoption of the development plan and the DCPGN, are material considerations in this case. Paragraph 63 of the Framework states that *"to support the re-use of brownfield land, where vacant*

¹ Ref 64720 (the original permission)

buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount". This is reiterated in the PPG which confirms that national policy provides an incentive for brownfield development on sites containing vacant buildings, cross referencing back to paragraph 63 of the Framework². This is a clear statement of national policy to be applied by Councils within the wider application of the S.38 (6) development plan balance.

10. The footnote to paragraph 63 of the Framework explains that VBC does not apply to buildings that have been abandoned. As such, the application of VBC is not a blanket policy to apply to all vacant buildings on brownfield land. However, there is no suggestion here that the building has been abandoned. Instead the Council maintains that the appellant has failed to demonstrate that the building has not been vacated for the sole purpose of redevelopment, a matter which the PPG suggests may be appropriate for authorities to consider when having regard to the intention of national policy. In essence, the Council considers that this is not a vacant building for the purposes of VBC.
11. There is no definition of vacant for the purposes of VBC, within legislation or the PPG. In the absence of such, the Council has used three criteria to assess whether or not the building is vacant for the purposes of VBC: the reason the previous occupier left the building; the length of time it has been vacant; and the period of marketing.
12. In two letters from Lydall (the previous occupiers of the building) it is confirmed that the company vacated the building on the appeal site as it was no longer suitable for their business needs. The Council does not dispute this and, having viewed the evidence, I see no reason to disagree. Indeed, this is not a case where the company ended its tenancy early. Rather, the tenancy came to an end and the company chose not to renew. On that basis, I am satisfied that the building has not been vacated solely for redevelopment purposes.
13. The Council requires details of marketing to demonstrate that no other potential employment uses, or any alternative users, would be interested in the building or the site. It suggests that if a site was offered to market and there were many interested parties in the site, there would not be a need to incentivise development of the site through the application of VBC and, on the other hand, if there was no interest, that might be an indication that the site would require incentivising. However, it couldn't be ruled out that persons interested in the site during any marketing process may expect to benefit from VBC. In any event, such considerations are of little relevance in this instance given that the site benefits from an existing planning permission for residential development. Additionally, the Council's Employment Land Review 2013 (ELR) concluded that the site was an inappropriate location for employment use, based on site access, amenity of adjacent occupiers, local facilities for the workforce and whether the site was suitable for alternative uses.
14. I appreciate that the ELR relates to the site as a whole, rather than the building itself. However, the officer's report regarding the original scheme for 108 dwellings confirms that the proposal meets the requirements of Policy EC2/2, which requires clear demonstration that an existing employment site or premises is no longer suited in land use terms to continued employment use. Moreover, the Council confirmed at the hearing that the requirement to demonstrate at

² Paragraph: 026 Reference ID: 23b-026-20190315

least 12 months marketing applies to planning applications on employment sites that are considered suitable in land use terms for continued employment use, which this site is not.

15. Turning to the length of time the building has been vacant, again I am far from convinced that this has any material bearing in terms of demonstrating that the building has been vacated solely for redevelopment purposes. A building may have been vacated for a day or a year, but the reasons behind its vacancy may be very different. In this instance it is clear that the building, and wider site, were no longer fit for the previous occupier's purpose.
16. I recognise that the appellant sought pre-application advice regarding VBC in July 2018 well before the building was vacated. However, this was in the knowledge that the current tenants would not be renewing the lease due to site inadequacies.
17. In addition, delaying the development of the site for up to three years, as suggested by the Council in aligning its view of vacancy with the test for determining whether a building is "in-use" within the Community Infrastructure Levy Regulations 2010 (CIL), means that the intention of national policy to incentivise development of brownfield land would be materially undermined. While there may be some potential for a developer to be in receipt of two incentives to development if the two regimes were not aligned, since the Borough does not have a CIL charging regime, the appellant would not be able to apply for the two incentives in this case.
18. The Council referred me to Bath & North East Somerset Council's Guidance notes on applying VBC to affordable housing contributions which uses the CIL definition of "in-use" to ascertain whether a building is vacant for the purposes of VBC. However, this is a document from a different Council, and I am not aware of the process undertaken in the preparation and adoption of the document, or whether the particular circumstances that might prevail in that authority are directly comparable to the situation in Bury.
19. There is no dispute between the parties that VBC exists to incentivise brownfield development. Although the officer's report worded it as being to "incentivise brownfield land that might not otherwise come forward", it confirmed at the hearing that it was not pursuing a viability case. It did not therefore, require the appellant to demonstrate that the site would not otherwise come forward unless VBC were applied.
20. However, the Council also suggests that as well as incentivising brownfield land, the intention of national policy as referred to in the PPG³ is the provision of affordable housing. This is because the reference to VBC within the Framework is contained within the section which deals with affordable housing.
21. I heard considerable evidence regarding the need for affordable housing in Bury and this is not disputed by the appellant. I do not doubt therefore that there is a pressing need, particularly given extensive Green Belt constraints in the Borough. As a result, many of the sites in the Borough are brownfield, and if VBC were to be applied to all of them then there would be a serious shortfall of affordable housing. The Council suggest therefore that it should not be correct

³ Paragraph:028 Reference ID:23b-028-20190315

that the incentive to develop brownfield land granted by VBC would always outweigh affordable housing.

22. Yet, it states in the Framework that any affordable housing contribution **should** be reduced by a proportionate amount (my emphasis). This seems clear to me that there is an acceptance that the level of affordable housing would be reduced where development involves re-use or redevelopment of vacant buildings on brownfield sites. I accept that paragraph 28 of the PPG provides supporting guidance, which gives the decision maker some limited discretion as to whether VBC applies. The Council has chosen to interpret this through application of the three criteria referred to earlier. It confirmed at the hearing that the appellant would not need to meet all three of those criteria in order for the building to be considered vacant. It is clear that one of those criteria is fulfilled. In relation to the other two, I am firmly of the view, in this instance, given the specific characteristics of the site and the existing planning permission on site, that they do not serve any practical purpose.
23. While therefore the application of VBC is not a blanket policy and it may not be applicable to all vacant buildings on brownfield sites, in this instance, based on the evidence before me I am satisfied that the building has not been made vacant solely for the purpose of redevelopment. Consequently, VBC should be applied to the proposal in accordance with paragraph 63 of the Framework.

Other matters

24. Comments that have been raised by interested parties relate to the principle of housing on the land, and the loss of trees/effect on the environment, together with details relating to the implementation of the extant planning permission. As the site already has outline planning permission for housing it will be for the Council to consider the detailed issues in any submission for reserved matters. My consideration has been solely based on condition 17 and the principle of the application of VBC when considering the quantum of affordable housing required on the site.

Planning balance and conclusion

25. In not providing a policy compliant level of affordable housing, the proposal would be contrary to the development plan as a whole. However, in this instance the Framework and the PPG, which post-date the development plan and the Council's DCPGN and introduce the concept of VBC are a significant material consideration sufficient to outweigh the conflict with the development plan whether or not Policy H4/1 is up to date.
26. In this instance therefore, I conclude, that a condition securing affordable housing is necessary. However, the way the existing condition is worded is not reasonable as it takes no account of the application of VBC. Therefore on balance, the appeal should be allowed and condition 17 amended to take account of VBC.

Conditions

27. The guidance in the PPG makes clear that decision notices for the grant of planning permission under section 73 should also restate the conditions imposed on earlier permissions that continue to have effect. It was agreed at the hearing that all of the conditions that were imposed on the original planning permission should be imposed should the appeal be allowed as work has not started at the

appeal site. Having reviewed the evidence I am satisfied that they meet the requirements of paragraph 55 of the Framework and should be imposed. I have considered them against the tests in the Framework and the advice in the PPG and have made such amendments as necessary to comply with those documents, particularly to ensure that details are implemented on site.

28. I have imposed an agreed amended condition 17 to give certainty to the provision of affordable housing while taking account of VBC.

29. As required, I have also amended the time scales for the submission of reserved matters to align with the original permission.

Zoe Raygen

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr John Barrett of Counsel Instructed by

Mr Harry Spawton Planning Partner, Gerald Eve LLP

FOR THE LOCAL PLANNING AUTHORITY:

Mr Piers Riley Smith of Counsel instructed by

Sarah Doherty Solicitor, Bury MDC

Ms Helen Leach Principal Planning Officer, Bury MDC

Ms Philippa Brunsden Senior Planning Officer, Bury MDC

SCHEDULE OF CONDITIONS

- 1) Applications for approval of reserved matters must be made not later than:
 - i) the expiration of three years from 31 July 2019; and
 - ii) 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.
- 2) 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, scale, appearance and the landscaping of the site. The development shall be carried out as approved.
- 3) This decision relates to drawings numbered 1932-VW-002-06-Red Line S1 P01, 1932-VW-004-00-Topo-Survey S1 P01, 2313-F01 and the development shall not be carried out except in accordance with the drawings hereby approved.
- 4) No development shall commence unless and until:-
 - i) 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;
- ii) 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;
 - iii) Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.
- 5) No development shall commence unless and until:-
- i) An intrusive site investigation report to assess the actual/potential coal mining risks shall be submitted to and approved in writing by the Local Planning Authority;
 - ii) Where actual/potential coal mining risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - iii) Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.
- 6) Following the provisions of Conditions 4 and 5 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.
- 7) Prior to the commencement of the development hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the building hereby approved.
- 8) 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.
- 9) Foul and surface water shall be drained on separate systems.
- 10) As part of the reserved matters application, an updated bat assessment shall be submitted to and approved in writing by the Local Planning Authority. Any required mitigation measures shall be fully implemented

prior to the commencement of the demolition works and remain in situ on the site for an agreed period of time.

- 11) 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.
- 12) 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 and be implemented in accordance with that timetable. 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.
- 13) As part of the first reserved matters application, a detailed proposal to compensate for the loss of on-site biodiversity will be submitted to and approved in writing by the Local Planning Authority. The off-set mitigation proposal shall include:
 - i) Full details of the off-set requirement resulting from the loss of habitats on the development site utilising the Defra off-set matrices version 2 or equivalent;
 - ii) Identification of a receptor site;
 - iii) Habitat enhancement and creation proposals on the receptor site;
 - iv) Full details of the off-set benefits from the habitat enhancement and creation proposals utilising the Defra off-set matrices version 2 or equivalent that demonstrate a minimum of 5% net gain;
 - v) A management and monitoring plan for a period of 25 years. The approved scheme shall be implemented in full in accordance with an agreed timetable.
- 14) As part of the first reserved matters application a bird box scheme, which shall include a timetable for implementation, will be provided to and agreed in writing by the Local Planning Authority targeting local and national priority species such as house sparrow, starling, swift and house martin as well as generalist next boxes to benefit a wider range of species. The scheme shall be implemented in accordance with the agreed timetable.
- 15) All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
- 16) In the event of the development comprising 10 units and a combined floorspace of more than 1000 square metres or 11 units or more (regardless of floorspace), the development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure recreation provision, which shall include a mechanism for delivery, in accordance with policy RT2/2 – Recreation Provision in New Housing Development and its associated SPD1 – Open

Space, Sport and Recreation Provision in New Housing development. The scheme shall be submitted as part of the first reserved matters application and the recreation provision shall be delivered in full accordance with the approved details.

- 17) No development shall take place until a scheme for the provision of affordable housing as part of the development shall have been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2: Glossary of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall be submitted as part of the first reserved matters application and shall include:
- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made. The level of affordable housing provision shall be in accordance with policy H4/1 – Affordable Housing and its associated SPG5 – Affordable Housing Provision in New Residential Developments subject to the application of Vacant Building Credit in relation to the existing vacant building on site (as at the date of the grant of this permission);
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing;
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
 - vi) A mechanism for delivery of the scheme

The affordable housing shall be retained in accordance with the approved scheme.

- 18) As part of the first reserved matters application, a scheme to improve Bridleway No. 143, Bury, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) The removal of vegetation and debris build up at the edges to the path;
 - ii) The re-surfacing of the section of the Bridleway from Moreton Drive to the adopted highway at Leigh Lane (Currently, there is 60 metre bitmac surface and the remainder is crushed stone) The approved works shall be completed in accordance with a timetable to be agreed with the Local Planning Authority within the submission.
- 19) As part of the first reserved matters application, a Framework Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include:
- i) A range of measures promoting a choice of transport mode and a clear monitoring regime with agreed targets;
 - ii) A travel plan budget and resources for the implementation and day to day management of travel plan measures;

- iii) Appropriate management structures;
- iv) Detailed time frames for the delivery;
- v) Handover arrangements for the travel plan or its components when the developer's responsibility ceases;
- vi) Targets and monitoring arrangements.

A full Travel Plan Strategy shall be submitted to the Local Planning Authority within 6 months of first occupation. The approved Full Plan shall be retained thereafter.

- 20) Notwithstanding the details indicated on approved plan reference 2313-F01 Revision A and Illustrative Masterplan reference 1932-VW-002-06-Masterplan Revision P01, full details of the following highway aspects shall be submitted on a topographical based survey of the site and adopted highways at first reserved matters application stage:
- i) Dilapidation survey, to a scope to be agreed, of the footways and carriageways abutting the site in the event that subsequent temporary and permanent remedial works are required following demolition/construction of the development;
 - ii) Formation of the proposed site access onto Walshaw Road to a specification to be agreed, incorporating the full reconstruction of the footway abutting the site, reinstatement of the redundant westerly industrial access, relocation/replacement of the affected street lighting column and road gully, provision of dropped crossing facilities for pedestrians and appropriate tactile paving in positions to be agreed, removal of the existing Armco barrier, demarcation of the limits of the adopted, measures to improve the ability to cross Walshaw Road to access the bus stop opposite the site and all associated highway and highway drainage remedial works;
 - iii) Review of existing /provision of new waiting restrictions in the vicinity of the junction of the site access with Walshaw Road;
 - iv) Proposed internal road layout to a specification to be agreed and, in the event that it is intended for the proposed residential estate roads to be adopted, to current adoption standards incorporating 5.5m minimum carriageway widths and 2.0m footway widths;
 - v) Adequate turning facilities within the curtilage of the site and associated swept path analysis;
 - vi) Swept path analysis of the proposed estate roads to ensure a refuse collection vehicle can pass a private car and manoeuvre at all junctions;
 - vii) A scheme of 20mph traffic calming measures on the proposed internal roads to a scope to be agreed, including details of proposed materials, road markings and signage at the interface with the adopted highway and within the development;
 - viii) Provision of visibility splays and forward visibility envelopes at all internal junctions and bends in accordance with the standards in Manual for Streets appropriate for a design speed of 20mph;
 - ix) Provision of long sections and cross sections at positions to be agreed through the proposed estate roads and turning heads to ensure that, in the event that it is intended for the proposed residential estate roads to be adopted, adoptable gradients and minimum 1 in 3 batters

- can be achieved along, and adjacent to, the proposed adopted highways;
- x) Provision of a street lighting assessment of the junction of the site access with Walshaw Road and proposed internal estate roads, and, if required as a result of the assessment, subsequent scheme of improvements on the existing adopted highway;
 - xi) Measures to provide sufficient links to the surrounding pedestrian and cycle network.
 - xii) A timetable for the implementation of the works

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

- 21) No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by the Local Planning Authority and shall confirm/provide the following:
- i) Access point for demolition/construction traffic from Walshaw Road;
 - ii) Hours of operation and number of vehicle movements;
 - iii) A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
 - iv) Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
 - v) Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
 - vi) Proposed site hoarding/gate positions, including the provision, where necessary of temporary pedestrian facilities/protection measures on the adopted highway and the adjacent Public Right of Way;
 - vii) 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.

- 22) No development shall be commenced unless and until details of the proposed arrangements for future management and maintenance of the proposed estate roads within the development have been submitted to and approved in writing by the Local Planning Authority. The estate roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.
- 23) There shall be no direct means of vehicular access between the site and Bridleway No. 143 (Leigh Lane), Bury.

- 24) A minimum hardstanding of 5.5m measured between the highway/estate road boundary and any proposed garage doors shall be provided and thereafter maintained.
- 25) Where dwellings are constructed without a garage, a minimum hardstanding of 5.0m measured from the highway/estate road boundary shall be provided within the curtilage of each dwelling and thereafter maintained.

*****END OF CONDITIONS*****

Appeal Decision

Site visit made on 29 June 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 September 2020

Appeal Ref: APP/T4210/D/20/3247540

5 Brook Drive, Whitefield, Manchester M45 8FR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Kahed Kapacee against the decision of Bury Metropolitan Borough Council.
 - The application Ref 65003, dated 13 December 2019, was refused by notice dated 19 February 2020.
 - The development proposed is described as "garden room to rear, brick built to match existing, upvc frames, insulated roof- pre approved."
-

Decision

1. The appeal is allowed and prior approval is not required under the provisions of Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for "garden room to rear, brick built to match existing, upvc frames, insulated roof- pre approved" at 5 Brook Drive, Whitefield, Manchester M45 8FR in accordance with the application Ref 65003 made on 24 January 2020, and the details submitted with it, pursuant to Article 3(1) and Schedule 2, Part 1, Class A, paragraph A.4(2).

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue relates to whether or not the proposal constitutes permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), and if so, whether prior approval is required.

Reasons

4. 5 Brook Drive is a previously extended brick built semi-detached property located in a residential area.
5. The proposal is to construct a single storey rear extension. The application form indicates that the proposal would extend 6m beyond the rear wall of the

- original dwelling house, with a maximum height of 2.9m and a maximum eaves height of 2.1m.
6. Proposals for the enlargement, improvement or other alteration of a dwellinghouse constitute permitted development provided that they satisfy the conditions, limitations or restrictions set out in Schedule 2, Part 1, Class A of the GPDO. Paragraph A.4 sets out the conditions that must be met for extensions which exceed the thresholds of paragraph A.1(f) but fall within those in paragraph A.1(g), which applies to this proposal. As laid down by Schedule 2, Part 1, paragraph A.1(3)(b), the Council may refuse an application where, in its opinion, the developer has provided insufficient information to enable the Council to establish whether the proposed development complies with the conditions, limitations or restrictions applicable to development permitted by paragraph A.1(g).
 7. The Council refused the application as the submitted plan was insufficient to determine whether the proposal would be wholly within the curtilage of the dwellinghouse.
 8. The appellant has submitted, in the statement of case, additional details regarding the proposal, specifically the distance from the shared boundary with 7 Brook Drive would be 150mm. Whilst the HAS appeal procedure does not normally allow the Council to comment on the grounds of appeal, Regulation 8(1) of The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009 allows that: 'The Secretary of State may in writing require the appellant, local planning authority and other interested persons, to provide such further information relevant to the appeal as may be specified.' In this case, the issue was a straightforward one and it was reasonable to give the Council an opportunity for comments to be made within a specified time period.
 9. In response to the request the Council confirmed that this would be an acceptable distance in ensuring no part of the proposal including eaves, guttering and foundations would encroach across the boundary into the neighbouring dwellinghouse.
 10. The proposal therefore complies with the applicable conditions, limitations and restrictions in Schedule 2, Part 1, paragraph A.1(g) of the GPDO.
 11. In addition, following the receipt of the additional information, the Council was requested to carry out neighbour consultation on the proposal. There is no evidence before me that any objections were received in response to this consultation.
 12. Paragraph A.4.(7) states that where objections or comments are received, prior approval is required as to the impact of the proposed development on the amenity of any adjoining premises. As no objections were received it is not necessary to assess the amenity aspects of the proposal.
 13. Therefore, conditions of para A.1 (g) are met, prior approval is not required, and the appeal is allowed.

Conclusion and Recommendation

14. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed, and prior approval is not required.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Susan Ashworth

INSPECTOR

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REPORT FOR DECISION

Agenda Item 7

Bury
COUNCIL

Agenda
Item
7

MEETING: PLANNING CONTROL COMMITTEE
DATE: 06-10-2020
SUBJECT: TREE PRESERVATION ORDER CONFIRMATION
REPORT FROM: HEAD OF DEVELOPMENT MANAGEMENT
CONTACT OFFICER: DAVE MARNO

TYPE OF DECISION: COUNCIL

FREEDOM OF INFORMATION/STATUS: This paper is within the public domain

SUMMARY: The report considers the confirmation of a temporary tree preservation order currently made on trees on a site to the rear of Earl Street Prestwich (No.352)

OPTIONS & RECOMMENDED OPTION The Committee is recommended to confirm the extant temporary Tree Preservation Order designated as Land at Earl Street Prestwich

IMPLICATIONS:

Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Financial Implications and Risk Considerations:	Director of Finance and E-Government to advise regarding risk management - N/A
Statement by Director of Finance and E-Government:	N/A
Equality/Diversity implications:	N/A
Considered by Monitoring Officer:	N/A

Are there any legal implications?	Yes – Confirmation of the Order and recording on the Local Land Charges Register
Staffing/ICT/Property:	N/A
Wards Affected:	Sedgley
Scrutiny Interest:	N/A

TRACKING/PROCESS

EXECUTIVE DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

Introduction

This report sets out the issues relating upon the current temporary tree preservation order (No.352) currently designated on land at Earl Street Prestwich – Appendix 1.

Discussion

There has been some interest in developing the site behind residential properties on the east side of Earl Street and there is also evidence of inappropriate works to existing trees (not carried out by current owner).

On 5th June 2020, the Council imposed a temporary Tree Preservation Order, concerned that the trees in and around the site may be under threat and their loss would have a significantly detrimental impact on the character of the locality. In total the TPO covers 10 trees, indicated on the plan attached to this report.

The effects of the provisional TPO are exactly the same as a full order, provided that the temporary order is subsequently confirmed within 6 months.

Issues

Subject to Regulation 6 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012, objections and representations that are made in writing must be appropriately considered.

Letters of notification were issued to the landowner, Mr Abbasi, in this case and as a result, representations were made by Cheshire Woodlands Arboricultural Consultancy (Ref: CW/9803-TPO) dated 29/07/20) on behalf of the landowner. The representation relates to the two Sycamore trees that are on Mr Abbasi's property – T1 and T10.

Summary of representations.

- The two trees (T1 and T10) are not of high amenity value to the area and their loss would not have a serious impact on the character of the area.
- T10 is 'bark included' and as such has potential weakness.
- T1 and T10 are only visible from private views and contribute little to the character of the area and were not included in the TPO confirmed in 2019.
- The TPO is being used as a means for controlling development rather than protecting amenity.

LPA Response.

Quality, Character and amenity value - Following a site visit and assessment by the Council's Planning and Tree Officers, the Council does not agree with the assessment presented by the objector. The trees are considered to be healthy and contribute to the amenity of the area and are of a quality that is deemed worthy of protection.

With regard to the tree T10, this does have bark inclusion. However it must not be supposed that all unions with included bark are likely to fail, as in many cases they are never subjected to forces strong enough to tear them apart (*Principles of Tree Hazard Assessment and Management by David Lonsdale*).

Whilst views of the site from the public arena may be limited, the trees can be seen from distance and are viewed from many properties surrounding the site.

The TPO is not being used as a means to control development but to retain the trees and site's amenity value of which the trees significantly contribute. It is noted that both trees (T1 and T10) growing within the objector's site are situated on the boundaries of the site and are likely to have minimal restriction on any proposed development, indeed such trees are likely to have a more positive impact than negative. As such it is not considered that the TPO would necessarily restrict appropriate development on the site. Photographs of both trees are in Appendix 2.

Recommendation

That the current temporary preservation order issued on the trees within the curtilage of the site as identified in Appendix 1 is confirmed.

The decision to confirm an Order may be challenged in the High Court within six weeks.

List of Background Papers:-

Temporary Tree Preservation Order dated 05th June 2020

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Contact Details:-

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TREE PRESERVATION ORDER
Town and Country Planning Act 1990

The Metropolitan Borough of Bury
(Earl Street, Prestwich)
Tree Preservation Order (No. 352) 2020

The Metropolitan Borough of Bury (Bury Council) in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Metropolitan Borough of Bury (Earl Street, Prestwich) Tree Preservation Order (No. 352) 2020

Interpretation

2.—(1) In this Order “the authority” means Bury Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 5th day of June 2020.

The Common Seal of the Metropolitan Borough of Bury
was affixed to this Order in the presence of—

.....


Authorised by the Council to sign in that behalf



CONFIRMATION OF ORDER

This Order was confirmed by the Metropolitan Borough of Bury without modification on the
day of 20

OR

This Order was confirmed by the Metropolitan Borough of Bury, subject to the modifications
indicated by , on the day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the Metropolitan Borough of Bury on the
day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Metropolitan Borough of Bury on the day of
20 by a variation order under reference number a copy of which is
attached

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Metropolitan Borough of Bury on the day of
20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Sycamore	On the boundary of 10 Earl Street and the garage colony.
T2	Chestnut	On the Metrolink embankment.
T3	Sycamore	On the Metrolink embankment.
T4	Chestnut	On the Metrolink embankment.
T5	Maple	On the Metrolink embankment.
T6	Cherry	On the Metrolink embankment.
T7	Cherry	On the Metrolink embankment.
T8	Willow	On the Metrolink embankment.
T9	Ash	On the Metrolink embankment.
T10	Sycamore	On the site of the garage colony.

Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None.		

Groups of Trees (within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None.		

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
None.		

Map referred to in the Metropolitan Borough of Bury
(Earl Street, Prestwich)
Tree Preservation Order (No.352) 2020



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Bury
COUNCIL

369/20

Appendix 2



REPORT FOR INFORMATION



Agenda	8
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DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	6th October 2020
SUBJECT:	DEVELOPMENT MANAGEMENT UPDATE
REPORT FROM:	DEVELOPMENT MANAGER
CONTACT OFFICER:	DAVID MARNO
TYPE OF DECISION:	COUNCIL <i>OR</i> EXECUTIVE (NON KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	ANNUAL SUMMARY OF APPLICATION PROCESSING / PERFORMANCE UPDATE AND PLANNING LEGISLATION CHANGES

OPTIONS & RECOMMENDED OPTION	TO NOTE THE REPORT
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 N/A
Statement by Executive Director of Resources:	n/a
Equality/Diversity implications:	No (see paragraph below)
Considered by Monitoring Officer:	n/a
Wards Affected:	All
Scrutiny Interest:	NO

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TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Exective Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

- 1.1 This is the an update report to the Members of the Planning Control Committee, which sets out key matters and changes that affect the Development Management Team, its processes and the Planning Control Committee.

2.0 PERSONNEL

- 2.1 The section has seen no change in personnel but following the imminent departure of our graduate to another post, this post will be replaced. The section has seen an uplift in application submissions since March 2020 of around 30% and therefore a temporary post is being sought to accommodate this uplift in workload and to maintain the requirement for issuing decisions within the statutory timeframes.

3.0 WORKLOAD

- 3.1 The table below sets out some highlights comparing the years 2016 through to 2019. It shows a stable workload but fewer major applications received in the last 12

months but higher number of applications overall and maintaining a high level of timely decision issuing. Bury remains in the top 10 performing LPA's in the country.

- 3.2 The high numbers of applications and the pressure to maintain quick turnarounds has meant that the use of Planning Performance Agreements (PPA) and pre-apps remains high. A PPA is an agreement between the LPA and the applicant to ensure that each party meets their own respective deadlines within the planning process to deliver a planning decision within the agreed timeframe. PPA's formalise each particular step of the planning process from validation, consultation replies, meetings, report writing and decision issuing. There are charges that the LPA will make for this process that cover costs associated with the process and guarantees each step of the process by the given date. Usually, applications for major development use this process but increasingly minor housing developments have used this process, usually because the applicant needs to hit deadlines.
- 3.3 Pre-apps are a useful means of applications being developed in a cohesive and inclusive way where by the LPA can influence what is submitted and can highlight key issues that may arise during the planning application process. Early intervention and close working together with an applicant should produce better and more informed planning applications and where it is relevant, the LPA can encourage local consultation by the applicant with neighbouring properties. This can enable schemes to be amended before being formally submitted to respond to local concerns.
- 3.4 The table below takes a snapshot of application processing statistics from 1st April 2016 to 31st March 2019 with a comparing past years.

Planning Applications & Prior Approvals Received Total	Received Minors/other	Decisions Minors/other determined <8 weeks	Received Majors	Decisions Majors <13 weeks	PPA's	Pre-Apps Rc'd
2019/20 plantech 1169	1272	100%	15	100%	0	153
2018/19 1364	1328	100%	18	100%	2	157
2017/18 1278	1243	100%	23	100%	7	149
2016/17 1289	1253	100%	36	100%	1	154

Delegated Decisions	No. Of PCC Decisions	Appeals Mar-Apr	Larger House Extensions	Certificates of Lawful Development	Householder Application Decisions	
2019/20	50	11 Appeals - 4 Allowed 7 Dismissed	51	70	632	
2018/19 95%	43 (5%) of decided	13 Appeals - 3 Allowed 7 Dismissed 2 Withdrawn 1Part allowed	40	61	633	
2017/18 95%	64 (5%) of decided	18 Appeals - 10 dismissed 7 Allowed 1 Part allowed	87	61	629	
2016/17 89%	110 (9%) of decided	13 Appeals - 1 Withdrawn 10 dismissed 2 Allowed	50	51	601	

The section has remained extremely busy through the past twelve months and has seen a number of national planning regulation changes and high levels in workload. However, the dedication of the team must be applauded as Bury Council remains a top performing LPA in the country.

4.0 FEES

- 4.1 The annual fee income is dependent upon the numbers and in particular type of application that the Local Planning Authority receives. More complex larger applications attract greater fees than small developments. Unsurprisingly, more complex applications are more difficult to deal with and require more time and more experienced staff to process them.
- 4.2 Fees are payable not only for planning applications but also for the discharge of planning conditions, prior approvals, pre-application enquires and planning performance agreements.
- 4.3 The budget is set through reflections upon past years and also using projections to determine likely fee income. The fee income for was and for. This reflects fewer

major schemes received but are in preparation for submission within the next 12 months. The table below shows the annual income received by Development management for the last three years.

Year	Planning Fee – Applications (No VAT)	Planning Fee – Pre-apps & PPAs (Exc VAT)	Planning Fee – Discharge of Conditions (Exc VAT)	Total of all fees
2015/16	£585,905.77	£45,141.79	£9,011.00	£640,058.56
2016/17	£505,821.42	£40,583.18	£11,720.00	£558,124.60
2017/18	£393,559.50	£39,352.43	£15,077.00	£447,988.93
2018/19	£693,875.00	£43,430.06	£16,130.00	£753,435.06
2019/2020	£535,895.70	£36,830.81	£18,284.00	£591,010.51

- 4.4 Planning applications do tend to reflect economic prospects and buoyancy. There has been a marked decrease in fee income comparing the last two monitoring periods. 2018/19 to 2019/20 but an increase in condition discharge fees, which reflects an increase in take up of past permissions with a slow down on new applications being received.

5.0 Coronavirus and Decision Making

- 5.1 The United Kingdom has been hit by the worldwide pandemic of Coronavirus/Covid-19 which has seen restrictions being introduced by the Government on social interaction, which is seen as a key way to slow how the highly contagious infection spreads. Over the last few months, restrictions have eased and tightened and as time goes on, the requirements of dealing with the pandemic will be revised.

The Government has introduced legislation for England that sets out how the Country is to function during these times.

Development Management sits within and is governed principally through the Planning Acts, which imposes an obligatory role on the Local Planning Authority to receive, process and determine planning applications.

The whole Development Management process is statutorily driven and is a quasi-judicial process.

The Development Management function (including the requirement and ability to carry out site visits and place notices) has continued during such restrictions following The Health Protection (Coronavirus, Restrictions) Regulations 2020, which **exempts** the Development Management process from restrictions of movement (Article 6)

(f) to travel for the purposes of work or to provide voluntary or charitable services, where it is not reasonably possible for that person to work, or to provide those services, from the place where they are living; and

(h) to fulfil a legal obligation, including attending court or satisfying bail conditions, or to participate in legal proceedings;

5.2 The **Ministry of Housing, Communities and Local Government Advice/Response 24 March 2020** stated

- It is important that authorities continue to provide the best service possible in these stretching times and prioritise decision-making to ensure the planning system continues to function, especially where this will support the local economy.
- We ask you to take an innovative approach, using all options available to you to continue your service. We recognise that face-to-face events and meetings may have to be cancelled but we encourage you to explore every opportunity to use technology to ensure that discussions and consultations can go ahead. We also encourage you to consider delegating committee decisions where appropriate. The Government has confirmed that it will introduce legislation to allow council committee meetings to be held virtually for a temporary period, which we expect will allow planning committees to continue.

We encourage you to be pragmatic and continue, as much as possible, to work proactively with applicants and others, where necessary agreeing extended periods for making decisions.

This advice has been followed by the team and we have worked with applicants and agents to extend decision making periods and asked for additional information to support the decision making process.

5.3 Given that the team had to maintain the obligatory requirements to process planning applications and issue decisions, the service was deemed to be a priority one service. Special authorisation letters were provided to staff indicating their requirements to carry out their statutory obligations.

Officers largely remained to work remotely and still do with minimal office presence to enable and support the service through carrying those duties requiring printing, scanning and notifications/publicity.

Planning Enforcement was required to follow a more lenient approach to their duties as directed by Government, reflecting that there were prolonged periods of time whereby individuals and businesses would not have been able to comply with requirements due to lock down and to assist in the recovery, be mindful of compliance periods and take a more pragmatic view on the early opening of construction sites. This guidance remains largely, but as the degrees of restrictions vary, our approach will monitor accordingly.

Workload over the last two Quarter periods

5.4 Workload is monitored closely to determine a number of factors including work allocation, determination times, appropriate decision paths and fee monitoring.

The Following table indicates the numbers of applications received since just prior to lockdown

w/c 16 March – 35	w/c 11 May – 25	w/c 7 July – 37	w/c 1 Sep – 38
w/c 23 March – 35	w/c 18 May - 35	w/c 14 July – 36	w/c 8 Sep – 34
w/c 30 March – 15	w/c 25 May – 32	w/c 21 July – 33	W/C 15 Sep - 37
w/c 6 April - 22	w/c 1 June – 30	w/c 28 July – 35	
w/c 13 April – 25	w/c 8 June – 36	w/c 4 Aug - 45	
w/c 20 April – 31	w/c 15 June – 27	w/c 11 Aug – 30	
w/c 27 April – 23	w/c 23 June – 37	w/c 18 Aug – 31	
w/c 4 May – 22	w/c 30 June – 40	w/c 25 Aug – 37	863

(863 total which includes pre-apps, discharge of conditions and tree works applications)

622 Planning applications Fee - £334380.00 (2020)

729 applications – Fee £287933.70 (2019)

The above table shows that whilst there have been fewer applications in that snapshot, the schemes submitted are more major or larger proposals. Notably, should the trend as shown continue for the next two periods, the team will receive circa 1700 applications, which is approximately 30% up on the previous year (2019).

6.0 REFORM - New Legislation –General Permitted Development Order 2015 (GPDO) and Use Classes Order (UCO)

6.1 Two very important parts of the Development Management Regulations considers when planning permission is required for proposals that involve changes of use or new operational development. These pieces of regulations are both complicated and extensive and their effects are obvious to see as these are the key determinants on why applications are received or not and when proposals can go ahead or not.

GPDO

- 6.2 **The first update** was made on 23rd March 2020 and was the first amendment in direct response to the COVID-19 or Coronavirus epidemic which was taking hold in the UK.

Only one change was made and this was a new **Class DA** within **Part 4** which is Temporary uses of buildings or land. This allows for **restaurants and cafes, drinking establishments and drinking establishments with expanded food provision to temporarily provide takeaway food**. This runs from 24th March 2020 until 23rd March 2021.

- 6.3 **The second update** was made on 7th April 2020 and again was the second amendment in direct response to the COVID-19 or Coronavirus epidemic which was taking hold in the UK. Only one change was made and this was a new Class A within a new Part 12A which is Development by Local Authorities and Health Service Bodies. This allows for **emergency development by a local authority or health service body**. This use runs until 31st December 2020 and any buildings and plant is removed within 12 months of the cease of use.

- 6.4 **The third update** was made on 23rd June 2020. It became operational on 1st August 2020 in most cases, except Part 4 Class BA and Part 12 Class BA which became operational from 25th June. This was the third amendment in 2020 and was a more major update.

- 6.5 The major addition was a **new Part 20** which is the **Construction of New Dwellinghouses**. This is for new properties rather than the conversion of existing buildings. Further PD rights under Part 20 are likely to follow. The first new Class within Part 20 was **Class A – New dwellinghouses on detached blocks of flats**. This applies to detached blocks of flats built between 1st July 1948 and 5th March 2018. It does not apply to conversions or changes of use built under Part 3 this includes Class M, Class N, Class O, Class P, Class PA and Class Q.

- 6.6 There were various changes to Part 1 – alterations to Dwellinghouses, mainly to prevent the use of these permitted development rights on dwellings created under Part 20 – Class A.
- 6.7 Within **Part 3 – Changes of Use** there is now the requirement for the provision of adequate natural light in all habitable rooms of the dwellinghouses. This change affects **Class M, Class N, Class O, Class PA and Class Q** (prior approval procedures). **Floor Plans are now required to be submitted** as part of a Prior Approval Application within Class M, Class N, Class O, Class PA and Class Q previously there was no requirement to submit these. Under paragraph X it defines a habitable room as any rooms used or intended to be used for sleeping or living which are not solely used for cooking purposes and does not include bath or toilet facilities, service rooms, corridors, laundry rooms, hallways or utility rooms.
- 6.8 Within **Part 4 – Temporary buildings and uses**, a **new Class BA** to allow the additional temporary use of land during the relevant period. This period is from 1st July 2020 to 31st December 2020. It allows the land to be used for the **holding of a market or motorcar and motorcycle racing for a period of up to 14 days within this period**.
- 6.9 Within **Part 12 – Development by Local authorities** there is a new Class BA – this allows the local authority to hold a market themselves on most land (except in an **SSSI**) between 25th June 2020 and 23rd March 2021. There is no restriction to the number of days in this period.

Use Classes Order

- 6.10 On 21st July 2020 the Government published The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, which came into force on 1st September 2020.

Part A was removed (retail shops, financial and professional services, restaurants and cafes, drinking establishments and hot food takeaways)

Part of Part B (Business – B1(a)(b) and (c)) and **whole Part D: D1 – Non-Residential Institutions and D2 - Assembly and Leisure) was removed**.

D1 is split out and replaced by the new Classes E(e-f) and F1

D2 is split out and replaced by the new Classes E(d) and F2(c-d) as well as several newly defined 'Sui Generis' uses.

New classes added Class E, Class F1 and Class F2:

Use Class E – Commercial, Business and Service from 1 September 2020.

This use class brings together existing classes A1(shops), A2 (financial and professional services), A3 (restaurants and cafes) and B1 (business) as well as parts of classes D1 (non-residential institutions) and D2 (assembly and leisure) into one single use class to allow for changes of use without the need of planning permission. However shops and facilities which are deemed as being important to the local community have been placed into Use Class F2

In 11 parts, Class E more broadly covers uses previously defined in the revoked Classes A1/2/3, B1, D1(a-b) and 'indoor sport' from D2(e):

- **E(a)** Display or retail sale of goods, other than hot food
- **E(b)** Sale of food and drink for consumption (mostly) on the premises
- **E(c)** Provision of:
 - **E(c)(i)** Financial services,
 - **E(c)(ii)** Professional services (other than health or medical services), or
 - **E(c)(iii)** Other appropriate services in a commercial, business or service locality
- **E(d)** Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)
- **E(e)** Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- **E(f)** Crèche, day nursery or day centre (not including a residential use)
- **E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
 - **E(g)(i)** Offices to carry out any operational or administrative functions,
 - **E(g)(ii)** Research and development of products or processes
 - **E(g)(iii)** Industrial processes

Use Class F1 – Learning and non-residential institutions introduced from 1 September 2020.

This use class brings together some elements of **Use Class D1** namely, schools, colleges etc., galleries, museum, public libraries, public hall or exhibition hall and churches etc.

Use Class F2 – Local community uses

This use class is designed to protect local community assets and include shops smaller than 280 m² and without another shop in 1,000 m², a hall or meeting place for the principal use of the local community (was **use class D1**), outdoor sport or recreation locations (was **D2(e) use class**) and swimming pools or skating rinks (was **D2(e) use class**).

In two main parts, Class F covers uses previously defined in the revoked classes D1, 'outdoor sport', 'swimming pools' and 'skating rinks' from D2(e), as well as newly defined local community uses.

F1 Learning and non-residential institutions – Use (not including residential use) defined in 7 parts:

- **F1(a)** Provision of education
- **F1(b)** Display of works of art (otherwise than for sale or hire)
- **F1(c)** Museums
- **F1(d)** Public libraries or public reading rooms
- **F1(e)** Public halls or exhibition halls
- **F1(f)** Public worship or religious instruction (or in connection with such use)
- **F1(g)** Law courts

F2 Local community – Use as defined in 4 parts:

- **F2(a)** Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres
- **F2(b)** Halls or meeting places for the principal use of the local community
- **F2(c)** Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)
- **F2(d)** Indoor or outdoor swimming pools or skating rinks

Sui Generis

'Sui generis' is a Latin term that, in this context, means 'in a class of its own'.

Certain uses are specifically defined and excluded from classification by legislation, and therefore become 'sui generis'. These are:

- theatres
- amusement arcades/centres or funfairs
- launderettes
- fuel stations

- hiring, selling and/or displaying motor vehicles
- taxi businesses
- scrap yards, or a yard for the storage/distribution of minerals and/or the breaking of motor vehicles
- 'Alkali work' (any work registerable under the Alkali, etc. Works Regulation Act 1906 (as amended))
- hostels (providing no significant element of care)
- waste disposal installations for the incineration, chemical treatment or landfill of hazardous waste
- retail warehouse clubs
- nightclubs
- casinos
- betting offices/shops
- pay day loan shops
- public houses, wine bars, or drinking establishments – from 1 September 2020, previously Class A4
- drinking establishments with expanded food provision – from 1 September 2020, previously Class A4
- hot food takeaways (for the sale of hot food where consumption of that food is mostly undertaken off the premises) – from 1 September 2020, previously Class A5
- venues for live music performance – newly defined as 'Sui Generis' use from 1 September 2020
- cinemas – from 1 September 2020, previously Class D1(a)
- concert halls – from 1 September 2020, previously Class D1(b)
- bingo halls – from 1 September 2020, previously Class D1(c)
- dance halls – from 1 September 2020, previously Class D1(d)

Other uses become 'sui generis' where they fall outside the defined limits of any other use class.

For example, C4 (Houses in multiple occupation) is limited to houses with no more than six residents. Therefore, houses in multiple occupation with more than six residents become a 'sui generis' use.

Why have the changes been made?

The government has said that the main driver of change has been the need to enable a repurposing of buildings on high streets and town centres. The new Class E allows for a mix of uses to reflect changing retail requirements. It will allow a building to be used flexibly by having a number of uses taking place concurrently or by allowing different uses to take place at different times of the day. Changes to another use, or mix of uses, within this class will not require planning permission.

The new concept of 'Local Community' uses – Class F2 – has been introduced to ensure important community facilities are protected through the planning system. Again, changes of use within this class do not require planning permission.

Transitional regulations: Move from existing to new use classes

From 1 September 2020 onwards, if a building or other land is being used in a way falling within Class A1 (shops), A2 (financial and professional services), A3 (restaurants and cafés) or B1 (business) then it will be treated as though it is being used for a purpose specified in the new Class E. Change of use to another use within Class E will be allowed without the need for planning permission.

If the building is not being used or occupied for the use permitted under an existing planning permission, it will need to be brought into that use before it can then change to another use within Class E.

7.0 MHCLG Open Consultation Planning for the Future – Closes 29 October 2020

7.1 The Planning for the future consultation proposes reforms of the planning system to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed.

7.2 The White Paper, titled “Planning for the Future”, sets out a series of high-level reforms to streamline and modernise the planning process, bring a new focus to design and sustainability, improve the system of developer contributions to infrastructure, and ensure more land is available for development where it is needed. In addition a further document is being consulted on, which is imaginatively titled “Changes to the Current Planning System”.

7.3 The main changes include:

A **zonal system** setting out whether planning permission for certain developments will be granted on a given site. Under the proposals, land will be designated into three categories:

1. **Growth areas:** Proposals for new homes, hospitals, schools, shops and offices will be automatically allowed.
2. **Renewal areas:** Proposals for high-quality development, largely on urban and brownfield sites, will be permitted through a prior approval system.

3. **Protected areas:** Development on Areas of Outstanding Natural Beauty and National Parks will continue to be restricted to protect treasured heritage.
- Changes to the **standard method** for assessing local housing need. At present, the system allows housing requirements to be constantly challenged, leading to delays in plan preparation and determining applications. The new methodology would create a standard requirement that is binding, and in theory will drive greater land release through greater certainty. The new standard method would set out development needs such as homes, businesses and community facilities for a minimum period of 10 years, rather than the current 5 years for housing. Again, this would bring greater certainty.
 - A review of **affordable housing thresholds** in order to support SME developers. This would consider increasing the threshold above which affordable housing is required. Such an increase would potentially make more sites viable and would speed up the pace of delivery by removing the need for negotiation.
 - A simpler **national levy** to replace the current system of developer contributions providing more certainty around financial obligations.
 - A pledge to create a system that will ensure **local housing plans** are developed and agreed within 30 months, currently this can often be a seven year plus painful experience. This deadline would be driven by legislation with sanctions for local authorities that fail to meet this timescale. The new Local Plan process would be streamlined and subject to a single statutory “**Sustainable Development**” test, replacing the existing test of soundness, updating requirements for assessments and abolishing the Duty to Cooperate.
 - A **rules-based system** that makes it clearer to understand development requirements for a scheme and allocation, to reduce the number of planning cases that go to appeal.
 - Securing of **First Homes** for local people, key workers and first-time buyers at a 30% discount through developer contributions in the short-term until transition to a new system.
 - Extending the current **Permission in Principle** to major developments.
 - Promotion of all new homes to achieve a **zero carbon ready** status with without the need for costly retrofitting.

Devil in the detail

At first glance, these headlines could radically transform the current planning system and help bring about a faster, more streamlined and effective process, while maintaining credibility and transparency. However, as always with all consultation documents, there is a question over what will actually make its way into legislation.

Representations are being formulated be made by the Council and AGMA.

8.0 CONCLUSION

- 8.1 Planning still remains a topic area that generates significant interest both from the public and the Government's perspective. It is evident that the legislative approaches remain committed to the retaining of intervention by LPA's but with the main intention to facilitate good development and efficient decisions. Continual changes and the issues that arise from the latest interventions are yet to be seen, but it is evident that more and more changes inevitably have led to the intention of a new planning act to rival that of the main 1990 Act. This extensive action shown in the **Planning for the future** Bill would, change the entire approach to the planning system, some of which would be more welcome than others, depending upon one's own view.
- 8.2 Planning in Bury evidences increased development activity and therefore a buoyant planning activity. In response to this Bury Council are one of the leading authorities in delivering decisions that maintain it at the top of the authorities in the country.
- 8.3 Bury Council has now set up a new Directorate – Dept for Business, Growth and Infrastructure, that brings together the various disciplines related to development and regeneration. Part of the work that has already commenced relates to the provisions of Masterplanning ranging from wide areas such as the Radcliffe Regeneration Framework and Prestwich Masterplan through to smaller sites. Much of this work aims to bring the respective townships and communities that they are located within to a point of opportunity to secure future economic, social and environmental prospects benefit from opportunity.

List of Background Papers:-

PS1/2 Returns

Planning guidance: letters to chief planning officers:

<https://www.gov.uk/guidance/planning-guidance-letters-to-chief-planning-officers>

<https://www.gov.uk/guidance/when-is-permission-required>

<https://www.legislation.gov.uk/ukxi/2020/632/contents/made>

https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use/2

<https://www.legislation.gov.uk>

<https://www.lsh.co.uk/explore/research-and-views/news/2020/08/planning-white-paper>

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