

Public Document Pack

AGENDA FOR PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

Councillors: S Thorpe (Chair), C Boles, D Duncalfe,
U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn,
G Staples-Jones, D Vernon and M Walsh

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, 27 June 2023
Place:	Council Chamber, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	https://councilstream.com/burycouncil/3201

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 THE 30TH MAY 2023 *(Pages 3 - 4)*

Minutes of the meeting held on Tuesday the 30th May 2023 are attached.

4 PLANNING APPLICATIONS *(Pages 5 - 214)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 215 - 224)*

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 225 - 234)*

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 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: 30 May 2023

Present: Councillor S Thorpe (in the Chair)
Councillors C Boles, D Duncalfe, U Farooq, J Harris, M Hayes,
B Ibrahim, D Quinn, G Staples-Jones, D Vernon and M Walsh

Also in attendance: Councillor L Dean, Councillor I Gartside, Councillor K Hussain
and Councillor L McBriar

Public Attendance: 33 members of the public were present at the meeting.

PCC.1 APOLOGIES FOR ABSENCE

No apologies for absence were submitted.

PCC.2 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

PCC.3 MINUTES OF THE MEETING HELD ON THE 25TH APRIL 2023

Delegated decision:

That the Minutes of the meeting held on the 25th April 2023 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 applications for planning permission.

There was supplementary information to add in respect of application numbers 67243 and 68815.

The Committee heard representations from supporters, objectors and Ward Councillors in respect of applications submitted. This was limited to three minutes for the speaker.

Delegated decisions:

1. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and subject to the conditions included: -

Land off Brownhills Close / Bury Road, Tottington

Outline application with 'Access' for erection of up to 5 dwellings, and new/improved formal and informal community open space, replacement / improved footpath connections and wider greenspace enhancements

2. That the Committee be **Minded to Approve** the following application in accordance with the reasons put forward by the Development Manager in the report and subject to the conditions included: -

Land adjacent to 62 Springside Road, Bury, BL9 5JQ

Outline application for 12 no. dwellings including means of access (all other matters reserved for appearance, layout, scale and landscaping)

3. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and subject to the conditions included: -

148 Walmersley Road, Bury, BL9 6LL

Change of use from dwelling (Class C3) to an 8 no. bedroom House in Multiple Occupation (HMO) (Sui Generis)

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 since the last meeting of the Planning Control Committee.

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 and enforcement appeal decisions since the last meeting of the Planning Control Committee.

Delegated decision:

That the report and appendices be noted.

PCC.7 URGENT BUSINESS

No urgent business was reported.

COUNCILLOR S THORPE
Chair

(Note: The meeting started at 7.00pm and ended at 9.15pm)

Title	Planning Applications
To:	Planning Control Committee
On:	27 June 2023
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: Bury East	App No. 69622
	Location: 47 Fairfield Drive, Bury, BL9 7SL	
	Proposal: Demolition of existing conservatory and erection of two storey side extension	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
02	Township Forum - Ward: Whitefield + Unsworth - Unsworth	App No. 69361
	Location: Spurr House, Pole Lane, Bury, BL9 8QL	
	Proposal: Conversion of short stay residential home (Class C2) to a pupil referral unit (Class F1) for educational use; Single storey extensions and associated landscaping, additional parking and external works	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
03	Township Forum - Ward: Radcliffe - East	App No. 68998
	Location: Land at Green Street, Radcliffe	
	Proposal: Construction of new mixed-use development comprising 132 apartments, bar, commercial and office spaces with associated landscaping and car parking.	
	Recommendation: Approve with Conditions	Site Visit: Y
<hr/>		
04	Township Forum - Ward: Ramsbottom + Tottington - Tottington	App No. 69555
	Location: Kirklees Valley Farm, Kirklees Street, Tottington, Bury, BL8 3NY	
	Proposal: Erection of single storey dwelling to replace existing dwelling	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
05	Township Forum - Ward: Bury East - Moorside	App No. 69079
	Location: Land off Parkinson Street, Bury, BL9 6NY	
	Proposal: Demolition of existing buildings and erection of 84no. dwellings with associated parking and landscaping; formation of a car park in association with the existing recreation field.	
	Recommendation: Minded to Approve	Site Visit: Y
<hr/>		
06	Township Forum - Ward: Bury East - Redvales	App No. 68809
	Location: Land to rear of Wells Street, Bury, BL9 0TU	
	Proposal: Outline application for erection of 3 no. dwellings and associated parking (all matters reserved except access)	
	Recommendation: Approve with Conditions	Site Visit: N
<hr/>		
07	Township Forum - Ward: Bury West - West	App No. 69612
	Location: 21 Orpington Drive, Bury, BL8 2PJ	
	Proposal: Change of use from residential dwelling (Class C3) to children's residential	

care home (Class C2)
Recommendation: Approve with Conditions

Site Visit: N

08 Township Forum - Ward: Prestwich - Holyrood

App No. 69337

Location: 82 Bury Old Road, Whitefield, Manchester, M45 6TQ

Proposal: Variation of condition no. 1 (opening hours) of prior approval 67061 to amend the opening hours from 07.00 to 16.00 (Mon-Fri) and 09.00 to 16.00 (Sat-Sun) to 08.00 to 23.00 (Mon-Fri) and 09.00 to 23.00 (Sat-Sun)

Recommendation: Approve with Conditions

Site Visit: N

Ward: Bury East

Item 01

Applicant: Mr & Mrs McGill

Location: 47 Fairfield Drive, Bury, BL9 7SL

Proposal: Demolition of existing conservatory and erection of two storey side extension

Application Ref: 69622/Full

Target Date: 28/06/2023

Recommendation: Approve with Conditions

The application is being considered by the Planning Control Committee as the applicant is a Councillor for Bury Council.

Description

The application relates to a two storey red brick semi-detached house on a residential road of similar styled properties. Driveway to the front and single storey outrigger at the side and conservatory at the rear. The attached neighbour at No.49 has not been extended. The unattached neighbour at No.45 has also not been extended and has a single storey outrigger along the shared side boundary with a door into a utility room. The neighbour has a stairwell and WC window at first floor.

The existing single storey outrigger to the side would be demolished along with the conservatory at the rear and a proposed two storey extension would project out 3m and run back 7.8m, from front to rear. It would stop 300mm short of the shared side boundary with the neighbour at No.45 Fairfield Drive. The extension would have a study and utility at ground floor with two bedrooms above. The upper floor would be set back 400mm from the front elevation and the roof would be carried over onto the existing roof. The extension would be finished in brick and tile to match the house.

Relevant Planning History

N/A

Publicity

Immediate neighbours notified by letter dated 11/05/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Visual Amenity - The proposed extension, in terms of scale and design, would be in keeping with the existing house and would not appear incongruous within the streetscape. The extension does include a small setback at first floor at the front but with the arrangement of houses along the frontage, angling around the bend in the road, there would be sufficient mitigation against the appearance of terracing.

In terms of visual amenity, the proposal is acceptable and complies with UDP Policy and guidance in SPD6.

Residential Amenity - Given the position of the extension at the side of the house, it would not extend beyond the rear elevation of the applicant's house or the neighbours house at No.47 Fairfield Drive. With No habitable room windows on the side gable, there would be no serious detrimental impact on residential amenity.

In terms of residential amenity, the proposal is acceptable and complies with UDP Policy and guidance in SPD6.

Parking and Access - The existing driveway with access onto Fairfield Drive would remain as existing.

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.

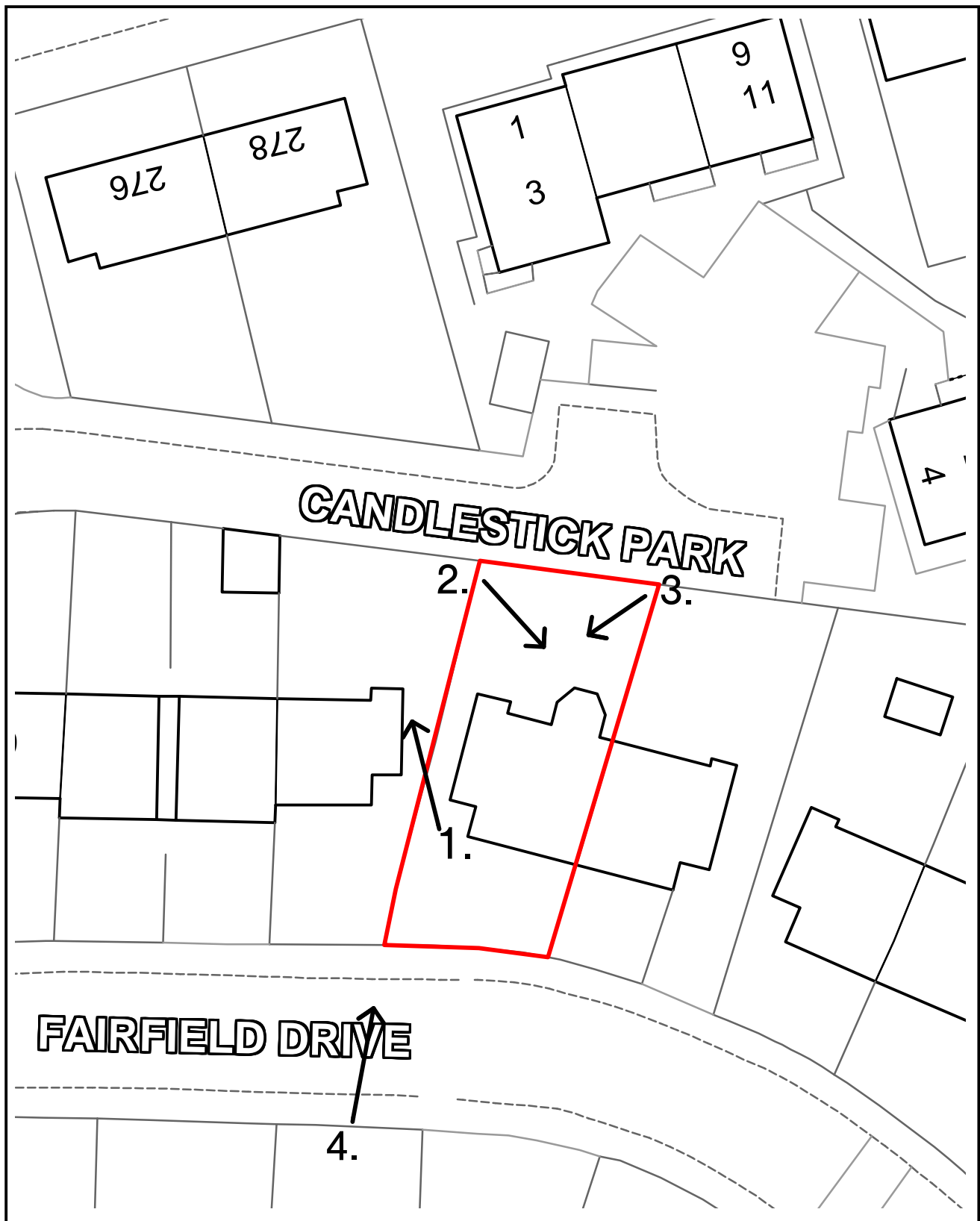
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The 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 R-0778-01, 02/A and 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 external finishing materials for the proposal hereby approved shall match those of the existing house.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 Alterations and Extensions and Associated SPD6.

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

Viewpoints - Item 01



PLANNING APPLICATION LOCATION PLAN

APP. NO 69622

ADDRESS: 47 Fairfield Drive
Bury

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Photo 1



Photo 2



Photo 3

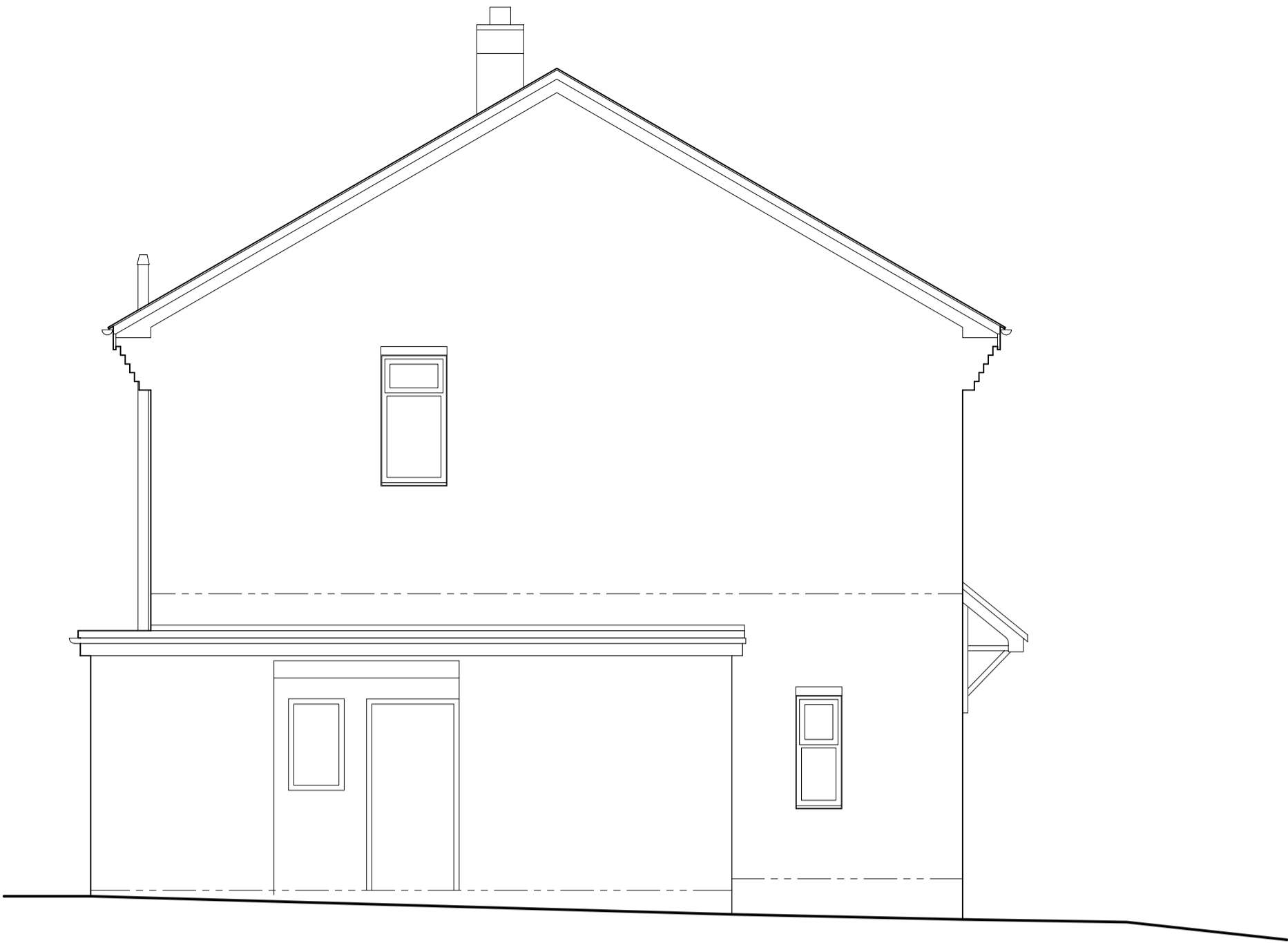


Photo 4

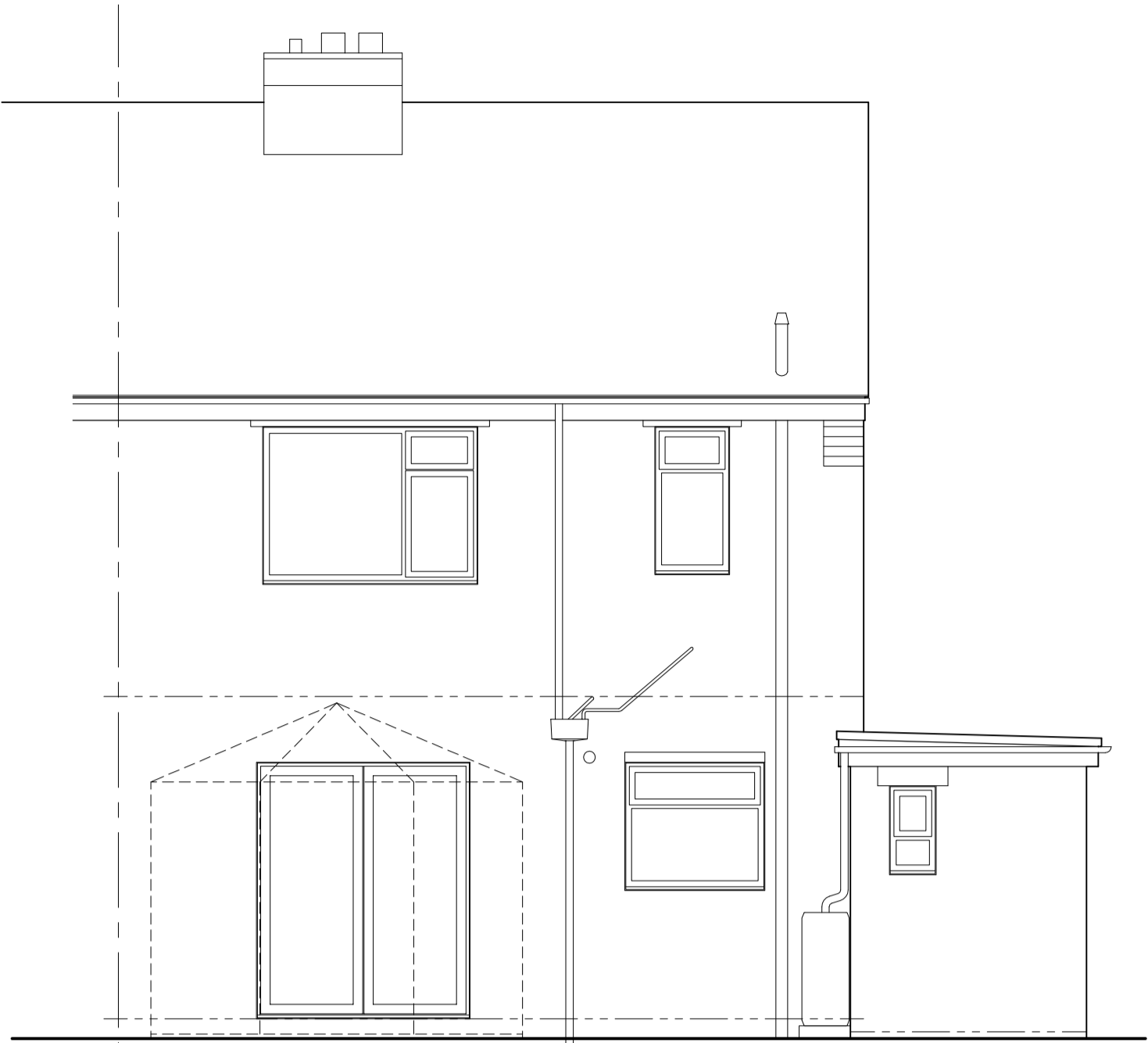




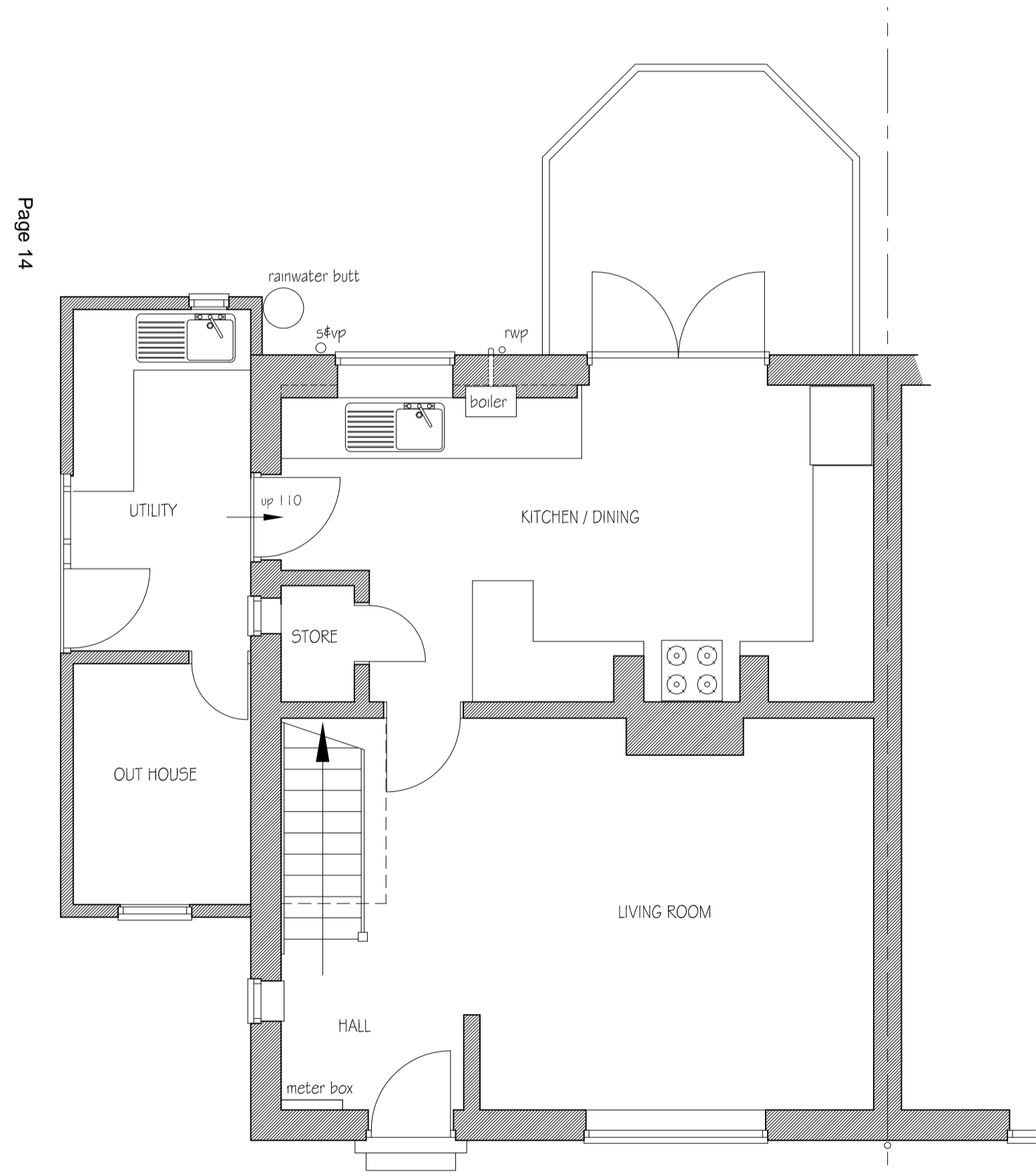
FRONT ELEVATION
AS EXISTING



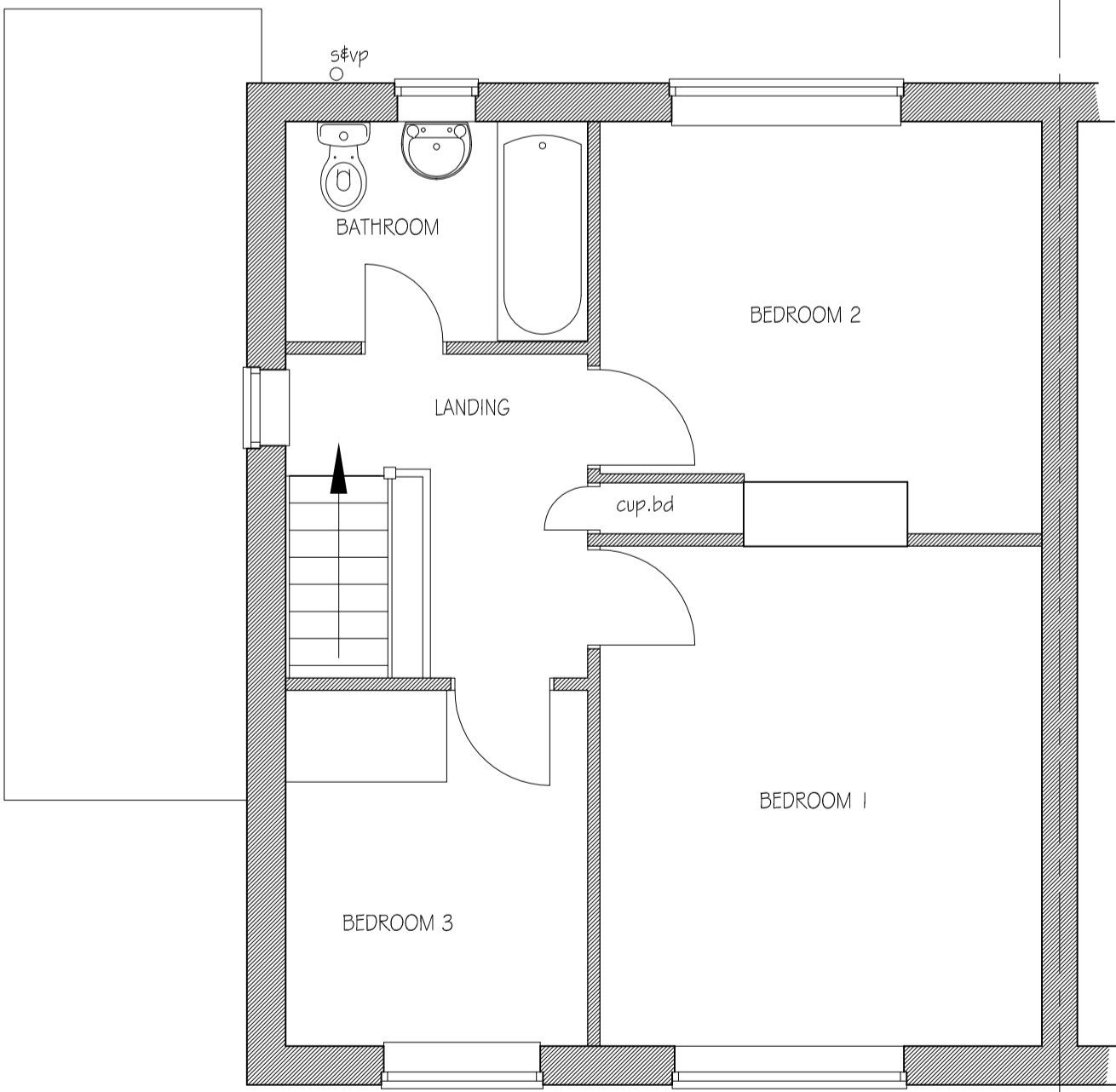
SIDE ELEVATION
AS EXISTING



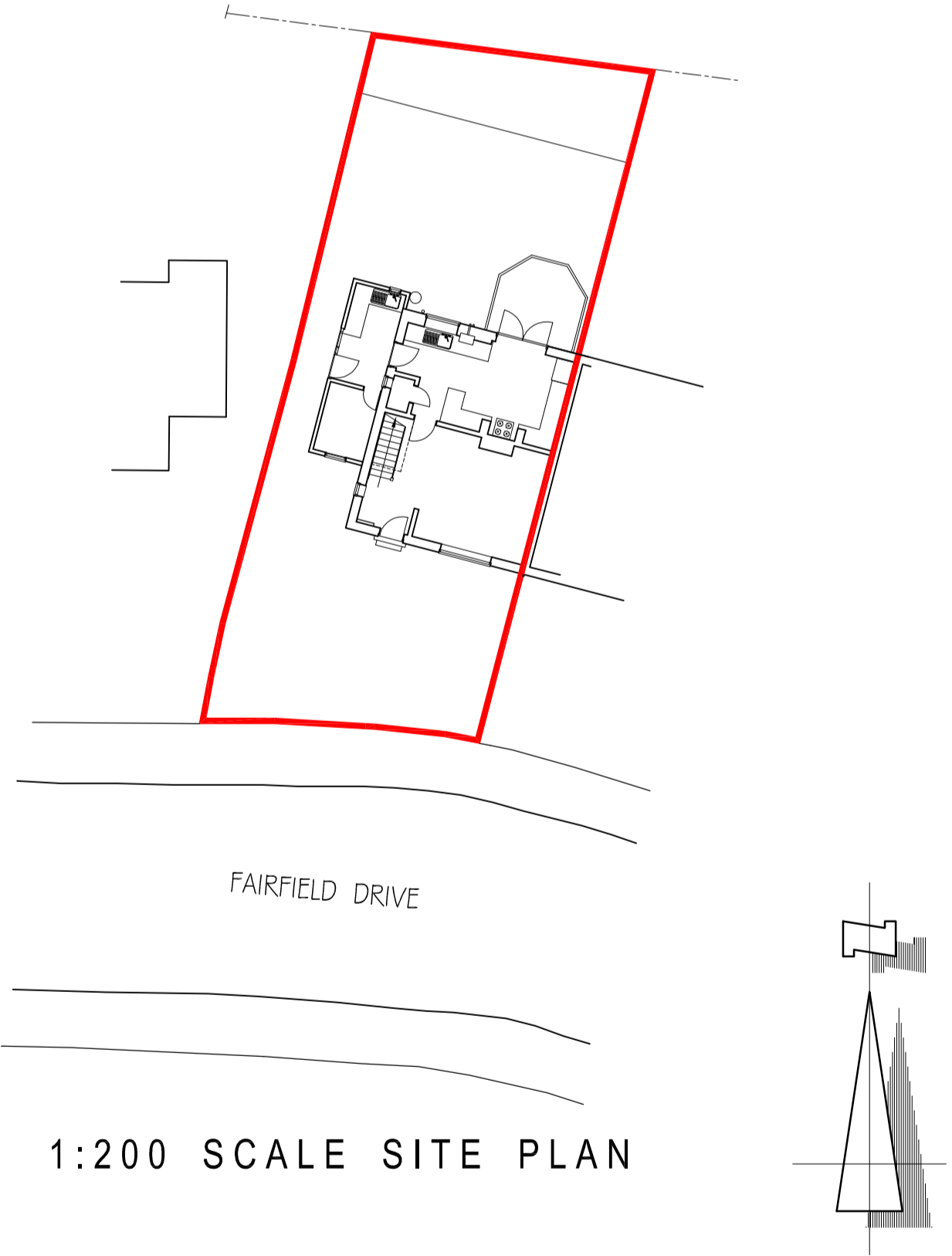
REAR ELEVATION
AS EXISTING



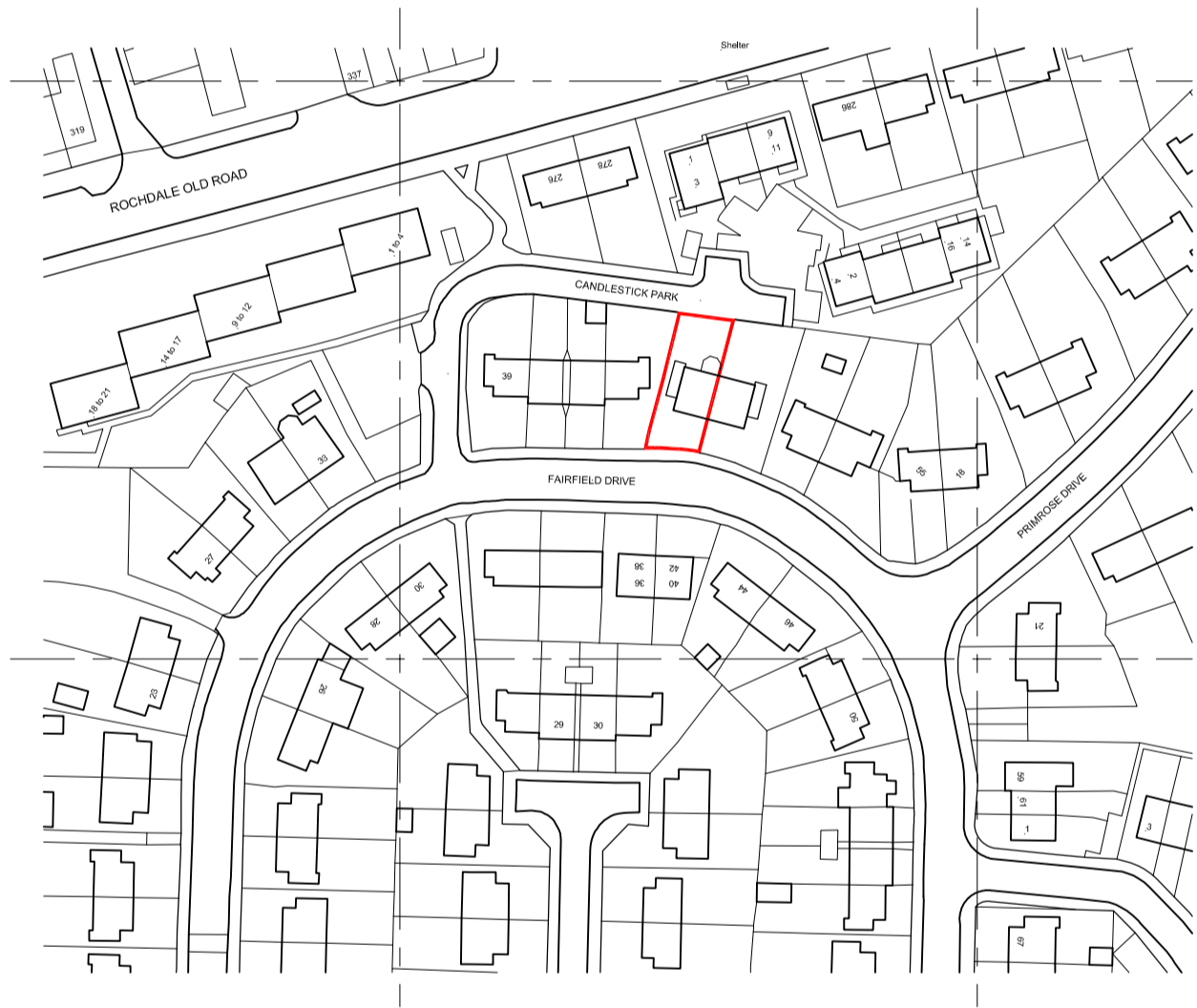
GROUND FLOOR PLAN
AS EXISTING



FIRST FLOOR PLAN
AS EXISTING



1:200 SCALE SITE PLAN



1:1250 SCALE LOCATION PLAN
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NOTES

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Any discrepancies are to be reported to the architect for clarification.

All materials and workmanship to be in accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.

As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (because of the duration of the works on site) and the client may also need to appoint a Principal Designer because there may be more than one contractor working on site. The Principal Designer will be able to coordinate the pre-construction information and also ensure that all duty holders under CDM comply with their relevant duties.

The building owner is to serve a Party Wall Act Notice as applicable to adjoining property owners as outlined in The Party Wall Act 1996. The Building Contractor is to verify the thickness of the party walls prior to commencement of the proposed works.

REV DESCRIPTION CHECK DATE

CLIENT

GAVIN and SALLY McGill

PROJECT

Proposed Extension and Alterations
47 Fairfield Drive, Bury, BL9 7SL

DRAWING

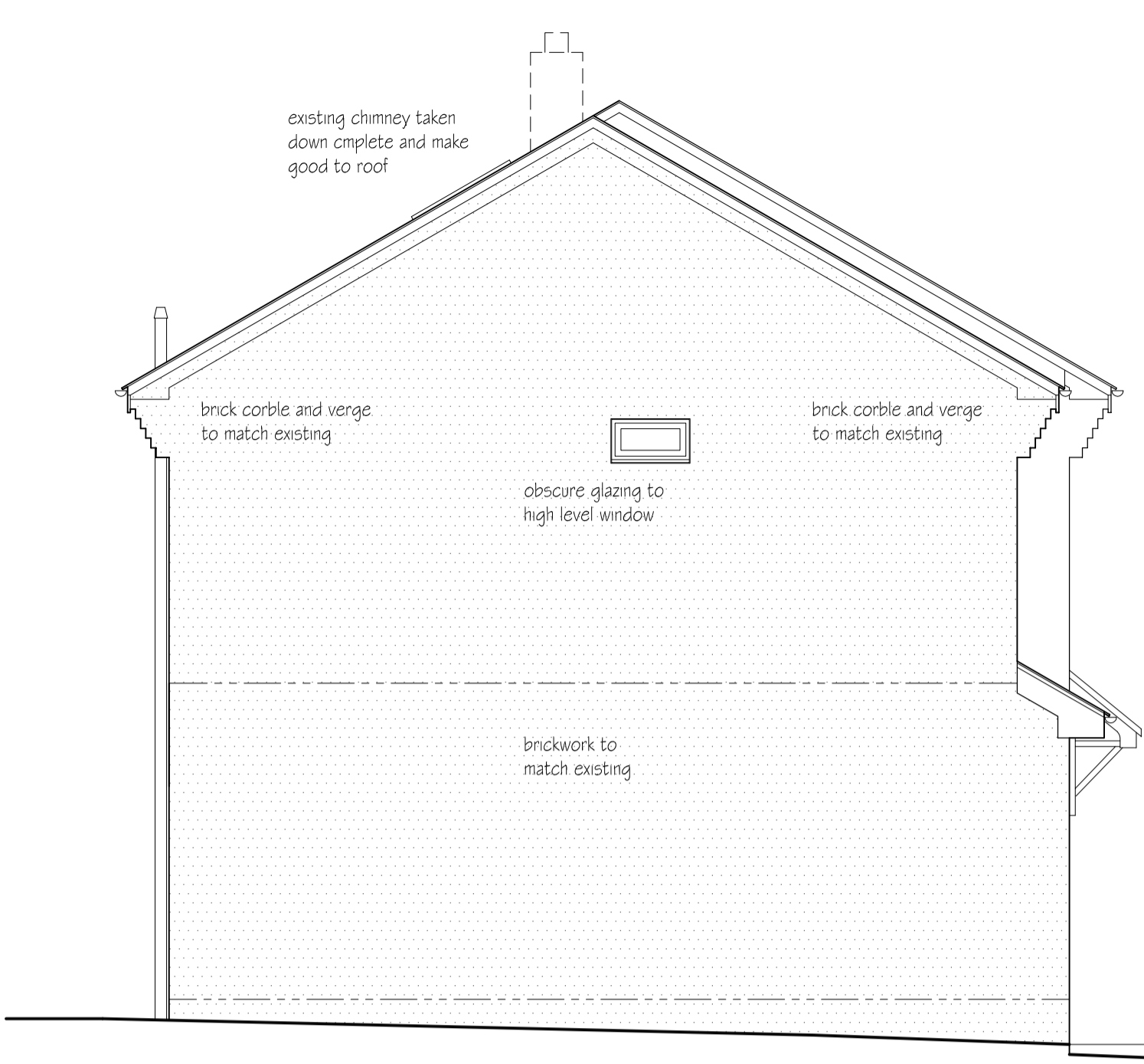
Plans and Elevations as Existing

SCALE	DATE	DRAWN	CHECKED
1:50 @ A1	April 2023	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0778-01			





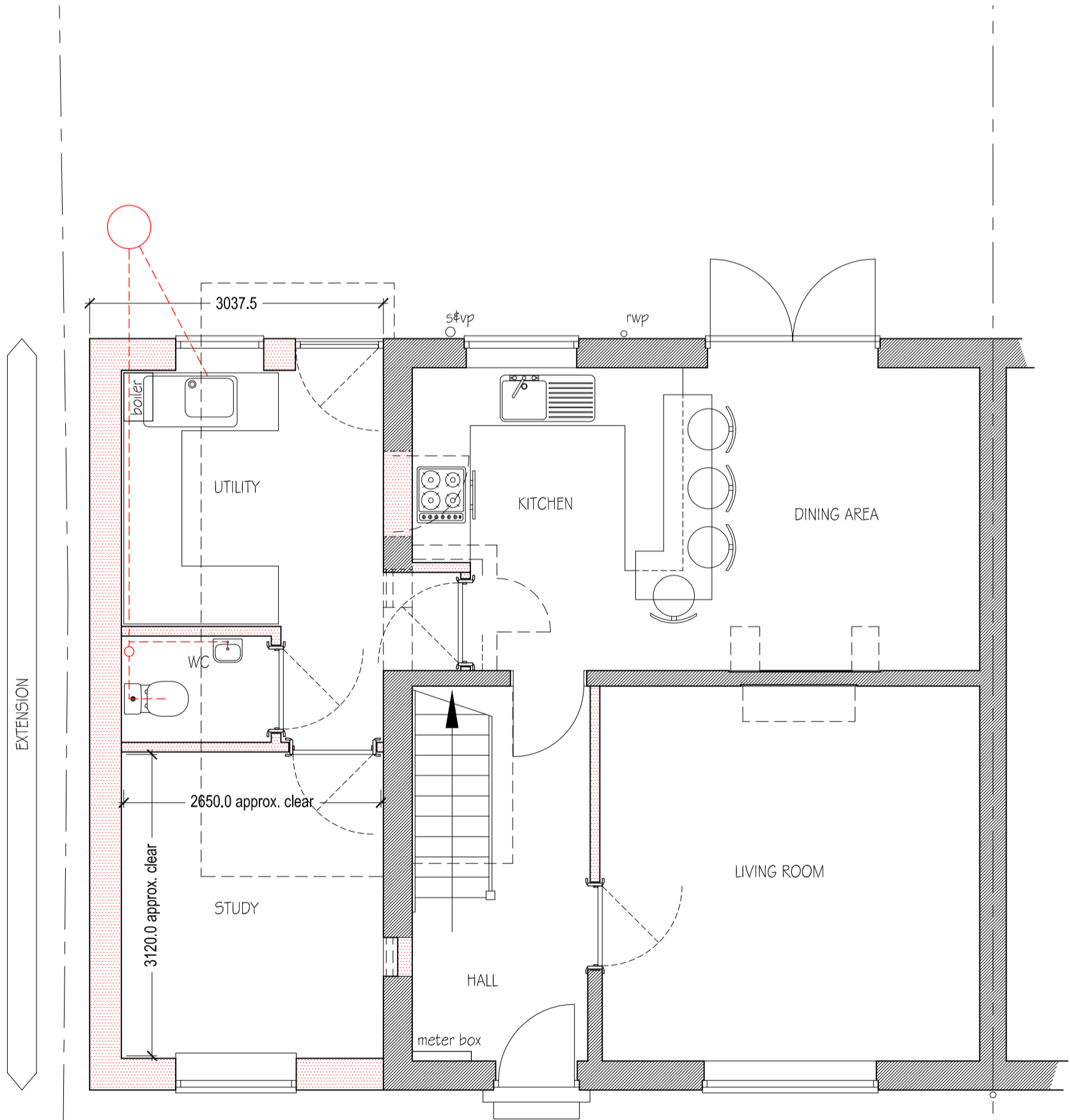
FRONT ELEVATION
AS PROPOSED



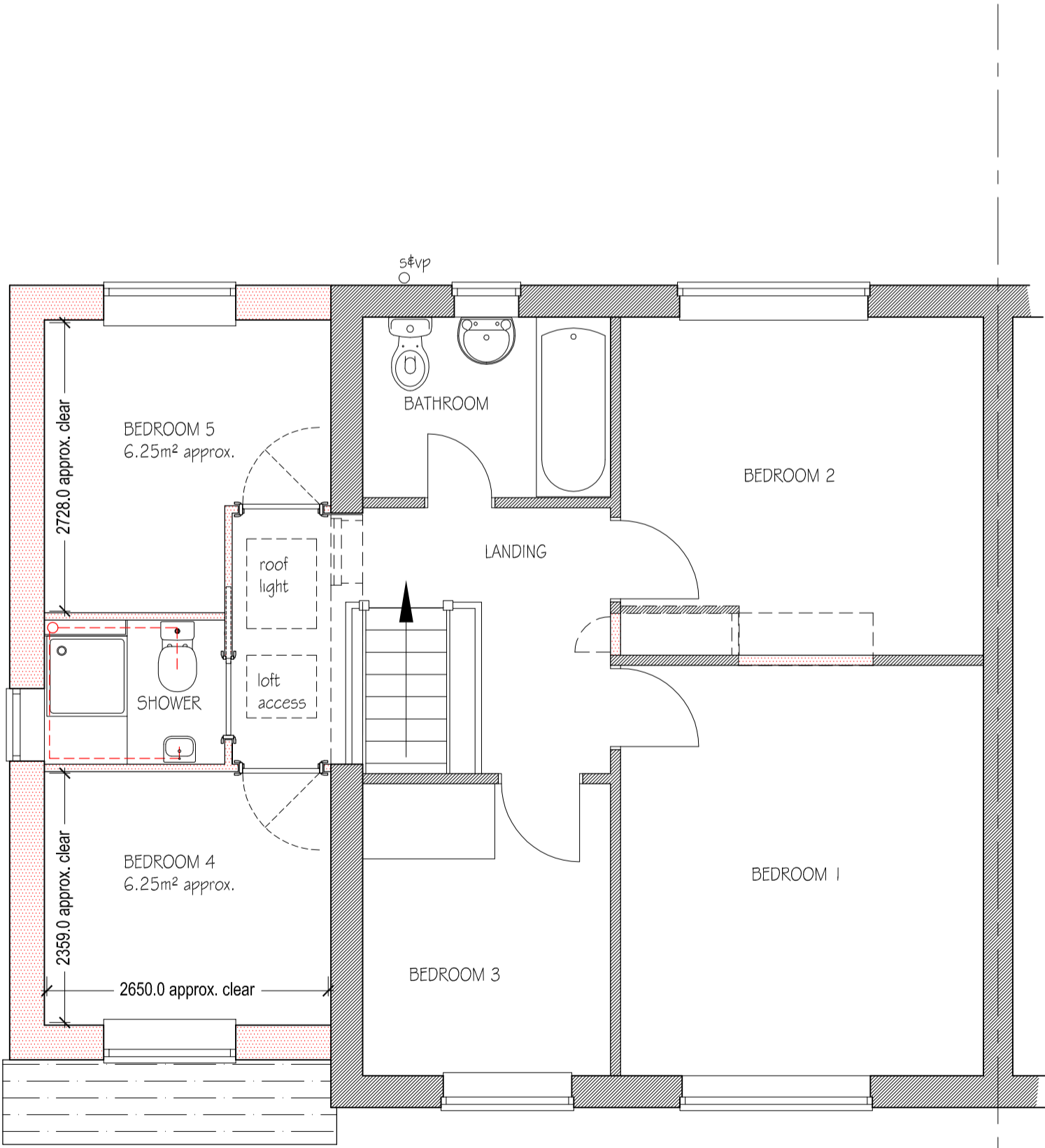
SIDE ELEVATION
AS PROPOSED



REAR ELEVATION
AS PROPOSED



GROUND FLOOR PLAN
AS PROPOSED



FIRST FLOOR PLAN
AS PROPOSED

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A	Client revisions	25.04.2023
REV	DESCRIPTION	CHECK DATE

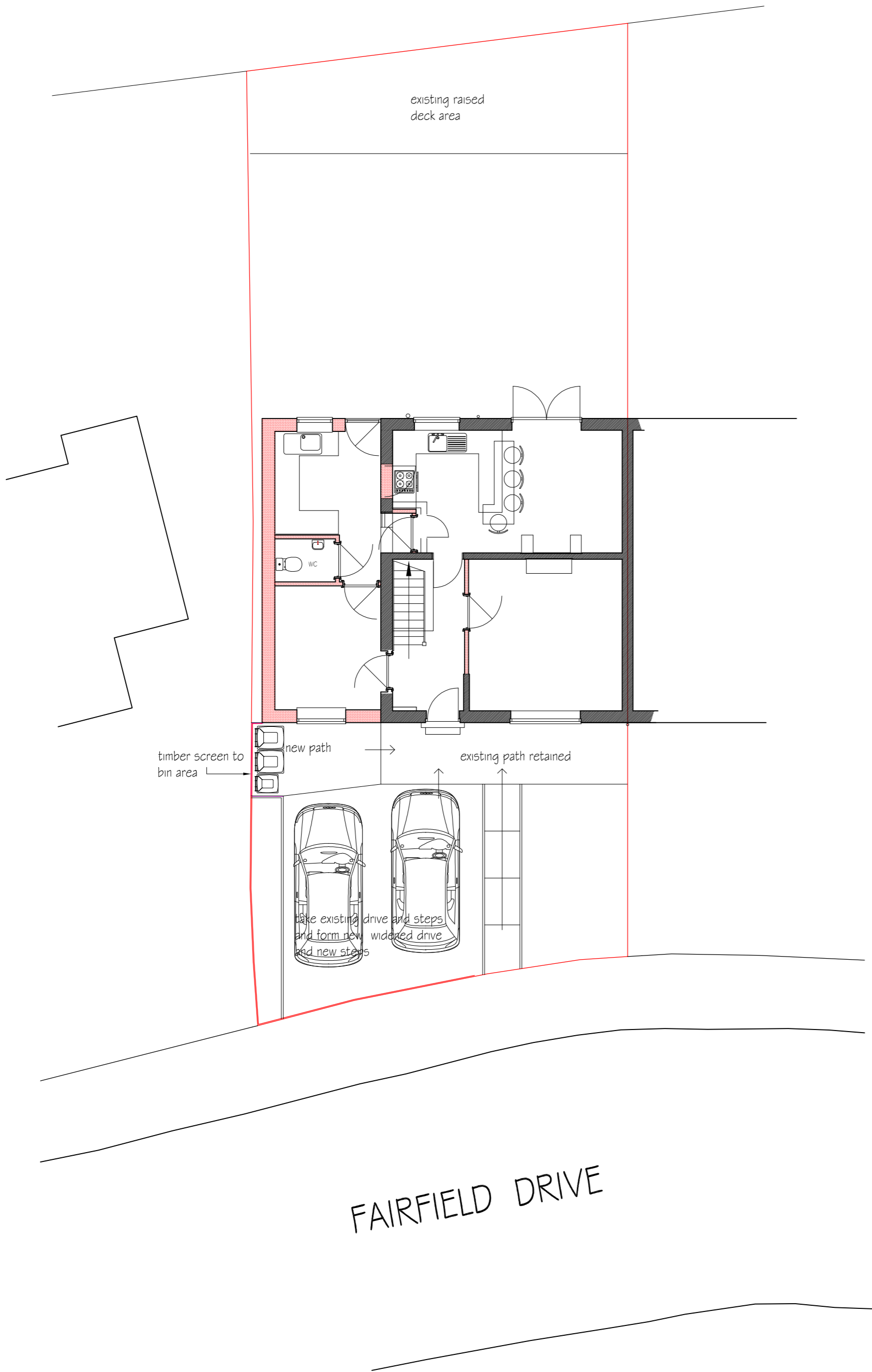
CLIENT
GAVIN and SALLY MCGILL

PROJECT
Proposed Extension and Alterations
47 Fairfield Drive, Bury, BL9 7SL

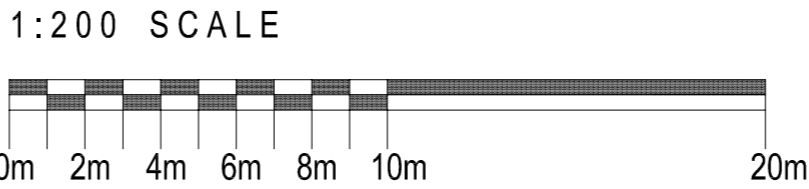
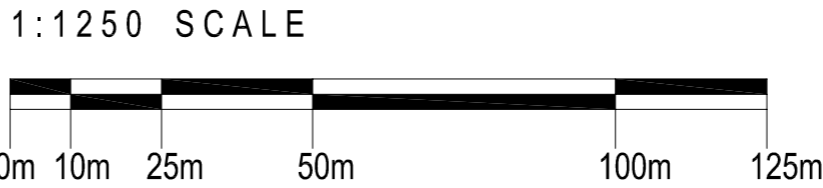
DRAWING
Plans and Elevations as Proposed

SCALE 1:50 @ A1	DATE April 2023	DRAWN agw	CHECKED
DRAWING NO. R-0778-02	CAD REFERENCE NO.	REVISION A	





1:1250 SCALE LOCATION PLAN
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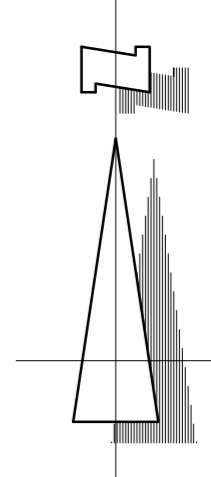
Any discrepancies are to be reported to the architect for clarification.

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This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.

As with all construction projects the CDM 2015 regulations apply and the work on this project may require both the issue of a notification to the HSE (because of the durationof the works on site) and the client may also need to appoint a Principal Designer because there may be more than one contractor working on site. The Principal Designer will be able to coordinate the pre-construction information and also ensure that all duty holders under CDM comply with their relevant duties.

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REV	DESCRIPTION	CHECK	DATE
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CLIENT
GAVIN and SALLY McGILL

PROJECT
Proposed Extension and Alterations
47 Fairfield Drive, Bury, BL9 7SL

DRAWING
Site Plan as Proposed
and Site Location Plan

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	April 2023	agw	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0778-03			



Ward: Whitefield + Unsworth - Unsworth

Item 02

Applicant: Bury Council - Department for Children and Young People

Location: Spurr House, Pole Lane, Bury, BL9 8QL

Proposal: Conversion of short stay residential home (Class C2) to a pupil referral unit (Class F1) for educational use; Single storey extensions and associated landscaping, additional parking and external works

Application Ref: 69361/Full

Target Date: 24/04/2023

Recommendation: Approve with Conditions

The Development Manager has requested a site visit for this application

Description

The proposal relates to a site most recently used as a short stay residential care home located on the east side of Pole Lane around 200m south of the Unsworth Pole/Parr Lane Local Centre. The site has been vacated and is occupied by a series of interlinked single storey wings that enclose a central open-roofed courtyard and which are contained in partially vegetated gardens with a small car park accessed from Pole Lane. The site is bounded by Unsworth Cricket and Tennis Club at the south, Unsworth Academy to the east and a pair of semi-detached dwellings with three/four storey residential flats to the north. Opposing the site are two storey suburban dwellings. The neighbouring school to the east and sports facility to the south fall within the Greater Manchester Green Belt.

The proposal is for the conversion of the short stay residential home (Class C2) to a pupil referral unit (PRU) (Class F1) for educational use; single storey extensions and associated landscaping, additional parking and external works. The main elements of the proposal would comprise the following:

- Infilling of the internal courtyard involving the raising of perimeter walls (in white cladding) and flat roof that would house air conditioning units enclosed by louvred plant screening;
- Replacement of existing conservatory on the north side by continuing the existing walls to link the existing opposing wings in similar brickwork, window and tile finishes;
- Front entrance extension forward to infill an existing shallow alcove space in glazed curtain walling continuing the duo-pitched roof form;
- Small alcove infill to the south elevation in matching brickwork and tiling;
- Car park extension providing improved access, 23 car parking spaces, motorcycle spaces, 2 mini-bus spaces and secure cycle storage for 22 bicycles;
- Multi-Use Games Area (MUGA) to the rear of the building measuring 31m by 17m (this would not be flood lit and would be for sole use of the PRU within school hours);
- 2.4m high steel security fencing/gates to the site frontage and enclosing the MUGA and buildings at the rear and further ornamental steel bow top fencing internally.

The proposed use would accommodate up to 72 pupils, together with site staff comprising of school leader, teachers, pastoral and support staff (pertaining to up to approximately 36no. staff).

The proposed use would operate between 07:30 and 17:30 Monday to Friday (term times).

Since submission, the proposal has been amended to change the position and number of cycle storage spaces.

Relevant Planning History

57662 - Externally illuminated single sided totem sign (retrospective) - Approve with Conditions 18/07/2014

Publicity

121 neighbouring properties were notified directly on 02/03/2023 and site notices were displayed locally dated 13/03/2023. Objections were received from Councillors Boroda, Grimshaw and Rafiq and from 6 separate addresses raising matters that are summarised as follows:

Councillors Boroda, Grimshaw and Rafiq

Pole Lane has limited public transport connections and there are already 3 schools within a short walk of the site. At peak times the traffic is bad and adding a further school would exacerbate this. Between 2017 and January 2024 there would be an over 50% increase in the amount of school places just of Parr Lane, with no accompanying traffic mitigation.

We are concerned about the impact of increased traffic on the character of the neighbourhood and ask how much more can be taken. As such, the issues relating to transport are not justifiably an appropriate strategy, nor is it effective in achieving its own aims.

Other third parties

Traffic/Highway safety/Accessibility

Pole Lane is a cul-de-sac and is already congested and serves the large academy. Has a risk assessment been undertaken to consider the addition of the proposed pupil referral unit (PRU). Has a risk assessment been undertaken?

By January 2024 there will be three separate schools within a fifth of a mile radius from Unsworth Pole. Unsworth Academy, after supporting Bury LA with extra places, will have reached 1000 students in size. The new free school with specialty provision in autism, commissioned to the Shaw Education Trust and on the former Academy site, will have opened. Also, the existing Bury and Whitefield Jewish Primary Schools stands over the road from the Pole. Traffic and congestion is a major issue in the area, particularly in the morning and at the end of the school day. Unsworth Academy regularly receive complaints from local residents, including matters of safety and there is often validity to them. School staff are a presence in the community both in the mornings and as the children leave. The addition of this Pupil Referral Unit would exacerbate an, at times, unsafe and very disruptive traffic and congestion issue. A new facility close by will only add to the problem as well as the risk of children being involved in "car v child" accidents. None of us would want this including officers in the planning department.

A PRU should be located in a central area of a Local Authority. The PRU provides for students across the whole borough, yet this proposal is to locate it in a very southerly position, which is not well accessed by public transport. If we consider that a young person from perhaps Ramsbottom is allocated provision at the PRU. This is a very difficult commute. The tram is, obviously, a key component to public transit in Bury. There is not a tram stop in walking range of addresses on Pole Lane. A location near to the centre of the borough would be much more effective for such a provision.

Amenity

The site fencing feel like a cage for the young pupils and would not be aesthetically pleasing. Is the site fit for purpose?

Prospective pupils at the proposed facility also deserve an opportunity to turn their lives around at a suitable facility in a suitable location.

Anti-social behaviour/safeguarding

Is there a risk of verbal or physical attack to neighbours/passing children? Has there been a risk assessment?

The site would be unsuitable, housing up to 80 troubled teenagers in overcrowded prison like conditions

There are mainstream schools in the vicinity and the safeguarding of the local children must be prioritised.

The site is close to Unsworth Academy. The roll of the Bury PRU is almost exclusively constituted by students who have been permanently excluded from secondary schools across Bury. There are several students who attend the current site in Radcliffe who have been permanently excluded from Unsworth Academy. If there are any future permanent exclusions from Unsworth Academy, placements will, no doubt, be made at the new PRU on Pole Lane. This feels very unsatisfactory for neighbouring school communities, who feel that there should be considerably more distance between existing schools and the PRU. Due to the difficult or troubled relationships these students have historically had with educational establishments, the aforementioned schools may become a target for their frustrations.

The prospect of four schools within such a close radius, qualifies under the "character of neighbourhood" descriptor. We are concerned about the character of the community should the proposed application be passed. There are many elderly residents who, frankly, will be frightened to have a facility close by of children who have been permanently excluded from schools. They will also be worried about noise, vandalism etc. There are bus stops close by that could become centres of unruly behaviour.

The back of the proposed site overlooks the back playground of Unsworth Academy and the corner portion of the school building. The proposed PRU would mean students and staff directly overlooking the year 8 yard. That is not appropriate to the school community. Not only will this impact break and lunchtime but also PE lessons. Our PE curriculum regularly uses this space. We believe that there are safeguarding ramifications to this.

We are very concerned that the proposed pupils will be very disruptive particularly at times when the Jewish infant children are arriving or leaving. We are also very conscious of the fact that we are a Jewish School and that this may create problems caused by the proposed pupils. As well as our school there are several other schools in the vicinity and that the proposed facility will cause traffic problems particularly at time when children arrive and leave school. Safeguarding is very high on our priorities and this proposed facility will greatly increase risk to our children as well as children at other local schools. It seems that the application has not been covered by suitable risk assessments. This is wholly unsatisfactory.

Other matters

Works commenced some time ago and should not have done so without prior consultation with the local community

There would be no positive impacts of a poor performing (Ofsted) PRU

It will impact on saleability and property values

These young people need support at a suitable facility and lack of investment means they would be squeezed in Pole Lane, which is not the right location

Bury and Whitefield Jewish Primary School was not notified of the proposal

We are most surprised and concerned that this change of use has been dealt with under delegated powers and has not been listed for a decision by councillors. We are also amazed that this change of use has not been put forward for consultation by appropriate parties (including our school) . This whole process seems to me to be underhanded and makes me think that council officials thought that the application would slip through without any objections as many parties were not aware of the application.

Statutory/Non-Statutory Consultations

Traffic Section: No objection subject to conditions relating to surveys, the access road, review of Traffic Regulation Orders, turning facilities and car and cycle parking.

Transport for Greater Manchester (TfGM): No objection. It is considered that the development is unlikely to result in a material impact any greater than the current lawful use. The access should be upgraded to provide tactile paving and dropped kerbs. A review of Traffic Regulation Orders should be undertaken, with a view to introducing additional parking restrictions and a robust Construction Traffic Management Plan should be employed. There is some access to public transport within 3 minutes walk. Cycle parking should be in accordance with the Council's adopted standards and a robust Travel Plan should be introduced.

Greater Manchester Police - designforsecurity: No objection, subject to the introduction of the security measures set out in Section 4 of the Crime Impact Statement.

Greater Manchester Ecology Unit (GMEU): No objection, subject to conditions relating to nesting birds, the submission and agreement of a reasonable avoidance measures method statement for mammals, a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and a biodiversity mitigation and enhancement plan for habitat and enhancement. **An update concerning Great Crested Newt will be provided in the Supplementary Report.**

Environmental Health - Contaminated Land: No objection subject to conditions relating to contaminated land and remediation, the provision of electric vehicle charging points and the control of dust.

Environmental Health - Pollution Control: No comments to make.

Sport England: No objection. The proposed development affects only land incapable of forming part of a playing pitch.

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

Unitary Development Plan and Policies

EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT4	New Development
HT5	Accessibility For Those With Special Needs
HT5/1	Access For Those with Special Needs
HT6	Pedestrians and Cyclists
HT6/1	Pedestrian and Cyclist Movement
CF1	Proposals for New and Improved Community Facilities
CF1/1	Location of New Community Facilities
CF2	Education Land and Buildings
SPD3	DC Policy Guidance Note 3: Planning Out Crime
SPD11	Parking Standards in Bury
SPD12	Travel Plans 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 of development

Both the former use as a short stay residential care home and the proposed development for educational purposes constitute community facilities, as identified in Section 11 of the Bury Unitary Development Plan (UDP) and policy CF1 - Proposals for new and improved community facilities states that proposals for new and improved community facilities will generally be looked on favourably by the Council. Policy CF2 states that the Council, where appropriate, consider favourably proposals for the provision, improvement and dual use of educational facilities. Paragraph 95 of the National Planning Policy Framework (NPPF) states that 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

The Council, as the Education Authority, has identified a need for a replacement pupil referral unit to serve the whole of the borough, given that the existing facility in Radcliffe is scheduled to close.

Given that the pupil referral unit is required to serve the identified educational needs of the entire borough of Bury, the proposal is acceptable in principle and would comply with the above UDP policies and the NPPF, subject to consideration of the following.

It is relevant to note that without planning permission, the site could be used as a hospital, boarding school, residential college or training centre.

Impact on visual amenity

UDP policies EN1/1 and EN1/2 pertain and relate to impacts on the character and appearance of the area and on the surrounding Green Belt.

The proposed extensions, alterations and external works would be relatively minor in nature and scale and being largely in similar materials, would appropriately assimilate with the existing building. The proposed boundary fencing would be in a 'light' mesh finish, typical of an educational establishment and backdropped by the existing buildings. The proposal would not therefore have any unacceptable impacts on the appearance and character of the area or the overall street scene.

The eastern and southern boundaries of the site would remain significantly screened by retained vegetation. Given this, and the minor scale and nature of the development, the proposal would not have any unacceptable impacts on the appearance of the Green Belt.

Impact on residential amenity

UDP policies EN1/2 and EN7/2 pertain and relate to impacts on the surrounding area and the avoidance of unacceptable noise nuisance.

Concerning proposed extensions and alterations to the existing buildings, these would be relatively minor in scale and nature, largely relating to the infill of the central courtyard and other insignificant external alterations that would fall between existing elements. The proposed materials would assimilate appropriately with the existing built fabric. The proposed boundary security fencing would be of a 'light' mesh type structure (colour to be agreed) and would largely be backdropped by the school from principal vantage points.

Given the setting of the building away from site boundaries, the relationship to neighbouring buildings and land uses and the stated minor nature of the adaptations, the proposed extension, alterations and boundary treatments would not have any unacceptably harmful impacts on residential amenity.

The outdoor multi-use games area would be positioned to the rear of the building, around 30m from the nearest residential units at 239 and 241 Pole Lane to the west and the flats to the north. The MUGA would be for the sole use of the pupil referral unit and only be used during school hours Monday to Friday.

The proposal is supported by a noise impact assessment, which finds that if the proposed plant equipment is installed as specified in the report, then the rating noise level would not be expected to exceed the prevailing background sound level at the most affected noise sensitive receptors (e.g. neighbouring dwellings).

Given the above circumstances, the proposal would not have unacceptable impacts upon residential amenity and the local environment.

Location, access, parking and highway safety

UDP Policy CF1/1 requires consideration to be taken of traffic generation and car parking provision and Policy HT6/1 seeks to ensure that pedestrians and cyclists are able to move safely and conveniently. The NPPF states that 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. Supplementary Planning Document 11 (SPD 11) - Parking Standards in Bury sets out maximum and minimum standards for car parking, motorcycle and cycle storage provision.

Objections relating to these matters are noted above including those from Councillors Boroda, Grimshaw and Rafiq. The objections do highlight that there are on-going concerns about the level of traffic/congestion around the area of Unsworth Pole/Parr Lane/Pole Lane associated with the existing schools in the area. In assessing the proposal, it is important to consider the traffic implications of the development under consideration and only if the residual cumulative impacts on the road network are severe should the application be refused.

Location

Concerning the location of the proposed development, Transport for Greater Manchester note that the site is accessible by public transport and that there are surrounding pedestrian and cycle networks that the proposal should link into and recommend that the proposed use should be subject to a robust Travel Plan. TfGM also state that it is considered that the development is unlikely to result in a material impact any greater than the current lawful use.

The supporting Transport Statement (TS) notes that in addition to the proximity to public transport links, the site benefits from existing walking and cycling opportunities, that the site is close to a variety of key services and facilities (at Unsworth Pole Local Centre) and that many of the local roads are subject to 20mph speed limits and are therefore considered conducive to cycling. The TS also states that a Travel Plan proposes a variety of measures to encourage the uptake of more sustainable travel modes.

It is notable that a Special Education Needs and Disability School off Parr Lane (68079) was approved planning permission in June 2022 and is around 250m north of the application site. This site would have a similar relationship to public transport options and facilities as the proposal under consideration.

Access, parking and highway safety

The car park would be extended to provide additional car parking and cycle storage provision as noted in the description of development, which would include provision for motorcycle parking and an accessible parking bay. The submission notes that the maximum

parking standards required in SPD11 permit in the range of 20-27 car parking spaces and the cycle storage provision would be double the minimum standard. With the two mini-bus spaces, there would be on-site parking provision for 25 vehicles.

On the basis of the proposed access arrangements and parking provision, the Highway Officer has not raised any concerns in relation to highway safety and does not object to the proposal, subject to conditions, which would include a review of existing parking restrictions with a view to introducing additional limitations. These would not only mitigate against negative impacts of the proposal under consideration (i.e. on-street parking that may be detrimental to highway safety), but would also provide some mitigation in relation to pre-existing highway safety concerns identified in objections.

It is noted that car parking standards as set out in SPD 11 constitute maximum standards and that this document sets a standard of 1.5 spaces per classroom. There would be 13 permanent classrooms and 5 flexible rooms that could be used as classrooms on occasions when this would be necessary. Hence Minimum cycle storage provision is set as 1 space per 10 members of full time staff and 1 per 10 pupils. Given such standards, the proposal would provide an adequate level of parking provision for all modes of transport and active travel (supported by travel planning). Furthermore, with ongoing Travel Planning measures, which would be required by condition, the operator would be committed to the continual review of parking at the site to ensure that it is operating in a safe and efficient manner.

Given the above, the proposal would not have unacceptable impacts nor create severe circumstances on the functioning of the road network or on highway safety.

Anti-social behaviour (ASB)

UDP Policy EN1/5 states that the Council will encourage development proposals which include features aimed at discouraging crime. The NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The objections relating to anti-social behaviour/student safeguarding are noted above.

The applicant, in response to the concerns raised, claims to have held meetings with representatives of the nearby educational establishments, and states:

- The timing of school day for the different settings will differ, with potential for the timing of the school day of the PRU to be adjusted, meaning that potential inter-action between cohorts will be reduced.
- Anti-social behaviour appears to be an existing issue, prior to relocation of the PRU. There is a commitment from Children's Services to work with school leaders, including the PRU to look at current and future arrangements to reduce incidence of ASB.

In relation to the security arrangements at the site, Greater Manchester (GM) Police have stated that the proposed is acceptable, subject to the introduction of the security measures set out in Section 4 of the Crime Impact Statement (CIS). In relation to the concerns about potential ASB away from the immediate grounds of the proposed PRU, they further note that the volume of crime recorded in the neighbourhood was much lower than many areas within Bury and that the CIS makes no reference to issues arising with pupils going to or from school.

Given the management measures indicated by the applicant, the low cohort numbers and the position set out by GM Police, it is not considered that the proposal would conflict with the above policy or the NPPF.

Landscaping and ecology

UDP Policy EN6/3 requires consideration of the effect of land use changes on existing features of ecological or wildlife value. The NPPF seeks the retention of existing trees

wherever possible and that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or compensated for, then planning permission should be refused.

The supporting Arboricultural Impact Assessment confirms that of the 44no. tree features recorded at the site, 25no. would be retained. The majority of trees to be removed would be to facilitate the expansion of the car parking area and extension of the building. It goes on to state that these should be replaced with a mixture of native and ornamental trees.

The GMEU do not object to the proposal, subject to the conditions noted above. However, since the consultation response, further survey work has revealed the presence of juvenile Great Crested Newts at the site.

Other matters

The Environmental Protection Officer recommends the imposition of conditions relating to contaminated land and remediation, the provision of electric vehicle charging points and the control of dust. Given the uplift in the number of car parking spaces proposed, two dedicated electric vehicle charging spaces should be provided.

Sport England have advised that following the provision of a Ball Strike Assessment, that the proposed development would affect only land incapable of forming part of a playing pitch (at the neighbouring sports facility to the south) and would not therefore impinge upon sports.

Response to outstanding objections

Internal and other works that do not require planning permission were initiated prior to the submission of the planning application.

The Ofsted rating of the PRU, concern about impact on property values and the quality of the educational facilities are not considerations that would be material to the assessment and determination of the planning application.

The application was publicised in accordance with the relevant Regulations

Conclusion

The proposed development would deliver a strategic educational priority that would serve the entire borough.

Whilst there are objections to the proposal, the development has been assessed as being locationally appropriate and it would not have any unacceptable impacts that could not be mitigated by the imposition of relevant conditions.

Given the above, the proposal would be compliant with the above stated UDP policies and the NPPF. Therefore, in accordance with the Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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
 Location Plan (Dwg No. SH-20-P-001 B)
 Proposed Site Plan (Dwg No. SH-20-P-004 G)
 Block Plan (Dwg No. SH-20-P-002 B)
 Proposed Ground Floor Plan (Dwg No. SH-20-P-007 C)
 Proposed Elevations (Dwg No. SH-20-P-008 B)
 Proposed External Works Construction Details (Dwg No. 081241 CUR ZZ ZZ D C 91-0002 P02)
 Proposed Sections (Dwg No. SH-20-P-009 B)
 Proposed Drainage Layout (Dwg No. 081241 CUR ZZ ZZ D C 92-0002 P02)
 Proposed Drainage Construction Details (Dwg No. 081241 CUR ZZ ZZ D C 92-0003 P01)
 MUGA Pitch Layout and Fence Details (Dwg No. SH-21-P-004)
 Proposed Security Layout (Dwg No. 220244-CPW-XX-XX-DR-E-50001 P01)
 Proposed Electrical External Works (Dwg No. 220244-CPW-ZZ-XX-DR-M-EXT01 S3 P01)
 Landscaping & Fencing Details (Dwg No. SH-21-P-003 E)
 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 be as detailed within the approved application particulars.
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

6. No development shall commence unless and until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority, as outlined in Table 20 Fugitive Dust Emissions Mitigation Measures, of the report (Air Quality Assessment for Pole Lane, Bury, Redmore Environmental, Reference: 6294r1, 20 January 2023). The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.
Reason: The information is required prior to the commencement of development to reduce the impacts of dust disturbance from the site on the local environment, pursuant to Section 15 of the NPPF - Conserving and enhancing the natural environment.
7. Two car parking spaces shall be provided with electric vehicle (EV) charging points (minimum 7kW*) prior to the use of those spaces.
*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).
Reason: 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 pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
8. Within 6 months of the development hereby approved being brought into use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:
- A travel plan budget and resources for the implementation and day to day management of travel plan measures;
 - Appropriate management strategy;
 - Detailed time frames for delivery;
 - Handover arrangements for the travel plan or its components when the developer's responsibility ceases; and
 - Targets and monitoring arrangements.
- The Travel Plan shall thereafter be operated in accordance with the agreed details.
Reason: In order to deliver sustainable transport objectives in accordance with Chapter 9 - Promoting sustainable development of the National Planning Policy Framework.
9. Notwithstanding the details indicated on the approved plans and in the submitted 'Highway Response', no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways (where appropriate) to the Local Planning Authority:
- Dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following as a direct result of the proposed development and conversion works;
 - Alteration of the vehicular access to the site from Pole Lane to a specification to be agreed, incorporating the identification of the existing kerb radii positions and extent of highway works proposed, new kerb radii and extension of the northerly footway on both side of the revised junction, 2.4m x 43m visibility

splays at the junction with Pole Lane, provision of tactile paved pedestrians crossing points, demarcation of the limits of the adopted highway, measures to prevent the discharge of surface water from the enlarged car park onto the adopted highway and all associated highway and highway drainage remedial works.

The details subsequently approved shall be implemented to a programme to be agreed with the Local Planning Authority. The visibility splays shall be implemented in full accordance with the approved details before the access and parking area is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To secure the satisfactory development of the site in terms of highway safety, to ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety, pursuant to policies EN1/2 and CF1/1 of the Bury Unitary Development Plan.

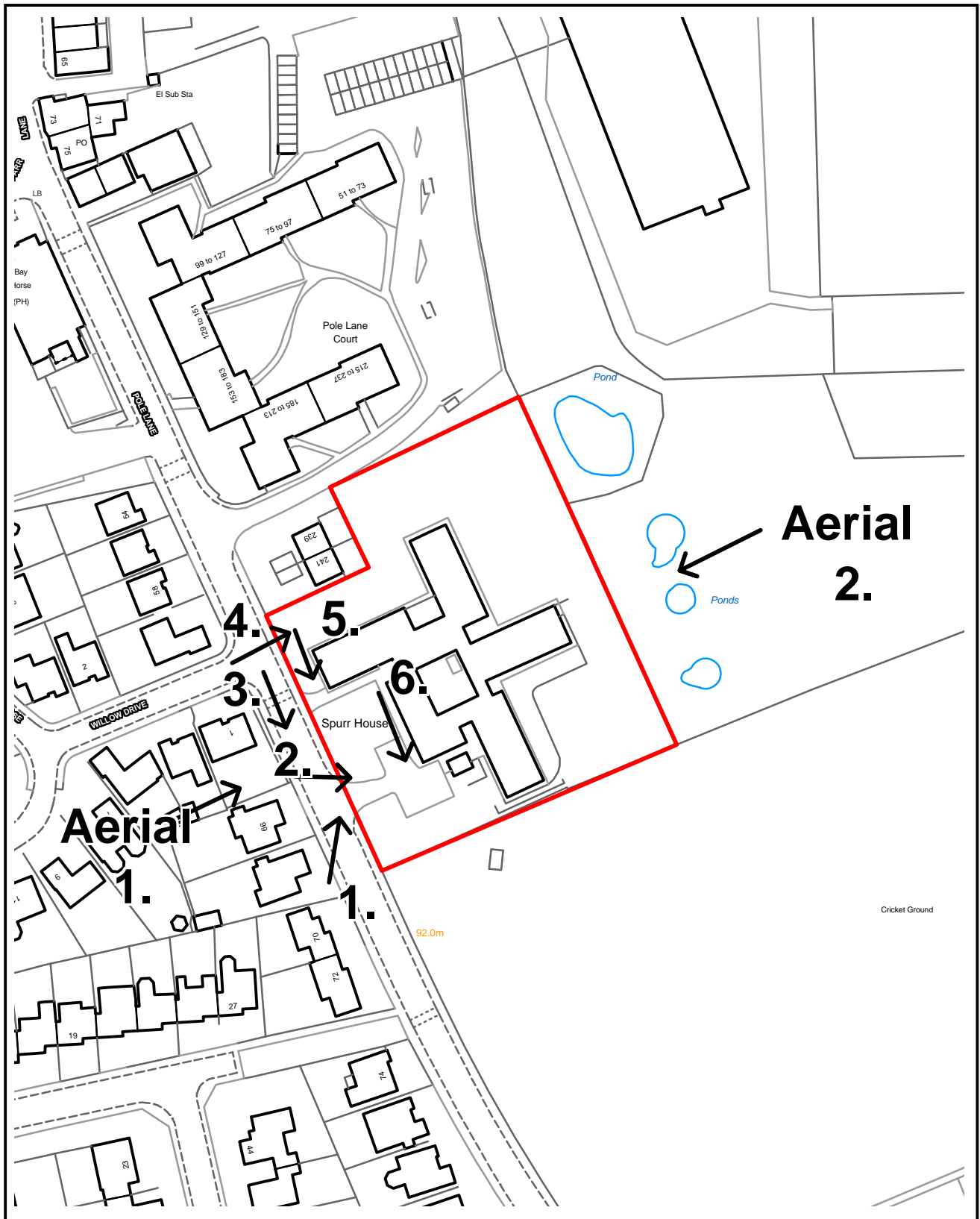
10. The use hereby approved shall not be commenced unless and until a review of the need for any Traffic Regulation Orders in the vicinity of the site, with a view to introducing additional parking restrictions as appropriate, including, if required, all necessary road markings and signage, in addition to ensuring that existing parking restrictions remain in place and are refreshed accordingly. The details subsequently approved shall be implemented to a programme agreed with the Local Planning Authority.
Reason. To ensure good highway design in the interests of road safety and to mitigate any overspill parking from the proposed facility, pursuant to policies EN1/2 and CF1/1 of the Bury Unitary Development Plan.
11. The turning facilities indicated on the approved plans shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety, pursuant to policies EN1/2 and CF1/1 of the Bury Unitary Development Plan.
12. The car and cycle parking indicated on the approved plans shall be surfaced, demarcated as appropriate and made available for use prior to the use hereby approved commencing and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety, pursuant to policies HT2/4 and CF1/1 of the Bury Unitary Development Plan.
13. 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.
14. Prior to any vegetation clearance or earthworks a reasonable avoidance measures method statement for mammals such as hedgehog, amphibians and other wildlife covering both the site clearance and construction phases will be provided to and agreed in writing by the Local Planning Authority. Thereafter, the agreed reasonable avoidance measures shall be fully implemented and adhered to until completion of the development.
Reason. This information is required prior to the commencement of development to ensure that development activity does not cause harm to a Protected Species, pursuant to policies EN6 and EN6/3 of the Bury Unitary Development Plan and

Section 11 of the National Planning Policy Framework.

15. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan Balsam shall be submitted to and agreed in writing with Local Planning Authority. The agreed method statement shall thereafter be fully implemented and adhered to in full for the duration of the construction of the development.
Reason. To ensure the removal/check to the spread of species that are listed as invasive non-native species under the Wildlife and Countryside Act 1981, in order to safeguard the biodiversity of the site and its surroundings, pursuant to Policy 6/4 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
16. Prior to the commencement of development, a biodiversity mitigation and enhancement plan for habitat creation and enhancement and measures to enhance the site for nesting birds and amphibians, with a timetable for implementation, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the agreed measures shall be implemented in full accordance approved details and implementation timetable.
Reason. In order to ensure that development activity does not cause harm to a Protected Species, pursuant to policies EN6 and EN6/3 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
17. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the first occupation of the development, that should include native tree and shrub planting. 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 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.
18. 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.

For further information on the application please contact **Dean Clapworthy** on **0161 253 5317**

Viewpoints - Item 2



PLANNING APPLICATION LOCATION PLAN

APP. NO 69361

ADDRESS: Spurr House, Pole Lane, Bury, BL9 8QL

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Item 02 – 69361

Aerial 1 (from the west)



Aerial 2 (from the east)



Item 02 – 69361

Photo 1



Photo 2



Item 02 – 69361

Photo 3



Photo 4



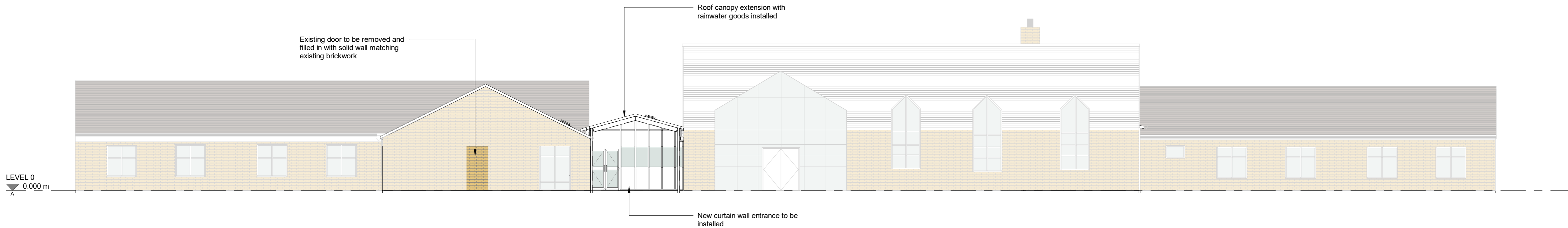
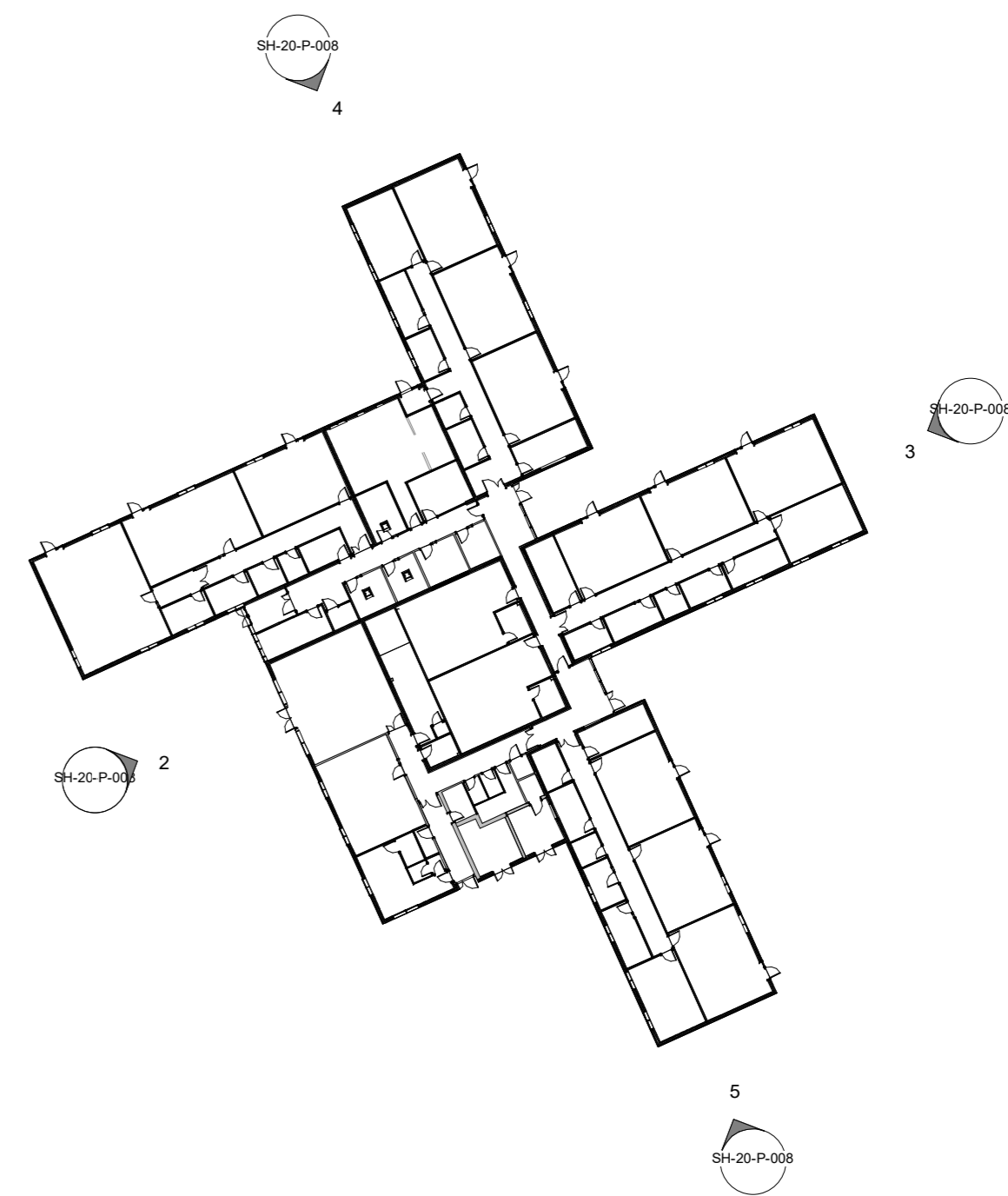
Item 02 – 69631

Photo 5

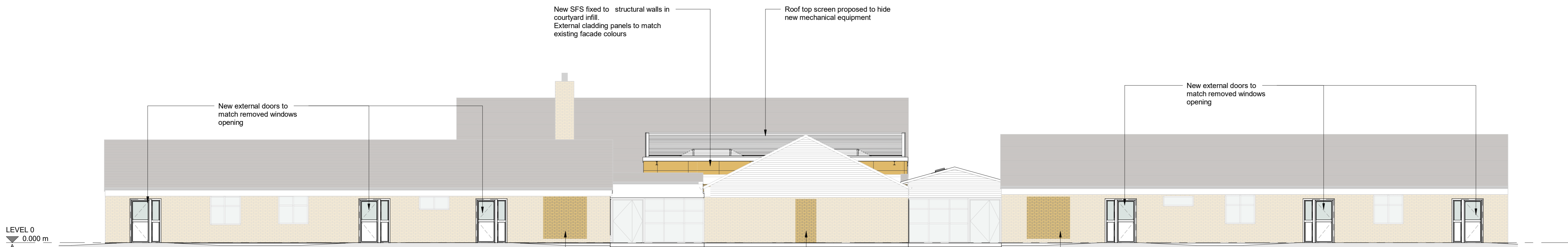


Photo 6

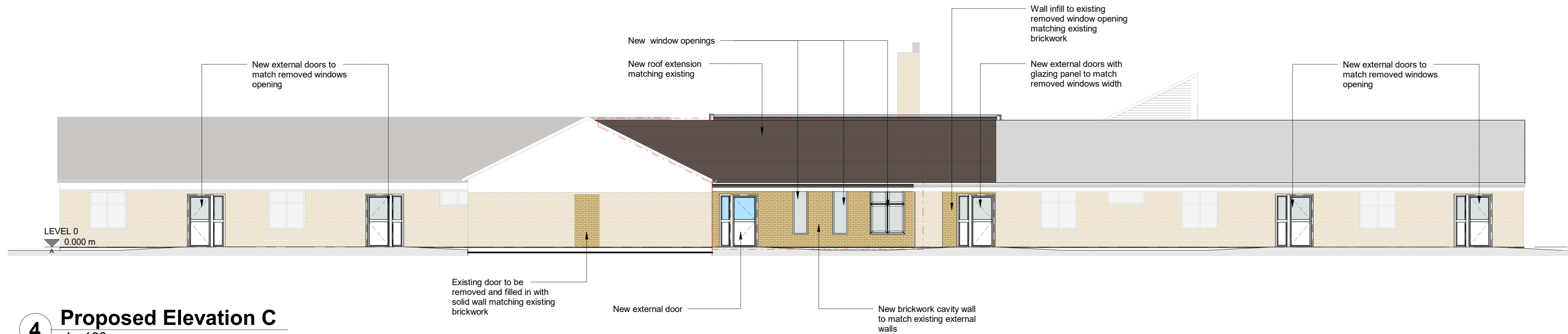




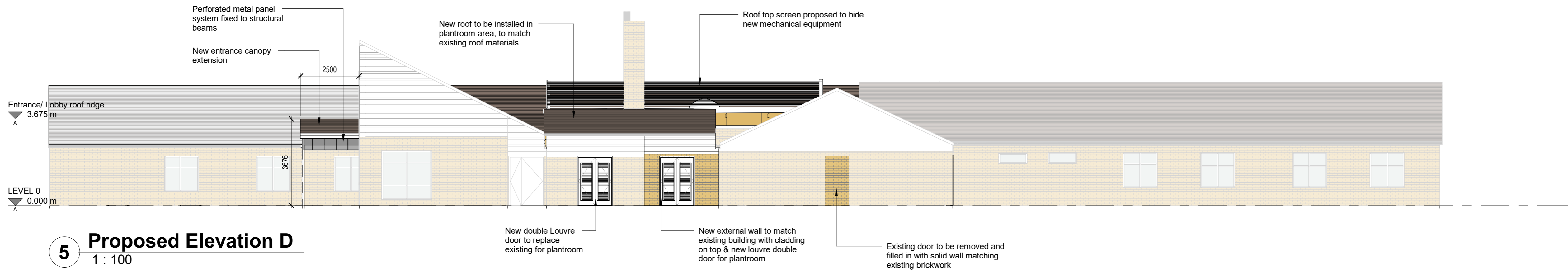
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1 : 100



3 Proposed Elevation B
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4 Proposed Elevation C
1 : 100



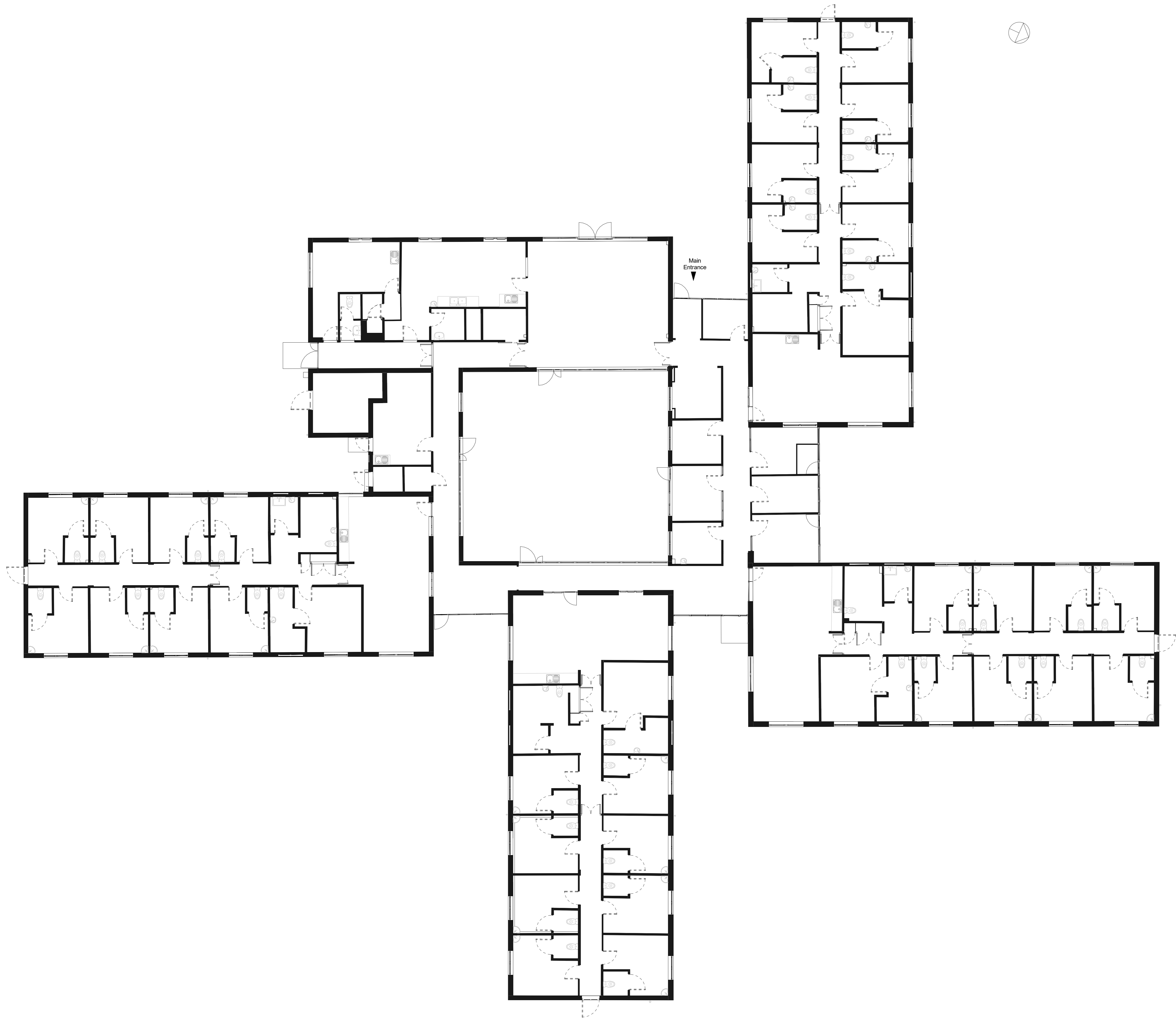
5 Proposed Elevation D
1 : 100

SCALE 1 : 100

B	Planning	16.12.22	CS	JW
A	Stage 3 Package	02.12.22	CS	JW
Rev	Description	Date	Dr	App by
original				
CS		11/07/22	JW	



client name	Bury Council
project	Spring Lane PRU
drawing	Proposed Elevations
computer file C:\Users\michael\Documents\2022\00385\00-Spring Lane Stage 3 Drawings\mehd\1	plot date
project number 2022.00385.000	scale As indicated @A0
drawing number SH-20-P-008	rev B
	issue status Planning
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B	Planning	16.12.22	CS	JW
A	Stage 3 Package	02.12.22	CS	JW
Rev	Description	Date	Dr	App by
CS		11/07/22		JW

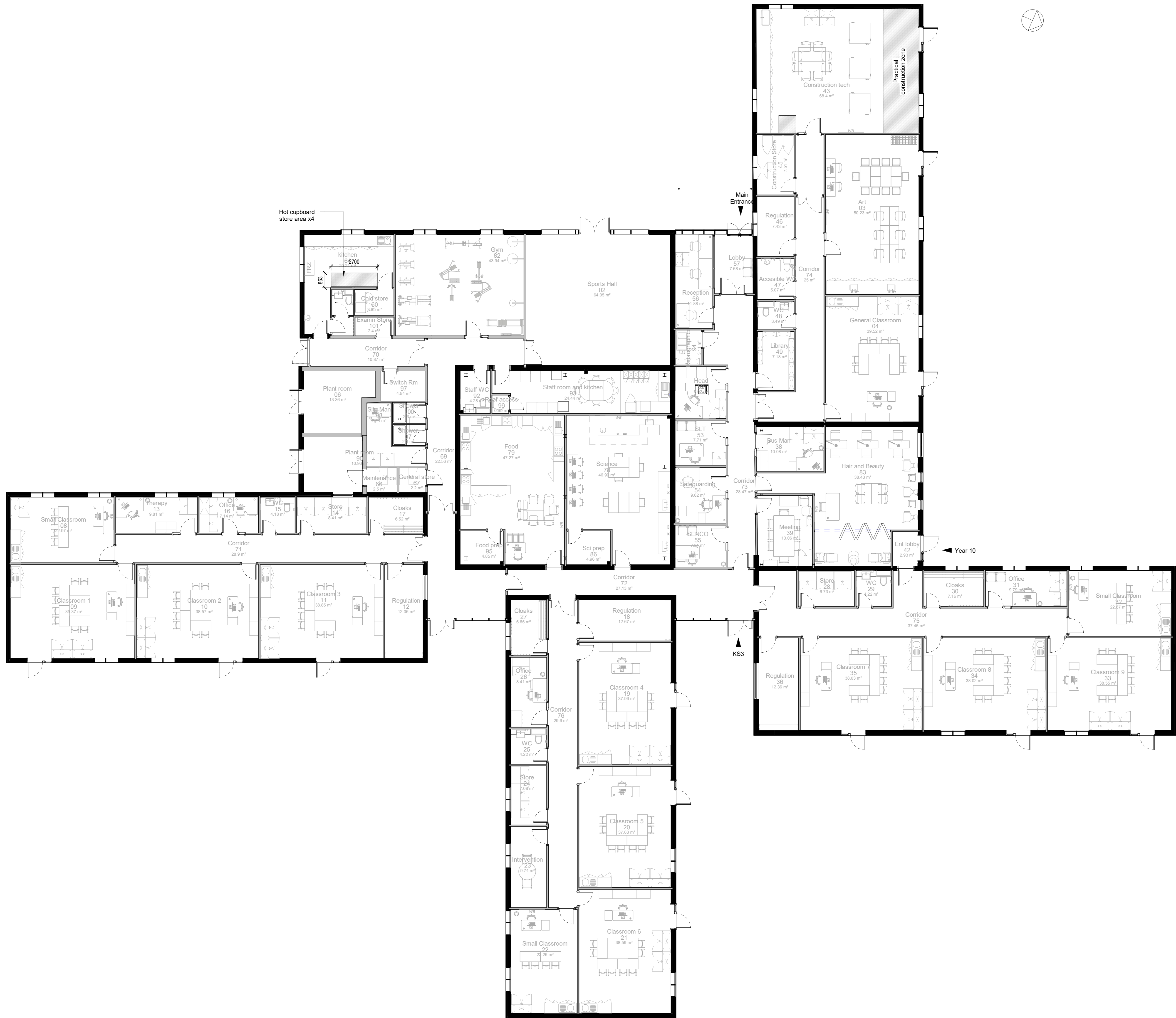
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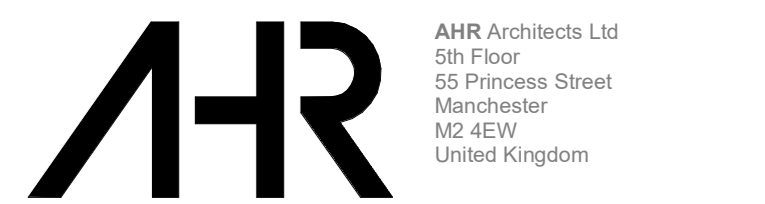
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project	Spring Lane PRU
drawing	Ground Floor - Existing Floor Plan
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project number 2022.00385.000	scale 1 : 100 @A0
drawing number SH-20-P-005	rev B issue status Planning

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SCALE 1 : 100
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C	Planning	16.12.22	CS	JW
B	Stage 3 Package	02.12.22	CS	JW
A	Updated as per design changes	07.11.22	CS	JW
Rev	Description	Date	Dr	App
CS		11/07/22	JW	



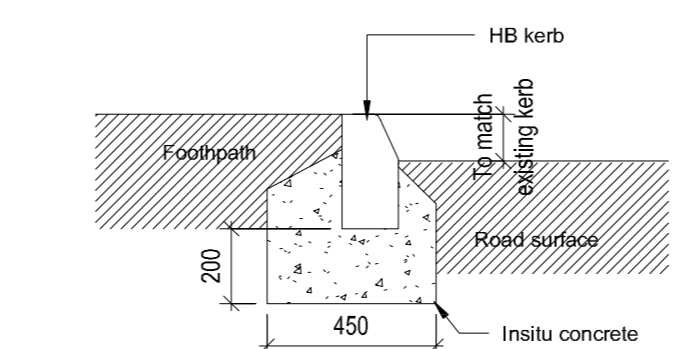
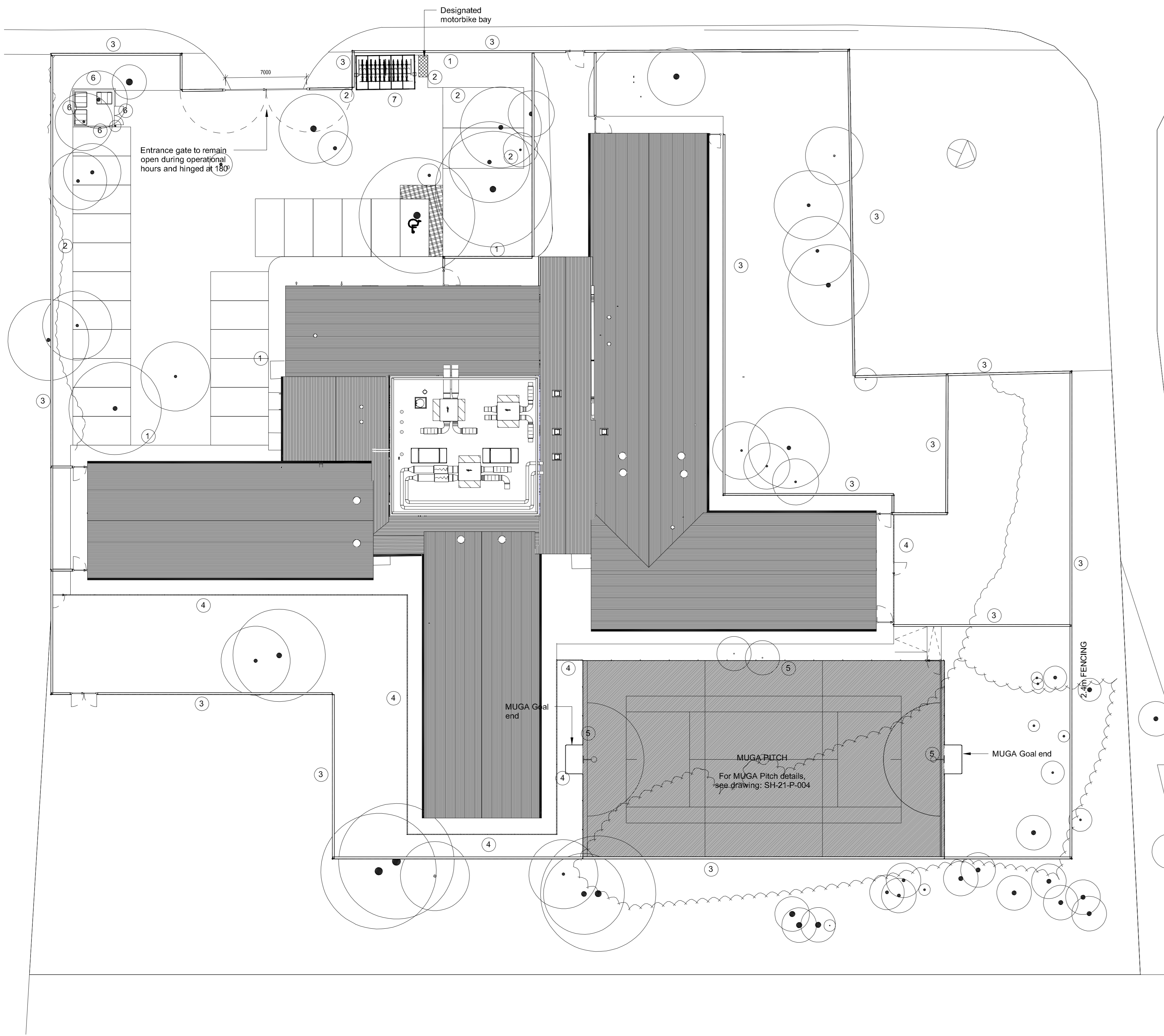
Client name
Bury Council

Project
Spring Lane PRU

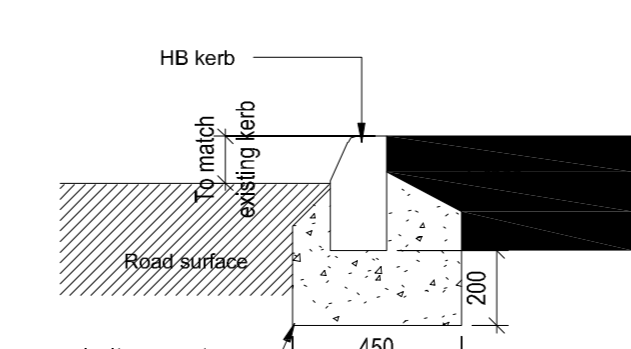
Drawing
Ground Floor - Proposed Floor Plan

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Drawing number SH-20-P-007	rev C Issue status Planning

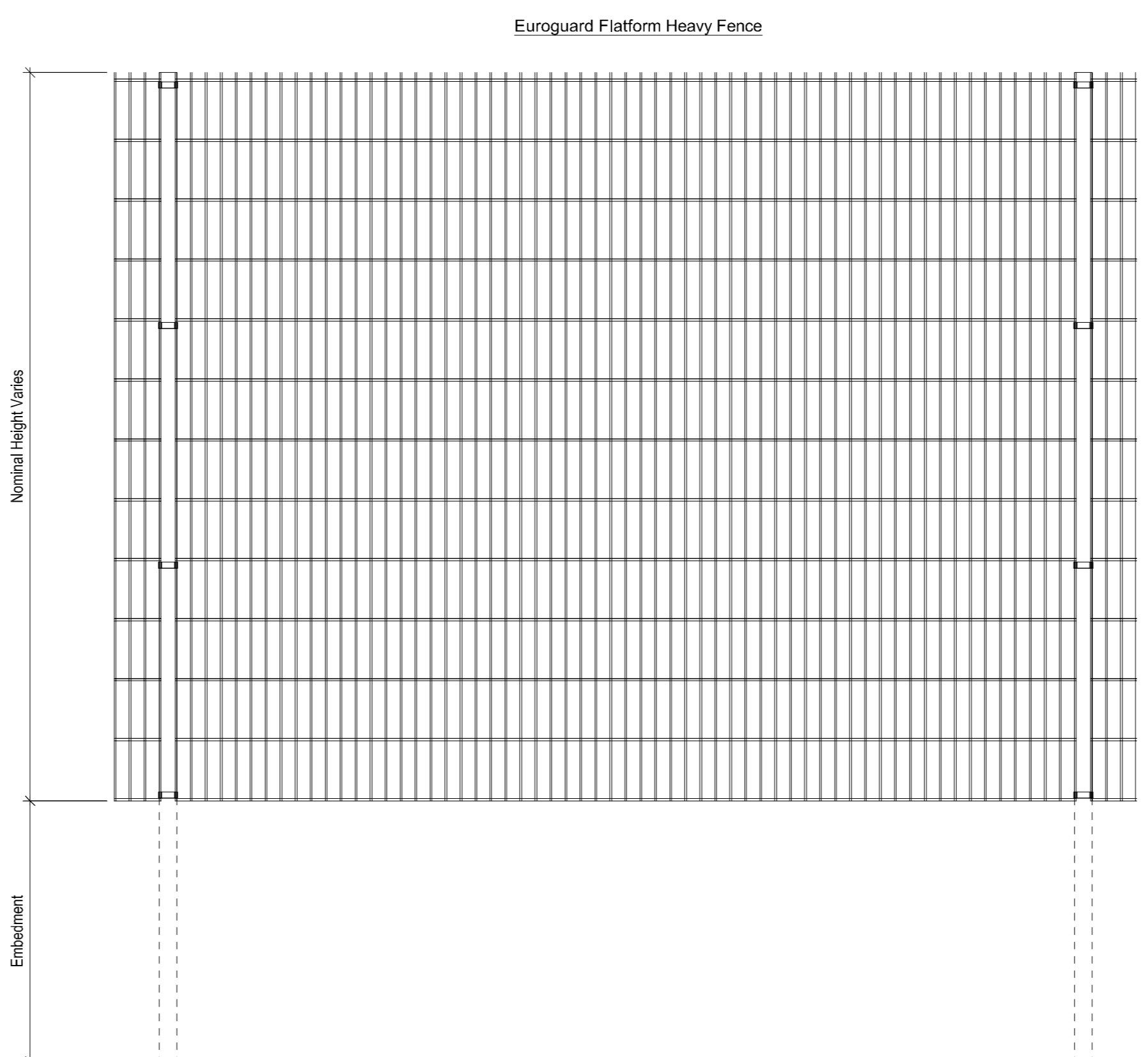
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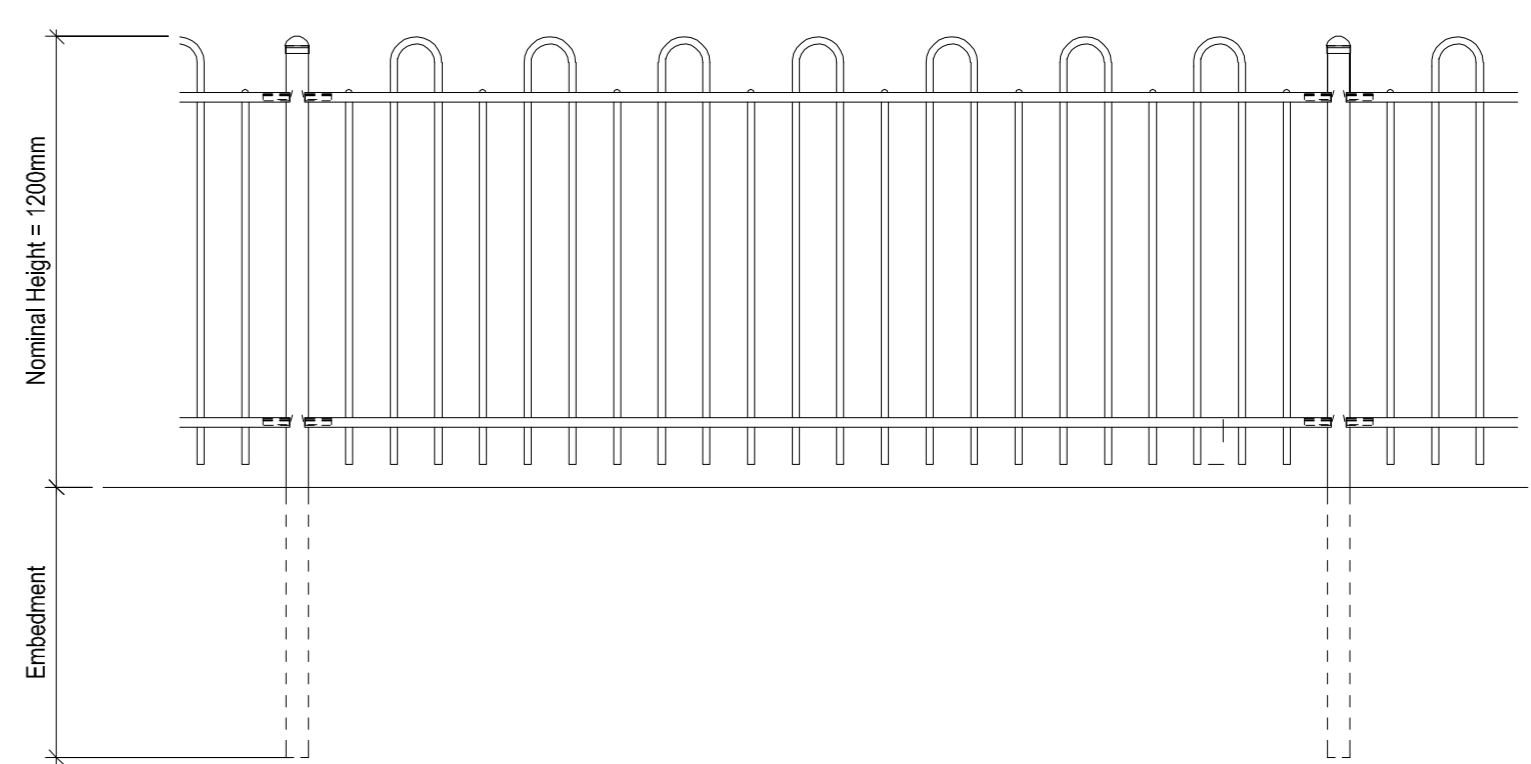
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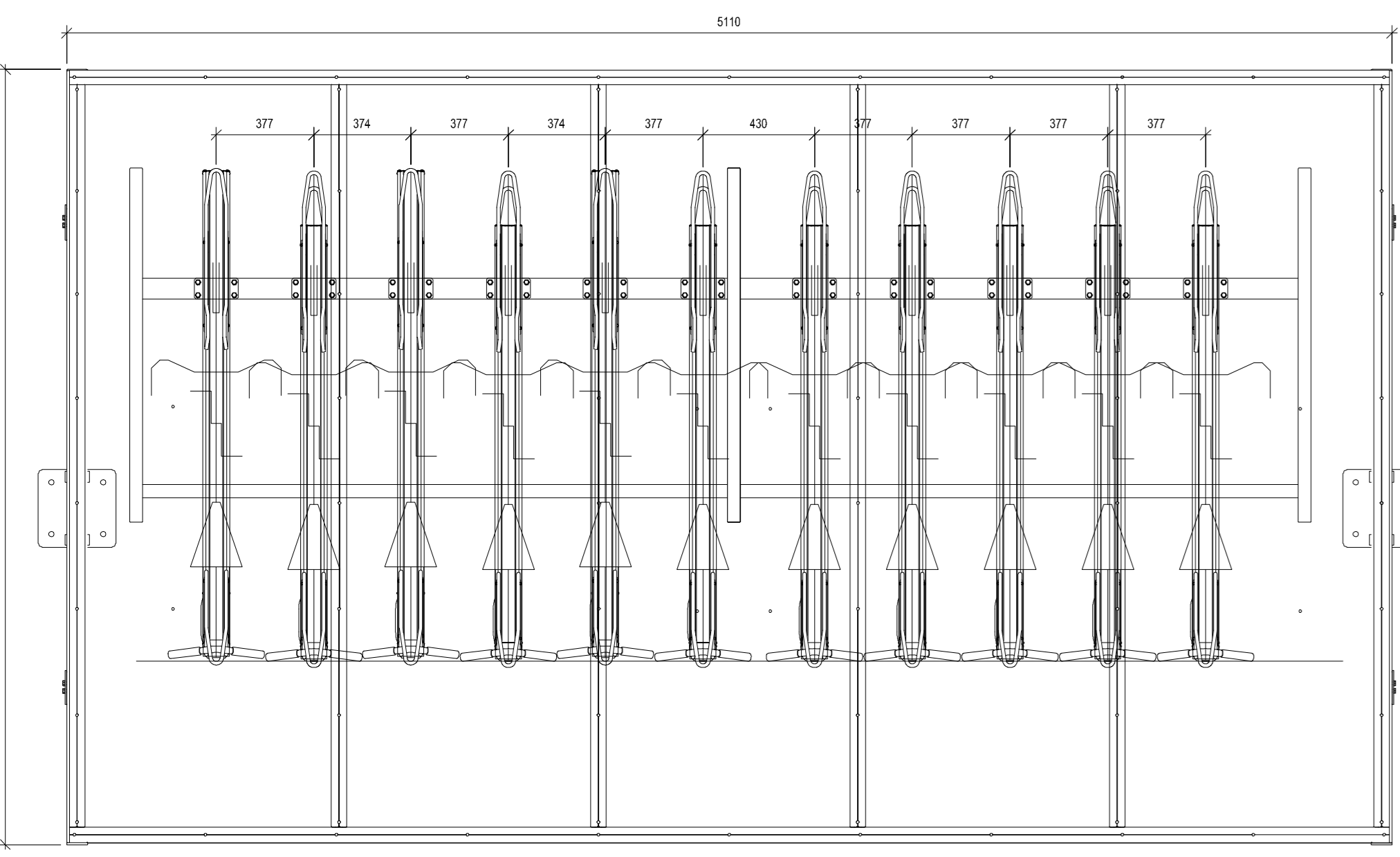
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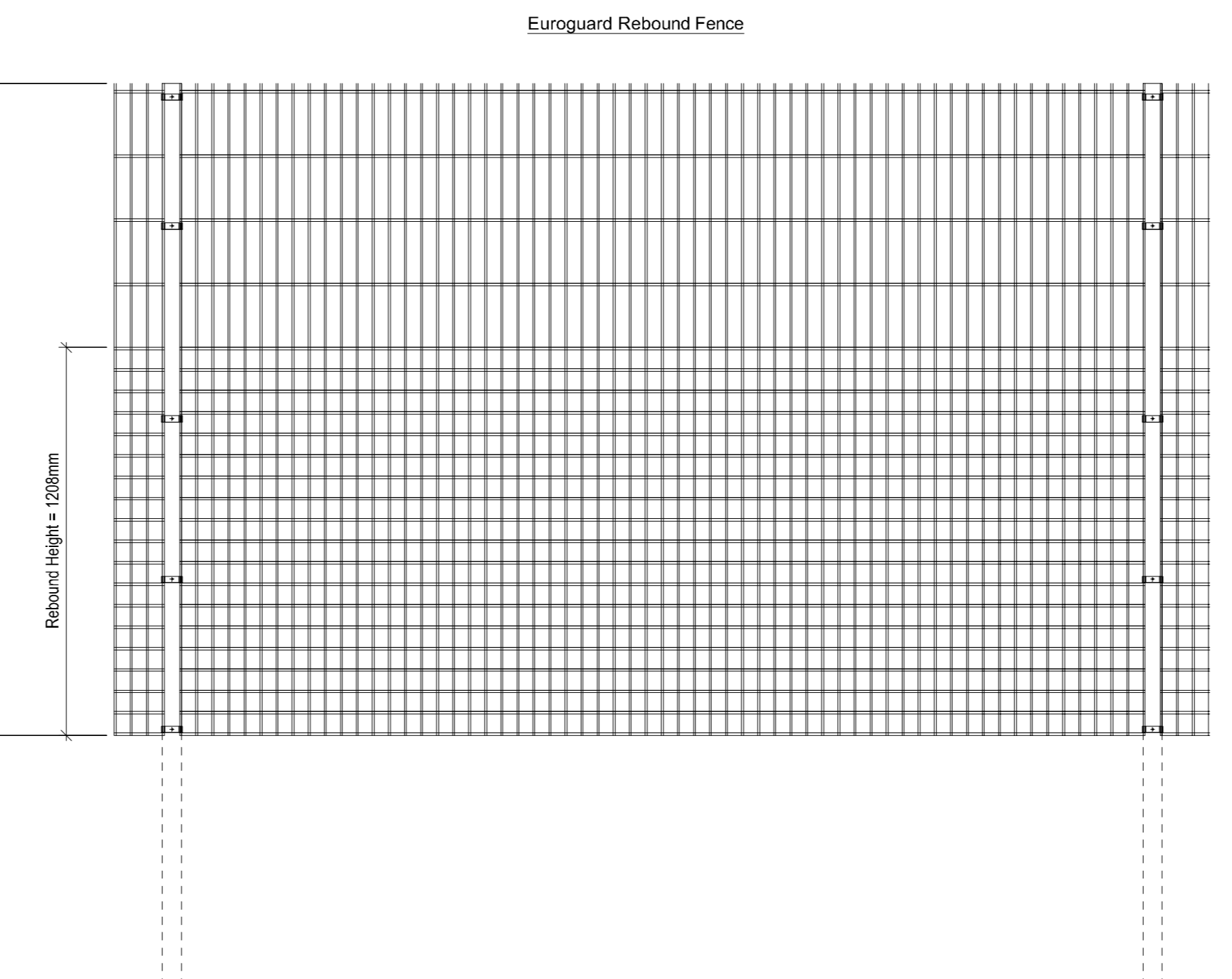
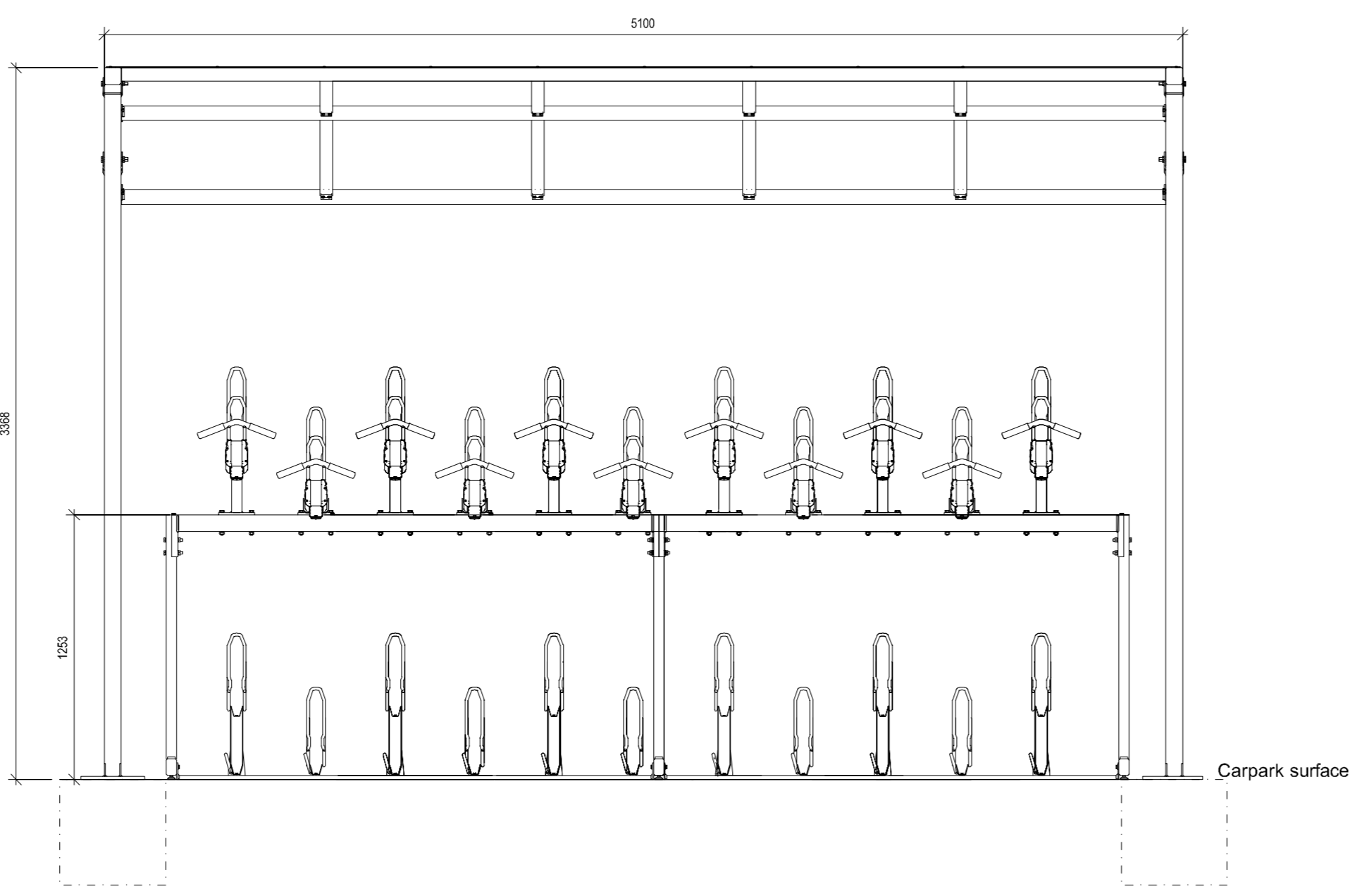
3. Detail 3 - Outer and Inner boundary fencing detail



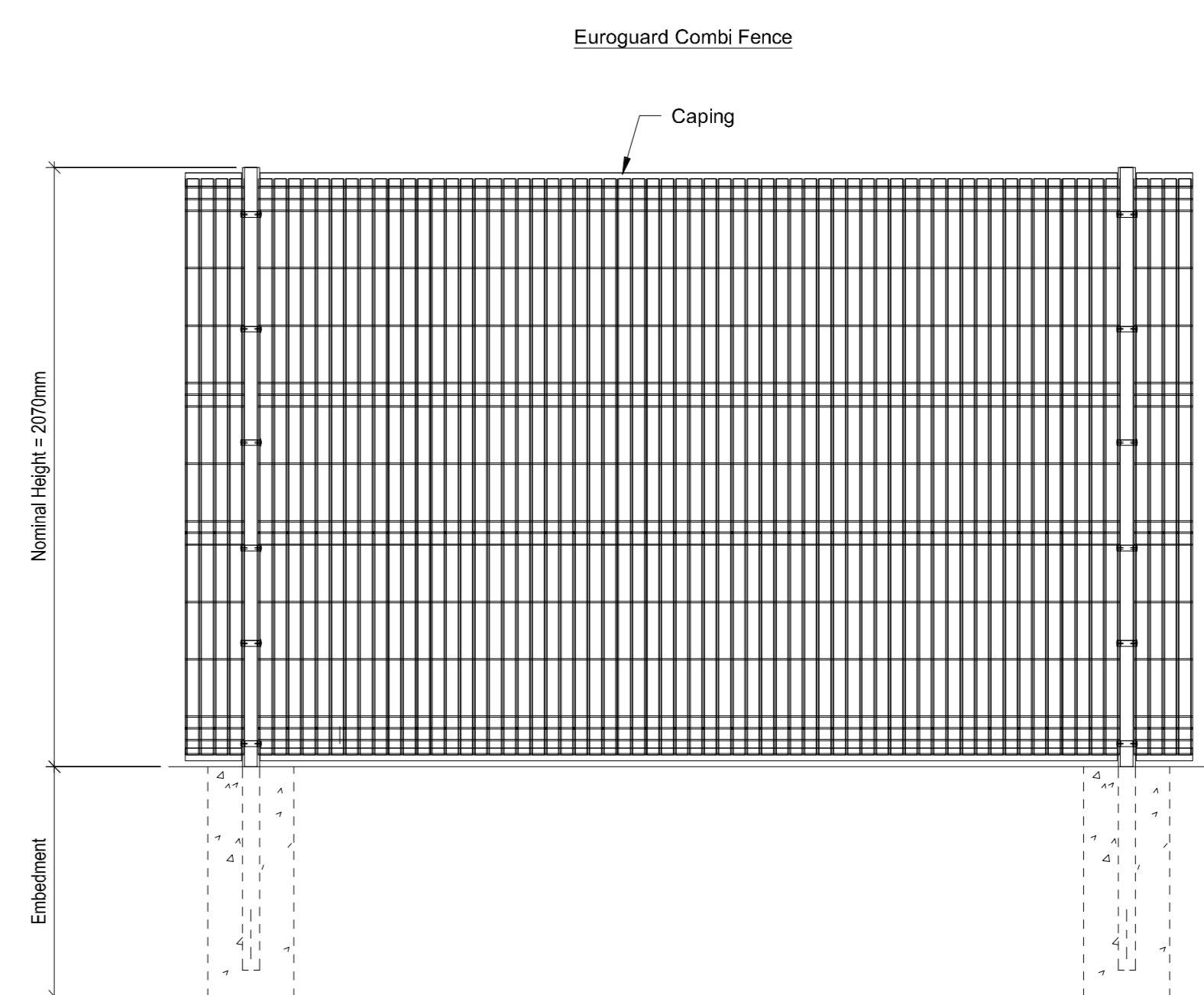
4. Detail 4 - Bow Top fencing detail



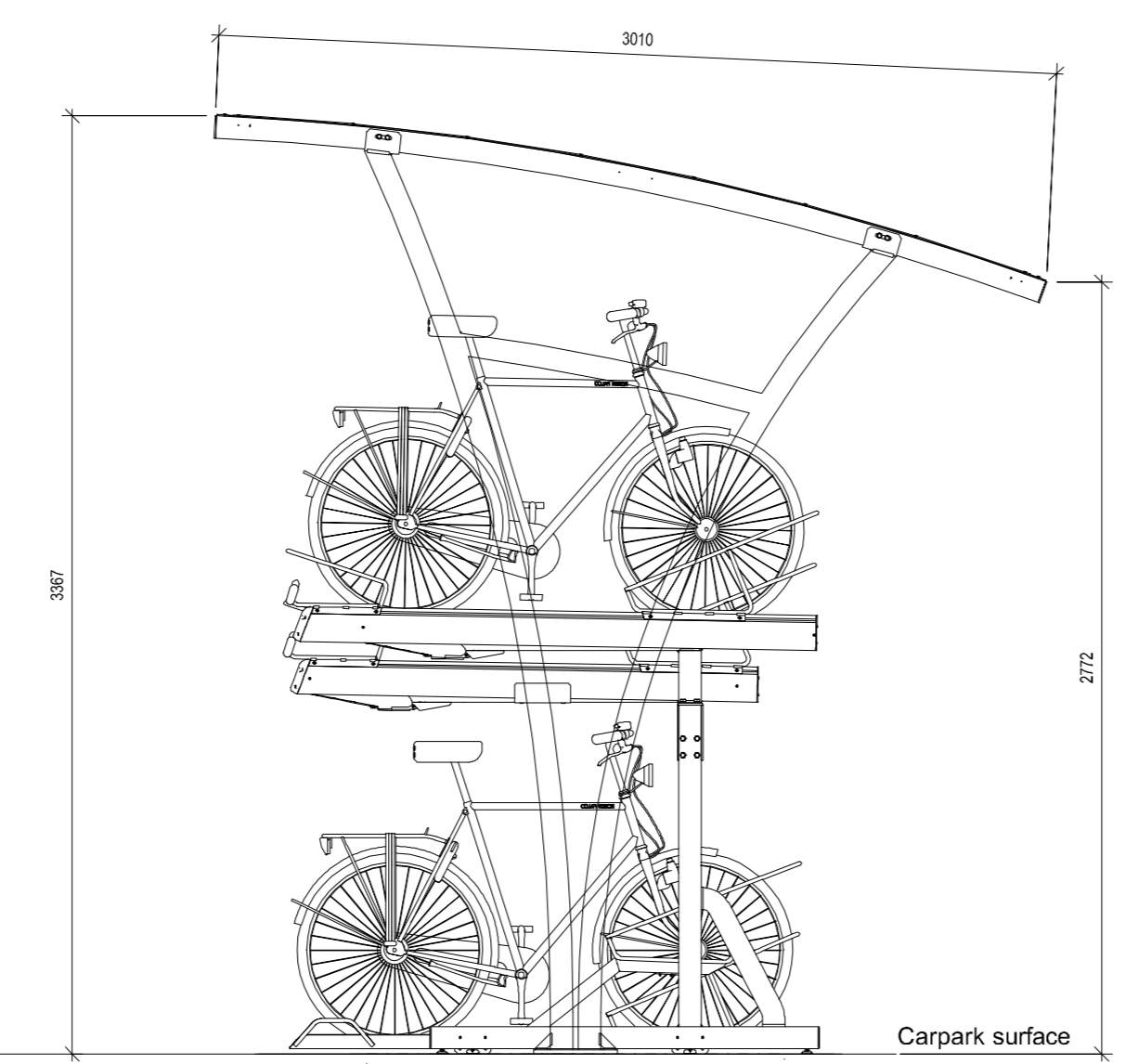
7. Cycle Shelter Plan Details



5. Detail 5 - MUGA Pitch fencing detail



6. Detail 6 - Bin Store fencing detail



7.. Cycle Shelter Elevation Details

Notes

For MUGA Pitch details see drawing:
SH-21-P-004

E	Motorbike parking bay incorporation	31.03.23	CS	JW
D	Entrance fence & gate amendments	17.03.23	CS	JW
C	Planning	08.03.23	CS	JW
B	Cycle shelter details incorporated	08.03.23	CS	JW
A	Stage 3 Package	02.12.22	CS	JW
Rev	Description	Date	Dr	App
			By	By
original by			Approved by	
CS		11/29/22		JW

AHR

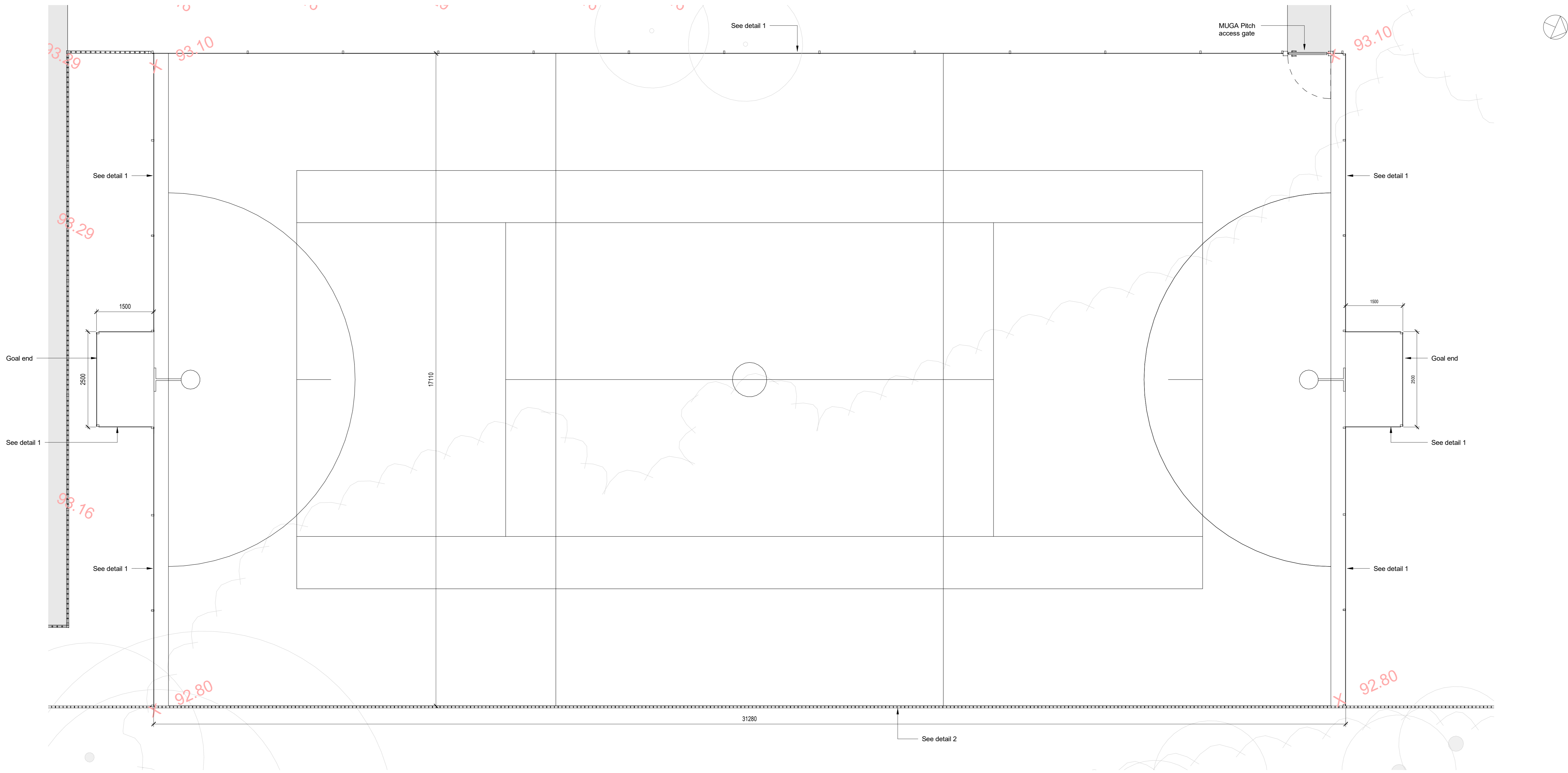
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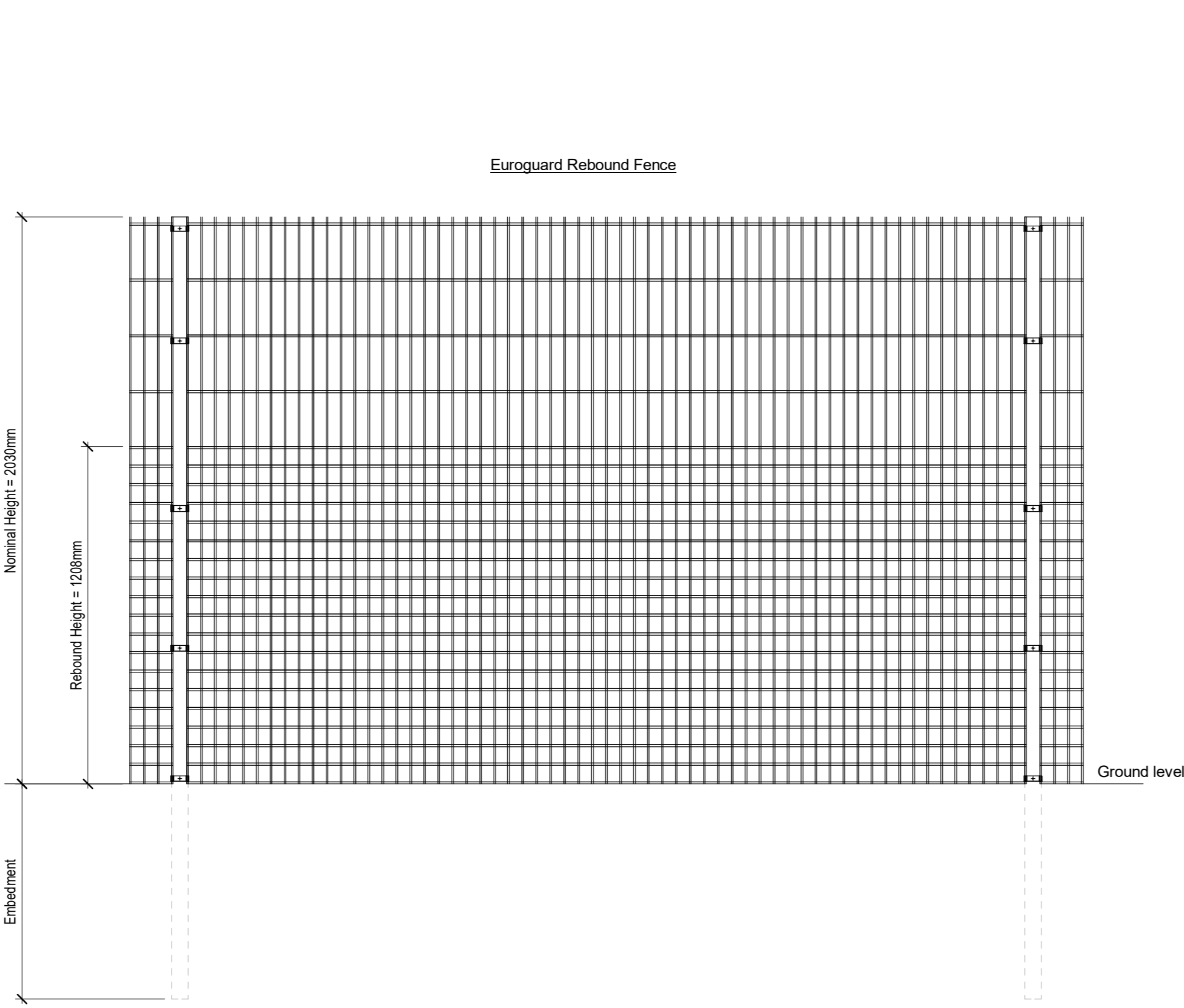
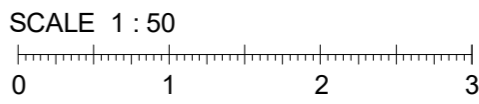
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Bury Council			
project			
Spring Lane PRU			
drawing			
Landscape & Fencing Details			
computer file		plot date	
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2022.00385.000		As indicated @A0	
drawing number		rev	
SH-21-P-003		E	
		issue status	
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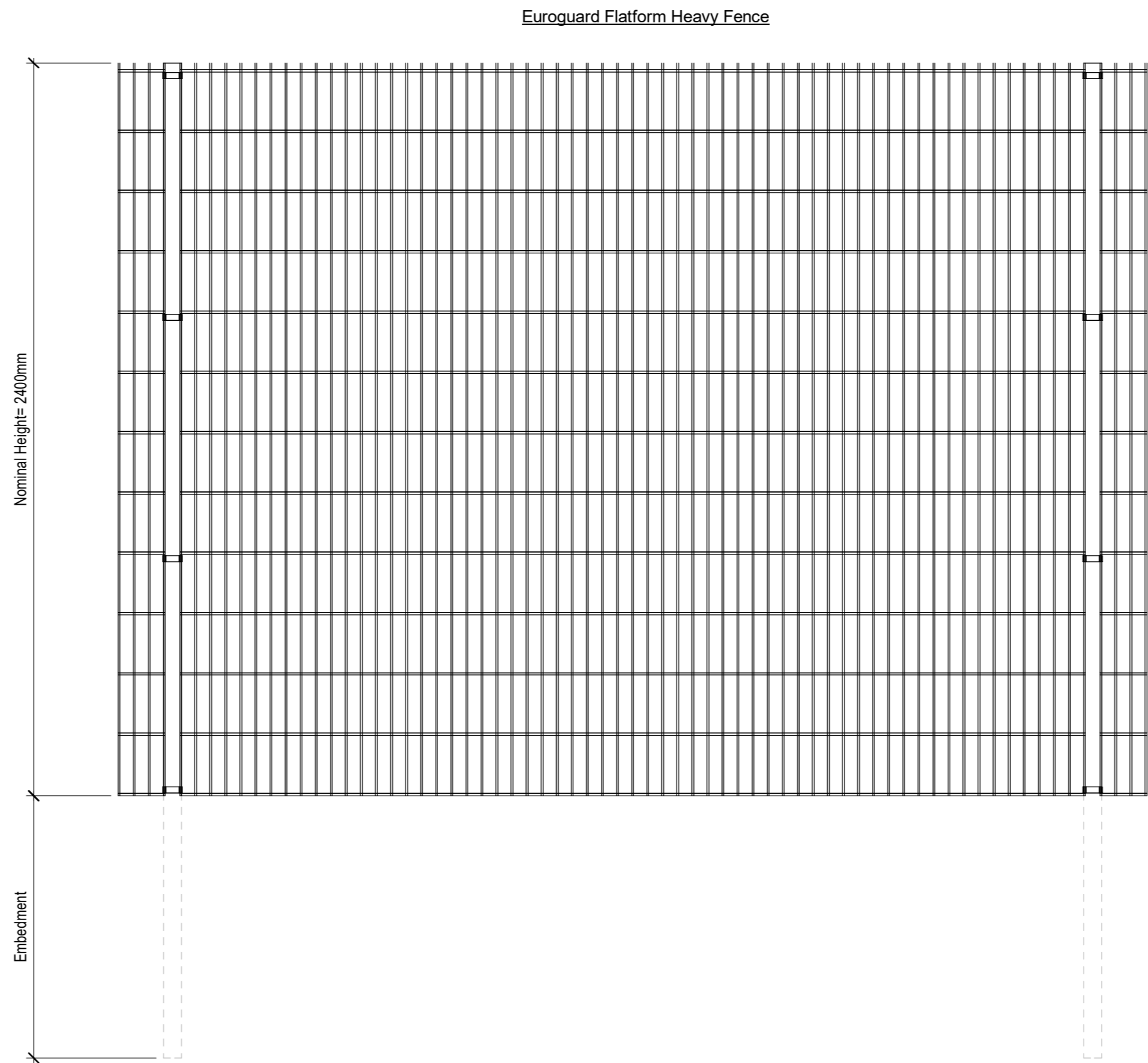
86 386J



A. MUGA Pitch Layout



1. Detail 1 - MUGA Pitch rebound fence



2. Detail 2 - Outer and Inner boundary fencing

Notes

Rev	Description	Date	Dr	App
original by		date created	by	ty
CS		27/02/2023	JW	

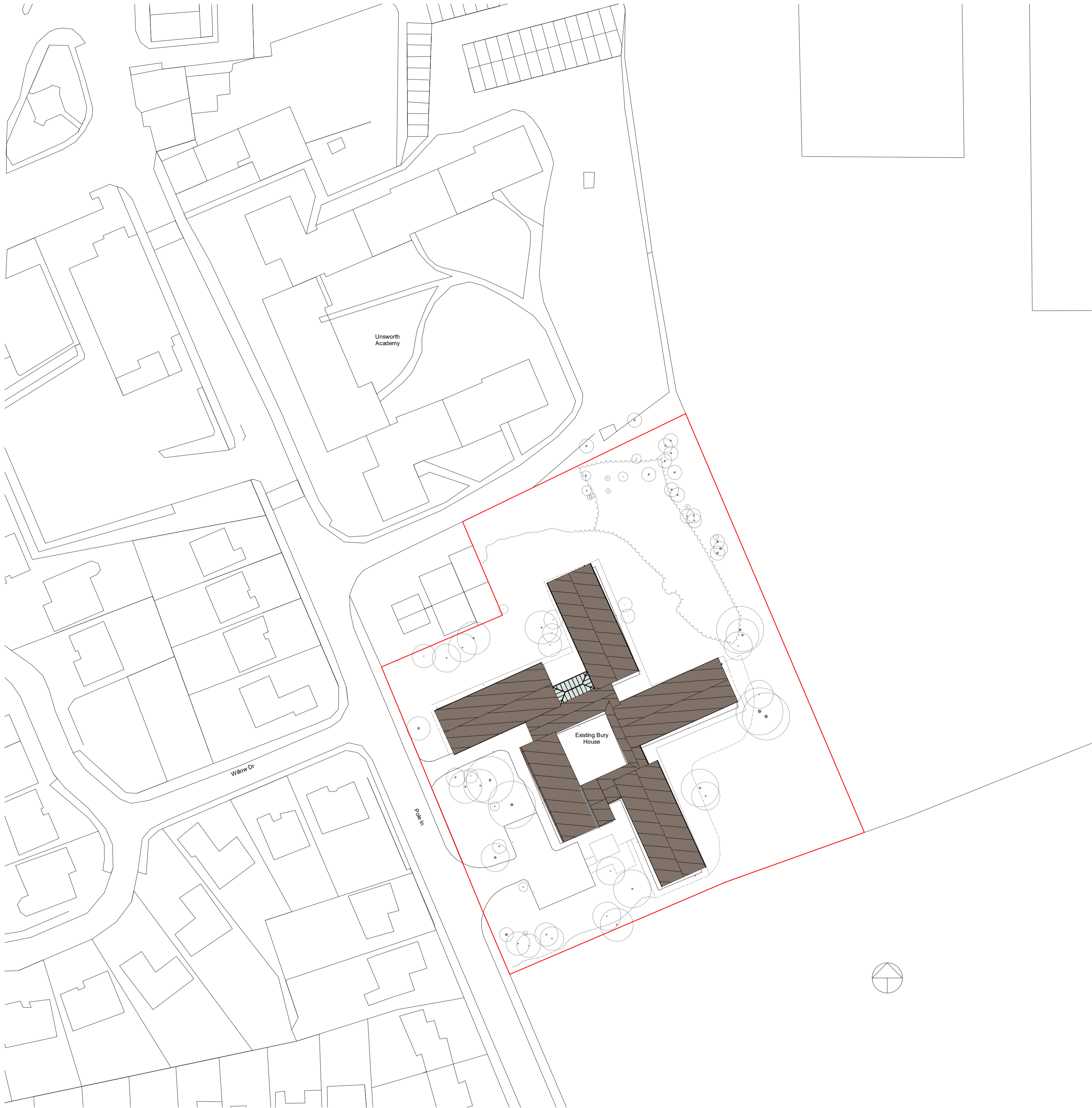


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client name	Bury Council
project	Spring Lane PRU
drawing	MUGA Pitch Layout
computer file	C:\Users\manchester\Documents\2022\00385\00-Spring Lane Step 1
plot date	
project number	2022.00385.000
scale	As indicated @A0
drawing number	SH-21-P-004
rev	
issue status	

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Notes

OS PLAN KEY

Site Boundary

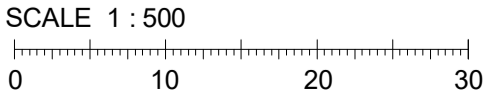
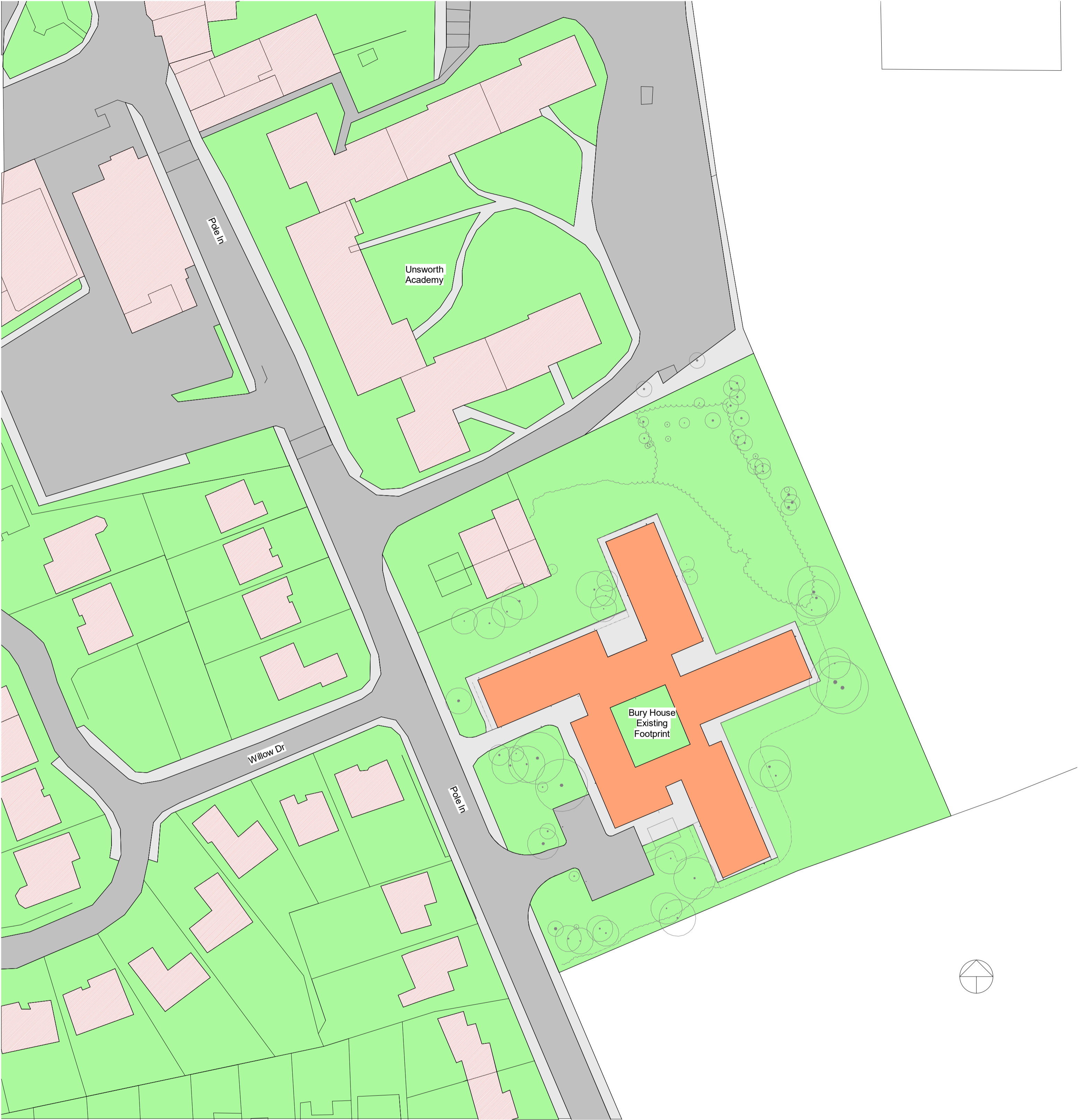
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A	Stage 3 Package	02.12.22	CS	JW
Rev	Description	Date	Dr	App
			by	by
original by	date created		approved by	
CS	11/04/22		JW	



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client name		
Bury Council		
project		
Spring Lane PRU		
drawing		
OS Site Plan		
computer file	plot date	
C:\Users\c.sanchez\Documents\2022\00385.000 Spurr House Stage 3		
Model: c.sanchez.rvt		
project number	scale	
2022.00385.000	As indicated@A1	
drawing number	rev	issue status
SH-20-P-001	B	Planning
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Notes

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A	Stage 3 Package	02.12.22	CS	JW
Rev	Description	Date	Dr	App
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CS	11/07/22		JW	

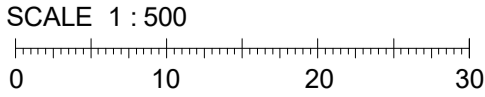
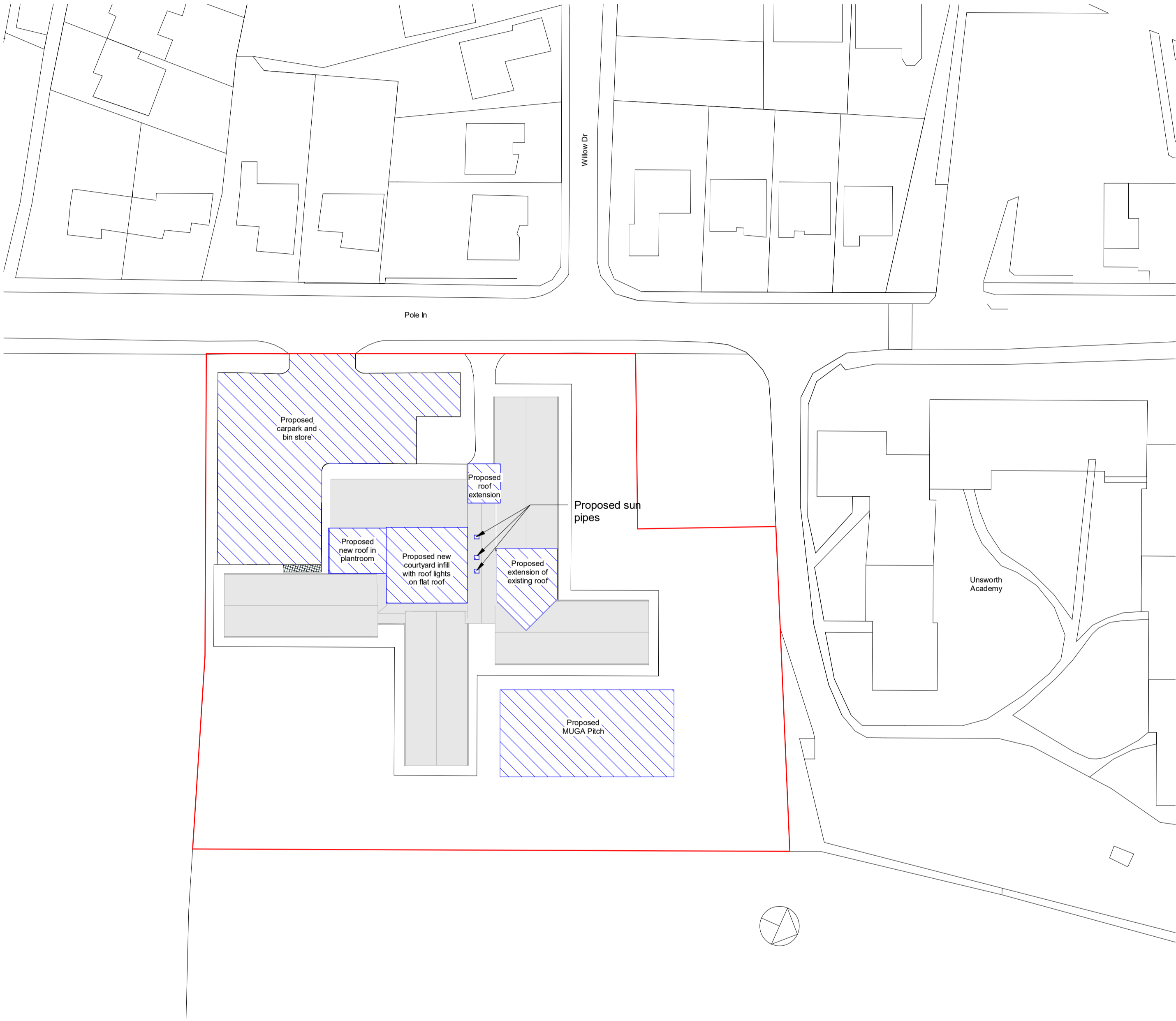


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client name			
Bury Council			
project			
Spring Lane PRU			
drawing			
Existing Site Plan			
computer file		plot date	
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		Planning	

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Notes

BLOCK PLAN KEY

- SITE BOUNDARY
- PROPOSED INTERVENTIONS

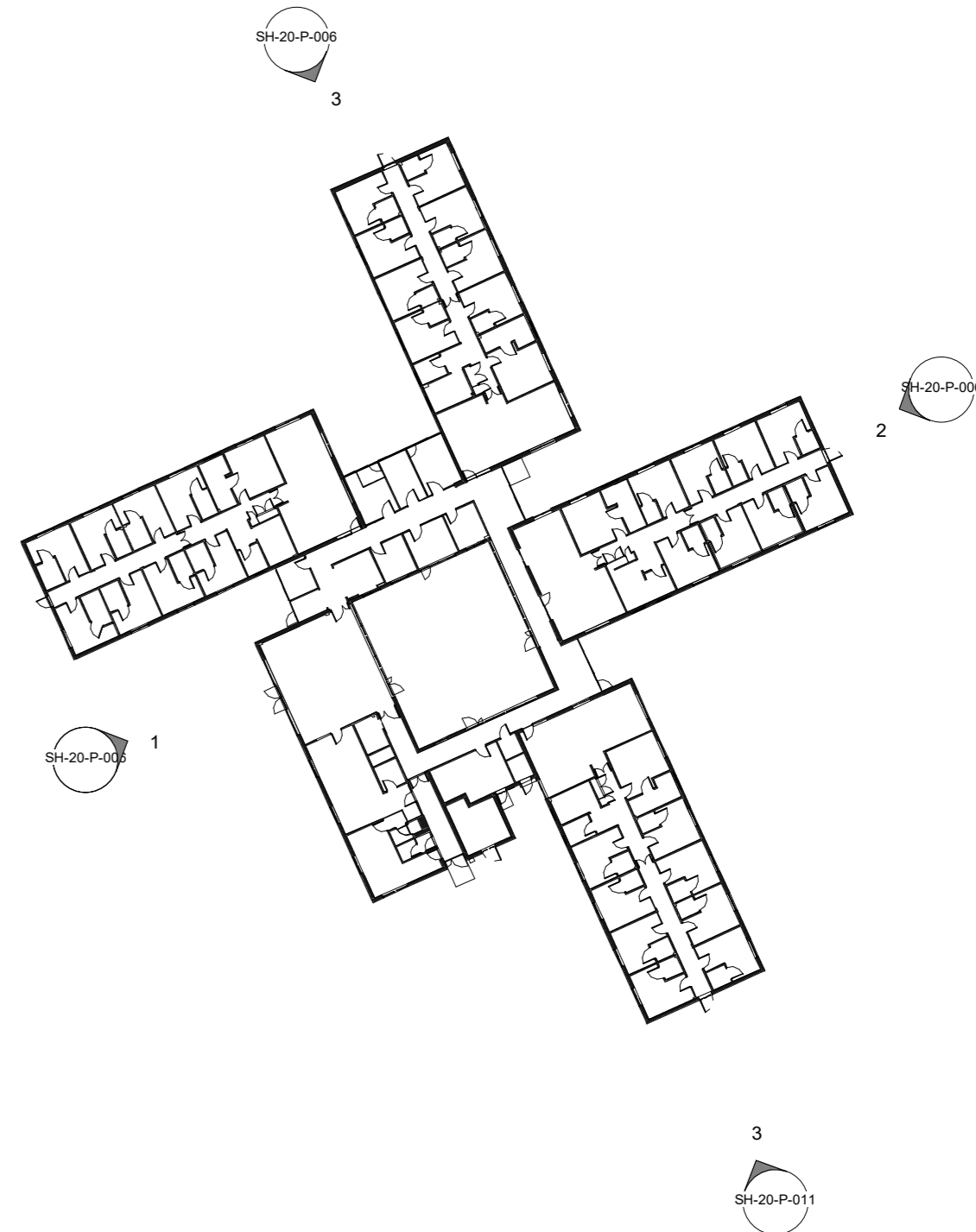
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Rev	Description	Date	Dr	App
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original by	date created		approved by	
CS	11/07/22		JW	

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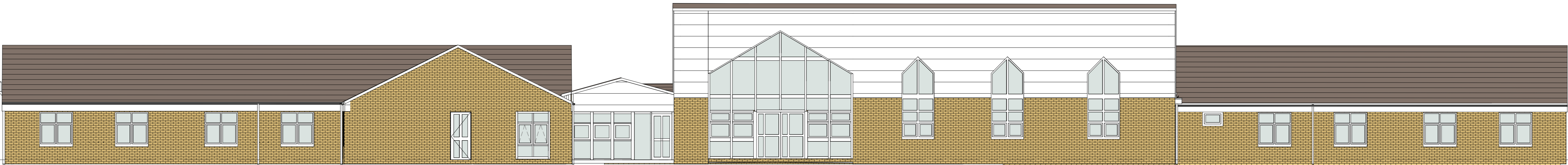
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client name	Bury Council		
project	Spring Lane PRU		
drawing	Block Plan		
computer file	plot date		
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SH-20-P-002	B	Planning	

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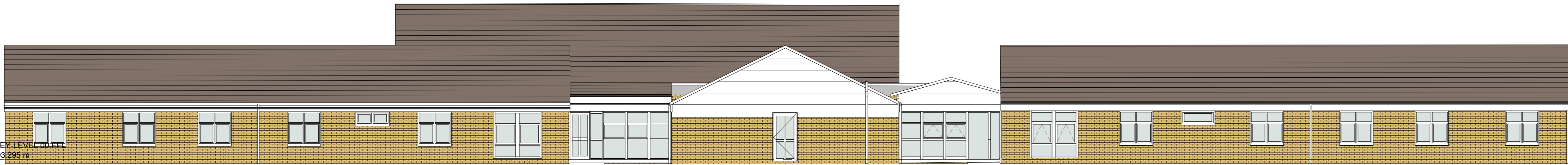


SURVEY-LEVEL 00-FFL
▼ 93.295 m



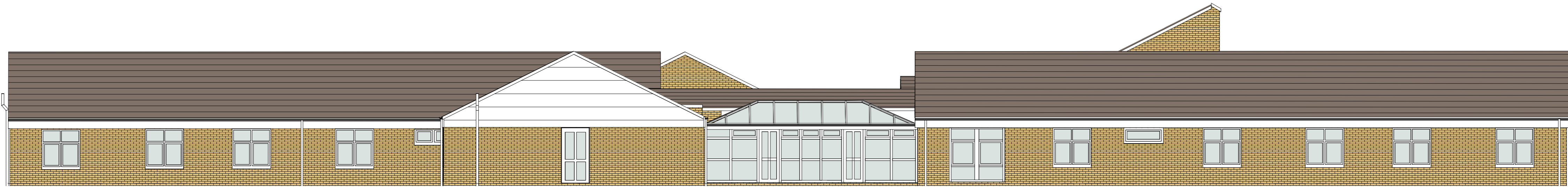
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SURVEY-LEVEL 00-FFL
▼ 93.295 m



2 Existing Elevation B
1 : 100

SURVEY-LEVEL 00-FFL
▼ 93.295 m



3 Existing Elevation C
1 : 100

SURVEY-LEVEL 00-FFL
▼ 93.295 m



4 Existing Elevation D
1 : 100

SCALE 1 : 100
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B	Planning	16.12.22	CS	JW
A	Stage 3 Package	02.12.22	CS	JW
Rev	Description	Date	Dr	App by
CS		11/07/22		JW

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client name	Bury Council
project	Spring Lane PRU
drawing	Existing Elevations
computer file C:\Users\michael\Documents\2022\00385-000-Spring Lane Stage 3 Drawings\Drawings\1	plot date
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drawing number	SH-20-P-006
rev	B
issue status	Planning

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Ward: Radcliffe - East

Item 03

Applicant: WC Investments Ltd / Great Places Housing Group

Location: Land at Green Street, Radcliffe

Proposal: Construction of new mixed-use development comprising 132 apartments, bar, commercial and office spaces with associated landscaping and car parking.

Application Ref: 68998/Full

Target Date: 25/01/2023

Recommendation: Approve with Conditions

The Development Manager has requested a site visit for this application.

Description

The site is located between the Green Street, Pilkington Way and Blackburn Street in the town centre of Radcliffe. The site consists of a landscaped area near Blackburn Street, 2 car parks, which are accessed from Blackburn Street and Green Street associated with the vacant site of the former leisure centre. In recent years, a temporary covid-19 testing centre was located on one of the car parks, but this has been cleared from the site.

St Thomas and St John church, which is Grade II listed is located to the east of the site and is set within landscaped grounds. There are commercial uses, retail uses and a car park to the south of the site. Pilkington Way forms the boundary to the north and is level at the north, but significantly lower than the site at the western point. Beyond Pilkington Way is a area of landscaping and residential properties.

Proposal

The proposed development involves the erection of 2 buildings containing 132 apartments, a bar, offices and commercial units.

The proposed residential building would be located along the northern boundary of the site and would be residential only. It would contain 97 apartments, which are split into 2 blocks with separate entrances and would be 5 - 6 storeys in height. The proposed building would be constructed from facing brickwork in two colours and cladding.

The second building would be located along the boundary with Pilkington Way and Blackburn Street and would be mixed use. It would contain a pub and 2 commercial buildings on ground floor, offices on the first and second floor and apartments on the remaining floors. The proposed building would be 2 - 6 storeys in height above ground with a basement level and would be constructed from facing brickwork in two colours and cladding.

The proposed development would be accessed from Green Street and car parking would be provided in the basement of the proposed mixed use building proposed as well as ground level.

Relevant Planning History

59213 - Prior notification for demolition of existing building at Radcliffe swimming pool, Green Street, Radcliffe. Prior approval required and granted - 9 November 2015.

Publicity

The neighbouring properties were notified by means of a letter on 26 October 2022 and a press notice was published in the Bury Times on 24 November 2022. Site notices were

posted on 14 November 2022.

14 letters have been received, which have raised the following issues:

- Bury needs social housing for families - not flats/apartments.
- This is a town centre - develop it for commercial or leisure purposes and not an area to dump housing stock.
- The town is struggling to cope with traffic.
- The proposed development would be an eyesore and not in keeping with the area
- Build the Radcliffe hub and pool on this site.
- There are no shops, no school and no leisure facilities - the Council should look at building where they have facilities.
- This land was terraced housing for families and I feel it should be used as such, not putting people up in the sky and out of touch with neighbours.
- The proposed high rise flats will block light for existing residents.
- If there is to be retail, put it in the centre of the town, where the bus station is
- No dentists or doctors taking on new patients. There is no high school. We need shops in the town centre
- Anyone unfortunate to live in these flats will suffer heavy traffic noise and pollution! Not a very healthy living environment.
- Plenty of empty properties standing idle for years yet Bury MBC do nothing to tackle the problem
- Ugly building, already has the appearance of slums
- Radcliffe needs affordable housing; What will be the price of these dwellings? What will be the management charges for these dwellings? Will there be unfair exorbitant leasehold charges attached to these dwellings?
- Car parking will be an issue
- This building will dominate the area, overshadowing the church opposite.
- The design is inappropriate for the location
- The scale & dominance of the buildings are not in keeping with the area. The buildings would adversely dominate the view from Pilkington Way, Water St and from the direction of St Thomas's
- The proposal is for too many buildings, too close together. They are huge, 5 storey buildings of an unattractive plain design with no character. The design & size of the buildings are completely at odds with St Thomas's church, the cenotaph & what used to be the town hall
- The proposal would overdevelop the land in question, the scale and size is too big, too compact & over prominent.
- Where is the school, leisure centre civic hall, a trading market and shops replacement first please.
- Currently one of the main landmarks in the town centre is that of St Thomas' church, a grade 2 listed building, however these proposals would markedly alter the character of the area. The proposed dwellings are not of a design which is in keeping with the scale, character, or appearance of the area.
- The location has only one 'direct' access point, from an already congested main road that, if blocked, would cause emergency services a major problem when they need access.
- It's good that brownfield land is being used for housing but has the infrastructure been assessed too?
- The current shops are under utilised and have commercial tenants already been identified for the new units that aren't takeaways and charity shops?
- The plans to regenerate the town are released piecemeal and whilst I appreciate the need for regeneration, I want to see how and when the existing problems will be addressed and how the whole plan fits together.
- This development is too high at 5 storeys and will spoil the view of St Thomas's Church grade 2 listed building.
- Why do you send these letters out if you already know the outcome?

The neighbouring properties were notified of revised plans on 29 March 2023. 1 letter has

been received, which has raised the following issues:

- I have studied the plans and cannot see any significant changes.
- The buildings are still far too tall and are disrespectful to the heritage of the town.
- The proposed materials look awful
- The proposed building design is nothing more than tall square concrete plain blocks
- The buildings will look like unkempt slums in no time and these are buildings Bury Council are proposing for an historic town centre. Bury Council would NEVER allow such ugly, massive, plain buildings in Ramsbottom centre. Similar buildings, constructed in recent years in Ramsbottom, are built from far more aesthetically pleasing materials and are only 3 (max 4) storeys tall.
- The Council seem happy to allow any inferior construction in Radcliffe, I'd like those on the Planning Committee to compare this eyesore with similar in Ramsbottom.

The objectors 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 highway improvements, construction traffic management plan, vehicular and pedestrian access arrangements, car and cycle parking and bin storage arrangements.

Drainage Section - No response received.

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

Environmental Health - Air Quality - No objections, subject to the inclusion of conditions relating to electric vehicle chargers and dust.

Environmental Health - Pollution Control - No objections, subject to the inclusion of conditions relating to fumes and odours and noise.

Conservation Officer - No objections.

Waste Management - No objections.

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

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to nesting birds, Japanese Knotweed and landscaping.

Transport for GM - No objections.

The Coal Authority - No objections, subject to the inclusion of conditions relating to intrusive investigations for coal mining and verification report.

Environment Agency - Unable to provide site specific advice as have revised priorities

Design for security - No objections.

Pre-start Conditions - Awaiting confirmation that the applicant/agent agree with pre-start conditions.

Unitary Development Plan and Policies

EC5/2	Other Centres and Preferred Office Locations
EC6/1	New Business, Industrial and Commercial
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/4	Street Furniture
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN1/8	Shop Fronts
EN2	Conservation and Listed Buildings
EN2/3	Listed Buildings
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
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
RT2/2	Recreation Provision in New Housing Development
S1/2	Shopping in Other Town Centres
S2/1	All New Retail Proposals: Assessment Criteria
S2/6	Food and Drink
HT2/3	Improvements to Other Roads
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
TC2	Town Centre Enhancement and Development
TC2/2	Mixed Use Development
TC2/3	Vacant and Cleared Sites
Area	Green Street/New Church Street
RD2	
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
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 - Residential - The National Planning Policy Framework (NPPF) 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. The Framework maintains the emphasis on identifying 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 of 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.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and

therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, in relation to the proposed dwelling, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

In this case the 'titled balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

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 boundary and has good access to infrastructure. There are commercial uses to the south and residential uses to the north. As such, the proposed development would not conflict with the surrounding land uses. The site is currently in use as a car park and the floor slab from the previously demolished leisure centre. As such, the proposed development is a brownfield site. Therefore, 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.

Principle - Commercial - Paragraph 86 of the NPPF states that, Planning 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. Planning policies should:

- a. 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 (including housing) and reflects their distinctive characters;
- b. define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
- c. retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
- d. allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
- e. where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
- f. recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Paragraph 87 of the NPPF states that Local Planning Authorities 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 (or expected to become available within a reasonable period) should out of centre sites be

considered.

The proposed development would provide a pub, which is sui generis, and two commercial units, within Class E, which covers a variety of town centre uses, including retail, restaurants, hairdressers, estate agents, clinics, nurseries or gymnasium. The proposed uses would be appropriate within a town centre and would provide a range of services that would add to the vitality and viability of the town centre. The proposed development would be located within the town centre and as such, a sequential test would not be required. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policies S1/2, S2/1 and S2/6 of the Bury Unitary Development Plan and the NPPF.

Principle - Employment - Paragraph 87 of the NPPF states that local planning authorities 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 sequentially. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

Policy EC5/2 states that the Council will look favourably on office developments in town and district centres, particularly in relation to existing or proposed transport infrastructure.

The proposed development would provide 390 square metres of office space at first and second floor within the mixed use building. The proposed development would be located within the town centre and as such, a sequential test would not be required. The proposed development would be acceptable in principle and would be in accordance with Policies EC5/2 of the Bury Unitary Development Plan and the NPPF.

Heritage - The application site is the former Radcliffe Pool & Fitness Centre, now demolished. Previously to that the site was occupied by terraces of dense two storey dwellings built in the mid-19th century.

The proposed development involves the erection of two buildings fronting Blackburn Street, between its junctions with Green Street and Pilkington Way. The proposed building would be 5 storeys at the junction with Blackburn Street and Pilkington Way and 3 storeys at its junction with Green Street. The site does not form part of a conservation area but is visible in views into and out of the setting of the Grade II listed Church of St Thomas and St John opposite, what would be the Blackburn Street frontage from certain vantage points along Green Street and Pilkington Way. The current church dates from 1862 and replaced a classical church on the same site from 1819.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving a listed building or its setting or any feature of architectural or historic interest it possesses. The decision maker must also give considerable importance and weight to the desirability of preserving the setting of the listed building.

The application has described the heritage significance of the church and its setting and the impact of the proposal on that setting in a heritage statement, addendum and in an additional visual impact assessment. Their assessments conclude the proposal would enhance the significance of the listed building.

It is accepted that views of the church and its setting south and north along Blackburn Street and from wider angles at the junction of School Street and Blackburn Street would not be interrupted and therefore, there would be no harm caused to the setting of the church. This is also the case for views from Darbyshire Street to the north, Seymour Court and Newchurch Court to the north east and New Church Street to the south.

It is considered the proposed 3 storey element at the junction of Green Street and

Blackburn Street would have no more impact on views and the setting of the church from the east along Green Street, than existed before the swimming pool building was demolished.

There would be an interruption of views of the church and of its setting north along Pilkington Way for approximately 80 metres north between the foot bridge and the emerging junction with Blackburn Street. This view is exclusive to passing vehicles as there is no pedestrian footway along that part of Pilkington Way. The interruption would last only a matter of seconds until the junction of Pilkington Way and Blackburn Street is reached. The same interruption of views would occur at the bus stop on the north east side of Pilkington Way and only be experienced for the period of waiting time.

The setting of the church has remained largely unchanged from the time the church was built up to the present day and remains within the confines of its curtilage closely bounded by residential development. Ordnance Survey map extracts dating from 1893 to the present day show how the built environment surrounding the church has changed and as such, how the setting of the church has been viewed over the timeline.

The arrival of the railway along what is now Pilkington Way and Darbyshire Street and high density residential development to the west, south and east of the church in the mid to late 19th century restricted the churches setting to within its own curtilage, which largely remains the case today. Demolition of that development through the 1960s, 70s and 80s has opened up the churches setting which has remained to the present day.

The proposal would cause the minimal loss of the views identified in limited way and would only have a minimal impact on the setting of the listed church. As such, the impact identified would not meet the level of less than substantial harm requiring a balancing of harm against the benefits of the proposal. Therefore, the proposal would not harm or cause a loss of significance to the church and therefore, the impact of the proposal on the setting of the church is considered to be neutral and would therefore preserve its setting.

The proposal would in heritage conservation terms, comply with and not be contrary to Policy EN2/3 of the Bury Unitary Development Plan and paragraphs 194, 195, 197, 199, 200 of the National Planning Policy Framework.

Design and layout - The proposed buildings would be located on the eastern and northern part of the site and would provide an active frontage to Green Street, Blackburn Street and Pilkington Way.

The proposed mixed use building would be between 4 and 7 storeys in height, which includes the basement level. There would be 2 storeys above ground adjacent to Green Street, which would rise to 3 storeys and there would be 29.7 metres between the proposed building and 59 Blackburn Street, which is a two storey building. Given the distance between the two properties, which would create a visual gap, the increase to 3 storeys would not dominate the existing properties on Blackburn Street. The proposed mixed use building would rise to 6 storeys above ground on the corner of Blackburn Street and Pilkington Way, which would hold the corner. The proposed residential building would be located along the northern boundary and would be 6 storeys in height. In design terms, the proposed building would hold the elevation along Pilkington Way and would complement the proposed mixed use building. The proposed buildings would have the prominence needed for a gateway site and responds to the geometry of the highways and site. Therefore, the height and scale of the proposed buildings would be acceptable and would not be a prominent feature in the streetscene.

The proposed buildings would be constructed from facing brickwork in two contrasting colours and cladding. The existing buildings on Blackburn Street and Green Street are constructed from render and cladding and the proposed buildings would complement these buildings. The use of different materials would add visual interest and the use of recessed areas would help to break up the massing and bulk of the proposed development.

Therefore, the proposed development would be an appropriate feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - The proposed development would remove a derelict site in a prominent location and would deliver housing and business uses, which in turn, would bring economic benefits. The proposed development would contribute to the regeneration of Radcliffe and the wider area.

The proposed site plan indicates that a suitable level of private amenity space would be provided on site, which would be acceptable. 4 internal bin stores would be provided, which would provide adequate space for the commercial and residential uses.

The site would be landscaped and no site fencing would be proposed. The boundaries of the site would be marked with planting and hedges, which would ensure that the site would remain open.

Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Due to the height of the proposed buildings, a tv signal report has been submitted. The report concludes that the tv reception to the existing residential properties to the north and northwest of the site would not be affected by the proposed development. The properties to the south of the proposed development are commercial properties and would be unaffected by the proposals. Therefore, the proposed development would not have an adverse impact upon tv signal in the locality and would be in accordance with the NPPF.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and would be relevant in this case. The aspect standards are based on a two storey building and for each additional storey in height a further 3 metres should be added onto the aspect standard.

There would be 34.1 metres between the proposed residential building and No. 1 School Street. There would be two areas of trees, which would act as a screen. The distance would be in accordance with the aspect standard.

There would be a distance of 49.9 metres between St Thomas Close and the proposed mixed use building, which would be in excess of the aspect standard.

There would be 29 metres between the proposed bar and offices and No. 69 Blackburn Street, which would comply with aspect standards.

There would be 19.1 metres between the proposed residential block and a blank wall in the proposed mixed use building. Whilst this would be a little below the aspect standard of 25 metres, the occupiers of these units would be aware of the relationship before occupying the proposed dwelling. As such, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policies EN1/2 and H2/2 of the Bury Unitary Development Plan.

Flood risk/drainage - A Flood Risk Assessment (FRA) was submitted as part of the application. Currently, the site contains 2 tarmac car parks and an area of hardstanding. The FRA states that the site lies is at very low risk from surface water flooding and the proposed drainage strategy would mitigate the risk of groundwater flooding. Therefore, the proposed development would not increase the risk of flooding to the site or any properties downstream and the proposed development would be in accordance with Policy EN5/2 of the Bury Unitary Development Plan.

There is a sewer and a water main present within the site. United Utilities have no objections, subject to the inclusion of a condition relating to protection of the sewer and water main assets. A drainage strategy and drawing has been submitted and assessed by United Utilities. Whilst it is acceptable in principle, there are elements that will need to be changed. As such, United Utilities have no objections and they recommend the inclusion of a condition relating to surface water drainage. Therefore, the proposed development would be in accordance with Policy EN7/5 of the Bury Unitary Development Plan.

Ecology - An ecological survey was submitted with the application and the main issues relate to protected species, nesting birds, invasive species and biodiversity enhancement measures.

Protected Species - The survey found no evidence of any protected species within the site and all were reasonable discounted. Given the urban location, lack of vegetated habitats and the presence of significant barriers, GM Ecology Unit had no reason to doubt the findings. Therefore, the proposed development would not have an adverse impact upon a protected species.

Nesting Birds - Trees and shrubs would be removed as part of the proposed development, which would include potential bird nesting habitat. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to nesting birds.

Japanese Rose - Japanese Rose is a species, which is listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) and it is an offence to plant or spread this species in the wild. Given the urban location, the current site would not be regarded as 'wild' and therefore, no offences are likely to occur on site. However, soil contaminated by this species could theoretically be transported off-site to a more natural location, where an offence could be committed. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to the eradication of Japanese Rose.

Contributing to and Enhancing the Natural Environment - Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site consists of primarily hardstanding with smaller areas of trees and amenity planting. This will be replaced with buildings, hardstanding and amenity planting and a pond. The percentage of soft landscaping and number of trees would be higher post development and a biodiversity net gain assessment has been provided that indicates a net gain on site in excess of 10%. The planting schedule indicates that native planting would be provided. GM Ecology Unit has no objections, subject to the inclusion of conditions relating to landscaping and provision for nesting birds and bats.

Overall, the proposed development would not cause harm to a protected species, subject to conditional control and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Noise - The proposed development would provide a pub and 2 commercial units (Class E) on the ground floor of the mixed use building. Class E covers a variety of uses, which would be acceptable within the town centre, such as hairdressers, shops, estate agents, clinics, nursery or gymnasium. The proposed development is located within the town centre and adjacent to a major throughroute.

A noise assessment has been submitted as part of the application and assessed the impact of noise to the site, the impact of noise transferring between ground floor and the proposed residential properties above and noise from external plant. The report concludes that the proposed residential units would not be affected by external noise, subject to the upgrading of the glazing within the building and that the sound insulation between the ground and first floors for the offices should achieve at least 50dB. The noise levels within the restaurant should not exceed 85dB and the sound insulation between the floors should achieve 55dB. Environmental Health - Pollution Control has no objections, subject to the inclusion of

conditions to secure the measures listed above.

It was not possible to assess the noise generated from external plant as the site was in use as a covid testing centre and there were generators on site, which would have affected the results. As such, it is proposed to include a condition that would require details of sound attenuation for any necessary plant to be submitted, approved and installed before any of the commercial units are occupied.

Therefore, the proposed development would not have a significant adverse impact in terms of noise and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Air Quality - The proposed development has the potential to cause air quality impacts at sensitive locations and the impact on air quality as a result of the traffic generation by the development would be negligible. The impact upon sensitive locations would be mitigated by the implementation of dust control measures and the installation of electric vehicle charging points, which would be conditioned. Environmental Health section has no objections, subject to the inclusion of conditions. Therefore, the proposed development would be in accordance with Policy EN7/1 of the Bury Unitary Development Plan.

Trees - The proposed development would require the removal of trees across the site. Of the trees to be removed, there are 14 category B trees, 10 category C trees and 3 category U trees. As such, the trees to be removed are of poor quality and there would be no objections to their removal, subject to their replacement. The proposed landscaping plan shows that these trees would be replaced, which would contribute to biodiversity net gain and this would be conditioned. Therefore, the proposed development, subject to conditional control, would not have a significant adverse impact upon the character of the area and would be in accordance with Policies EN8 and EN8/2 of the Bury Unitary Development Plan.

Highways issues - A Transport Assessment was submitted with the application and concludes that the proposed development is located in a highly sustainable location and the personal injury data would not represent a material concern. It should be noted that no allowance has been made for the number of vehicle movements generated by the existing use as a public car park. The level of traffic arising from the scheme has been tested at the Blackburn Street/Green Street/New Church Street junction and the junction would have sufficient spare capacity to accommodate the proposed development without a material impact upon its operation. Beyond this junction, the proposed development would generate under 30 vehicle movements during peak hours, which would equate to less than 1 movement every 2 minutes, which would not have a material impact upon the wider highway network.

The proposed development would be accessed via 3 vehicular accesses from Green Street, which would connect to Blackburn Street. There would be acceptable levels of visibility provided and turning facilities are available within the site. 6 pedestrian accesses would be provided across Blackburn Street and Green Street and there would be clearly marked paths to the entrances of both the proposed buildings. The Traffic Section has no objections, subject to the inclusion of conditions relating to highway improvements, construction traffic management plan, vehicular and pedestrian access arrangements, turning facilities, car and cycle parking and bin storage arrangements.

Level access would be provided to both of the proposed buildings and lifts would be provided to the proposed offices and both of the proposed apartment buildings. 8 accessible parking bays would be provided in close proximity to the entrances to the proposed buildings.

Therefore, the proposed development would not be detrimental to highway safety and would be accessible for all. Due to the location and scale, it could not be argued that the proposed development would generate a severe level of traffic impacts. The proposed

development would be in accordance with Policies EC6/1, H2/1, H2/2, HT2/3 and H6/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards for the uses proposed are as follows:

- 1 space per 35 square metres of office space (Class E)
- 1 space per 1 bedroom dwelling
- 1.5 spaces per 2 bedroom dwelling

This equates to 62 spaces for residential and office uses within the proposed mixed use building and 122 spaces for the proposed residential building.

The proposed development would provide 57 spaces and 5 disabled parking bays for the proposed mixed use building and 43 spaces and 3 disabled bays for the proposed residential building.

The proposed development is located in the town centre with good access to shops, health services and leisure facilities. The site is within walking distance of the bus station and the Metrolink station and cycle facilities would be provided on site. As such, the proposed development is in a highly sustainable location and in this instance, the level of parking proposed for the proposed development would be acceptable.

The proposed development would result in the loss of 72 spaces on the two existing car parks within the site. Proposals have been agreed at the Radcliffe Cabinet committee meeting that would address the short and long term issue of parking within Radcliffe as a whole. The long term measures involve the provision of a travel hub, which would include multi-storey car parking along with facilities for sustainable transport infrastructure. The short term proposals include:

- Restrict parking on Council owned car parks to 2 - 3 hour maximum stay, which would encourage a high turnover of spaces
- Provision of additional on-street car parking
- Lease spaces on private car parks.

These measures are expected to be in place within the next 12 months and as such would address the shortfall created by the proposed development. Furthermore, it is not within the gift of this single development to address the wider aims. Hence the wider strategy is able to guide and develop these issues.

Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Planning obligations - The scheme as proposed would normally include a commuted sum contribution of £206,177.40 for recreation as required by SPD1 and 49 affordable units as required by paragraph 64 of the NPPF.

The proposed development would provide 97 affordable units, which is in excess of the 49 required and is almost double that of 49. The proposed affordable units would be developed in conjunction with a registered housing provider and would be a mix of affordable rent and shared ownership.

The applicant has submitted a viability appraisal where a case has been presented that any commuted sum would render the development unviable and the viability of the proposed scheme is marginal. The scheme would provide amenity space on site and the scheme would provide 73% much needed affordable housing in the Borough, which is a clear public benefit of the proposal and would be secured through a condition.

Response to objectors

- The issues relating to design, layout, height, heritage, impact upon residential amenity, noise, traffic generation and parking have been addressed in the main report.
- Need in relation to the commercial units is not a material planning consideration and

cannot be taken into consideration.

- The proposed development would provide 73% affordable housing, which is above the policy requirement of 25% affordable housing.
- An application for the Radcliffe hub has been received, which includes a leisure centre and an event space. Radcliffe market is located near the site of the proposed hub and is currently trading.

Conclusion - The proposed development would deliver the regeneration of a much needed, longstanding vacant town centre site with a strong architectural response in scale and design. The proposed development is in a highly sustainable location and would deliver new housing and business without harm to listed buildings, residential amenity or site constraints.

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 121305 10 P1, 121305 11 P19, 121305-TADW-11-[-1]-DR-A-0021-P-8, 121305-TADW-00-00-DR-A-0022-P-9, 121305-TADW-00-01-DR-A-0023-P-9, 121305-TADW-00-02-DR-A-0024-P-9, 121305-TADW-00-03-DR-A-0025-P-8, 121305-TADW-00-04-DR-A-0026-P-8, 121305-TADW-00-05-DR-A-0027-P-8, 121305-TADW-00-ZZ-DR-A-0028-P-8, 121305-TADW-00-ZZ-DR-A-0029-P-7, 121305-TADW-00-ZZ-DR-A-0030-P-8, 121305-TADW-00-ZZ-DR-A-0031-P-7, 121305-TADW-00-05-DR-A-0032-P-1, 121305-TADW-00-ZZ-DR-A-0041-P-10, 121305-TADW-00-ZZ-DR-A-0042-P-10, 121305-TADW-00-ZZ-DR-A-0043-P-10, 121305-TADW-00-ZZ-DR-A-0044-P-9, 121305-TADW-00-ZZ-DR-A-0045-P-7, ELL/21164/WH/L/1000 A and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. Plot numbers B1 - B56 and C1 - C41 hereby approved shall only be developed by or on behalf of the applicant as units to be sold as shared ownership units or as general needs rent affordable housing.
Reason - The proposed development has been granted given the particular circumstances of the applicant and the opportunity to provide increased affordable housing, but as a result a recreational contribution pursuant to Supplementary Planning Document 1 (Open Space, Sport and Recreation Provision in New Housing Development) will not be provided. This condition is thereby to ensure that in order to make the development acceptable in planning terms, as a result of

not making a recreational contribution the whole development shall instead contribute to satisfying the need for affordable housing provision.

4. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
5. 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.
6. Following the provisions of Condition 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.
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.
7. Prior to the commencement of the development hereby approved (excluding site clearance, demolition, or works relating to site investigation, remediation or ground works), 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.
Reason. In accordance with paragraph 35 and 124 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.
8. No development shall commence until;
 - a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason. The scheme does not provide full details of the actual risk from coal mining and subsequent remediation, which is required to secure the satisfactory development of the site in terms of ground conditions and coal mining legacy to ensure the safety and stability of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

9. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason. To secure the satisfactory development of the site in terms of in terms of ground conditions and coal mining legacy to ensure the safety and stability of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

10. No development shall commence unless and until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority, as outlined in Table 20 Fugitive Dust Emissions Mitigation Measures, of the report (Air Quality Assessment for Garden Street, Radcliffe, Ominia, Reference: C10628/C1AQA/1.0, December 2021). The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason. The information is required to reduce the impacts of dust disturbance from the site on the local environment, pursuant to chapter 11 of the NPPF - Conserving and enhancing the natural environment.

11. No development shall commence unless and until a scheme for treating, diluting, and dispersing fumes from 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.

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 Policy S2/6 - Food and Drink.

12. The mitigation measures identified in the Noise Impact Assessment, dated 16 December 2021 shall be implemented as proposed in full prior to first occupation of the dwellings hereby approved.

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

13. The construction of the separating floor between the bar and offices (as shown on plan reference 121305-TADW-00-00-DR-A-0022-P-9) hereby approved must

achieve an on-site sound insulation value of at least 50dB.

Reason. To protect the amenities of the future occupiers of the offices pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

14. The construction of the separating floor between the commercial unit (74.4 square metres as shown on plan reference 121305-TADW-00-00-DR-A-0022-P-9) and the residential dwellings hereby approved must achieve an on-site sound insulation value of at least 55dB.

Reason. To protect the residential amenities of the future occupiers of the dwellings pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

15. The noise levels within the commercial unit (173 square metres as shown on plan reference 121305-TADW-00-00-DR-A-0022-P-9) shall not exceed 85dB(A).

Reason. To protect the residential amenities of the future occupiers of the dwellings pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

16. Prior to the commencement of development (including demolition, site clearance and any earthworks) details of the means of ensuring the combined sewer and surface water sewer are protected from damage shall be submitted to and approved by the Local Planning Authority in writing. The details must include measures to protect and prevent any detrimental impact to the wastewater infrastructure and its operation both during construction and post completion of the development to prevent exposing the sewer to undue loading, vibration or risk. The details shall include:

1. A pre-demolition CCTV survey of the wastewater infrastructure with the submission of associated footage;
2. A demolition method statement outlining the potential impacts on the infrastructure from demolition/site clearance activities and identifying mitigation measures to protect and prevent any damage to wastewater infrastructure during demolition/site clearance works;
3. An assessment of all potential impacts on the wastewater infrastructure from construction activities including piling, tunnelling or any other form of construction that induces significant vibration and/or alters the existing load bearing arrangements and identifying mitigation measures to protect and prevent any damage to wastewater infrastructure during construction; and
4. A pre and post demolition condition survey.

Any mitigation measures shall be implemented in full prior to the commencement of development in accordance with the approved details and retained thereafter for the lifetime of the development.

In the event that a diversion/diversions of the infrastructure or a build over agreement is required, the developer shall submit evidence to the Local Planning Authority that a diversion or build over has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development or, in the event of a build over, that agreement has been reached with the relevant statutory undertaker prior to commencement of development.

Reason. The application contains insufficient detail in relation to the sewer on site and in the interest of public health and to ensure protection of the public sewer system pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

17. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

1. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation

shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

2. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 8 l/s;
3. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
4. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
5. Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. 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.

18. No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.
Reason. In the interest of public health and to ensure protection of the public water supply pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
19. 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.
20. Prior to the commencement of any earthworks, a method statement detailing the eradication of Japanese Rose shall be submitted to and approved in writing by the Local Planning Authority. The approved method statement shall be implemented in full prior to first occupation of the buildings hereby approved.
Reason. The scheme does not provide full details of the actual extent of Japanese Rose in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
21. 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.

22. 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 based survey of the site and adjacent adopted highways to the Local Planning Authority:
1. A scheme of highway remedial works around the perimeter of the site to a scope and specification to be agreed, incorporating the reinstatement of all redundant accesses, formation of the proposed site accesses and provision of associated tactile paved crossing points, demarcation of the limits of the adopted highway, relocation/replacement of pedestrian guardrailling affected by the site access alterations and visibility splays proposed, all measures required to suit appropriate site threshold levels and/or form access to the site/retain landscaped areas, and all associated highway and highway drainage remedial works and alterations to existing road markings required to facilitate the proposed development and reinstate the adopted highway to its former condition prior to commencement of the development;
 2. Surface water drainage arrangements for the proposed car parks, accesses and pedestrianised areas to prevent the discharge of surface water onto the adjacent adopted highway;
 3. Provision of a street lighting assessment to a scope and specification to be agreed (and, where necessary, a scheme of improvements) for the Green Street/Blackburn Street junction and Green Street from Blackburn Street to the westerly car park access to Building B & C;
 4. Identification of a 5m strip within the parking area immediately to the rear of the existing retaining wall adjacent to Pilkington Way, required to act as an easement strip to allow future maintenance access to rear of the retaining wall;
 5. Proposed security barrier/bollards types/method of operation at the car park accesses serving Buildings B & C, set back a minimum of 5.0m from the back of the adopted highway.

The details subsequently approved shall be implemented to an agreed programme.

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, all in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - Assessing New Business, Industrial and Commercial Development

Policy EN1/2 - Townscape and Built Design

Policy H2/2 - The Layout of New Residential Development.

23. 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 based survey of the site and adjacent adopted highways to the Local Planning Authority:
- Proposed pedestrian refuge at the junction of Green Street with Blackburn Street, incorporating the retention/replacement of the existing 'give-way' warning signage and road markings, the retention/replacement of the existing 'keep left' bollards, provision of a tactile paved crossing point, revised white lining scheme to reflect the proposed car park access to Building A and all associated highway and highway drainage remedial works and alterations to road markings required to facilitate the proposed development and reinstate

the adopted highway to its former condition prior to commencement of the development;

The details subsequently approved shall be implemented to an agreed programme.

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, all in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - Assessing New Business, Industrial and Commercial Development

Policy EN1/2 - Townscape and Built Design

Policy H2/2 - The Layout of New Residential Development.

24. 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 of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of, and statutory undertakes connections to, the proposed development;
- Dilapidation survey of the whole length existing retaining wall, to a scope to be agreed;
- Construction method statement to a scope to be agreed giving due consideration to all operations which might apply loadings to the higher sections of the existing retaining wall (south westerly part of the site) and their potential impact on it;
- Access route for construction traffic from the highway network;
- Hours of operation and number of vehicle movements associated with the redevelopment of the site;
- Access point(s) for construction traffic from Green Street and any temporary works required to facilitate access for ground work/construction vehicles,
- If proposed, details of site hoarding/gate positions clear of required visibility splays onto the adopted highway;
- The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
- A scheme of appropriate warning/construction traffic warning signage in the vicinity of the site and its access(es) onto the adopted highway;
- Confirmation of hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control 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 spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition/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.

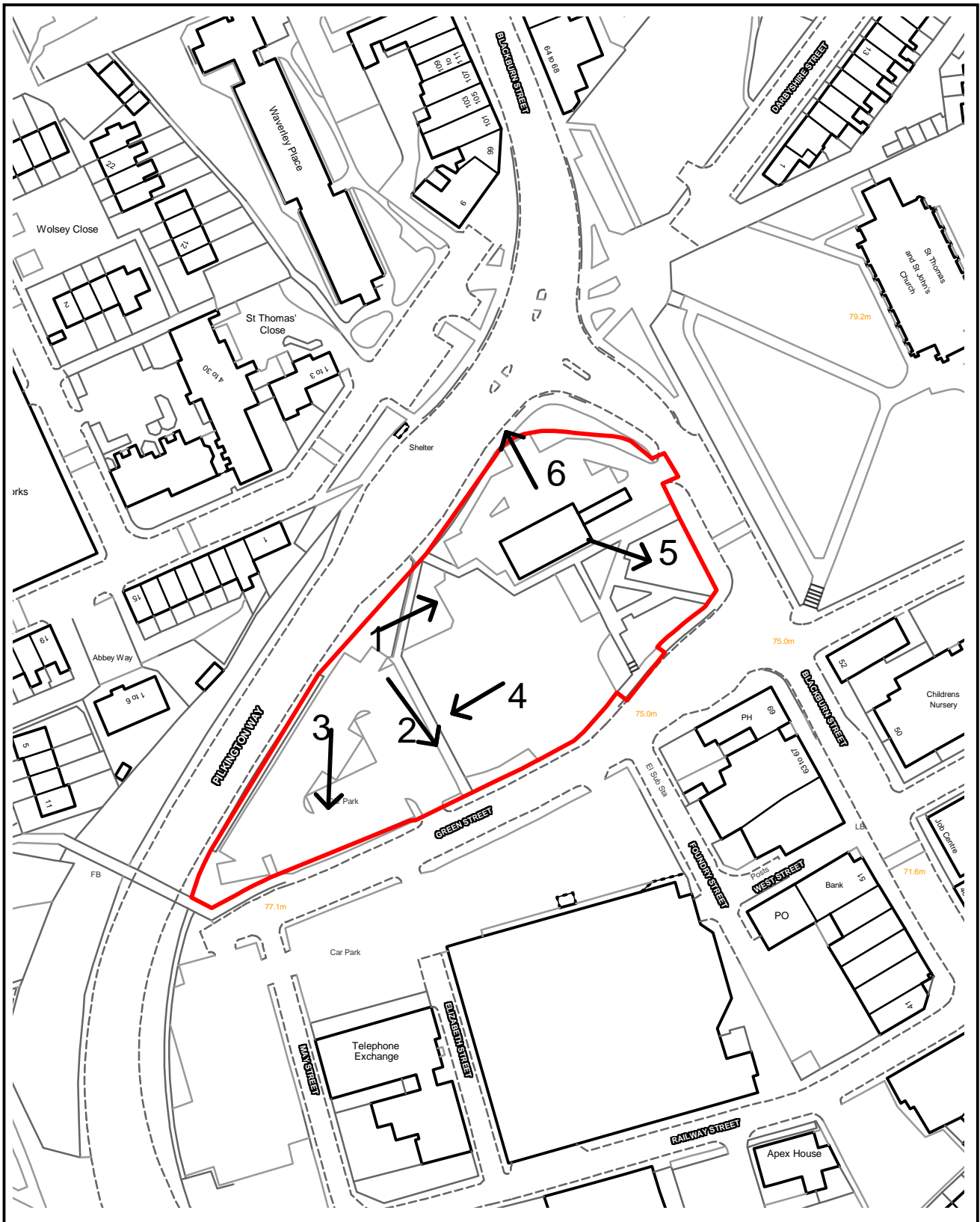
Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction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

25. The vehicular and pedestrian access arrangements within the curtilage of the site indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority before the development hereby approved is brought into use/first occupied.
Reason. To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EC6/1 - Assessing New Business, Industrial and Commercial Development
Policy EN1/2 - Townscape and Built Design
Policy H2/2 - The Layout of New Residential Development.
26. The turning facilities within the curtilage of the site indicated on the approved plans shall be provided before the development hereby approved is brought into use/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 EC6/1 - Assessing New Business, Industrial and Commercial Development
Policy EN1/2 - Townscape and Built Design
Policy H2/2 - The Layout of New Residential Development.
27. The car and cycle parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority before the development hereby approved is brought into use/first occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
28. Bin storage arrangements shall be provided within the curtilage of the development for all uses in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments' to the satisfaction of the Local Planning Authority before the development hereby approved is brought into use/first occupied and shall thereafter be maintained.
Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EC6/1 - Assessing New Business, Industrial and Commercial Development
Policy EN1/2 - Townscape and Built Design
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 68998

ADDRESS: Land at Green Street, Radcliffe



Bury
COUNCIL

Planning, Environmental and Regulatory Services

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Item 03 - 68998

Photo 1



Photo 2



Item 03 - 68998

Photo 3



Photo 4



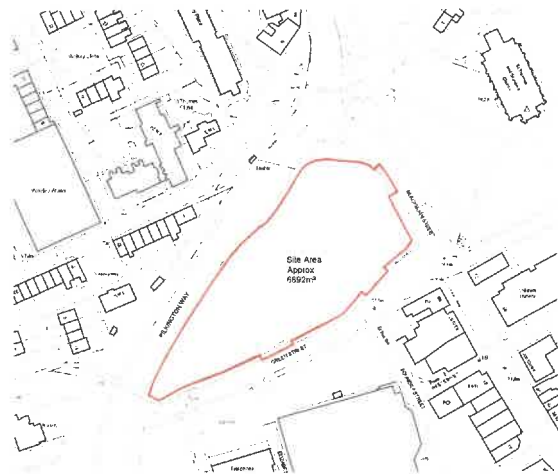
Item 03 - 68998

Photo 5



Photo 6





01 Existing Site Plan
10 Scale 1:1250 @ A1



01 Existing Site Plan
10 Scale 1:250 @ A1

General Notes 01 Dimensions must not be scaled from this drawing. If in doubt, please ask. 02 All dimensions are in millimetres unless noted otherwise. 03 All dimensions should be verified on site before proceeding with the work. 04 TADW Architects shall be notified in writing of any discrepancies. 05 © TADW Limited (UK) 2015				
Legend				



EV Denotes Electric Vehicle Charging Point. Provided at a minimum rate of 1 EV charging point per 10 parking spaces

● Denotes Bin Store Location
● Denotes Cycle Store Location

General Notes
01 Dimensions must not be scaled from this drawing, if in doubt, please ask.
02 All dimensions are in millimetres unless noted otherwise.
03 All dimensions should be verified on site before proceeding with the work.
04 TADW Architects shall be notified in writing of any discrepancies.
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Legend

Schedule of Accommodation

Building A - Mixed Use
184m² bar (NIA)
898m² commercial (NIA, excluding both stairs and their lobby / circulation spaces serving offices)
29 basement car parking spaces
Motorbike parking in basement
207.9m² basement storage
5no. 2B4P apartments at 70.5m²
11no. 2B3P apartments at 62m²
19no. 1B2P apartments at 50m²

Building B - Affordable
33no. 2B3P apartments at 57m²
23no. 1B2P apartments at 48m²

Building C - Affordable
17no. 2B3P apartments at 57m²
24no. 1B2P apartments at 48m²

Total Across All Buildings
132 apartments

Total Car Parking Across the Site
108 spaces

P10	Visitor safety and further dimensions added	28.03.20	AM	MH
P16	Buildings B and C layout amended	22.02.20	AM	MH
P17	Buildings B and C layout amended	14.03.20	AM	MH
P16	Buildings B and C revised	03.03.20	AM	MH
P15	Distance from Buildings B and C to existing retaining wall increased	24.02.20	AM	MH
Issue	Description	Date	Drawn	Checked

Drawing Status
P - Planning | T - Tender | C - Construction | R - As Record

For Approval

tadw architects

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Ph: 0161 477 6158 | Fax: 0161 480 0342 | mail@tadw.co.uk | www.tadw.co.uk

Client Watson Homes

Job Green Street Ralcliffe

Title Proposed Site Plan

Scale 1:250 @ A1

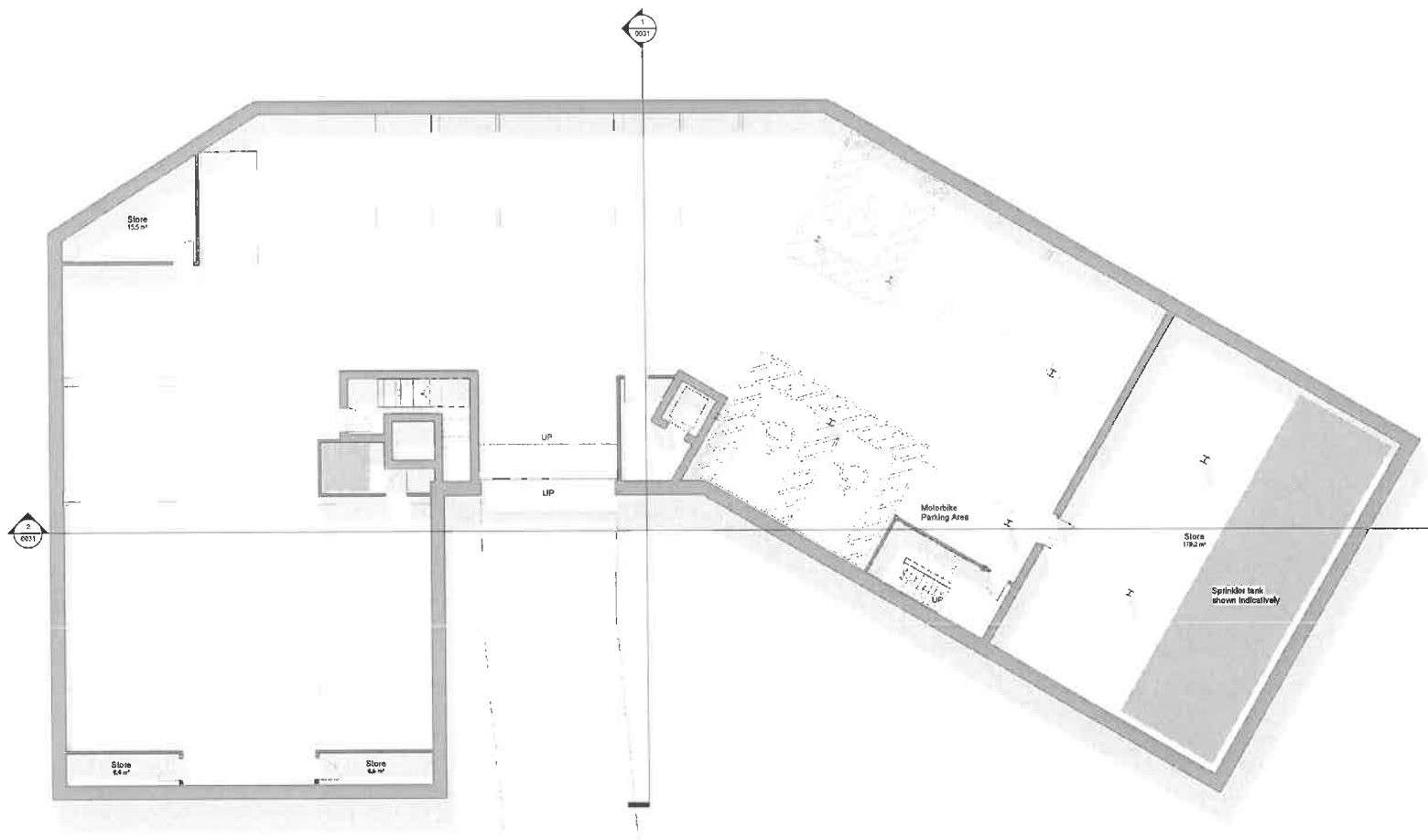
Note - Prints from PDF files may not be to scale, check accuracy against scale

0 5 10 25m

Job Number 121305 **Drawing Number** 11 **Issue** P19

① Level -1 Basement

1 1 : 100



General Notes

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Legend

Issue	Description	Date	Drawn	Checked
8	Self-evacuated and increased bar time, stairs off scene remained, apparent spark engine in basement	10/05/22	AM	MMH
7	Amended fireboard on scene from Trench, floor plan shown	22/02/22	AM	MMH
5	Office escape scene amended, furniture height corrected	26/01/22	AM	MMH
5	Elevator and floor for fire height revised	25/01/22	AM	MMH
4	Amended following preliminary site drawings and information	21/12/21	AM	MMH
3	Corridor entry and bar layout amended	07/12/21	AM	MMH
2	Phobos Way / Alderbury Street corner amended	19/11/21	AM	MMH
1	Drawn	21/10/21	AM	MMH

Drawing Status	
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P - Planning T - Tender C - Construction R - As Record

PLANNING

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Client	Watson Homes
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Job	Green Street, Radcliffe
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Title	Mixed Use Building - Basement Floor Plan
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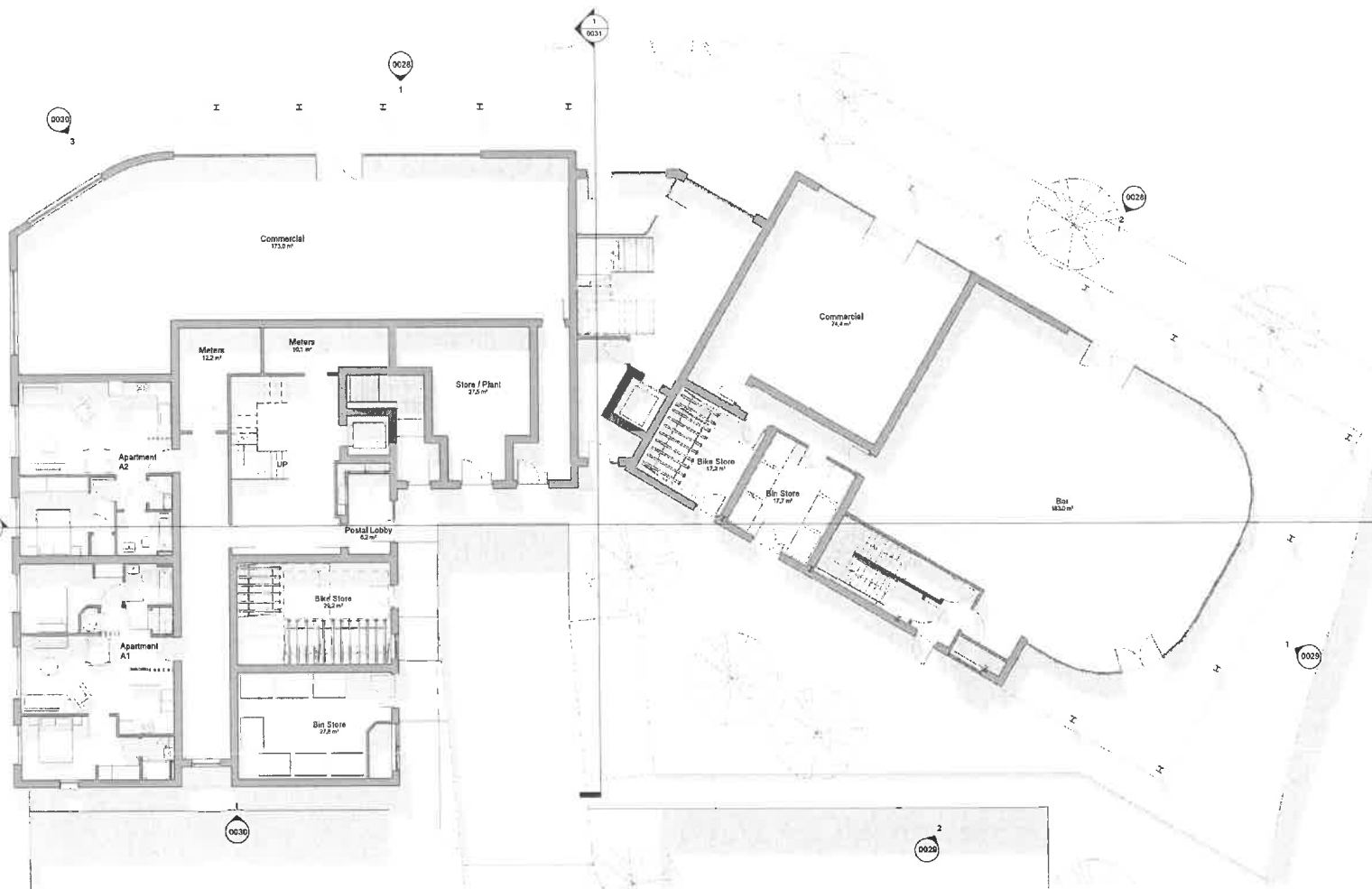
Scale 1 : 100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Job No.	Originator	Pri.	Level	View	Role	Dwg	Status	Rev.
421805	TADIAL	00	1.1	DR	A	0024	D	0

121305-TADW-00-[-1]-DR-A-0021-P-8



General Notes

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05. Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

9 Apartment numbers added 21.11.22 AM MH
6 Solid external wall increased to bar, view of store retained, append bar shown in basement 10.10.22 AM MH
7 Amended following comments from Tenor. Road plan drawn 22.02.22 AM MH
5 Office escape shut extended. Furniture heights corrected 28.01.22 AM MH
5 Elevations and floor to floor heights revised 25.01.22 AM MH
4 Amended following preliminary DB drawings and information 21.12.21 AM MH
3 Corner lobby and bar intake amended 07.12.21 AM MH
2 Pilkington Way (Blackburn Street corner) amended 10.11.21 AM MH
1 Drawn 21.10.21 AM MH

Issue	Description	Date	Drawn	Checked
1	Drawn	21.10.21	AM	MH

Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

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Client Watson Homes

Job Green Street, Radcliffe

Title Mixed Use Building - Ground Floor Plan

Scale 1:100 @ A1
Note - Prints from PDF files may not be to scale, check accuracy against scale

0 5 10m
1:100

Job No.	Originator	Ph.	Level	View	Role	Drawn	Status	Rev.
121305-TADW-	00-	00-	DR-	A-	0022-	P-	9	

1 Level 1 First Mixed

1:100

General Notes
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05: Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

9	Apartment numbers added	21.11.22	AM	WH
5	Staircase and floor heights increased to be in line with all other rooms, apartment and kitchen	10.10.22	AM	WH
7	Amended building constraints from Tames, Roof plan drawn	22.02.22	AM	WH
6	Office space area amended, Furniture heights corrected	18.01.22	AM	WH
5	Staircase and floor heights increased	25.01.22	AM	WH
4	Amended building preliminary 05 drawings and information	21.12.21	AM	WH
3	Control room and bus route amended	07.12.21	AM	WH
2	Pikington Way / Blackburn Street corner amended	19.11.21	AM	WH
1	Drawn	21.10.21	AM	WH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

tadw architects

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Client **Watson Homes**

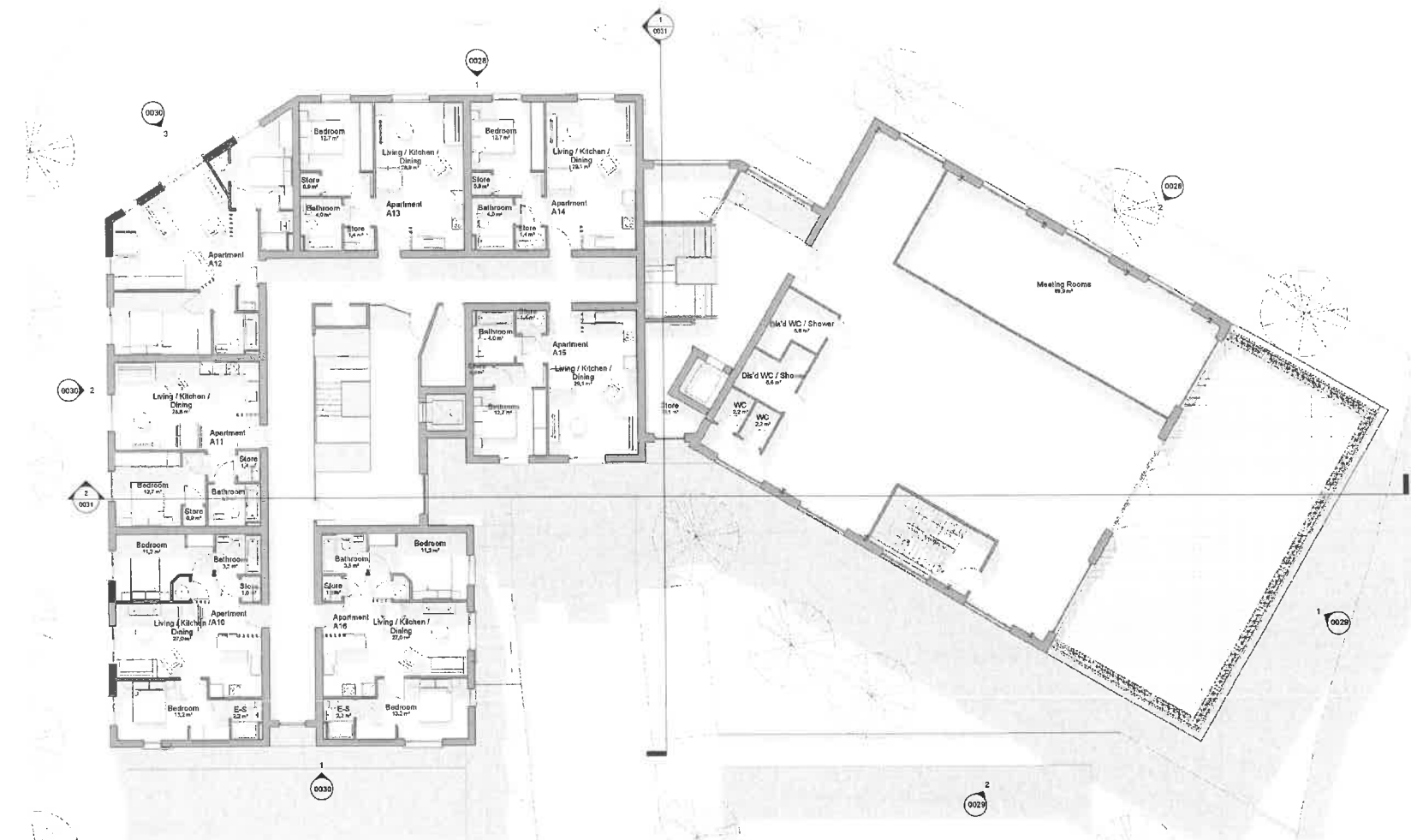
Job **Green Street, Radcliffe**

Title **Mixed Use Building - First Floor Plan**

Scale **1:100 @ A1**

Note: Prints from PDF files may not be to scale, check accuracy against scale.
1:100 1:100 1:100

Job No. 121305-TADW-00-01-DR- A- 0023- P- 9
Originator PH Level View Rule Date Status Rev.



1 Level 2a Resi
1:100

General Notes
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02. All dimensions are in millimetres unless noted otherwise.
03. All dimensions should be verified on site before proceeding with the work.
04. TADW Architects shall be notified in writing of any discrepancy.
05. Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

9	Apartment numbers added	21.11.22	AM	MH
8	Split external wall increased to 2m, stairs left alone to remain, apartment 14m removed to remain	10.10.22	AM	MH
7	Amended building programme from 2020, final plan drawn	23.02.22	AM	MH
6	Office escape plan amended, Furniture layout corrected	28.01.22	AM	MH
5	Elevations and floor to floor heights revised	25.01.22	AM	MH
4	Amended building programme, drawings and information	21.12.21	AM	MH
3	Change scope and drawings amended	02.12.21	AM	MH
2	Pythagoras Way / Blackburn Street corner amended	10.11.21	AM	MH
1	Drawn	21.10.21	AM	MH

Issue	Description	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

tadw architects

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Ph 0161 477 6159 Fx 0161 450 9342 info@tadw.co.uk www.tadw.co.uk

Client Watson Homes

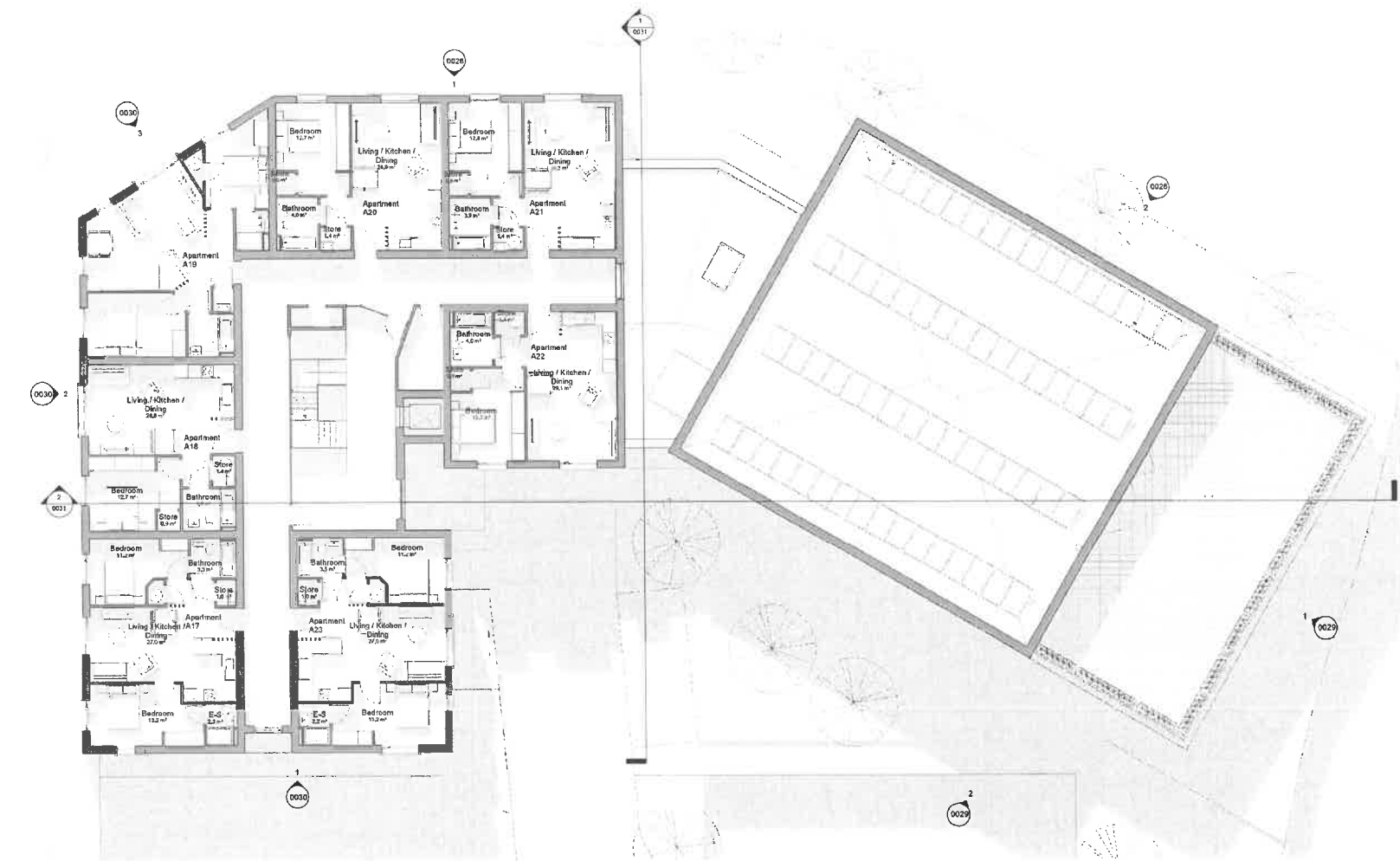
Job Green Street, Radcliffe

Title Mixed Use Building - Second Floor Plan

Scale 1:100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale.
10m
5m
1:100

Job No. 121305-TADW-00-02-DR-A-0024-P-9
Originator P.H. Level View Role Dwg Date Rev.



1 Level 3 Resi
1:100

General Notes

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 02. All dimensions are in millimetres unless stated otherwise.
 03. All dimensions should be verified on site before proceeding with the work.
 04. TADW Architects shall be notified in writing of any discrepancies.
 05. Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

1 Issue
 2 Drawn
 3 Checked
 4 Approved
 5 As Built

Issue	Description	Date	Drawn	Checked
1	Issue	21/10/21	AM	MH
2	Drawn	21/10/21	AM	MH
3	Checked	21/10/21	AM	MH
4	Approved	21/10/21	AM	MH
5	As Built	21/10/21	AM	MH

Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

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Client Watson Homes

Job Green Street, Radcliffe

Title Mixed Use Building - Third Floor Plan

Scale 1:100 @ A1
 Note: Plots from PDF files may not be to scale, check accuracy against scale.

10m
 1:100

Job No. Originator Ph. Level View Role Date Status Rev.
 121305-TADW-00-03-DR-A-0025-P-8

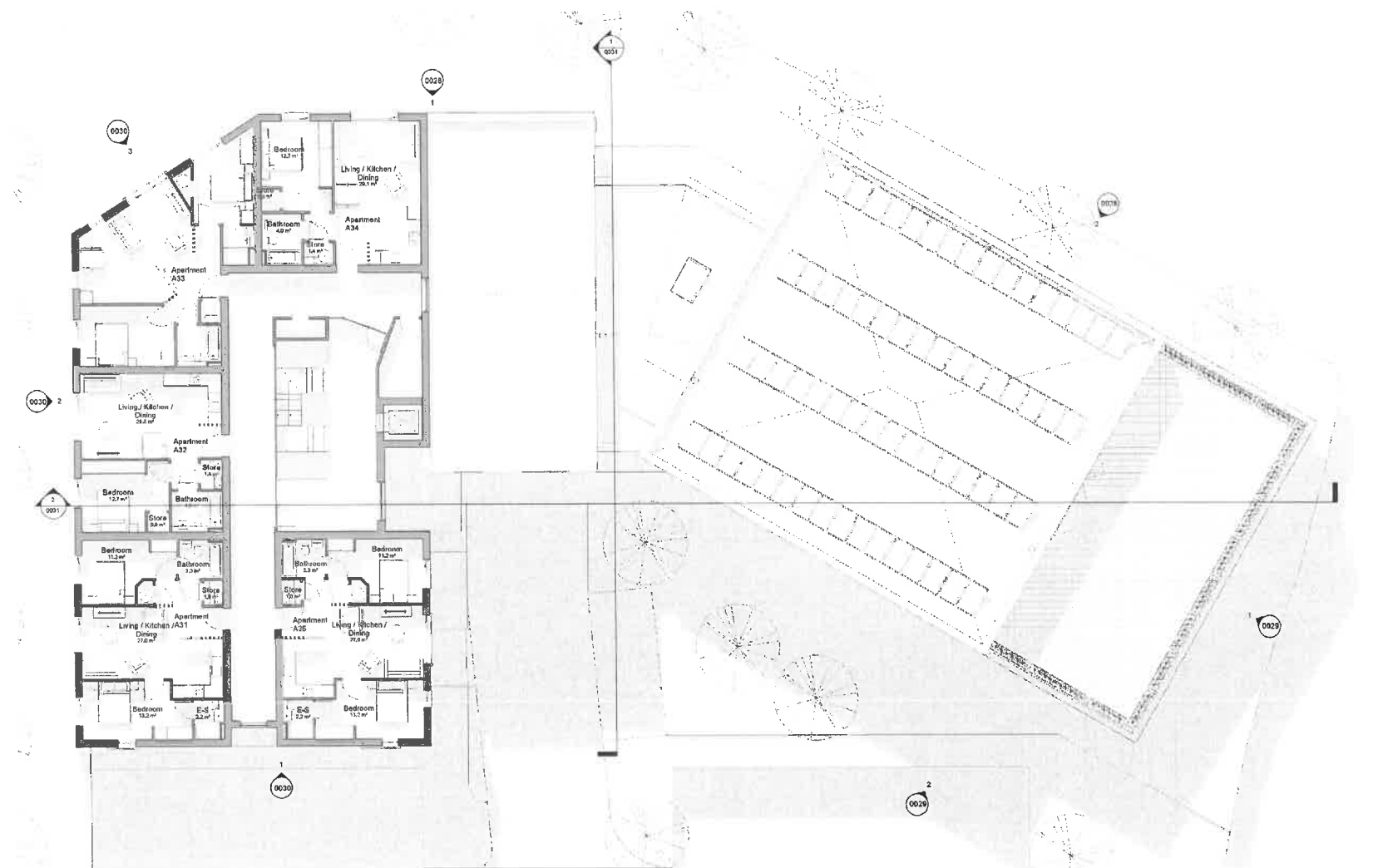
1 Level 4 Resi 1: 100

General Notes
01. Dimensions must not be scaled from this drawing. If in doubt, please ask.
02. All dimensions are in millimetres unless stated otherwise.
03. All dimensions shall be verified on site before proceeding with the work.
04. TADW Architects shall be notified in writing of any discrepancies.
05. Copyright is retained by TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

5	Apartment numbers added	23.11.21	AM	MM
7	Amended building comments from Form 1, Form 2 and Form 3	23.02.22	AM	MM
6	CPA update data processing, building height correction	28.09.21	AM	MM
5	Amendments made to data height column	25.05.22	AM	MM
3	Amendments to building comments, Form 1, Form 2 and Form 3	21.12.21	AM	MM
3	CPA update data processing, building height correction	07.12.21	AM	MM
2	Amendments to building comments, Form 1, Form 2 and Form 3	16.11.21	AM	MM
1	CPA update data processing, building height correction	08.10.21	AM	MM

1 Level 5 Resi 1:100



General Notes
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03. All dimensions must be verified on site before proceeding with the work.
04. TADW Architects shall be notified in writing of any discrepancies.
05. Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

Issue	Description	Date	Drawn	Checked
1	Apartment numbers added	11.11.22	AM	MM
2	Revised building footprint from Council	22.12.22	AM	MM
3	Office escape route assessment. Furniture heights assessed	18.01.23	AM	MM
4	Checklist of fixtures to floor heights assessed	26.01.23	AM	MM
5	Revised building footprint from Council	11.12.23	AM	MM
6	Checklist of fixtures to floor heights assessed	17.12.23	AM	MM
7	Revised building footprint from Council	11.12.23	AM	MM
8	Checklist of fixtures to floor heights assessed	11.12.23	AM	MM

Issue Description Date Drawn Checked

Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

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Ph 0161 477 6158 Fx 0161 430 8342 mail@tadw.co.uk www.tadw.co.uk

Client Watson Homes

Job Green Street, Radcliffe

Title Mixed Use Building - Fifth Floor Plan

Scale 1:100 @ A1

Note - Points from PDP file may not be to scale, check accuracy against scale
10m
5m
1:100

Job No. 121305-TADW-00-05-DR-A-0027-P-8
Original Ph. Level View Role Dwg Status Rev.



1 Section 1
1 : 100



2 Section 2
1 : 100

General Notes
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05. Copyright to remain the property of TADW Architects in accordance with Copyright: Designs and Patents Act 1988.

Legend

1	Amended following comments from Tames.	22.02.22	AM	MH
2	Roof plan drawn	22.02.22	AM	MH
3	Office escape route amended. Fire door heights corrected	25.01.22	AM	MH
4	Elevations and floor to floor heights revised	25.01.22	AM	MH
5	Amended following preliminary site drawings and information	21.12.21	AM	MH
6	Corner entry and fire escape amended	07.12.21	AM	MH
7	Pillington Way / Blackburn Street corner amended	10.11.21	AM	MH
8	Drawn	21.10.21	AM	MH

Issue Description Date Drawn Checked

Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

tadw architects

For St. Peter's College, Blackpool, Cheshire SK1 1HD
Ph 0151 417 6158 Fx 0151 490 8342 mail@tadw.co.uk www.tadw.co.uk

Client Watson Homes

Job Green Street, Radcliffe

Title Mixed Use Building - Proposed Sections

Scale 1 : 100 @ A1
Note - Prints from PDF files may not be to scale, check accuracy against scale.
10m 1:100

Job No. 121305-TADW-00-ZZ-DR-A-0031-P-7
Operator Ph. Level View Date Drawn Status Rev.



1 Elevation 1 - Blackburn Street
1 : 100



2 Elevation 2 - Blackburn Street
1 : 100

General Notes
01. Dimensions must not be scaled from the drawing. If in doubt, please ask.
02. All dimensions are in millimetres unless noted otherwise.
03. All dimensions should be verified on site before proceeding with the work.
04. TADW Architects shall be notified in writing of any discrepancies.
05. Copyright to remain the property of TADW Architects in accordance with Copyright, Designs and Patents Act 1988.

Legend

8	Grid external wall increased to 240mm, all elevations amended, structural steel columns (basement)	10.10.22	AM	UH
7	Amended tubular columns from 100mm to 150mm, roof plan drawn	22.02.22	AM	UH
6	Office workspace elevations amended, furniture heights corrected	28.01.22	AM	UH
5	Elevations and floor to floor heights amended	20.01.22	AM	UH
4	Amended tubular columns 100mm to 150mm	23.12.21	AM	UH
3	Column and floor to floor heights amended	07.12.21	AM	UH
2	Pilgrimage Way / Blackburn Street corner amended	16.11.21	AM	UH
1	Drawn	21.10.21	AM	UH

Issue Description Date Drawn Checked

Drawing Status

P - Planning T - Tender C - Construction R - As Record

PLANNING

tadw architects

St. Peter's Square Stockport, Cheshire SK1 1HD
Ph 0161 477 0108 Fx 0161 480 9142 mail@tadw.co.uk www.tadw.co.uk

Client Watson Homes

Job Green Street, Raddcliffe

Title Mixed Use Building - Elevations
Sheet 1

Scale 1 : 100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale

0 5 10m
1:100

Job No. 121305-TADW-00-ZZ-DR-A-0028-P-8
Original Pn. Level View Role Dwg. Status Rev.



1 **Elevation 3 - Green Street**
1:100



2 **Elevation 4 - Car Park (Commercial)**
1:100

General Notes
 01: Dimensions must not be scaled from this drawing. If in doubt, please ask.
 02: All dimensions are in millimetres unless stated otherwise.
 03: All dimensions must be verified on site before proceeding with the work.
 04: TADW Architects shall be liable in writing of any site variations.
 05: Copyright to remain the property of TADW Architects in accordance with Copyright, Design and Patents Act 1988.

Legend

Issue	Description	Date	Drawn	Checked
7	Amended following comments from Tames, H&P plan and all	22.02.22	AM	MH
6	Office escape door amended, Furniture heights completed	28.01.22	AM	MH
5	Elevations and floor to floor heights revised	25.01.22	AM	MH
4	Amended following preliminary SE drawings and information	23.12.21	AM	MH
3	Corner display area and facade amended	07.12.21	AM	MH
2	Pilkington Way / Bankhouse Street corner amended	19.11.21	AM	MH
1	Drawn	21.10.21	AM	MH

Drawing Status
 P = Planning T = Tender C = Construction R = As Record

PLANNING

tadw architects

3rd St. Peter's Square, Stockport, Cheshire SK1 1HQ
 Tel: 0161 477 6158 Fax: 0161 480 6342 mail@tadw.co.uk website@tadw.co.uk

Client Watson Homes

Job Green Street, Radcliffe

Title Mixed Use Building - Elevations Sheet 2

Scale 1:100 @ A1
 Note: Prints from PDF files may not be to scale, check accuracy against scale

10m
 1:100

Job No.	Original	Pl.	Level	View	Role	Draw	Scale	Rev.
121305-TADW-00-ZZ-DR-A-0029-					P-			7



General Notes

Legend

	Cost of sales attributable to the two stores	10,750,12	A\$	100	
	Stores return to the supplier (see footnote 1)				
	Amounted to 100% of purchases from the supplier	10,750,12	A\$	100	
	Value added (the difference between the two stores' purchases and sales)	29,250,12	A\$	100	
	The stores' net value added in 1985	29,250,12	A\$	100	
	Amounted to 100% of the net value added	29,250,12	A\$	100	
	Percentage of net value added	97,50,12	A\$	100	
	Percentage of the net value added	97,50,12	A\$	100	
	Percentage of the net value added	29,250,12	A\$	100	

Item	Description	Date	Amount	Cheq
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Drawing Status
F = Financing T = Tender C = Construction R = As Recd

PLANNING

bioRxiv preprint doi: <https://doi.org/10.1101/000000>; this version posted January 1, 2016. The copyright holder for this preprint (which was not certified by peer review) is the author/funder, who has granted bioRxiv a license to display the preprint in perpetuity. It is made available under aCC-BY-NC-ND 4.0 International license.

cadw architects

0000

100

[illegible]

Ps 0153 477 4154 Ps 0153 461 8142 mail@ps.com www.ps.com

Client: Watson Homes

[illegible]

Job	Green Street, Radcliffe
-----	-------------------------

Yr	Mixed Use Building	Elevations
2000	100	100
2001	100	100
2002	100	100
2003	100	100
2004	100	100
2005	100	100
2006	100	100
2007	100	100
2008	100	100
2009	100	100
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2098	100	100
2099	100	100
2100	100	100

Mixed Use Building - Elevations
Sheet 3Scale 1 : 100

Notes: Prices from PDF files may not be in whole, check accuracy against actual

1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398</
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[illegible]

121305-TADW-00-ZZ-DR-A-0030-P-6



General Notes

01. Documents must not be coded from this grouping. If it should, please add.
02. All documents are in accordance unless noted otherwise.
03. All documents must be studied on file before proceeding with the work.
04. 1974-1975 documents shall be marked in writing of any discrepancies.
05. Copyright to remain the property of TACOM Archival in accordance with General Order and Rules for 1974.

Legend

[illegible]

Issue	Description	Date	Owner
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Ordering Status	
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P - Planning T - Tender C - Construction R - As P

PLANNING

PLANNING

100

tadw architect

cdw architects

100

(continued)

Do B. Polanyi's Stockport Cheques B.R.
P.O. 141 477 8138 P.O. 141 426 1243 msb@sewze.co.uk www.john...

Client: **Walson Homes**

Job	Green Street, Radcliffe
-----	-------------------------

[illegible]

Table Residential Buildings - Ground and First Floor Plans

and First Floor Plans

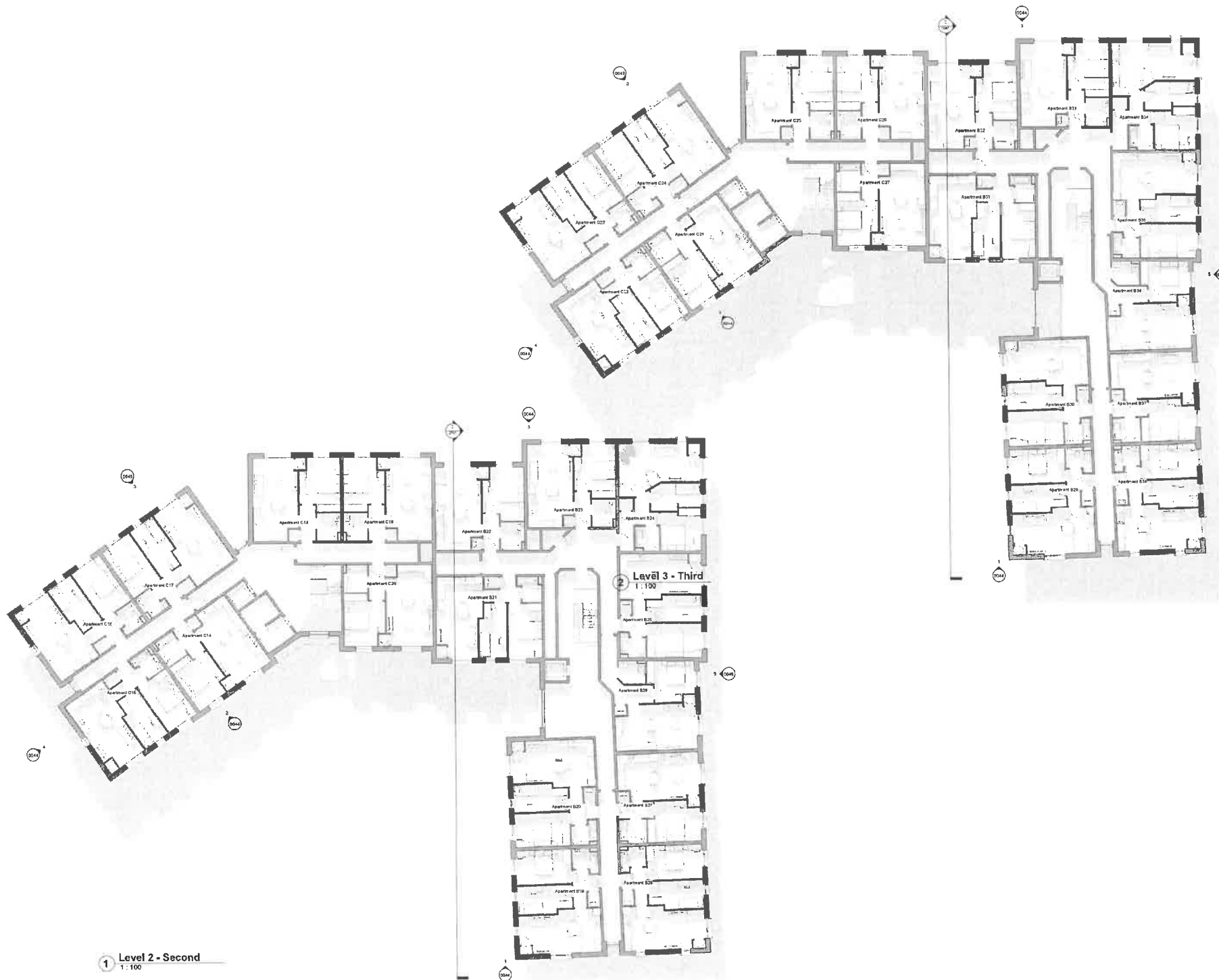
Scale 1:100 @ A0

Take a Photo from POP! It may not be in 2:30, check accuracy again.

[illegible]

Job No. Original Pk. Level View Note Dwg. Date
105-TADIAL-00-33-DB-A-0041-0

121305-TADV-00-22-OR-A-0041-P

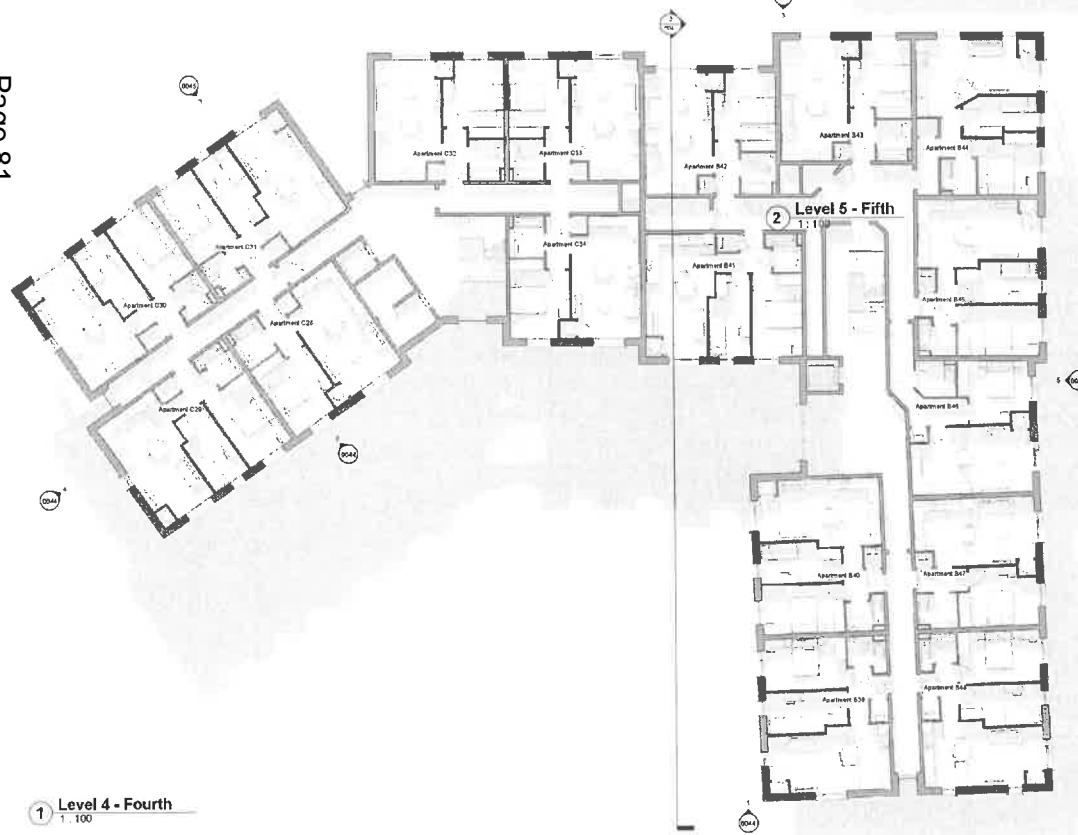


General Notes:
1. All dimensions are in millimeters unless otherwise stated.
2. All dimensions are to the center of the wall unless otherwise stated.
3. All dimensions are to the center of the wall unless otherwise stated.
4. All dimensions are to the center of the wall unless otherwise stated.
5. All dimensions are to the center of the wall unless otherwise stated.

Legend:

Item	Description	Date	Drawn	Checked
1	Level 2 - Second	1:100	AM	AM
2	Level 3 - Third	1:100	AM	AM
3	Level 4 - Fourth	1:100	AM	AM
4	Level 5 - Fifth	1:100	AM	AM
5	Level 6 - Sixth	1:100	AM	AM
6	Level 7 - Seventh	1:100	AM	AM
7	Level 8 - Eighth	1:100	AM	AM
8	Level 9 - Ninth	1:100	AM	AM
9	Level 10 - Tenth	1:100	AM	AM
10	Level 11 - Eleventh	1:100	AM	AM
11	Level 12 - Twelfth	1:100	AM	AM
12	Level 13 - Thirteenth	1:100	AM	AM
13	Level 14 - Fourteenth	1:100	AM	AM
14	Level 15 - Fifteenth	1:100	AM	AM
15	Level 16 - Sixteenth	1:100	AM	AM
16	Level 17 - Seventeenth	1:100	AM	AM
17	Level 18 - Eighteenth	1:100	AM	AM
18	Level 19 - Nineteenth	1:100	AM	AM
19	Level 20 - Twentieth	1:100	AM	AM
20	Level 21 - Twenty-first	1:100	AM	AM
21	Level 22 - Twenty-second	1:100	AM	AM
22	Level 23 - Twenty-third	1:100	AM	AM
23	Level 24 - Twenty-fourth	1:100	AM	AM
24	Level 25 - Twenty-fifth	1:100	AM	AM
25	Level 26 - Twenty-sixth	1:100	AM	AM
26	Level 27 - Twenty-seventh	1:100	AM	AM
27	Level 28 - Twenty-eighth	1:100	AM	AM
28	Level 29 - Twenty-ninth	1:100	AM	AM
29	Level 30 - Thirtieth	1:100	AM	AM
30	Level 31 - Thirty-first	1:100	AM	AM
31	Level 32 - Thirty-second	1:100	AM	AM
32	Level 33 - Thirty-third	1:100	AM	AM
33	Level 34 - Thirty-fourth	1:100	AM	AM
34	Level 35 - Thirty-fifth	1:100	AM	AM
35	Level 36 - Thirty-sixth	1:100	AM	AM
36	Level 37 - Thirty-seventh	1:100	AM	AM
37	Level 38 - Thirty-eighth	1:100	AM	AM
38	Level 39 - Thirty-ninth	1:100	AM	AM
39	Level 40 - Fortieth	1:100	AM	AM
40	Level 41 - Forty-first	1:100	AM	AM
41	Level 42 - Forty-second	1:100	AM	AM
42	Level 43 - Forty-third	1:100	AM	AM
43	Level 44 - Forty-fourth	1:100	AM	AM
44	Level 45 - Forty-fifth	1:100	AM	AM
45	Level 46 - Forty-sixth	1:100	AM	AM
46	Level 47 - Forty-seventh	1:100	AM	AM
47	Level 48 - Forty-eighth	1:100	AM	AM
48	Level 49 - Forty-ninth	1:100	AM	AM
49	Level 50 - Fiftieth	1:100	AM	AM

121305-TADW-00-ZZ-DR-A-0042-P-10



Project Data

1. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

2. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

3. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

4. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

5. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

6. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

7. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

8. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

9. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

10. The architect shall not be held responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

Legend

P - Planning T - Tender C - Construction R - As Revised

PLANNING

tadw architects

100 Bedford Street, Boston, MA 02108
Tel: 617.452.1234 Fax: 617.452.1235 email: info@tadw.com website: www.tadw.com

Client Walson Homes

Job Green Street, Radcliffe

Title Residential Buildings - Fourth and Fifth Floor Plans

Scale 1:100 @ A0

Notes: Please refer to the project brief for more information. The architect is not responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.

100 Bedford Street, Boston, MA 02108
Tel: 617.452.1234 Fax: 617.452.1235 email: info@tadw.com website: www.tadw.com

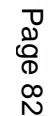
Client Walson Homes

Job Green Street, Radcliffe

Title Residential Buildings - Fourth and Fifth Floor Plans

Scale 1:100 @ A0

Notes: Please refer to the project brief for more information. The architect is not responsible for the design of the building, unless it is shown that the architect has been negligent in the design of the building.



General Notes

1. Circulation must not be taken from this library. If in doubt, please ask.
2. All documents are in English unless noted otherwise.
3. All documents should be verified as far as before proceeding with the work.
4. TCMV Archives shall be notified in writing of any discrepancies.
5. Copyright is preserved in the property of TCMV Archives in accordance with Copyright Design and Patent Act 1988.

Legend

Variable	Mean	SD	Min	Max
Age (years)	21.3	1.5	18	24
Gender (male/female)	16.3%	1.2	10	15
Education (high school/college/university)	10.1%	1.1	5	15
Income (monthly)	10.1%	1.1	5	15
Health status (good/bad)	10.1%	1.1	5	15
Smoking status (smoker/non-smoker)	10.1%	1.1	5	15
Alcohol consumption (yes/no)	10.1%	1.1	5	15
Exercise frequency (times/week)	10.1%	1.1	5	15
Stress level (low/high)	10.1%	1.1	5	15
Family size (number of members)	10.1%	1.1	5	15
Marital status (married/single/divorced)	10.1%	1.1	5	15
Occupation (student/worker/unemployed)	10.1%	1.1	5	15
Religion (Islam/Christianity/Hinduism/Buddhism/Judaism)	10.1%	1.1	5	15
Political affiliation (Democrat/Republican/Independent)	10.1%	1.1	5	15
Travel frequency (times/month)	10.1%	1.1	5	15
Internet usage (hours/week)	10.1%	1.1	5	15
Smartphone ownership (yes/no)	10.1%	1.1	5	15
Car ownership (yes/no)	10.1%	1.1	5	15
Home ownership (yes/no)	10.1%	1.1	5	15
Pet ownership (yes/no)	10.1%	1.1	5	15
Gardening frequency (times/week)	10.1%	1.1	5	15
Volunteering frequency (times/month)	10.1%	1.1	5	15
Charitable donations (times/month)	10.1%	1.1	5	15
Political participation (times/month)	10.1%	1.1	5	15
Community involvement (times/month)	10.1%	1.1	5	15
Religious participation (times/month)	10.1%	1.1	5	15
Health checkups (times/year)	10.1%	1.1	5	15
Vaccination status (up-to-date/not up-to-date)	10.1%	1.1	5	15
Insurance status (insured/uninsured)	10.1%	1.1	5	15
Disability status (disabled/not disabled)	10.1%	1.1	5	15
Substance use (drugs/alcohol/tobacco)	10.1%	1.1	5	15
Mental health status (good/bad)	10.1%	1.1	5	15
Physical health status (good/bad)	10.1%	1.1	5	15
Life satisfaction (high/low)	10.1%	1.1	5	15
Overall well-being (good/bad)	10.1%	1.1	5	15

Form	Discussion	Date	Drawn	Checked
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Drawing Status

P - Planning T - Tender C - Construction R - As Record

<p>PLANNING</p>

PLANNING

[illegible]

body 1200

cadw architects

100

100%

In Palangas Street Cheshire SK1 1AD
Tel:0114778196 Fax:0114788547 mal@medicash.com.uk

Chad 145,400,000,000

Client: Watson Homes

Job **Green Street, Dordrecht**

Green Street, Radcliffe

T.5e Residential Buildings - Elevations.

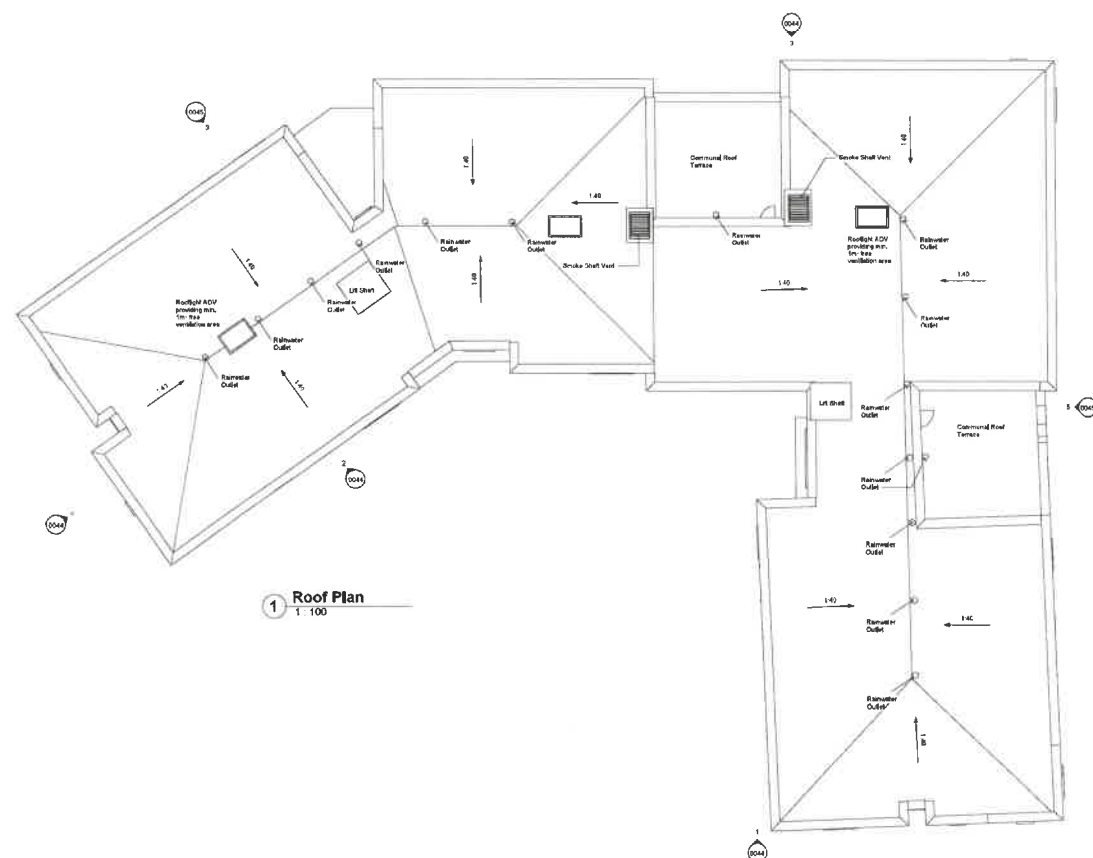
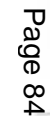
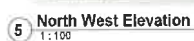
Roof Plan and Section 1

Scale 1:100 @ A0

Note—Prices from PCF App may not be in stock, check accuracy against retail.

Job No.	Originator	Pct. Comp.	Lead	View	Rate	Org.	Status	Rev.
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121305-TADW-00-ZZ-DR-A-0045-P-7



General Notes

21. Dimensions must not be scaled from this drawing. If in doubt, please ask.

22. All dimensions are in millimeters unless noted otherwise.

23. All dimensions should be verified on site before proceeding with the work.

24. T&E Architects shall be notified in writing of any discrepancies.

25. Copyright © 1999 The Property of T&E Architects in accordance with Copyright Design and Patent Act 1988.

1	Wheat yield (t/ha) at 0-100 mm depth	2010-11	ARI	NA
2	Wheat yield (t/ha) at 100-200 mm depth	2010-11	ARI	NA
3	Wheat yield (t/ha) at 200-300 mm depth	2010-11	ARI	NA
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Item	Description	Date	Street	City
Drawing Status				
P - Planning	T - Tender	C - Construction	R - As Recd	

PLANNING

tadw architects

[illegible]

Client **Watson Homes**

Job	Green Street, Radcliffe
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Title	Residential Buildings - Elevation Roof Plan and Section 1
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Scale 1 : 100 @ A0

Note—Print from PDF files may not be to scale, check accuracy against original.

Job No.	Originator	Qty.	Level	View	Slide	Orig.	Station
121305-TADW-00-ZZ-DR-A-0045-P-							









Ward: Ramsbottom + Tottington - Tottington

Item 04

Applicant: Mr Jason Briggs

Location: Kirklees Valley Farm, Kirklees Street, Tottington, Bury, BL8 3NY

Proposal: Erection of single storey dwelling to replace existing dwelling

Application Ref: 69555/Full

Target Date: 08/06/2023

Recommendation: Approve with Conditions

Description

The application concerns a plot of land which is located within the Green Belt, River Valley and Wildlife Link and Corridor. It is also designated an Informal Recreation Area. The site is on the boundary with a Grade A Site of Biological Interest (SBI) to the east and Kirklees Local Nature Reserve (LNR) beyond this.

There are residential properties to the west on Kirklees Close and open fields to the south.

The land within the applicants ownership is circa 1.5 ha which includes land surrounding the application site.

A large part of the site comprises a variety of structures and buildings, hardstandings, building rubble and vehicles. Parts are overgrown with vegetation. On the entrance to the site to the west, are some containers/buildings and there is a timber built stables approximately half way into the site on the western boundary. To the east of the entrance the area is overgrown with vegetation and trees. There are also bits and pieces such as planks of wood, piles of building rubble, a greenhouse frame and such like.

The site as a whole could be described as fairly untidy.

The site is accessed off Kirklees Street which serves the residential properties to the west and which turns into a rough unmade lane approximately 78m from the site. There is an existing green palisade fence and gates to the site entrance.

Background

A small part of the land benefits from a lawful residential use by the grant of a Lawful Development Certificate in September 2021 (ref 66959), where it was established that the caravan/mobile home which had been sited on the plot was of a permanent character, being anchored to the ground and unmovable. It was also established the 'dwelling' had been in situ for more than 4 years.

This dwelling is sited in the westerly part of the application plot.

The plot has a hardstanding surface and is bounded in part to the west by a fence and trees and at the rear by a timber boarded fence.

In October 2021 a retrospective planning application was submitted seeking the replacement of the existing dwelling with a new single storey dwelling as this dwelling had already been brought onto the site. It had been located next to the existing on the eastern side and comprises a single storey modular type with rendered external walls and a felt pitched roof. It was set slightly above ground but anchored in position. Internally, accommodation comprised a lounge, dining/kitchen, 2 bedrooms and WC facilities.

The proposed plans showed a garden area of 9m to the western side would be provided with an 11m wide hardstanding and parking area in front. The garden shed was to be retained.

The application was refused for 3 reasons -

- Failure to demonstrate very special circumstances to outweigh harm caused to the openness of the Green Belt
- Impact on openness of the Green Belt due to the extent of hardstanding and associated domestic paraphernalia
- Size, scale, position of the dwelling on the site and impact on openness of the Green Belt.

The Applicant appealed the planning decision which was dismissed by the Planning Inspector in August 2022 for reasons of:

- Greater impact on the spatial and visual openness of the Green Belt than presently exists
- Very Special Circumstances not demonstrated to outweigh harm caused to the Green Belt.

The Inspector therefore concluded the proposal would amount to inappropriate development.

This application seeks to address the reasons for refusal and the Planning Inspector's decision by the submission of this revised scheme.

The application seeks to retain the dwelling but now proposes to re-position it in a different location on site. This would involve permanently removing the stable block on the western boundary from site and replacing it with the proposed dwelling. It is also proposed to remove 5 other structures/containers on site and the former dwelling (granted under the prior approval consent)

The development would utilise the existing access which runs through the site and parking for 2 cars located nearby with a small amount of amenity space next to the dwelling.

Trees along the site boundary would be retained and there are proposals for new planting around a new residential area.

The applicant has provided comparative areas and volumes of the new dwelling and structures proposed for removal as follows -

Existing

Area of buildings to be demolished/removed = 90.1 sqm

Volume = 220 m3

Proposed

Area = 63.5 sqm

Volume = 189 m3

Net effect

Area = - 27 sqm (- 30% on site)

Volume = - 31 m3 (- 14% on site)

Relevant Planning History

59822 - Proposed manege for domestic use - Approve with Conditions 28/04/2016

66959 - Certificate of lawfulness for the residential use of a caravan -2/9/21

67532 - Erection of single storey dwelling to replace existing dwelling - refused 21/12/2021.

Dismissed at appeal 3/8/22

17/0450 - Creation of access road and erection of fencing - 25/02/2019

Publicity

Letters sent on 25/4/23 to 9 properties.

Site notice posted 4/5/23

Press advert 4/5/23

5 representations received.

4 objections.

1 Support

Objections

- Comments made on previous application still apply. This application should be for the retrospective use of a replacement dwelling on the land.
- The dwelling whilst perhaps being made of wood, is not wooden in its appearance. It appears to be a bright white rendered bungalow which is easily visible on the land.
- Challenge the legitimacy of using poorly insulated caravan as a reason to replace this - a choice by the applicant dispute the exceptional circumstances and from the application itself this is more than a third increase in size. This will impact the Green Belt land, it is visible from many directions.
- The dwelling would be materially larger - three times larger - and VSC not demonstrated
- National space standards is not national policy which would include this "dwelling", it is a pre-existing structure so would not fall under this guidance, nor is the housing standards review package a building regulation. The site has been developed and destroyed slowly over the years.
- Is inappropriate development for Green Belt land and IS inappropriate for the character and appearance of the land itself based on the type and size of the development requested.
- Not in keeping with the surrounding land
- This appears to be a duplicate application to the previous denied application 67532
- The proposed development has a direct impact on nearby residents' properties. I and my immediate neighbours can clearly see the newly erected 'bungalow' and numerous sub buildings/heavy plant items/discarded mobile/static caravans dotted throughout the site. The previous smaller mobile caravan was proportionately smaller/ lower and in such a position that it overlooked my property to a lesser degree.
- Not only is the development situated in a green belt area, it is also situated in a river valley and squarely in the middle of 'Kirklees Valley Nature Reserve' and 'Kirklees nature trail'. This has had significant development by Bury council. I believe the development to be wholly inappropriate in this important area
- The current building has been in situ and occupied since that initial application denial/refusal, how was this possible?
- Unaware that it was being used for "Residential" purposes already, the area is supposed to be "Greenbelt" and the trees and land around the proposed site are inhabited & visited by a large variety of wildlife including Bats, Woodpeckers / various other birds, Roe Deer etc.
- Concerned about the impact of a larger building will have upon this wildlife.
- Concerns regarding provision of services to the site, especially electricity, will it be a Generator? If so will it be turned off at night so as not to create a nuisance?
- The area at the moment looks nothing like any "Farm" that I have seen before, it has looked like a builders yard for at least the last 10 years and does not appear suitable for a young child or family to be living in, I appreciate that this is Mr Briggs & his families personal choice, but does the Council not have a "Duty of Care" towards the Family?
- The proposed dwelling is out of keeping with the green belt & local nature reserve location. It sets a precedent for future development of substantial residential buildings in the nature reserve which is an SBI.
- The proposed dwelling is substantially larger than the existing one and therefore

contrary to the NPPF which states it should not be 'materially larger than the one it replaces'.

- The proposed dwelling is very close to a number of ponds which, according to Bury Council's website, are "used by feeding bats, amphibians & colonised by flora associated with wetland habitats. This is the main reason for the designation of Kirklees Valley as an SBI". It is also surrounded by the habitats of a number of other animals living in the nature reserve. These would be negatively impacted by the development.

Support

I have no objections to this planning application.

I hope the application is granted

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

Public Rights of Way Officer - No objection.

Borough Engineer - Drainage Section - No response received.

United Utilities (Water and waste) - No objection

Greater Manchester Ecology Unit - No objection subject to conditions/informative

Fire service - Response to be reported in the supplementary agenda

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
EN6/4	Wildlife Links and Corridors
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
RT3/2	Additional Provision for Recreation in the Countryside
EN7/5	Waste Water Management
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Policies - Green Belt

Chapter 13 - Protecting Green Belt Land, Paragraphs 147 and 148 state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except

in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 states that the construction of new buildings is inappropriate development in the Green Belt. Exceptions to this include point d) for the replacement of a building, provided the building is in the same use and not materially larger than the one it replaces and g) 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:

UDP Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings is inappropriate development unless it meets one of the 4 exceptions, one of which includes limited extension, alteration or replacement of existing dwelling, provided that they would not result in disproportionate additions over and above the size of the original dwelling.

UDP Policy OL5/2 - Development in River Valleys states that new buildings or changes of use of existing buildings will not be permitted. Where a site falls within an area designated as green belt the established Green Belt policies will apply.

UDP Policy EN1/1 - Visual Amenity - Development should not be permitted where proposals would have a detrimental effect on the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Area or the river valleys. The wider consideration of the effect on visual amenity is necessary in sensitive areas to ensure that developments are not inappropriate by reason of their siting, materials or design.

SPD8 - New Buildings and Associated Development in the Green Belt provides additional advice and guidance, particularly with reference to siting, design, materials, the scale and form of a development.

Principle - The principle of a residential use is established under a Lawful Development Certificate ref 66959 where it was judged the structure, (which was a caravan in its original form when moved on site), was permanent by the way it had been physically secured to the ground. Furthermore, the structure had undergone modifications which acquired a degree of permanence which allowed it to be considered a building as opposed to a caravan. It was also established that the structure had been in situ for more than 4 years under the legal test.

As a replacement dwelling, the proposed development should be assessed under paragraph 149 d) of the NPPF, the assessment of which is to consider whether it would result in a disproportionate addition over and above the size of the existing and thereon whether there would be a material impact on the openness of the Green Belt. As the development involves land an previously developed site, in that it has a lawful part residential use and is occupied by a permanent structure, ie the stables, the proposed development could also be assessed under para 149 g) of the NPPF as previously developed land.

In this case, the proposed replacement dwelling just in itself would be materially larger comparative to the former dwelling and as such would be a disproportionate replacement and inappropriate development and contrary to para 149 d).

Therefore Very Special Circumstances would be required to be demonstrated, whereby potential harm resulting from the proposal could be clearly outweighed by other considerations.

In terms of para 149 g), the assessment needs to consider if the proposed development

would have a greater impact on the openness of the Green Belt than the existing. The application proposes to remove the stable block and re-site the dwelling on the same footprint. It is also proposed to remove other structures including containers and sheds from the site.

This forms part of the applicant's case for Very Special Circumstances which is included in the assessment below.

Assessment and Very Special Circumstances

The approach to development in the Green Belt should be one which is sympathetic and appropriate to a location of a sensitive and special setting and character.

Whilst there would be a net increase in terms of the size of the replacement dwelling, the applicant has sought to address the issue of impact on openness by proposing to re-site the dwelling in an alternative location closer to the site entrance and where there are already existing structures which includes the stable block.

It is proposed to remove the stable block permanently from the site and relocate the dwelling on its footprint, slightly further forward to avoid the tree canopies which are formed along the western boundary.

The proposed dwelling has a volume of 189 m³. The stable building has a volume of 175 m³ and together with the removal of the former dwelling there would be a total volume of 220 m³ removed. This would result in a net loss of built development on site.

It is also proposed to remove 5 other containers/sheds on site which have not been included in the existing volume calculations as they are of a temporary nature and a questionable planning status but their removal would also benefit the site in terms of visual improvement and thereon Green Belt openness and adds to the applicant's case.

Locating the dwelling towards the northern area of the site on the footprint of the stables would mean that all the built form would be located towards the front of the site on one area, leaving the remaining site open.

In addition, the alternative location would also utilise existing areas of hardstanding where a car/cars could park and thereby cause less encroachment into the Green Belt than currently exists.

Indeed, in their appeal decision to the previous application, the Planning Inspector acknowledges and questions why the applicant had not explored this option in their previous application. The Inspector also noted that the removal of the structures would benefit the openness of the Green Belt.

Openness and impacts on openness are not just defined by volume alone.

Indeed, according to case law in the Court of Appeal judgement *Turner v Secretary of State* 2016 at para 14, "The concept of openness of the green belt is not narrowly limited to volumetric approach..... (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspects which the Green Belt presents."

In terms of character and appearance of the development, the Inspector noted that the replacement dwelling would be a single storey modular building of simple design and although materially larger in itself would be modest.

The inspector was also satisfied that the hardstanding and domestic paraphernalia would not cause harm to the character and appearance of the surrounding area including the character. The Inspector concluded that the development would not have a detrimental effect on visual amenity both within or viewed from areas of environmental interest.

Whilst this assessment was based on the previous proposal to retain the dwelling in its current position, similarly so in this case, the amount of residential curtilage would not be dissimilar. In fact, it could be argued that the proposed site would incur even lesser harm in this respect as the proposed hardstanding and garden area would utilise an existing area of footprint and the access into the site. A condition would also be included to ensure the existing site be planted/grassed over which would improve the overall visual appearance of

the site.

The application site is largely hidden from public viewpoints by trees and boundary fencing. The proposed dwelling, whilst larger, is still relatively small and single storey. In terms of siting, the proposed dwelling would be positioned close to the western boundary which is heavily planted with trees and bushes and therefore the dwelling would be screened from wide public views from that direction. The additional landscaping proposed around the residential curtilage would further obscure views from the south west. The applicant's land ownership extends significantly to the east by approximately 60m where it drops down to the ponds beyond which are also heavily screened by trees and vegetation.

All in all the site is well screened from wider views and it is considered that the re-siting of the dwelling to the proposed position would be a significant improvement to where the dwelling is currently located.

As discussed above, the removal of the stables and structures would add substantial weight to the applicant's case.

Other Very Special Circumstances

To advance their case to retain the proposed dwelling on site, albeit relocated, the applicant stated that the former dwelling was extremely limited in space, failed space standards and was very poorly insulated and in no state to continue to provide an appropriate standard of accommodation for family living.

The Inspector gave modest weight to the consideration of the quality of the living conditions. In balancing the overall appeal decision, the inspector stated that when drawing the case together in its entirety, "*the other considerations advanced results in a finely balanced decision..... butdo not, on balance clearly outweigh the totality of the harm that I have found.*" Consequently, it was concluded that the very special circumstances necessary to justify the development did not exist.

The Inspector's appeal decision did not however, account for the re-siting of the proposed dwelling to an area of previously developed land, nor for the removal of the stables and other structures on site. The Inspector also considered that the replacement dwelling itself in terms of appearance and design and associated domestic paraphernalia and hardstanding would not conflict with policy EN1/1 or SPD8 which provided advice on how the character of the Green Belt is maintained and where possible improved.

Conclusion

In weighing up the applicant's case for the retention and re-siting of the proposed dwelling and taking into consideration the removal of the stables and other structures there can be no doubting the significant benefit which would be gained by the relinquishing of developed land to 'open' Green Belt land and which adds great weight to the applicant's case.

As is clear from the Turner case, the characteristics of a Green Belt site can be wide and varied and this must be taken into consideration when considering the development proposals.

Permitted development rights would need to be removed for domestic type structures and paraphernalia to ensure there would be controls to retain the open areas of Green Belt within the 'developed' site.

Impact on residential amenity - The site is fairly remote in terms of its relationship to other residential properties. The houses to the west on Prospect Place and Avallon Close are circa 60m away and there is significant tree planting and shrubbery which already screens the western boundary from views. This landscaping would be retained and additional planting added to the southern boundary of the residential curtilage. Given the distance away and screening of the site it is considered there would not be any impacts from overlooking or issues of privacy and longer range views of the proposed dwelling would be limited, if at all.

It is therefore considered that the proposed development would be acceptable and comply

with EN1/2, H2/1 and H2/2.

Highways - The site is located off a Public Right of Way (52 TOT). The site has been accessed by motorised vehicles for a number of years and the route also used by vehicles and those visiting the fishing lodges. As such, it is considered that there would be no issues with continuing to use the PRow and access lane as it currently exists.

Furthermore, the scale of the proposed development would not introduce additional numbers of vehicles beyond the scope which currently exists.

The site is located in a relatively remote location, and the fire service have been consulted due to the extent of the single lane access. A response has not been received to date and will be reported in the Supplementary Agenda if received.

For similar developments in more remote locations, the Fire Service have responded as follows -

- The Fire Service requires vehicular access for a fire appliance to within 45m of all points within the dwellings.
- The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes. Additionally if the access road is more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required, preventing a fire appliance from having to reverse more than 20m.
- The maximum length of any single access cul-de-sac network should be 250 meters.
- There should be a suitable fire hydrant within 165m of the furthest dwelling.
- The Fire Service strongly supports the installation of domestic sprinkler systems as a positive measure to protect persons.

The applicant has acknowledged the fire service requirements and states that the access lane is wide enough to accommodate a fire engine. There is also a large pond nearby from which a pipe leads to the site. The applicant would also be willing to accept a condition for the installation of a sprinkler system within the dwelling.

The site already benefits from the lawful use for residential purposes by the grant of the Lawful Development Certificate and as such, a replacement dwelling would be no different. Arguably the replacement dwelling is built to a higher specification, is newer and therefore less likely to be a fire hazard plus there is the benefit of installing a sprinkler system.

As such, the proposed development is considered to be acceptable.

Drainage - There is an existing septic tank which currently serves the dwelling and which would serve the dwelling in its new location. Any connections to public systems would require the approval of United Utilities.

Ecology

Summary

Potential ecological issues include bats, nesting birds and biodiversity mitigation and enhancement.

Proximity to Kirklees Valley SBI & LNR

The revised location does not increase the risk of negative impacts to the ecological value of the Valley. GMEU would not require further information or measures in this respect.

Bats

The new application includes the demolition of the stables. The applicant has described the building and noted that this type of building is a very low risk structure. Internal and external photographs have also been supplied.

GMEU are satisfied that the building is very low risk. No bat survey required.

Nesting Birds

Whilst trees and shrubs are shown as primarily retained, the structures proposed for

removal may provide nesting opportunities for species such as swallow. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. As a precaution, GMEU recommend a condition be applied to any permission to restrict the removal of /works to trees or shrubs.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development is located on very low value habitats, with existing trees retained and new screen planting proposed. GMEU are satisfied that if the planning is native and appropriate to the location mitigation and enhancement will be achieved. Mitigation may also be required for nesting birds and this is a good location to install bat boxes. The details can be conditioned.

Response to objections

- It is considered that Very Special Circumstances have been demonstrated which would outweigh harm caused to the openness of the Green Belt as detailed above.
- The Planning Inspector accepted the character and appearance of the proposed dwelling would not conflict with Green Belt policy.
- This application is not a duplicate of the previous refusal. It is proposed to re-position the dwelling in an alternative location on site and remove previously developed structures. The assessment above details the proposals. It is therefore considered that some previous objections made would not be relevant to this application.
- The proposed dwelling would be more than 60m away from the nearest residential properties and substantially screened by landscaping. It is concluded there would not be an issue of overlooking now would local residences have significant views of the proposed dwelling.
- The dwelling would be approx 35m from the SBI and 55m from the LNR and therefore these areas would be unaffected by the siting of the development. GMEU have confirmed the revised siting of the dwelling would not negatively impact the ecological value of the valley.
- The applicant has taken appropriate steps to find an alternative solution to retain the replacement dwelling on site and by the submission of this planning application. The LPA consider it would not be expedient to enforce on this matter, if required, until the outcome of the application had been determined.
- All other issues have been covered in the above report.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in 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 - Existing site plan and proposed sections JB-17-05-23-A2; Proposed site plan and building section JB-17-05-23-B(2) amended 5/6/23; Location plan JB-210920 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. Within 2 months of the re-siting of the dwelling to the approved position, the structures shown hatched in grey and the former dwelling subject of the Lawful Development Certificate as shown on the existing site plan and proposed sections plan JB-17-05-23-A2 shall permanently be removed from site and the land re-instated to a grassed surfacing within 12 months or the first available planting season, which shall thereafter be maintained.
Reason. The application is considered acceptable subject to the removal of existing structures to maintain the openness and character of the Green Belt pursuant to Bury Unitary Development Plan Policies OL1/2, EN1/1, EN9/1 and the principles of the NPPF.
4. Following the re-siting of the dwelling hereby approved, connection shall be made to the existing septic tank.
Reason. To ensure suitable drainage of the site pursuant to UDP Policy EN7/5 - waste Water Management and the principles of the NPPF.
5. No works to trees or shrubs shall occur or demolition commence 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.
6. Prior to the occupation of the development hereby approved, details of the proposed landscaping plan shall be submitted to and approved by the Local Planning Authority. The contents of the plan should include native tree and shrub planting and the provision of bat/bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the dwelling 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.
7. The vehicular and pedestrian access arrangements, turning facilities and bin storage/collection arrangements for the new dwelling within the curtilage of the site 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. In the interests of highway safety and 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 EN1/2 - Townscape and Built design and H2/2 the Layout of New Residential Development.
8. The car parking for the new dwelling indicated on the approved plans, shall be surfaced and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off-street car parking and to allow adequate space to

maintain a vehicle clear of the highway in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

9. Prior to first occupation of the development hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in the dwelling hereby approved and shall thereafter be maintained at all times.

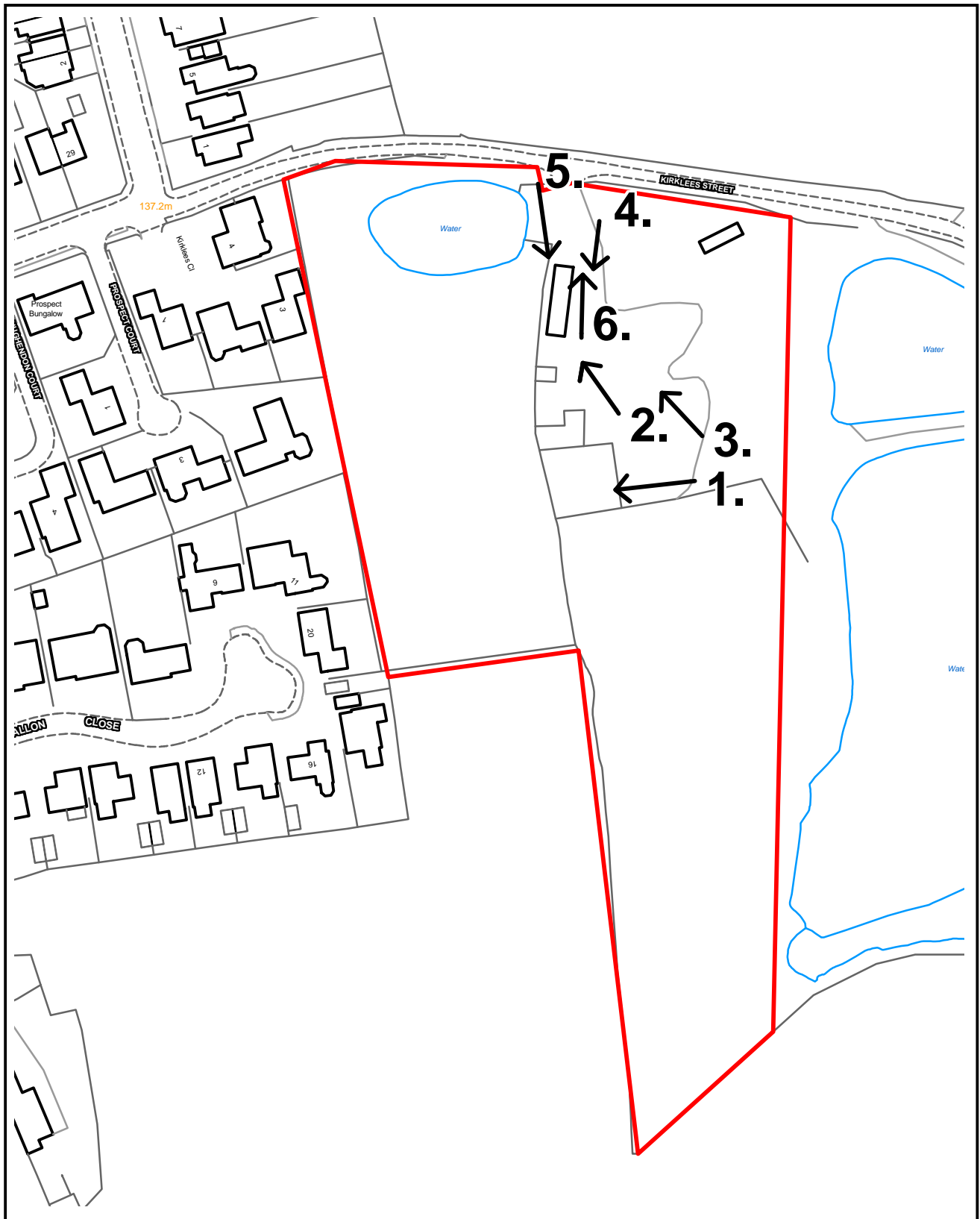
Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

10. 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 and Class A of Part 2 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.

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

Viewpoints - Item 04



PLANNING APPLICATION LOCATION PLAN

APP. NO 69555



ADDRESS: Kirklees Valley Farm Kirklees Street Tottington

Bury
COUNCIL

Planning, Environmental and Regulatory Services

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Item 04 – 69555

Photo 1



Photo 2



Photo 3



Photo 4



Item 04 – 69555

Photo 5



Photo 6

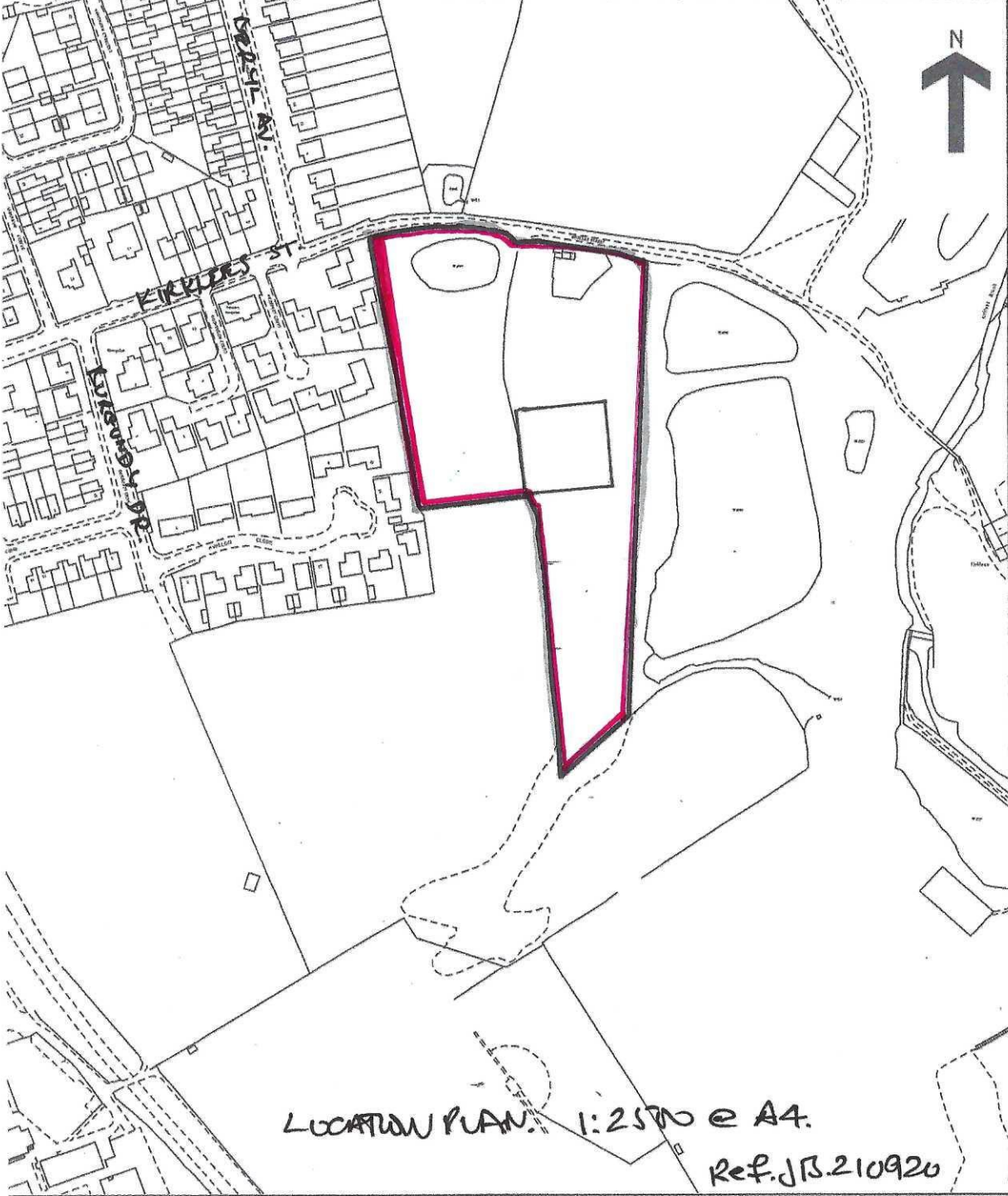


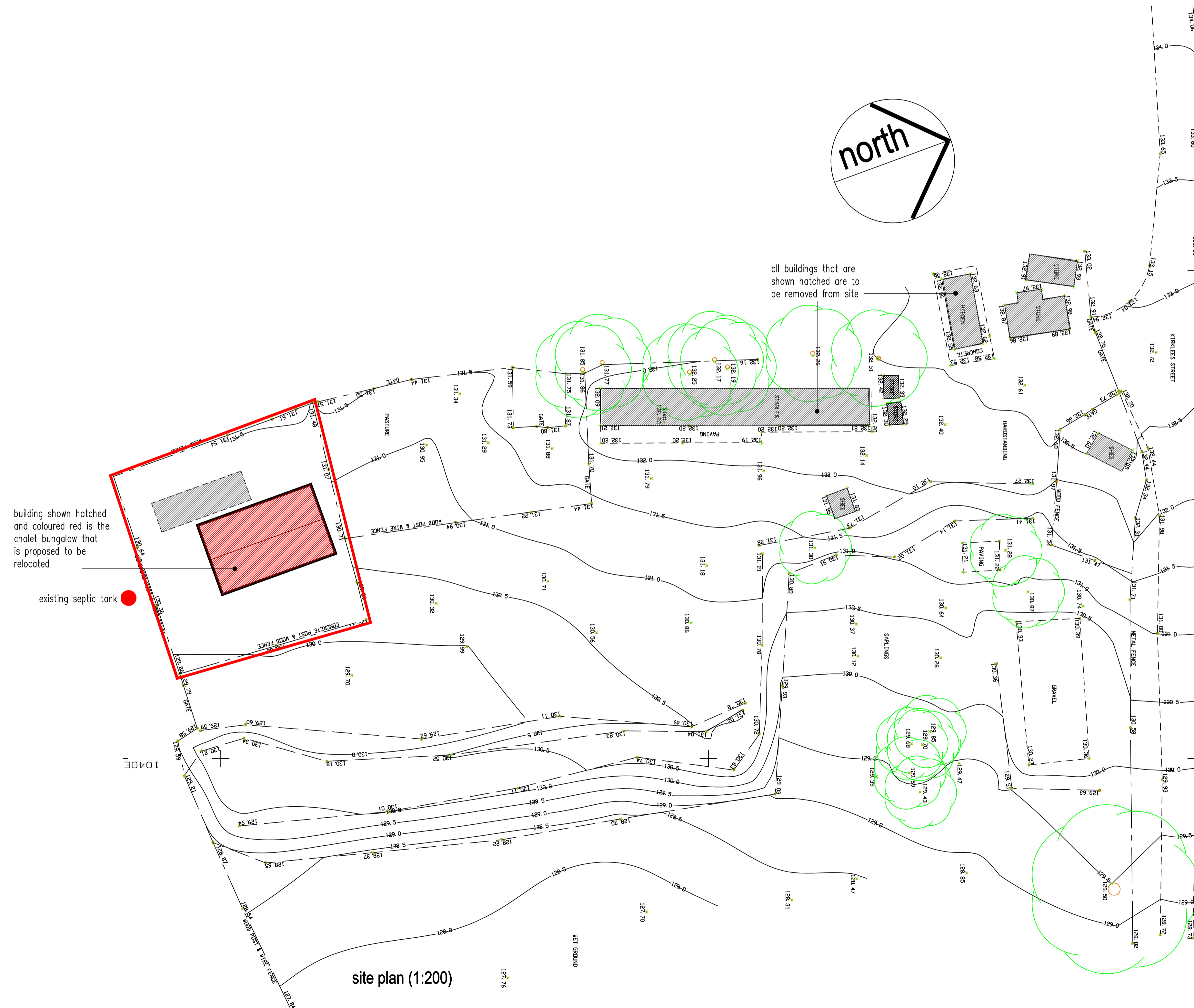
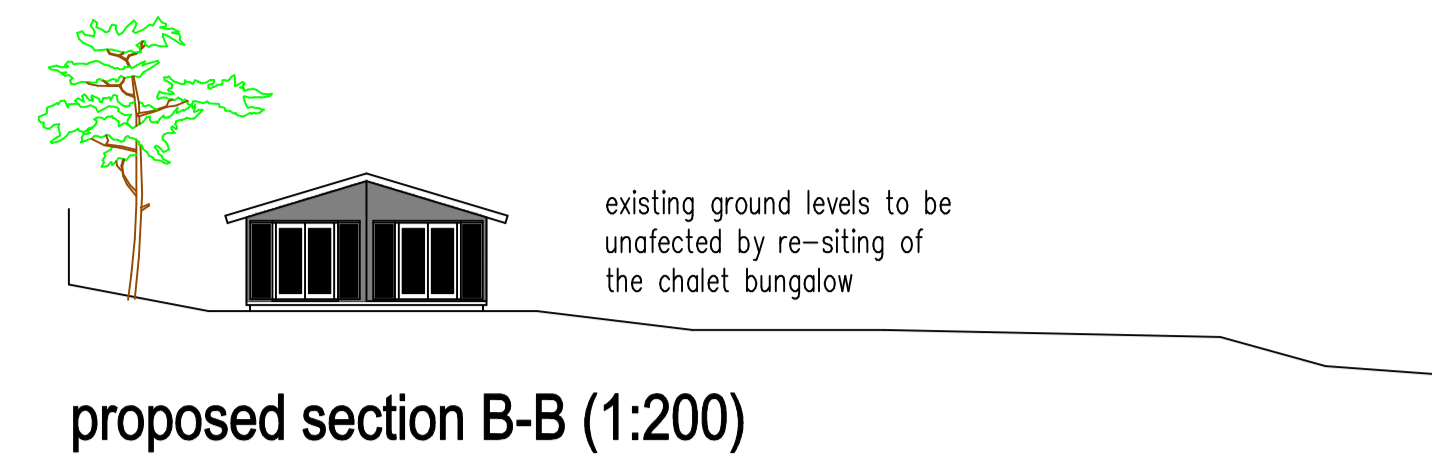
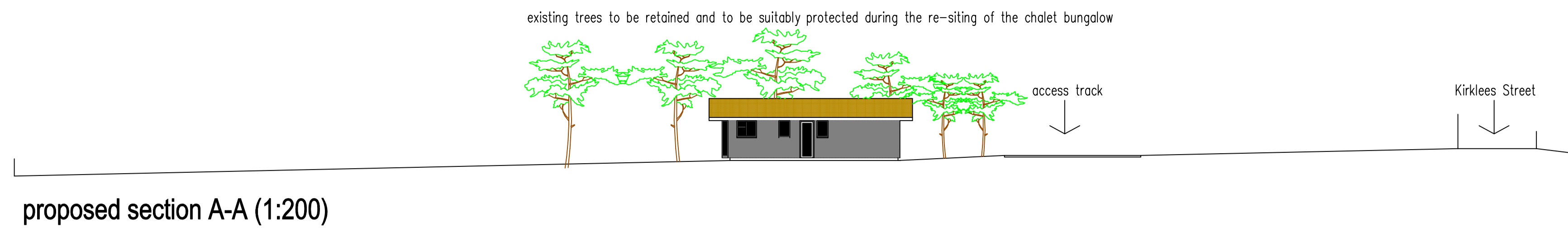
HM Land Registry
Current title plan

Title number **GM890682**
Ordnance Survey map reference **SD7813SW**
Scale **1:2500 reduced from 1:1250**
Administrative area **Greater Manchester :**
Bury



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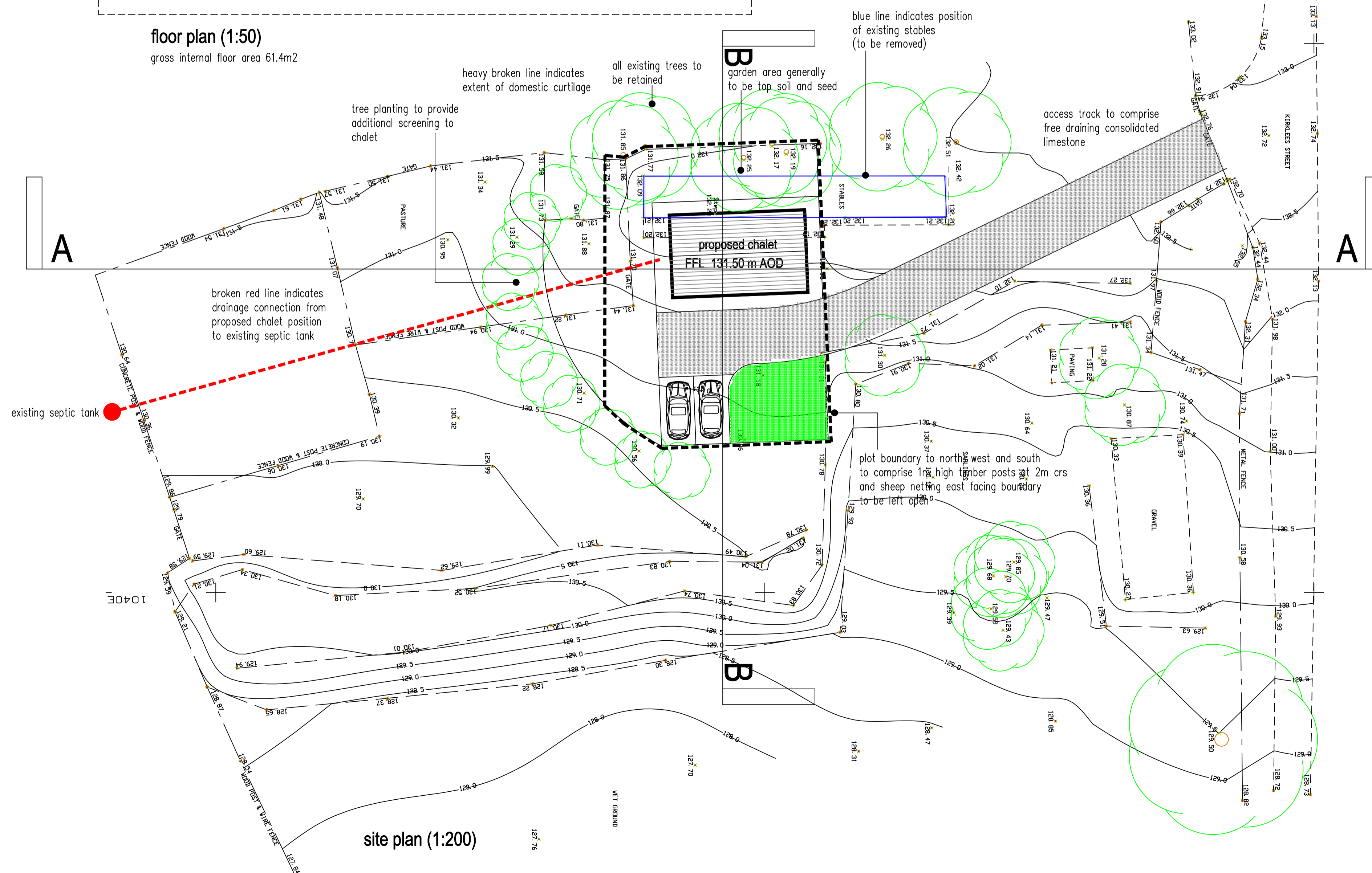
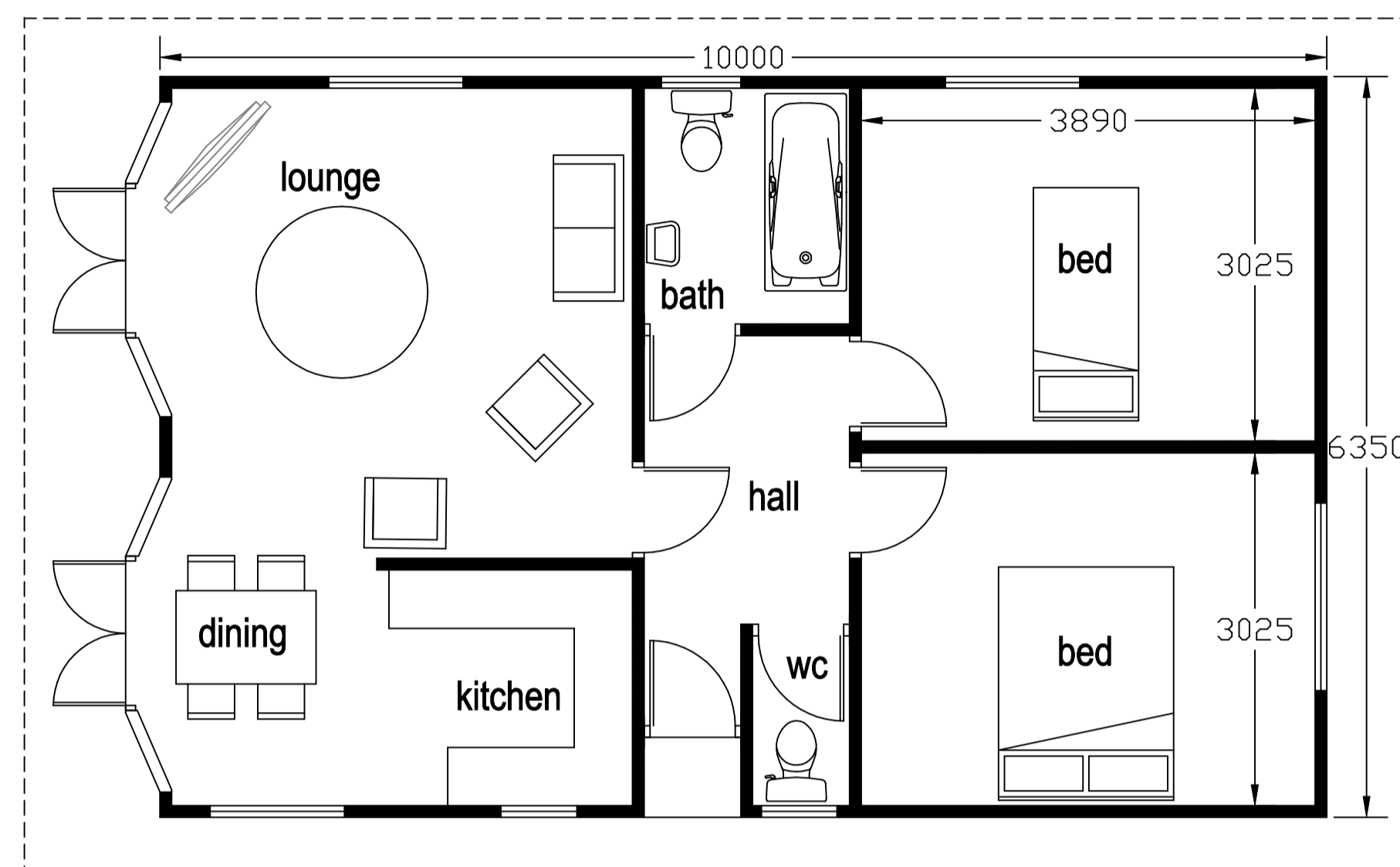
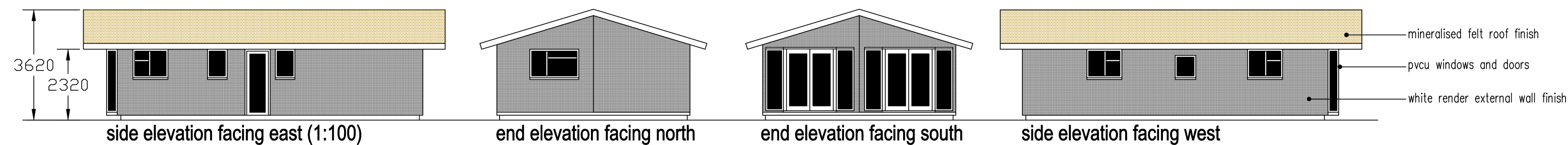


existing site plan +
proposed sections

proposed re-siting of existing chalet bungalow
on land at
**Lower Kirklees Street
Tottington**

scale 1:200 @ A1

drawing number JB-17-05-23-A2



amended 05-06-23
plot boundary area reduced
plot boundary treatment altered

proposed site plan + building details

proposed re-siting of existing chalet bungalow
on land at

Lower Kirklees Street Tottenham

scale 1:200 1:100 1:50 @ A1

drawing number JB-17-05-23-B(2)

Ward: Bury East - Moorside

Item 05

Applicant: Hive Homes (Greater Manchester) LLP

Location: Land off Parkinson Street, Bury, BL9 6NY

Proposal: Demolition of existing buildings and erection of 84no. dwellings with associated parking and landscaping; formation of a car park in association with the existing recreation field.

Application Ref: 69079/Full

Target Date: 06/04/2023

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for recreation provision and public access thereto in accordance with Policy RT2/2 of the adopted Unitary Development Plan and SPD1, affordable housing in accordance with Policy H4/1 of the UDP and SPD5 and highways works pursuant to Policy HT6 Pedestrians and Cyclists. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

The Development Manager has requested a site visit for this application.

Description

The application relates to a site located off Parkinson Street. The site is currently occupied by buildings associated with a former school/training centre, areas of hardstanding and parking associated with these uses, extensive areas of trees along the western and southern boundary, and lower density areas of soft landscaping between the existing buildings and towards the eastern edge of the site. The site is located within the Green Belt and comprises of approximately 3.69ha in area.

Vehicular access to the site is currently via Parkinson Street. Pedestrian access can also be gained from Parkinson Street and via an informal access from Arley Avenue.

Towards the north of the site there is an area of existing recreation land. This area is not located within the red edge of the site. A group of trees protected by a group TPO is located to the south of the site however this is also outside of the red edge. The site is largely bounded by residential uses with Arley Avenue located to the north of the recreation land, Wooded Close, Woodward Close and Parkinson Street located to the east and The Drive and West Drive located to the south of the group TPO. East Lancashire Railway line and the River Irwell are located to the west of the site.

Planning permission is sought for the demolition of existing buildings and for the erection of 84no. dwellings. The proposal seeks permission for the construction of a mixture of 3 and 4 bed dwellings of two storeys in height. The proposed dwellings would be constructed from red brick, with blue brick detailing and marley modern grey roof tiles. The proposal seeks access from Parkinson Street.

Adjacent to the proposed access it is also proposed to construct a 42no. space car park with access to the recreation land to the north of the site.

Application 69333 for the erection of 2no. storage units, 2 no. changing facility units and 1 no. welfare unit on a public recreation field for use associated with sports activities and

application 69387 for the provision of parking in relation to the recreation land are associated with this application however these will be dealt with under delegated powers.

Relevant Planning History

29530 - Replacement of flat roof on block A with pitched roof. Improvements to vehicular access and new car parking facilities.

34970 - Erection of sectional buildings for additional accommodation and additional car parking - Approve with Conditions 23/02/1999

38124 - Storage container for sports equipment - Approve with Conditions/09/2001

39820 - Erection of security fencing and gates to compound area - Approve with Conditions 14/11/2002

38356 - Extension of modular building to provide additional office accommodation - Approve with Conditions 16/11/2001

40734 - 2 no. store extensions - Approve with Conditions 16/06/2003

42703 - Extension to modular office building - Approve with Conditions 01/11/2004

02686/E - Residential development of 81 dwellings with associated parking and landscaping; sports pavilion - Enquiry Complete

69333 - Two storage units within a fenced enclosure on a public recreation field for use associated with sports activities - Pending

69387 - Parking provision for the football field, behind local residents opposite Arley Avenue. Also adding a staircase down to the field - Pending

Publicity

Initial consultation 207 neighbour letters sent 6/01/2023

Site notice - 13/1/23

Press notice Bury Times 12/1/23

54 objections received in relation to:

- Plan produced in 2009 that shows three possible costed options for an exit road onto Arley Avenue.
- Not against housing but should only go ahead if there is a second access to the site.
- Community have been totally ignored. Our efforts to secure a second access road date back to 2009 and have been mentioned at every consultation to no avail.
- Demolition without access via Arley Ave would create excessive problems for existing residents, the Bowling Club and the users of the Church facilities which are already under strain due to the poor condition of the Parkinson Street road and footpaths.
- Blocking the Parkinson Street entrance with another property could compensate for the loss of property on the Arley Avenue side and would maintain a more agreeable environment for current residents.
- Councillors (Labour) are blinded by the sight of £ notes and cannot see the problems that will arise if there is no second road access.
- Congestion and parking problems along Parkinson Street particularly in relation to existing uses at the Seedfield Bowling Club, St John's Church and football matches.
- Cars parking along both sides of Parkinson Street, any many cars park illegally (partially on the pavement, partially on the road) restricting access.
- In the initial GMSF document there is no mention of congestion, or parking problems and no consideration of a separate road.
- Council have failed to inform, consult and have dialogue with community in relation to traffic and parking issues. Failed to conduct a "transport survey" that was relevant and

meaningful to the issues. A notice was posted on the 14th June but gone the next day. Cllr was unable to provide details on whether this had anything to do with proposed housing.

- Transport Survey conducted by Eddisons is not accurate. Fails to record the congestion that occurs when the Church Hall and Bowling club are being used. Queues can build up trying to get onto and off Walmersley Road.
- Parkinson Street is not 6 metres wide when cars are parked on both sides.
- Footways are not of a good standard where the street trees are causing damage. Impact on pedestrian safety. People have to walk in the road.
- Proposals to influence non-car modes of transport are impractical or out of touch with current constraints on the public, such as the increased distance of travel to school which are not local or not in walking distance.
- Capacity Assessments are flawed. People do use their cars.
- The trend of people moving towards shopping from home means more trade vehicles, including vans and small lorries making home deliveries is relevant when road width is narrow.
- The effect of traffic from 86 new houses at about 2 cars per household would be horrendous at times.
- The survey was carried out on just one day for a 2 hour period in the morning, and another hour at tea time when community facilities were not in use. To gain an accurate picture of amounts of traffic requires at least a weekly continuous period.
- How is such a survey a measure of traffic congestion and it's effects, when there was just a measuring point counting the number of passing vehicles in a quiet period, instead of homing in on waiting queues at each end of double-parked cars.
- There will be an increase in queuing.
- Surrounding streets becoming more crowded with more motorists using them.
- Request not just a site visit but a full investigation both of the actual traffic problems as they occur.
- Heavy construction lorries and equipment along Parkinson Street.
- Challenge the assertion that there has only been one accident on Walmersley Road in the past year - I know of two, one which was fatal.
- If there were an accident at the proposed construction site, or at the lower end of Parkinson Street emergency vehicles will not be able to get through as vehicles are often parked on both sides of the street leaving only enough space for one car.
- Seedfield road is already used as a short cut by traffic wanting to get onto Walmersley road by avoiding the junction of Arley Avenue and Walmersley Road, which is a very difficult junction to negotiate as it is on a bend. Vehicles travel along Seedfield Road and either use Littlewood Avenue, Sunny avenue or Parkinson Street to access Walmersley Road. We feel the increased traffic from the development would add to the problem of using these streets as a short cut.
- Existing residents should be given priority for vehicle parking and access. I acknowledge the upcoming introduction of speed restrictions in the area to improve resident safety but whether this remains enough remains to be seen.
- Whilst the traffic survey looks mainly at the effect of the development on the flow of traffic onto and off Walmersley Road, which is at its busiest during the rush hour periods, it fails to see that Parkinson Street is often at its busiest during mid-morning, mid-after non and in the evening as the Church Hall and Bowling club kick into action.
- At the weekend the traffic caused by the Church Hall, Bowling Club and footballers is acceptable in return for benefits to local community. Parkinson Street simply is not big enough to handle an increase in traffic and the additional parking this development would bring.
- The access can not meet the requirements of the Fire Service.
- Proposal would fail to comply with paragraph 111 of NPPF on the grounds that it would have an unacceptable impact on our highway safety, and will have a residual cumulative impact on our road network that would be severe.
- A lot of roads within the vicinity have 20mph limits, does the new development need a 30mph access road?
- If at a later stage the council decided to put double yellow lines all the way down

Parkinson Street, the people who used to park on Parkinson Street will simply park on the Back of Walmersley Road and on other residential streets which will place health and safety difficulties on residents.

- There is a significant potential to impact existing access arrangements for residents on neighbouring streets as (at least one) councillor is already floating the idea of one-way systems for the area. This could suggest that the impact from the development could be greater than that stated in the Transport Statement.
- Bin lorries struggle to access.
- With the new housing estate, St Mark and John community hall and the bowling green, traffic could be at loggerheads causing stress, possible encounters and violence between drivers.
- The transport statement is biased in favour of Hive & wholly inadequate, it does not refer to any of the above as it was assessed over a very small window of time on just one day of the year.
- Most people know the land as "old Seedfield School" or "The Seedfield Centre" but the site has been referred to as "Land off Parkinson Street" with no mention of Seedfield.
- No plan to minimise disruption for residents during the build.
- A condition should be included with permission that no works vehicles associated with the build are allowed to park on Parkinson Street. A plan to stagger deliveries to minimise disruption could be considered. What is Hive Homes' record as a considerate contractor?
- What is the timescale for the project? There should be a definite timescale with liquidated damages (to go into community projects) if Hive Homes overrun.
- Full discussion to be held with the local residents about the impact of the development.
- Hive Homes have failed to consult with us properly or have given any regard to the effect on the community or its assets. One single meeting that was had a status of "informal" was given to us clearly zero consideration to our community.
- Will the developer be providing funds for local leisure facilities (such as the local park?) and if not why? The recent promised refurbishment of the skate park has ground to a halt and with all the new houses being built there doesn't appear to be a plan to increase in leisure facilities.
- This plan has no mention of phase 2 that was at the meeting with local residents.
- No parking or facilities for the football teams/users of sports field.
- Hive Homes say on their website that profits are "reinvested in supporting people and local communities." It would be much better in this case to provide a proper community resource as part of the proposed development - the football pitches with sufficient off-road parking.
- Should preserve the football club's use of the fields as much as possible. It is popular and convenient and good physically and mentally for the health of the local community.
- Alternative local site should be found and secured for the current sports activities.
- The field is well used by families with children in the warmer months and longer days.
- If there is no parking for the playing fields or football club, residents parking only signs should be put up.
- The Seedfield community are going to lose the green space our children and grandchildren play on and we will also lose the football pitches.
- Concerned about loss of playing fields in future phases as they are well used.
- May I suggest a car park and changing facilities are made available for the sports club on this land. The car park could also be used by pedestrians looking to enter Burrs Country Park from the east side of Bury on the proposed Burrs access path that has been mentioned.
- I object to this application which is not in accord with any of the exceptions to Sport England's playing fields policy or with Paragraph 99 of the NPPF in that the proposal would lead to the loss of playing field and non-playing field land and would prejudice the use of land being used as a playing field.
- Revise the plan to include a car park, changing rooms, club house and replacement of the indoor 5 a side football pitch as a 4g pitch. I cannot believe any one in Bury council can justify taking sports facilities away from children and not replace them. The indoor Sports hall has been used for many years for the kindergarten children in winter on a

Saturday morning and for the U7s, U8s for winter training.

- If you can't provide these replacement facilities do not take them away. It might be idea for the planning department to come down to Seedfield on a Saturday morning and see what goes on with regarding to the amount of cars.
- Dilapidated buildings should be removed and replaced with a sports centre as the site already has ample parking.
- Does require some sort of development or improvement as it is a bit of an eyesore and dangerous as it is attracting vandalism.
- No issues with housing being built on site however the traffic issues do not seem to have been adequately addressed.
- Why did they shut the school down in the first place? It means more car journeys travelling several miles to other secondary/high schools.
- Agree with houses but no on Green Belt land.
- Seedfield site should have been demolished years ago so it wouldn't have become an eyesore.
- It is the demolition of the old community centre that concerns me most. What efforts will be made regarding the asbestos? I am housebound and will be affected all day by any asbestos.
- What noise abatement steps have been taken.
- Weekends should see no works on the site. I am minded of the Control of Pollution Act 1974.
- It has been brought to my attention that Hive intend to using piling foundations close to my property. The Noise, nuisance and duration would contravene the Control of Pollution Act.
- Locally, there are no high schools for growing children. This would be an ideal site for a high school.
- The land that the proposed houses are being built on is designated as green belt as shown on the bury definitive maps. Why are the council selling and building on green belt
- The football pitches and a sports block should be built and protected forever as a way of giving something back to the community for building on the land.
- A larger proportion of social and realistically affordable houses should be provided on the application.
- Type of housing does not meet community needs. All the houses proposed are 3 and 4 bedrooms aimed at families.
- Homes for first time buyers and downsizers wishing to remain in the area and looking for single storey dwellings are needed.
- Feel housing type has been chosen based on profitability rather than whole community need.
- Bungalows on Woodward Close were built for elderly and those with illness and disabilities and they provide a peaceful and natural environment for our later years.
- No strategy as to what other aspects of infrastructure will be made to support the extra local population - primary and secondary schools, medical and other services.
- Woodbank Cricket Club and Woodbank GP services are not less the 1km away - the River Irwell is in the way and access would be vial Bury Town Centre. Developers have no local knowledge.
- Good local schools are over subscribed, dentists are not taking on NHS patients. No plan to increase capacity in education/health therefore people in the new development will have to drive longer distances to reach these services.
- No infrastructure for electric charging points shown on the plan.
- No mention of whether the existing electrical and utilities infrastructure is able to support these additional houses.
- No details of management company to maintain the trees/shrubs etc on the edge of the development.
- Providing a number of shops e.g. post office, small local store would be useful.
- Destruction of natural areas - wildlife, habitat, trees and shrubs around the site.
- In the last few years we have been blessed with deers on the field, where are they going to go?

- I thought bats were a protected species? There are bats that live in the buildings down there.
- We brought house with the understanding that the peaceful country view would remain and take pleasure from the deer that quite often come across the field.
- Extensive wildlife live within the current site and surrounding area. I.e: Bats, foxes, deer, newts, owls
- As a community we must help to preserve these species along with the surrounding Mature trees.
- Increase in light pollution in proximity to wildlife and woodland.
- Want to ensure appropriate fencing between the new houses and the wood, so that the animals have some protection and equally they don't wander into the new estate and put themselves at risk.
- There are bats in the wooded area between the new development and existing houses. I trust these have been taken into account as may be necessary.
- Save our local wildlife. A housing estate could lead to discarded rubbish that would endanger the wildlife.

2 comments received in relation to:

- I applaud the use of vacant land/brownfield sites to build on - and I also know that housing is needed! However I do have some concerns about local infrastructure - schools/traffic in particular that I'm concerned have not been adequately addressed.
- A school would have been preferred however, a rotting building does the area no favours. If I had to choose between more housing or an abandoned site that attracts trouble, then I'd pick housing all day long.

1 support received in relation to:

- Approve. I live in the area and This land is going to waste. Everyone who opposes are just NIMBY folk. Houses bring money and support businesses

Following receipt of amended plans and additional information the objectors and neighbouring resident's were notified on the 03/03/2023. 8 objections received in relation to:

- None of the previous objections have been rectified.
- There needs to be toilets, changing and parking facilities for the users of the football pitches.
- No time frame for the parking to be completed.
- Hive shows no willingness to engage with community concerns re pitches, traffic and nature.
- With demolition of old school facilities a pavillion with means for changing, toilets etc is a must for football club facilities so should be included in the housing application. Surely a legal requirement in this day and age.
- The provision for sports facilities here is very important for the health and wellbeing of our children and young people, for their development and careers.
- A late submission is for 14 parking spaces off Arley Avenue. I feel this is not sufficient for the large numbers that use the sports fields.
- I can not see how this application can go ahead whilst sports england continue to object.
- I fully expect the council to prevent future parking restrictions in the area to prevent people who attend the football from parking.
- I also note the lido car park has been mentioned to be used for parking? However the car park is already being used by people at the same time by people playing football on Chesham fields so you are double dipping.
- Regardless of whether formally or informally, the Football club has had necessary use of the small car park on the right hand side, the roadway around the school and significantly the very spacious parking area at the back of the school building.
- Parking on Arley Avenue is inadequate. People losing car parking on Seedfield site will parking along Woodward Close which is not acceptable because the limited parking there provides for local residents and tenants, many of whom are elderly and disabled and rely on frequent visits from carers to look after them.

- No issue on housing being built on the site, however I feel the vehicular traffic element still has not been fully addressed. Additionally, Seedfield Road is to be blighted with telecoms poles from IX Wireless who intend to install overhead broadband infrastructure to serve the new development, before rolling it out elsewhere - this is a development posted locally in the past 7 days.
- the Transport Statement remains weak and has not considered an alternative access/egress route to Arley Avenue which would greatly reduce traffic using Parkinson Street. This access road is a must and should be constructed before development works commence given that the site will be accessed by many lorries/trucks. Parkinson Street is simply too narrow to accommodate the sites construction traffic.
- Traffic survey sampling cannot be considered a representative survey - only 2 hours peak morning and 1 hour evening mid-week. It has not taken into account use of the bowling club or church hall, or weekend use of the sports fields .
- There is a significant potential to impact existing access arrangements for residents on neighbouring streets as (at least one) councillor is already floating the idea of one-way systems for the area. This could suggest that the impact from the development could be greater than that stated in the Transport Statement.
- Parkinson Street is already congested with parked cars from the church hall and the bowling green, this causes a dangerous situation for pulling in and out of Seedfield Road.
- We have a large number of elderly and disabled residents who already struggle getting parking in front of the homes or trying to cross the areas roads safely.
- Hive Homes, nor its agents Eddisons, have not covered the questions raised by their minimal Traffic Flow Survey of 14th June 2022.
- In the details of the Eddisons Highway Notes there is a suggestion that there may need to be Traffic Calming on Parkinson St. We do not want or need humps or tables and have said so in the past. Many people who live in this area are old, infirm or disabled. Travelling over these raised areas can cause aggravation to spinal issues or other injuries etc. Any speeding that occurs around here happens on the Seedfield Site itself, when the gates are unlocked.
- In the Eddisons Traffic Notes drawing 3642-F01 and its subsequent revision A there is a change of priority at the junction of Wooded & Woodward Closes and Parkinson St. It is such a change that would lead to speeding. All junctions on Parkinson St already have give-way lines to any traffic travelling to or from the Seedfield Site. This MUST remain as it calms the traffic significantly.
- The trees circled in pink that back onto Woodward are hideously overgrown and their roots will cause major problems to properties quite soon.
- I would find it embarrassing if the lpa approved this application and had to refer it to the Secretary of State via the Planning Casework Unit.
- There is no second access road proposed, and one is definitely needed to spread out the extra traffic.
- "Streets with low traffic flows and speeds" is far from accurate as described in the transport documents.
- As stated by many objectors who actually live in this locality, traffic flows can be considerable at times when football matches are taking place and when the various activities are taking place at the Church Hall and Seedfield Bowling Club. "Flow" could be better described as "Congestion" due to the narrow width between rows of parked vehicles on both sides of Parkinson Street.
- It is extremely disappointing that these key factors are not being addressed or even mentioned in the reports of Bury Council and other bodies involved in this application.
- There is no reference to residents' views and experience whatsoever, or relieving of traffic congestion when local community activities are happening and when there are 86 new homes to consider.
- It is a fundamental question to ask if Bury Council actually supports community life, health and wellbeing when you look at this application and its considerations.
- Where are the extra school places, doctors?
- Where is the extra policing coming from with more alleys and street corners for potential drug dealers/laughing gas inhalers?

- With regards to any proposed 'traffic calming' measures on Parkinson Street. The traffic is not fast and doesn't need calming. It is usually too busy to be fast. Humps will mean fewer parking places and will only add to the problem.
- Support TfGM proposal for a Puffin crossing.
- If you proposed on keeping all the trees then you need to make sure Bury Council employ more staff as they can't take care for any trees in our area.
- Support GM ecological unit's comment that the ecological survey is completely inadequate - not an ecological impact assessment and not carried out when herbaceous perennials, or bulbs are easily identifiable.
- Hive have not shown a net biodiversity increase with their plan.
- A matter that has recently arisen is that IX Wireless are planning to install a broadband network that runs on overhead wires with numerous poles up to 60ft in height being placed along Seedfield Road. Seedfield Road is first to be subjected to this unnecessary visual blight reportedly due to the new housing development being proposed. Clearly the development is now having a greater impact on the local area with visually intrusive overhead infrastructure being installed.

Following receipt of further amended plans, and an amended description of development that included the provision of the 42 space car parking further neighbour letters sent 19/05/2023. 3 objections received in relation to:

- At least now there is now going to be a car park for the playing field, thanks to sports England and local residents' objections.
- The revisions, however, don't address concerns about the mix of housing (no 2 bedroom or single storey dwellings for downsizers), or lack of solar panels/ electric charging points to 'future' proof these houses, particularly for renters who won't necessarily be able to fit the charging points/panels themselves even if they could afford it.
- I didn't see any further traffic surveys in the revised plans, which deliberately seem to have been carried out at a non-peak time.
- In regard to bio-diversity, I couldn't find any reference to use of bulbs eg snowdrops, crocus, nerines etc or early flowering perennials eg primrose (*primula vulgaris*), pulmonaria etc that would extend the pollen/nectar season for bees etc. Re choice of trees, Acers and Rowan aren't proving climate resilient (see RHS 'The garden', March 2023).
- 2 houses less is nowhere enough parking, it needs toilets and a 2nd access road.
- Letter was not sent directly to secretary of Seedfield TRA
- Retaining the top car park which currently existing, altering the original housing plan by reducing number of houses to 2 will still be inadequate because the Seedfield Centre has a large car parking area at the back which will disappear with the planning building.
- Photos submitted showing photos of cars parked all the way down Parkinson Street on both sides when there are football matches.
- Add the traffic, which includes service deliveries these days, generated from a housing estate of 84 houses and it make for worse congestion.
- Eddisons report states any parking issues "off site" will be for Bury Council to manage. When the "top" car park is full where will the rest of the motorists park but along Wooded and Woodward Closes to be near as possible to the football pitches and taking up spaces that are needed for carers and other services to vulnerable tenants.
- Although Eddisons disagree we would wholly support Greater Manchester Transport for the upgrading of the nearby main road Puffin crossing.
- The application as amended still fails to make any reference to the face of traffic congestion when the church hall, bowling club and playing fields are in regular use. The clear need is for a single road in from Parkinson Street and a separate road out onto Arley Avenue to sensibly manage traffic involved.

Statutory/Non-Statutory Consultations

Traffic Section- No objections in principle. Conditions requested in relation to details of the scope of access arrangements, discharge of surface water, street lighting, waiting restrictions, traffic calming, formation of the proposed estate roads, management of the proposed estate roads, construction traffic management plan, fire and rescue service

requirements, car parking in association with the recreation provision, turning facilities, car parking for the new dwellings and bin storage.

Borough Engineer - Drainage Section - No response

Environmental Health - Contaminated Land - conditions in relation to the submission of a site investigation, risk assessment and remediation strategy, and implementation of the remediation strategy.

Environmental Health - Pollution Control - No response

Waste Management - No response

Environment Agency - No objection in principle. Site appears to have been the subject of past industrial activity and recommend reference to guidance in relation to managing the site's risks to the water environment and consultation with Environmental Health/Environmental Protection Department.

Greater Manchester Police - designforsecurity - request for condition in relation to the construction of the proposal in accordance with the recommendations set out within sections 3 and 4 of the Crime Impact Statement.

United Utilities (Water and waste) - condition requested in relation to the submission of a sustainable surface water scheme, and a drainage management and maintenance plan for the lifetime of the development.

The Coal Authority - satisfied with the broad conclusions of the Site Investigation Report (211104-EDGE-XX-XX-RP-G-0002_PHASE 2[P01] SI, dated 31/03/22), informed by the site investigation works; that coal mining legacy issues are not significant within the application site and do not pose a risk to the proposed development. Request for informative in relation to coal mining related hazards.

Greater Manchester Fire Service- The proposal needs to meet requirements for Fire Service Access.

Greater Manchester Ecology Unit - net gain can be provided, although not as great as set out within the BNG file note. Conditions requested in relation an Arboricultural Method Statement, restriction to works on trees outside of nesting season, a landscaping plan, a lighting plan, a method statement for the eradication of Himalayan Balsam, submission of a Construction and Environmental Management plan and submission of a Landscape and Ecological Management Plan. Informative requested in relation to bats.

Sport England - Does not wish to raise an objection subject to conditions in relation to securing access arrangements, and replacement facilities.

Electricity North West Ltd - The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements.

Transport for Greater Manchester - Satisfied that the trip generation, distribution and junction assessment work undertaken is acceptable. Rationalisation of existing access and 2 metre footway welcomed. Recommend that the existing Pelican Crossing on Walmersley Road is upgraded to a Puffin Crossing. It may be beneficial to review Traffic Regulation Orders in the vicinity of the development.

Suggested a condition in relation to the submission, implementation and monitoring of a Full Residential Travel Plan within 6 months of occupation be attached to any planning consent.

Pre-start Conditions - Awaiting confirmation that the applicant/agent agree with pre-start conditions.

Unitary Development Plan and Policies

OL1	Green Belt
OL1/2	New Buildings in the Green Belt
OL5/2	Development in River Valleys
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H3/2	Existing Incompatible Uses
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN5	Flood Protection and Defence
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/2	Noise Pollution
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
EN9	Landscape
RT1	Existing Provision for Recreation in the Urban Area
RT1/1	Protection of Recreation Provision in the Urban Area
RT1/2	Improvement of Recreation Facilities
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6: Alterations & Extensions
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.

Principle (Residential)

The National Planning Policy Framework (NPPF) 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. The Framework maintains the emphasis on identifying 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 of 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.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, in relation to the proposed 86 dwellings, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Therefore, in this case the 'titled balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

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 adjacent to the urban boundary, on a brownfield site and there are residential properties to the north, east and south. The proposed development would not conflict with the surrounding land uses and would be located in a sustainable location with regard to public transport and services. The site contains buildings associated with an educational use and is considered to be previously developed or brownfield land. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Principle (Green Belt)

Paragraphs 147 and 148 state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 of the NPPF states that the construction of new buildings would be inappropriate in the Green Belt. Exceptions to this are:

- (a) buildings for agriculture and forestry;
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (e) limited infilling in villages;
- (f) limited affordable housing for local community needs under policies set out in the

development plan (including policies for rural exception sites); and
(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one or more of the following purposes: agriculture and forestry essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it; limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces; limited infilling in existing villages.

The site is currently developed with buildings and significant areas visible hardstanding. It is therefore accepted that the site is previously developed land (PDL) as set out under exception g of paragraph 149, however the proposal needs to meet one of the tests set out under exception (g).

There are no specific tests on openness set out within the NPPF, however the consideration of issues such as building volumes and footprints, landscaping and design features have all been key in assessing the impact on the openness of the Green Belt and have been tested through case law. The applicant highlights the *R Samuel Smith Old Brewery (Tadcaster) (An Unlimited Company), Oxton Farm (An Unlimited Company) v North Yorkshire County Council* [2017] EWHC 442 (Admin), Hickinbottom case that concludes that the "decision-maker has a margin of appreciation within which he may decide just which considerations should play a part in his reasoning process."

Similarly, according to case law in the Court of Appeal judgement *Turner v Secretary of State* 2016 at para 14, "The concept of openness of the green belt is not narrowly limited to volumetric approach..... (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspects which the Green belt presents."

The applicant highlights that the existing site is not rural in appearance, and considers that the proposal would be consistent with the urban context of its surroundings, with residential properties to three boundaries. The applicant also highlights that this argument makes up part of the reasoning for this site to be removed from the Green Belt in the Places for Everyone Joint DPD (PfE). It should be noted however that limited weight can currently be afforded to the sites inclusion within PfE as this is currently the subject of an independent examination conducted by the Planning Inspectorate. As such it is considered that the further consideration of the proposal in terms of its potential impact on the openness of the Green Belt, rather than just the sites proximity to the urban boundary needs to be made.

The applicant considers that the site is well contained, physically and visually. SPD 8 states that careful consideration should be given to the impact of a proposal when viewed from several locations within the immediate vicinity and wider countryside. The view of the proposal from main roads, public footpaths and settlements in particular will be given significant weight when assessing planning applications. It is accepted that the existing trees to the west and south and the residential developments to the north, south and east do screen the site. The existing trees to the west in particular limit views of the site from Burrs Country Park and Woodhill Road which are located to the west of the River Irwell and East Lancashire Railway. As such, it is considered that the views of the site from the wider countryside would not be impacted and from this vicinity the site is well contained as set out

by the applicant. However, views from and the impact on the openness of the Green Belt from the nearby residential areas and within the site needs to be further considered.

There are a number of existing buildings on site, of various heights ranging from the 3- 4 storey glazed school buildings centrally within the site, to single the storey pre-fabricated style buildings towards the eastern boundary. Areas of hardstanding are also located towards the north east of the site and to the west of the existing buildings. The applicant considers that their proposal to remove the existing buildings on site and to replace them with 84 dwellings, no higher than 2 storeys in height, and a car park would reduce the mass of built form on site, introducing increased spacing around all the buildings and engendering a greater sense of openness in key views, as well as integrating with the built form.

In order to support their case the applicants have quantified the physical reduction in scale and massing of built form within their planning statement. The Gross Internal Area (GIA) would be reduced by 17.3%, the hard landscaping on site would be reduced by 3% where as soft landscaping would be increased by 2.9%. It is considered therefore that the applicant has demonstrated that the height, footprint, and amount of hardstanding on site would be no greater than the existing development, and weight can be given to this argument in terms of impact of openness of the Green Belt having consideration to previous case law. The applicant also highlights however that consideration also needs to be given to the purposes of including land within the Green Belt as set out within paragraph 138.

Paragraph 138 states that 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.

The land is already developed, and already has links to the existing urban area. The lines of trees along the west of the site and south of the site will prevent unrestricted sprawl, as will the retention of the sports pitches to the north. The proposal is limited largely to re-development of the existing brownfield land, and the applicant has demonstrated that the proposal would lead to a reduction in footprint, and hardstanding on site. The redevelopment of the site as residential would preserve the setting of the locality.

It should also be noted that the existing buildings on site were decommissioned as an education facility a number of years previously, and whilst utilised for a variety of uses by the Council the identification of asbestos in the buildings in April 2022 has led to the site no longer being in use. There are clear signs of vandalism on site, and recent reports of anti-social behaviour that have led to police intervention. The current use of the site does little to add to the visual amenities of the area.

Given the matters above, and the case presented it is considered that given the nature of this particular scheme, and the context of the site the proposal would not have a greater impact on the openness of the Green Belt than the existing development. As such, the proposal would comply with exception g of paragraph 149 of the NPPF and would therefore be acceptable development within the Green Belt.

Development within River Valley

The site is located within the River Valley and as such UDP Policy OL5/2 - Development in River Valleys is relevant. This policy states that new buildings, or the change of use of existing buildings will not be permitted however where the area is designated as Green Belt, the established Green Belt policies will apply.

As set out above the proposal is seen to comply with UDP and NPPF Green Belt Policies and as such the proposal would comply with UDP Policy OL5/2.

Principle (Recreation)

UDP Policy RT1/1 - Protection of Recreation Provision in the Urban Area does not allow development that would result in the loss of existing and proposed public or private recreation facilities. UDP Policy RT1/2 - Improvement of Recreation Facilities states that the Council will give favourable consideration to proposals for the appropriate improvement of existing recreational land and facilities in the Borough. The improvement of existing recreation facilities will allow greater use to be made of them and thus enable a larger demand to be satisfied.

The car park proposed would provide 42no. spaces to be used by Seedfield Sports Club JFC on the site of the existing car park that was originally associated with the school. This car park would also include the provision of 3 disabled spaces. The car park would benefit from direct access to the pitches to the north of the site. The applicant has undertaken a review of the fixtures for a typical Saturday and these indicate that the provision made would sufficiently accommodate the club's parking needs.

It should be noted that the informal parking arrangement currently used by the club within the school grounds, is near the vacant and deteriorated buildings, which despite being closed and fenced off, remains a potential health and safety risk to the public. The new car park proposed will provide a safe space, with a direct and accessible route to the pitches.

The replacement of facilities, that were previously provided within the closed school buildings will be dealt with under delegated powers within application 69333.

This element of the proposal is therefore considered to constitute an improvement to outdoor recreational facilities, and would allow the football club to retain use of the football fields by re-providing lost facilities. The proposal would therefore be acceptable in principle complying with UDP Policies RT1/1 - Protection of Recreation Provision in the Urban Area RT1/2 Improvement of Recreation Facilities.

Layout and design

H2/1 - The Layout of New Residential Development and H2/2 - The Layout of New Residential Development, provides the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finish materials.

The proposal seeks approval for a mixture of detached, semi-detached and terraced dwellings ranging from 2 - 2.5 storey in height. The 2.5 storey dwellings (Newbold) would accommodate additional rooms within the loft space, with single dormers on the front elevation. Whilst there are bungalows visible from within the site (along Woodward Close and Wooded Close) the dwellings within the vicinity of the site are largely 2 storey in height and as such the scale of the proposed dwellings is considered to be acceptable given the context of the surrounding streets.

There are six different house types proposed (excluding the variations for mid terraces, end terraces etc) with various elements of visual interest including dormers, bay windows and porch canopies. Whilst varying in design, the house types are tied together through the introduction of blue brick work detailing, with the main elevations of the dwellings being constructed from red brick.

The level of private amenity space for the proposed dwellings would be acceptable and there would be space within the side or rear garden for bin storage. Open frontages with areas of soft landscaping and parking are proposed to the frontages of dwelling, with garden boundaries largely being defined by 1.8 metre fencing. The rear boundaries of the dwellings that make up the boundary of the sports pitches would also have an additional 0.3m trellis above the fencing and the properties with boundaries along the western edge of the site would have stock proof boundary fencing allowing for views. The proposed boundary treatments would be appropriate to the locality.

In relation to Electricity North West's response to consultation. Asset Arley Ave 232239

appears to be the nearest asset to the proposed development and this is outside of the red edge.

It is therefore considered that the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Amenity

Neighbouring Amenity

UDP 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. This is further supported by Policy H2/1 that requires an assent of the impact of developments on residential amenity and the position and proximity of neighbouring properties. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property.

The first floor windows of plots 5 - 12 that face towards properties on Wooded Close would be located a minimum of approximately 14 metres from the directly facing boundary. The rear elevations of the proposed dwellings of plots 5 - 12 would be located a minimum of approximately 21 metres from the rear elevations of the dwellings on Wooded Close. These properties would therefore comply with aspect standards.

The proposed two storey gable of plot 1 would be located approximately 13 metres from the rear ground floor windows of No. 49/51 and 45/47 Wooded Close. Section A-A on plan CS01 Rev C also shows that plot 1 would be sited at a lower level than these properties.

The principal front or rear elevations of plots 3, 4, 9, 10, 13, 14, 21, 27 and 28 all face towards gables of other proposed dwellings. Generally the minimum distance of 13 metres can be met between these properties however plots 4 and 3 have a distance of 12.35 metres between the rear elevations and the gable of plot 5 and plots 27 and 28 have a distance of 12.47 metres between the rear elevation and the gable of plot 26. The deficit in this instance is considered to be minimal and as this deficit would be internal, rather than be between existing properties any residents moving into the properties would be aware of the relationship.

A minimum of 20 metres can be provided between properties that have rear elevations that directly face each other. Gardens within the development are all a minimum of 7 metres in length, apart from plot 46 that would have an onward view of an area of trees rather than other residential properties. Internally 20 metres can not be provided between the front elevations of all the properties that are separated by a highway. In this instance however these dwellings are generally separated by a highway, areas of parking and open frontages/gardens. As above as these relationships are proposed would be internally within the estate any resident's would be aware of the relationship.

The existing dwellings at No.62/64, 58/60 and No. 56 would maintain their existing onward view of a car park. The nearest proposed dwelling would be approximately 62 metres away.

Amenity for future occupiers

The house types have been assessed to ensure that they would all comply with the minimum gross internal floor area requirements and associated minimum bedroom dimensions of the 'Technical housing standards – nationally described space standard' (NDSS).

The applicant's have presented a table that compares the proposed house types, to the NDSS in terms of gross internal floor area. For 3 bedroom, 4 person dwellings a minimum internal floor space of 84 square metres is required to comply with NDSS. The Cornbrook house types are 71m², the Bowker house types are 78 square metres and the Hollinwood house type is 83 Square metres. The Newhay, Firwood and Newbold properties all comply with NDSS in terms of gross internal floorspace. Overall 57 dwellings, or 67% of dwellings proposed would be smaller than the gross internal floor area advised by the NDSS.

As the applicant has not provided a table with regards to bedroom sizes the Case Officer has undertaken their own assessment of each house type.

For the Cornbrook (3 bed), all bedrooms would be below the required floor areas. Bedroom 1 and 2 would meet minimum widths. Bedroom 3 would be approximately 13 cm short of the minimum width.

For the Bowker (3 bed) bedroom 2 would meet the required floor area for a single bedroom but bedrooms 1 and 3 do not meet the required floor areas with a 1.9m² deficit for bedroom 1 and a 2.7m² deficit for bedroom 3. Bedroom 1 and 2 would meet minimum widths. Bedroom 3 would be approximately 10 cm short of the minimum width.

For the Hollinwood (3 bed) bedroom 2 would meet the required floor area for a single bedroom but bedrooms 1 and 3 do not meet the required floor areas with a 1m² deficit for bedroom 1 and a 1.3m² deficit for bedroom 3. Bedroom 1 would be approximately 4 cm short of the minimum width and bedroom 2 and 3 would meet minimum widths.

For the Newhey (3 bed) bedroom 3 would not meet the required floor area with a deficit of approximately 0.9m². Bedrooms 1 and 2 would meet the required floor areas.. All bedrooms would meet the minimum widths.

For the Firwood (4 bed) bedrooms 2 and 4 would not meet the required floor areas with a deficit of approximately 1m² for bedroom 2 and 1.42m² for bedroom 4. All bedrooms would meet the minimum widths.

For the Newbold (4 bed) bedrooms 3 and 4 would not meet the required floor areas with a deficit of approximately 1.1m² for bedroom 3 and a deficit of approximately 1.9m² for bedroom 4. Bedroom 4 would be approximately 45cm below the minimum width.

The applicant has submitted examples of developments within the vicinity of the site that have been determined and are being built out, or currently working through the planning process where space standards have also not been met. In this instance, given that Bury do not currently have a local plan policy that requires applicant's to adhere to NDSS and the tilted balance that needs to be applied when considering paragraph 11(d) of the NPPF, the non compliance of the dwellings with NDSS is not considered to be so significant that it would warrant refusal of the scheme.

Neighbouring Use

Due to the close proximity of plots 62-84 to the playing fields to the north of the site Sport England have requested a noise assessment, and ball strike assessment to ensure that the proposed residential use would not have an impact on the ability of the neighbouring land to retain it's existing recreational use.

The noise assessment reviewed the suitability of the proposed site for residential development and a noise survey was conducted at the site to quantify the current noise

climate. Noise from the football pitches was also modelled.

The results of the noise survey indicate that all the residential gardens to the proposed development will achieve limits set out within British Standard, and WHO 199 guidelines. Mitigation is proposed for the glazing and ventilation for the bedrooms and living rooms/kitchens on the rear elevations of the dwellings. Details of this mitigation can be provided through condition.

In relation to the ball strike assessment, reasonable worst-case scenarios were identified for the site and a trajectory model was used to predict the flight path of football balls, based on representative kick scenarios. The main area of mitigation proposed is for a 2 metre high boundary to be provided along the boundaries with plots 64-84. This is already shown on the proposed site plan with a 2.1metre high boundary proposed. It is important to note that the recommendation may not stop all balls from landing beyond the site boundary, but it is predicted to significantly reduce their frequency.

Access, highways and parking

UDP Policy EN1/2 - Townscape and Built Design requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP Policy H2/2 - The Layout of New Residential Development that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way, and UDP Policy HT6/2 - Pedestrian/Vehicular Conflict that requires developments to reduce pedestrian/vehicular conflict.

Colleagues from within TfGM Highways Forecasting Analytical Services (HFAS) and TfGM Urban Traffic Control (UTC) have reviewed the Transport Statement issued in support of the proposed residential development and the proposed car park and have provided comments in respect of the relevant sections. The Council's Traffic Section have also reviewed the proposal and provided no objections subject to conditions that have been attached.

Highways Overview

The Trip Rate Information Computer System (TRICS) assessment work contained within the Transport Statement demonstrates that the development is likely to result in 38 two-way trips in both the AM and PM peak hours. TfGM HFAS are satisfied that the trip generation and distribution assessment work undertaken is acceptable. TfGM HFAS have confirmed that the traffic diagrams are correct.

TfGM have confirmed that the junction assessment work contained within the Transport Statement is acceptable and demonstrates that there is unlikely to be any capacity issues as a result of the development.

Site observations made by TfGM have confirmed that there is currently a Pelican Crossing nearby on Walmersley Road north of Sunny Avenue. TfGM UTC would recommend that the development contributes towards the upgrade of the Pelican Crossing to a Puffin Crossing and this has been included within the planning obligations section below.

The Transport Statement confirms that the site will be served via the extension and modification of the western end of Parkinson Street, which was previously used to access the school car park. The existing access arrangements will be rationalised and 2 metre footways provided, which is welcomed by TfGM.

TfGM recommend that the footways are continuous to the junction with Wooded Close and that the footways at this junction are improved and upgraded, with the grass verge removed to provide dropped kerbs and tactile paving. Drawing 3642-F01 within the update Transport Statement Addendum V1 show the access and denotes the new kerbs currently proposed.

The Transport Statement contains swept path drawings (3642-SP03 Rev C) within the Addendum V1 which demonstrates that an 11.85 metre refuse vehicle can enter and exit

the site appropriately and safely.

TfGM would also suggest that it may be beneficial for a review to be undertaken of the Traffic Regulation Orders in the vicinity of the development, with a view to introducing additional parking restrictions as appropriate, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm.

Site Accessibility

The nearest bus stops are located within a 5-minute walk of the site on the A56 Walmersley Road, providing services to Holcombe Brook, Burnley, Blackburn Town Centre, Nangreaves, Rawtenstall and Bury at varying intervals.

TfGM would suggest that a review of the bus stops closest to the site on the A56 is undertaken with a view to upgrading / improving any bus stops (as necessary) in the immediate vicinity of the site. This will help to encourage the uptake of public transport by future residents.

In order to maximise the benefits of the site's location in relation to active travel, it should be ensured that the pedestrian and cycling environment is designed to be as safe, convenient and attractive as possible, so as not to discourage people from accessing the site on foot / by bicycle. This should be applied both throughout the site layout, and also between the site and existing active travel networks and can be achieved through measures such as the appropriate use of surfacing materials, landscaping, lighting, signage and road crossings.

To establish travel patterns at the beginning of occupation and encourage modal shift to sustainable modes of travel, it is important to ensure the facilities are in place to support sustainability. TfGM have highlighted a number of improvements to the pedestrian environment that could help to encourage the uptake of active travel modes by future residents.

To encourage sustainable travel choices, it is important that the development is accompanied by a full Residential Travel Plan with effective measures for bringing about modal shift, i.e. the use of incentives, provision of onsite and offsite infrastructure, along with a clear monitoring regime with agreed targets.

A Residential Travel Plan should include:

- A Travel Plan budget and resources for the implementation and day to day management of travel plan measures;
- Appropriate management structures;
- Detailed time frames for the delivery;
- Handover arrangements for the travel plan or its components, when the developer's responsibility ceases; and
- Targets and monitoring arrangements.

TfGM have recommended that should Bury Council be minded to approve this application a condition for the development, submission, implementation and monitoring of a Full Residential Travel Plan within 6 months of occupation be attached to any planning consent.

Parking

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

Each dwelling will have 2 off-street parking spaces, provided either to the front or to the side of each property.

There are no set standards for parking associated with recreation provision set out within

SPD 11 and these are determined on individual merits of planning application. 42 spaces are proposed to be provided on this particular site, a further 14 will be provided through application 69387.

Overall, 56 spaces will be provided for use by the football club. The recreation statement provided with this, and the associated applications confirms that a review of fixtures for a typical Saturday has been undertaken by the applicant and indicates that this provision, over the two sites will sufficiently accommodate the clubs parking needs, whilst also recognising that aside from match days, the land will remain vacant. No objections have been raised by Sport England in terms of the number of parking spaces proposed.

Ecology and landscaping

Trees

An Arboricultural Impact Assessment Overview has been submitted with the planning application. This report includes an assessment of all trees, groups of trees and woodland areas within the site and includes a categorisation of the grading of each of the trees U, A, B or C - in accordance with BS5837:2012 Table 1. Category A trees are of high quality, Category B trees are of moderate quality and Category C trees are of low quality. Category U trees are unsuitable for retention.

The report identifies that 17 individual Category C trees need to be removed from the site to facilitate the delivery of the proposal. A further 4 Category U trees have also been identified that should be removed in any event. The report also identifies that a further 9 groups of Category C trees would also need to be removed in order to facilitate the development. This would equate to a further 74 trees. A further group of 5no. Category U trees are also identified as unsuitable for retention. In total approximately 91 trees would need to be removed to facilitate the development.

It should also be noted that enabling works appear to have commenced on site in February 2023 (outside of nesting season) whilst the application was still being reviewed that facilitated the removal of a number of trees to allow for demolition of the buildings on site as soon as possible. It has not been possible to review the extent of which trees have already been removed as the buildings are currently fenced off however it would appear from an enabling works aerial photograph that G2, G3, G5, G9, G7, T5, T4, T6, T7, T8, T9 and part of W1 have already been removed. These trees were not protected and as such no steps could be taken to stop their removal prior to the application being determined however these trees were surveyed as part of the Arboricultural Impact Assessment Overview and had already been identified for removal and as such steps can be taken to provide adequate mitigation for their replacement.

Due to the low quality of the trees to be removed no objections are raised to their removal, subject to adequate mitigation being provided through the means of tree planting through a landscaping scheme. The submitted landscaping plan submitted shows that approximately 83 replacement trees (heavy standard) are proposed at this time. Whilst a landscaping plan has been submitted as part of the application this plan would not lead to a 1:1 replacement for all the trees lost as part of the development. As such a further landscaping plan is required through condition that would request additional tree planting to mitigate for a further 8 trees.

In addition to the individual, and group trees there are three areas of woodland that will be impacted by the proposal. A full assessment of the woodland has been undertaken as part of a ecological walkover survey, however the Arboricultural Impact Assessment Overview identifies that "sufficient" trees within W1 and W3 would be required to be removed as part of the development. The number of trees proposed for removal has not been fully quantified.

A group TPO, TPO No. 304 is located to the south of the proposed development. Whilst most of the boundary of this group TPO is outside of the red edge it does appear to clip plots 49 and 47. Although no TPO trees are shown within these plots within the

Arboricultural Impact Assessment Overview, as the trees within this boundary are protected by means of a TPO, there are further unquantified works proposed to areas of woodland that may be required to facilitate plots 15 and 16, and works within the root protection areas of some areas of woodland are shown on the tree area plan it is considered that a method statement should be submitted, prior to commencement of construction works on site, that fully details all works to all trees on site, any further mitigation that may be required and all protection methods that may be required as part of the development.

Whilst the trees that are required to be removed to facilitate the demolition appear to have already been removed, as there are TPO trees to the south of these buildings it is considered that a condition requiring tree protection methods in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction" to be implemented during demolition should also be attached to any permission. As the trees are approximately 15-25 metres away from the buildings to be demolished it is considered this is sufficient.

Bats

The buildings on site were found to have negligible habitat value for supporting roosting bats due to a lack of suitable external roosting features for crevice-dwelling bats, and lack of suitable internal areas for void-dwelling bats. The trees across the site (including the woodland) were also found to have negligible habitat value for supporting roosting bats due to a lack of features associated with roosting bats such as deadwood and wounds.

The woodland along the southern and western sides of the site will provide suitable foraging and commuting habitat.

An informative will be added to any permission to give guidance on what should be done should a bat be found during the development.

Nesting Birds

The woodland and trees will provide suitable bird nesting habitat. The proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests. As such, it is considered that a condition limiting works to trees and shrubs to outside of the bird nesting season should be attached to any permission.

The installation of bird boxes on mature trees would also provide additional nesting habitat, and should be included within any updated landscaping scheme. This detail can be provided through condition.

Invasive Species

A single species listed under Schedule 9 of the Wildlife and Countryside Act is present at site, in two separate locations. Himalayan balsam was identified on the western side of the woodland, on the side of a bank around several seasonal standing water bodies. Himalayan balsam was also identified to the south of the main building complex.

A method statement for the eradication of Himalayan balsam will therefore be required by condition. Due to the close proximity of one area of Himalayan balsam to the buildings to be demolished this will be required prior to commencement of any development, including demolition to prevent the spread of invasive species.

Impact on Habitats and Biodiversity Net Gain

Biodiversity Net Gain is considered by the Department for Environment Food and Rural Affairs (DEFRA) to be an approach to development that aims to leave the natural environment in a measurably better state than before. This is further supported within the planning system by Paragraph 175 of the NPPF which confirms that "development whose primary objective is to conserve or enhance biodiversity should be supported; whilst opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity." As such, it is considered that significant weight should be given to support any development

that can provide measurable net gain.

In terms of providing "measurable net gains" the application is accompanied by a Defra Biodiversity Metric calculation, demonstrating that the scheme will deliver a 20.36% net gain for habitats units and a 100% net gain for linear units. The increase in habitat area units mainly contributes to replacement of areas of grass lawn. A small cut back in areas of woodland and bramble scrub would be offset through the enhanced condition of the retained scrub and woodland parcels through management. There would also be a net gain in linear units, due to the planned short ornamental sections in the landscape proposal. GMEU have assessed the metric provided by the applicant and whilst they are not convinced the gain on site will be met to the extent set out above they do consider that a measurable net gain in biodiversity can be provided on site, provided that the habitats are enhanced and managed as outlined.

In line with the NPPF (paragraph 170 and 175d), enhancements for biodiversity have been demonstrated through this scheme, which appear to be meaningful and measurable as demonstrated by the net gain calculator. To secure long term (30yr) net gains, a Landscape and Ecological Management Plan (LEMP) is secured via a condition.

Given the nature of the site, with a number of proposed trees and the requirement to ensure biodiversity net gain can be secured for 30 years it is proposed to remove permitted development rights from the dwellings in order to protect the vitality of the habitats on site.

Planning obligations

Affordable Housing

UDP Policy H4/1 - Affordable Housing and Supplementary Planning Document 5 - Affordable Housing Provision in New Residential Developments with the First Homes Policy Position Statement, require that the development provides 25% affordable housing (21 homes), of which 25% should be First Homes (5.25 homes).

The proposed development is comprised of 84no new family homes, 25% of which are to be affordable housing (21no homes), complimented by 75% full open market sale homes (63no. homes), and relates to land at the site of the Former Seedfield Resource Centre, Bury. The proposed development will deliver the following affordable housing mix:

- 9no 3 Bed Homes for Shared Ownership - to be 'Gifted' to Bury Council in partial lieu of a capital receipt
- 6no 3 Bed Homes for Affordable Rent - to be disposed of to an RP Partner via competitive process
- 6no 4 Bed Homes as First Homes - to be sold directly by Hive Homes on a discounted in perpetuity basis

Recreation Provision

UDP Policy RT2/2 - Recreation Provision in New Housing Development, updated by Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development requires 2.4 hectares of Public Open Space (POS) per 1,000 population. On-site provision will only be considered in exceptional circumstances.

The proposed development also intends to provide a S106 commuted sum of £235,231.36 towards delivery of off-site recreational facilities. The scheme has also attracted £995,000 of brownfield land funding via agreement with the Greater Manchester Combined Authority (GMCA) in order to ensure viability of the scheme. Noting the land value agreed with Bury Council for acquisition of the site, alongside 25% affordable housing provision and the £235,231.36 S106 contribution towards off-site recreation facilities, it has been determined that the proposed development cannot afford to make any further planning gain contributions without making the scheme financially unviable to deliver.

Highways

Site observations made by TfGM have confirmed that there is currently a Pelican Crossing

nearby on Walmersley Road north of Sunny Avenue. TfGM UTC would recommend that the development contributes towards the upgrade of the Pelican Crossing to a Puffin Crossing to further encourage travel to and from the site by sustainable modes. Additionally, the upgrade of the crossing will facilitate safe access to the southbound bus stops, along with safe access to the nearby Primary School. The estimated cost of the upgrade is circa £50k (civils work - £20k and signals £30k).

Drainage

Following United Utilities' review of the proposed site layout, concerns were raised regarding the proximity of the development to their wastewater assets. As such a condition has been requested by United Utilities for the submission of details of a sustainable surface water drainage scheme and a foul water drainage scheme prior to commencement of development.

Contaminated Land

The site is currently occupied by the former Seedfield Centre and playing fields. Current uses in the surrounding area include residential properties, the East Lancashire Railway and Burrs Country Park. Previous uses at the site have included open land, a spring, stream/land drain, tanks (1937 map), and a former high school and playing fields which is now the Seedfield Centre. While in the surrounding area previous uses have included a railway line and a cotton and later paper mill. The site is located within 250m of a known landfill site and is in close proximity to the River Irwell. A small tributary to the River Irwell issues from the southern boundary of the site. The site is situated over Glacial Till and Glaciofluvial Sand and Gravel Deposits over the Old Lawrence Rock and Lower Coal Measures Secondary A aquifers. A fault runs through the centre of the site and part of the site is located within a Category 3 Radon Affected Area. As the site has previously been developed it is likely that deposits of made ground are present on the site. The Radon Map for the UK has recently been updated. This site now falls within an area where 3-5% chance of a house having a Radon concentration above the Action level of 200 Bq m³.

A Desk Study Report and a Site Investigation Report have been submitted and in line with the National Planning Policy Framework, as the site is proposed for a sensitive end use the Environment Section recommend that conditions in relation to the submission of a site investigation, risk assessment and remediation strategy, and implementation of the remediation strategy are attached to any permission.

Crime and design

Greater Manchester Police have raised no objection to the proposal, subject to a condition in relation to the construction of the proposal in accordance with the recommendations set out within sections 3 and 4 of the Crime Impact Statement (CIS) which include recommendations in relation to access points, defensible space, physical security, boundaries, landscaping and lighting.

Conclusion

The site is a previously developed, Green Belt site. The new development would be less impactful and when applying the tilted balance would provide a contribution to housing provision. The documentation submitted with the application has been assessed by TfGM and the Traffic Section and no severe highways impacts have been identified.

Response to neighbours

It is considered that the material planning considerations in relation to access and traffic via Parkinson street, mixture of houses, Green Belt, ecology, recreation provision and use of the site have been considered within the main body of the report.

A construction traffic management plan has been conditioned, and an informative in relation to The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites has been added to deal with the comments in relation to noise and construction.

A Map from Ian Lord has also been submitted with some of the objections that shows a

secondary access from Arley Avenue. This map was in response to discussions about putting in secondary emergency access for the whole site however this proposal would only build on the school site and the existing playing fields would be retained. This plan has also been misinterpreted. It is not a second access it is an emergency access which would not be utilised as an access point for the site on a day to day basis.

A letter was sent to the secretary of the TRA on the 19th May 2023 in relation to the amendments.

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: Minded to Approve

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. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before construction is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
3. This decision relates to drawings numbered:
SL01-RevB, CPS1, SPS-01, FB02, NR01, BW01. TREEDEM-01, BTC2412-TCP, EX-01 RevA, S22-080, Seedfield Centre 00(2nd floor Sheet B1), Seedfield Centre 00 (Ground floor Sheet A2), Seedfield Centre 00 (Ground floor Sheet A1), Seedfield Centre 00 (Ground floor Sheet B1), Seedfield Centre 00 (Ground Floor Sheet B2), Seedfield Centre 00 (1st floor), Seedfield Centre 00 (1st floor Sheet A1), TG01, FB01, Net Boundary Plan received 24th February 2023, Seedfield Existing Site Plan received 17th November 2022, NH-VAB-001 RevB, NH-VAB-002 RevB, PL01 - Proposed site layout topographical, TA01 RevA, LS002 Sheet one of two RevC, LS002 Sheet 2 of 2 RevC, PL01 Rev Q - Proposed site layout colour, NH-ALTB-001 RevB, LU01 RevE, RM01 RevE, HL01 RevF, NB001 RevA, NB002 RevA, NH001 RevB, CS01 - 1:500 Sections RevC, CS01 RevC (2 of 2), CS01 RevC (1 of 2), BD01 RevE, MP01 RevE, BO-ALT-001 RevC, HW-001 RevC, CO-END-001 RevE, CO-MID-001 RevC, FI-001 RevD, BO-END-001 RevG, SS01 RevD, PRHS01 RevC, PL01 RevQ - Proposed site layout black and white

Documents:

Biodiversity Metric 4.0 received 12th June 2023

File Note: BNG for Seedfield, Parkinson Street, Bury, BL9 6NY dated 12th June

2023

Proposed Biodiversity Net Gain Seedfield v1.2 received 12th June 2023

Baseline BNG Seedfield received 12th June 2023

Affordable Housing Statement dated June 2023

Planning Statement received 19th May 2023

Recreation and Estates Planning Statement: Seedfields Housing Development dated 18 May 2023

Parkinson Street, Bury, Residential Development Ambient Noise & Building Envelope Assessment J004383-7028-TD-01

Transport Statement received 15th May 2023

Proposed residential development, The Seedfield Centre, Bury Transport Statement - ADDENDUM V1 received 15th May 2023

Ecological Walkover Survey dated 09/05/2023

Ball Trajectory Analysis for Football pitches near Parkinson Street, Bury LSUK.22-0680

Preliminary Roost Feature Assessment and Tree Endoscope Survey File Note 22/12/2022

Preliminary Ecological Appraisal and Preliminary Roost Assessment Issue 4 21/02/2023

Preliminary Roost Assessment Issue 2 22/02/2023

TPO overlay

Design and Access Statement Revision A

NDSS Table received 24th February 2023

Arboricultural Impact Assessment Overview February 2023

211104-EDGE-XX-XX-RP-C-0001_FLOOD RISK ASSESSMENT[P01]

Crime Impact Statement 2022/0007/CIS/01 Version A

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

4. No development other than demolition 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. Each dwelling hereby approved shall be provided with 1 electric vehicle (EV) charge point (minimum 7kW*) prior to its occupation.
 *Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used.
Reason. 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 pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
7. No development, other than demolition, shall commence unless and until details of a sustainable surface water drainage scheme and a foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 (v) Foul and surface water shall drain on separate systems.
 The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.
 Prior to occupation of the proposed development, the drainage schemes shall be implemented and available for use in accordance with the approved details and retained thereafter for the lifetime of the development.
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.
8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.
 The development shall subsequently be completed, maintained and managed in accordance with the approved plan.
Reason. To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development 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. The development hereby approved shall be designed and constructed in accordance with the recommendations and specification set out in sections 3 and 4 of Crime Impact Statement, ref.2022/0007/CIS/01, Version A dated 06.09.22, unless otherwise agreed in writing by the Local Planning Authority, and the agreed measures shall be retained and maintained thereafter.
Reason. In the interests of crime prevention and community safety, having regard to the National Planning Policy Framework Chapter 8 - Promoting healthy and safe communities.
10. Notwithstanding the submitted landscaping scheme shown on plan numbers LS002 Sheet one of two RevC, LS002 Sheet two of two RevC, no development, other than demolition, shall commence unless and until an amended soft and hard landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The contents of the plan should include the provision of 91no. native trees of a heavy standard 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 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. This condition can be satisfied in phases.
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.
11. Notwithstanding the details indicated within the Arboricultural Impact Assessment Overview no development, other than demolition, shall commence unless and until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. This statement shall include all proposed works to trees and full details of protection in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction" including the specification, location and phasing for the installation of tree and hedge protection measures and a schedule of all proposed tree and hedge works, including the reason for such works. The works shall be implemented in accordance with the approved details.
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.
12. All trees to be retained on site shall be protected during demolition 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.
13. 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.

14. No development, other than demolition, shall commence unless and until a lighting plan for any proposed new external lighting has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be designed to minimise impact on nocturnal wildlife, in line with best practice guidance and the guidance within the Ecology Report.
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.
15. No development shall commence unless and until full details of a scheme for the eradication and/or control of Himalayan Balsam is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.
Reason. The scheme does not provide full details of the actual extent of the Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
16. No development, other than demolition, shall commence unless and until a Landscape and Ecological Management Plan (LEMP) (or equivalent) has been submitted to approved in writing by the Local Planning Authority. The contents of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in File Note:BNG for Seedfield dated 12th June 2023.

The LEMP should include:

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management.
- d. Appropriate management options for achieving aims and objectives.
- e. Prescriptions for management actions for all habitats for a period of no less than 30 years.
- f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g. Details of the body or organization responsible for implementation of the plan.
- h. Ongoing monitoring and remedial measures.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason. To ensure improvements in the biodiversity of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

17. No development shall commence unless and until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved by the Local Planning Authority. The plan shall delineate the construction zone and

set out measures to be taken to minimise the possibility of pollution and tree damage during construction. The approved plan only shall be implemented prior to the commencement of any works and maintained for the duration of the build out of the development. This condition can be satisfied in phases.

Reason. Information not submitted at application stage. To ensure a safe and satisfactory development of the site in relation to the protection of the trees and woodland within the site from any pollutants and construction disturbance which may cause risk, pursuant to Policy 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.

18. 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 and Classes A to F of Part 2 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To avoid the loss of habitats created through biodiversity net gain mitigation which are of amenity value to the area pursuant to Chapter 15 - Conserving and enhancing the natural environment of the NPPF.

19. The residential accommodation hereby approved for plots 62-84 shall include acoustic glazing and acoustically treated ventilation in accordance with the submitted Ambient Noise & Building Envelope Assessment Report Reference No. J004383-7028-TD-01. The acoustic attenuation scheme hereby approved shall be implemented in full and available for use before use of the residential premises first commences.

Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Bury Unitary Development Plan Policy EN7/2 - Noise Pollution.

20. Notwithstanding the details indicated on the approved plans, no development other than demolition shall commence unless and until full details of the following have been submitted to a scope and specification to be agreed on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

1. Formation of the access onto Parkinson Street, incorporating the provision of adequate arrangements at the interface with the adopted highway at Woodward Close and Wooded Close, alterations to the property boundaries at No.'s 62/64 Woodward Close and associated accommodated works, provision of visibility splays appropriate for a design speed of 20mph, demarcation of the limits of the adopted highway, tactile paved crossing points, give-way markings and alterations to existing road markings (subject to the requirements of the scheme of 20mph traffic calming measures) and all associated highway and highway drainage remedial works;
2. In the event that the site access/estate roads are not to be considered for adoption by the Council, measures to prevent the discharge of surface water onto the adopted highway;
3. In the event that any retaining structures are required that abut/are sited in close proximity to the adopted highway, an 'Approval In Principle' for the proposed structures, incorporating full structural, construction and drainage details, calculations, pedestrian protection measures and a detailed construction method statement;
4. Provision of a street lighting assessment to a scope and specification to be agreed for the junction of Parkinson Street with Walmersley Road, Parkinson Street between Walmersley Road and the site access and the proposed residential estate roads for, and, where necessary, a scheme of improvements;
5. Review of need for the introduction of waiting restrictions to scope to be

- agreed at the junction of the site access with Woodward Close and Wooded Close, including, if required, all necessary road markings and signage;
6. A scheme of 20mph traffic calming measures on Parkinson Street and the proposed estate roads to a scope and specification to be agreed, incorporating the formation of speed tables at all appropriate junctions, road markings and signage as required.

The details subsequently approved shall be implemented to an agreed programme.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policies Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

21. In the event that it is intended for the proposed residential estate roads to be considered for adoption by the Council, notwithstanding the details indicated on the approved plans, no development other than demolition shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:
 1. Formation of the proposed estate roads (including any necessary land filling operations and method of compaction), incorporating minimum 5.5m carriageway and 2.0m footway widths;
 2. Provision of long sections and cross sections at positions to be agreed through the proposed estate roads and turning heads to ensure that adoptable gradients will not exceed 1 in 14 for the purposes of adoption and incorporating a maximum 1 in 20 plateau at each junction within the development and at the interface with the adopted highway;
 3. Demarcation of the limits of adoption at all relevant locations;
 4. Provision of visibility splays and forward visibility envelopes appropriate for a design speed of 20mph at all internal junctions and bends in accordance with the standards in Manual for Streets with no obstructions above the height of 0.6m within them;
 5. Provision of adequate levels of visibility at the back edge of the footway at Plots 27, 38 & 39;
 6. Swept path analysis of the proposed estate roads to ensure that an 11.85m long refuse collection vehicle can pass a private car at all points, the bend and manoeuvre at all turning heads;
 7. Facilities for the storage of bins on collection day at the interfaces of all shared accesses with the proposed adopted highway;
 8. Provision of a scheme of measures/boundary treatment at the interface of the Seedfield football pitches car park with the adopted highway to prevent vehicle encroachment of the adjacent footway, incorporating foundations that do not encroach under the adopted highway;
 9. Proposed planting/surfacing details and management/maintenance arrangements for all landscaped/car parking areas abutting the proposed adopted highway;
 10. Proposed porous/permeable shared driveway/hardstanding materials and/or measures to prevent the discharge of surface water onto the adopted highway.

The details subsequently approved shall be implemented to an agreed programme.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policies Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape

and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

22. 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:
1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
 2. Access route for all demolition/construction vehicles to the site from the Key Route Network, including the need to prohibit the use of the residential estate roads to the north of Parkinson Street;
 3. Access point/arrangements for demolition/construction traffic from Parkinson Street, taking into consideration the need to maintain safe pedestrian/vehicular access to the adjacent Seedfield football pitches/car park, and all temporary works required to facilitate access for demolition/construction vehicles;
 4. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain vehicular access to the adjacent Seedfield Football Pitch car park;
 5. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
 6. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto/along Parkinson Street;
 7. Confirmation of hours of operation and number of vehicle movements;
 8. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
 9. Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles, together with storage on site of demolition/construction materials;
 10. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition/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. This condition can be satisfied in phases.

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.

23. Notwithstanding the details indicated on approved plan reference 21-040 SPS-01, prior to first occupation of the relevant plots hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in all dwellings located in excess of 250m from the junction of Parkinson Street with Seedfield Road and shall thereafter be maintained at all times.
- Reason. In the interests of fire safety and to ensure the safe and satisfactory

development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and National Planning Policy Framework Chapter 8 - Promoting healthy and safe communities.

24. Notwithstanding the details shown on the approved plans, the existing car park to the north of the entrance to the site shall be retained and made available for use at all time for users of the playing fields until the new car park can be constructed and/or similar provision is made available for use. Details of the construction of the new car park, including details of closure, time scales for construction, and a management plan for offsetting the parking needs of the users of the playing fields during construction shall be submitted to, and approved in writing by the Local Planning Authority prior to commencement of this aspect of the development. The approved plan shall be adhered to throughout the construction period.
Reason. To ensure adequate off-street car parking provision for the adjacent Seedfield football pitches, in the interests of road safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, RT1/1 - Protection of Recreation Provision in the Urban Area, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.
25. In the event that it is not intended for the proposed residential estate roads to be considered for adoption by the Council, no development other than demolition shall commence unless and until details of the proposed arrangements for future management and maintenance of the proposed estate road within the development have been submitted to and approved by the local planning authority. The estate road 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.
Reason. To ensure that the unadopted estate road serving the development is maintained to an acceptable standard in the interest of residential/highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
26. The turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are 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 Bury Unitary Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
27. Minimum hardstanding lengths of 5.0m at all dwellings (10.0m when in tandem) shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and/or to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
28. The car parking indicated on the approved plans shall be surfaced and made available for use prior to the each dwelling/part of the site to which it relates being

occupied and thereafter maintained at all times.

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

29. Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development.

30. Within 6 months of the first occupation of the dwellings hereby approved a Residential Travel Plan shall be submitted to, and agreed in writing by the Local Planning Authority. A Residential Travel Plan should include:

1. A Travel Plan budget and resources for the implementation and day to day management of travel plan measures;
2. Appropriate management structures;
3. Detailed time frames for the delivery;
4. Handover arrangements for the travel plan or its components, when the developer's responsibility ceases; and
5. Targets and monitoring arrangements.

The details subsequently approved shall be implemented to an agreed programme.

Reason. Information not submitted with the planning application. To encourage sustainable travel choices pursuant to Bury Unitary Development Plan Policy HT3 - Public Transport.

31. No development shall commence on site until the access arrangements onto the playing field and the car parking as approved under planning permission ref: 69387 have been implemented in full and made available for use at all times for all users of the playing field.

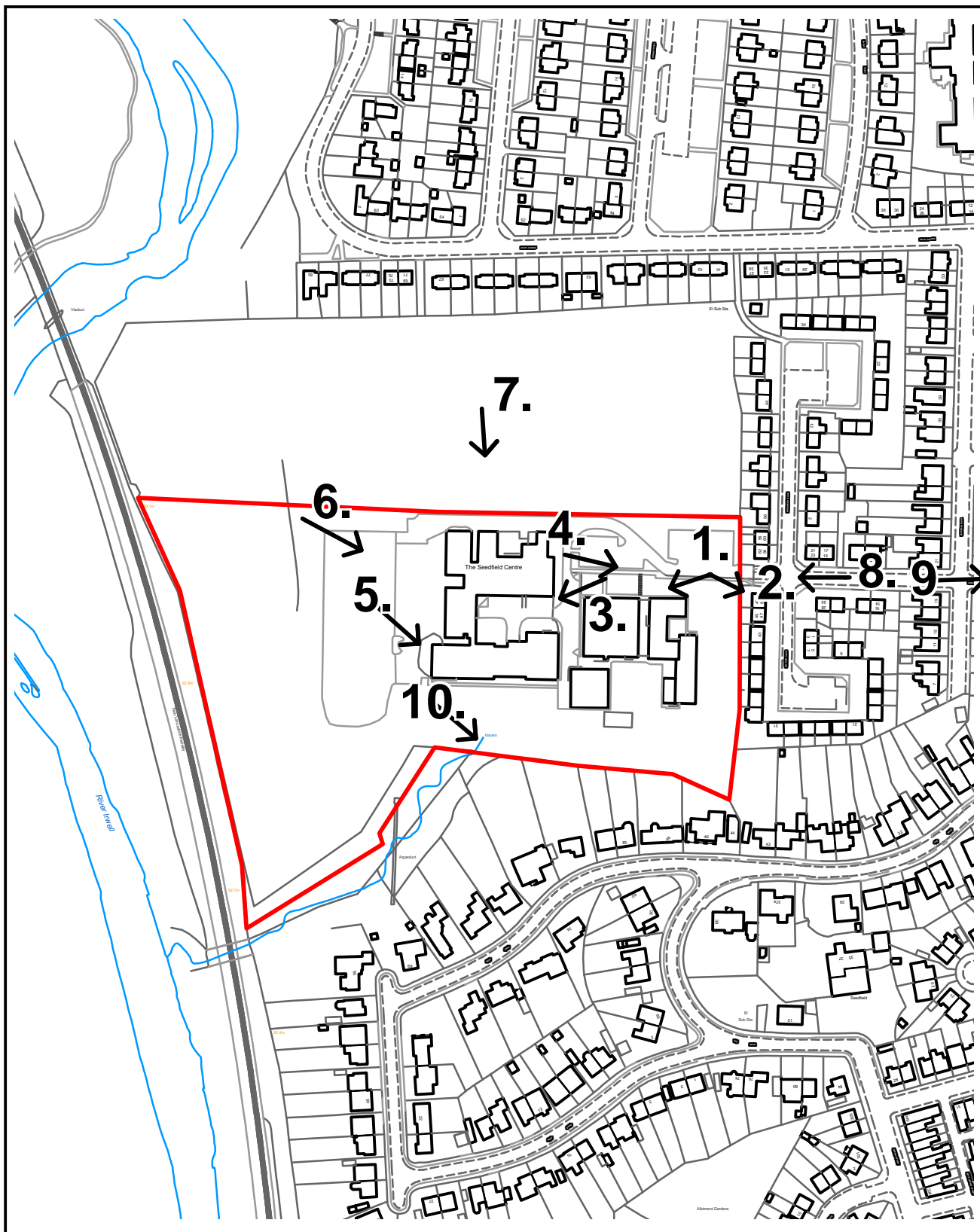
Reason. To ensure the satisfactory accessibility of compensatory provision which secures a continuity of use of the playing field and to accord with paragraph 99 of the NPPF.

32. No development shall commence above foundation level of any of the dwellings hereby approved until the provision of the replacement facilities as approved under planning permissions ref: 69333 have been implemented in full and made available for use at all times for all users of the playing field.

Reason. To ensure the satisfactory accessibility of compensatory provision which secures a continuity of use of the playing field and to accord with paragraph 99 of the NPPF.

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

Viewpoints - Item 05



PLANNING APPLICATION LOCATION PLAN

APP. NO 69079

ADDRESS: Land off Parkinson Street
Bury

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Item 05 – 69079

Photo 1



Photo 2



Item 05 – 69079

Photo 3



Photo 4



Item 05 – 69079

Photo 5



Photo 6



Item 05 – 69079

Photo 7



Photo 8



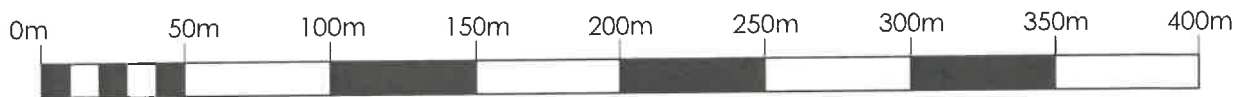
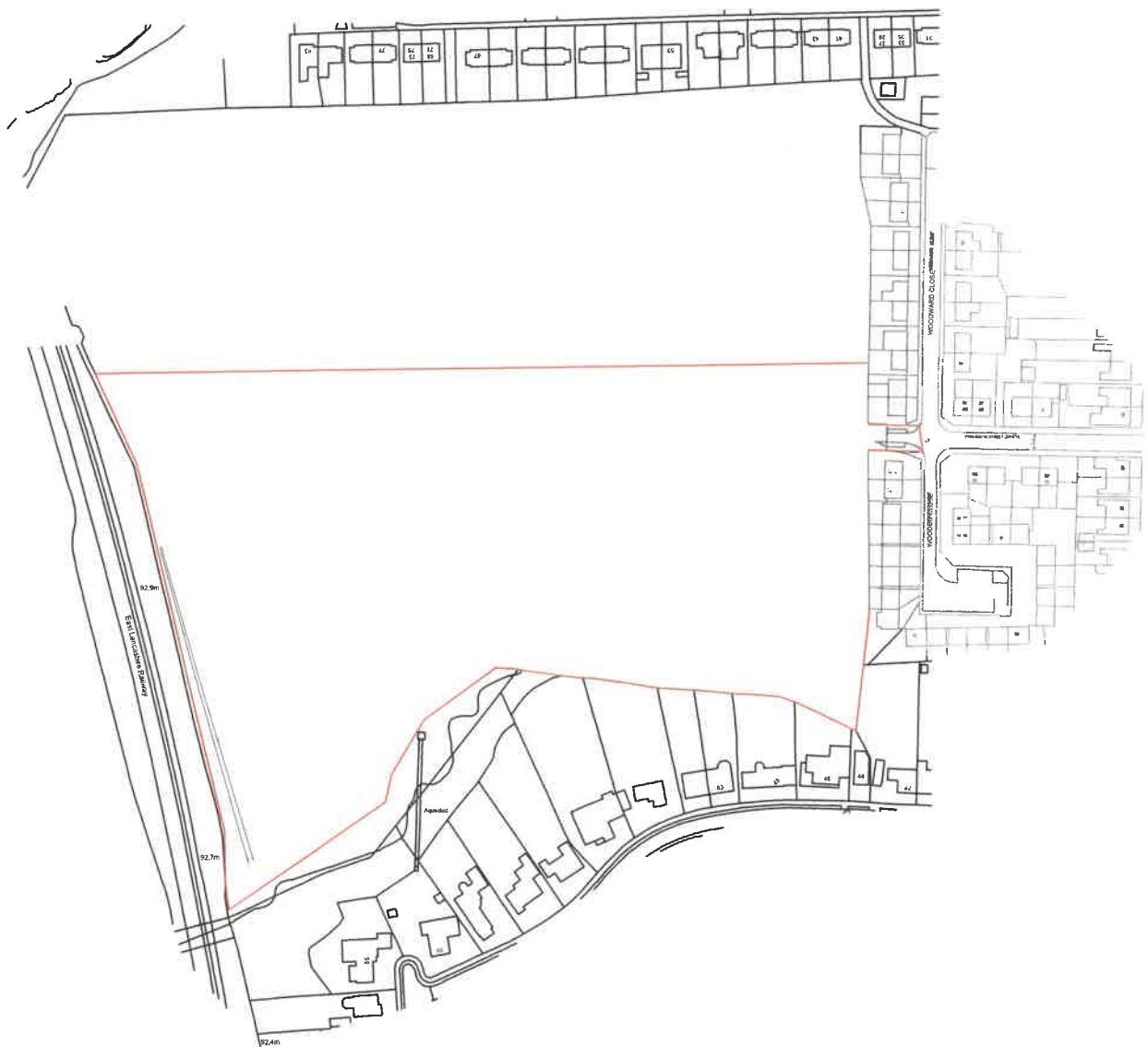
Item 05 – 69079

Photo 9



Photo 10





1 : 2500

— Application site boundary

PLANNING

Client:
HIVE HOMES

Project:
PARKINSON STREET, BURY

Drawing Title:
SITE LOCATION PLAN

Drawn: WL
Checked:
Scale: 1:2500

Date:
DEC 2021



associates limited

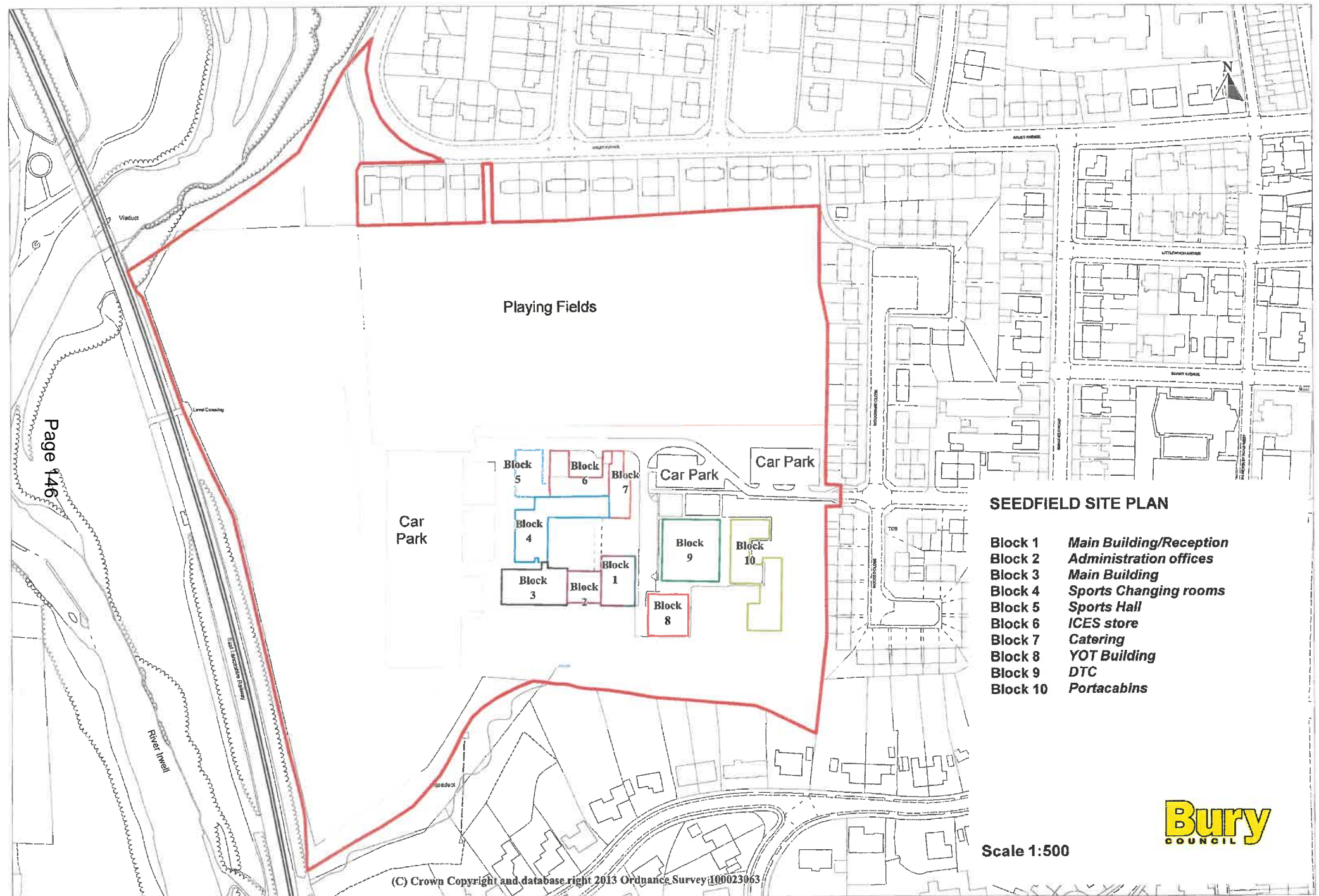
architecture | building surveying | urban design

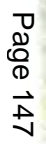
burnaby villa ■ 48 watling street road ■ fulwood ■ preston ■ pr2 8bp
tel: 01772 774510 fax: 01772 774511 email mck@mckassociates.co.uk

Job No:
21-040

Drawing No:
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Rev:
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 Tel: 01772 775512 Mob: 01772 775511 email: mck@mkassociates.co.uk
PAR KINSON STREET
BURY
 Bury 10
EXISTING SURFACE AREAS & BUILDING HEIGHTS

Scale	North	East	Date
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21-040	EX-01	A	

Schedule of Accommodation					
Name / Notes	Code	Units	sqm	Total	Total sqm
Commons Area	CA	3	787	6	4342
Commons End	CE	3	782	6	4342
Commons Mid	CM	3	782	6	4342
Commons End	CE	3	837	22	12021
Commons Alternative	CA	3	837	1	7511
Commons	CA	3	880	18	12460
Commons	CA	3	923	1	7569
Commons (Commons)	CA	3	998	1	939
Commons (Commons)	CA	3	938	1	939
Commons	CA	4	1112	1	1272
Commons End	CE	4	1131	1	1272
Commons	CA	4	1131	1	1272
Total				66	4488
Total				9.11	ACRES
Total				9.14	ACRES
Total				9.17	ACRES

general notes:
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- KEY**
- Land Ownership
 - Existing trees to be retained
 - Indicative planting
 - Indicative hedging
 - Existing trees to be removed
 - Drainage shared drives

AFFORDABLE HOUSING

- BC Bury Council
- FH First Homes
- AR Affordable Rent

- 1. 10/01/2023
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Check By: [Name]

Scale: 1:500

Date: 10/01/2023

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Project Cult3D: [Name]

Project Printables: [Name]

Project Thingiverse: [Name]

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Project MyMiniFactory: [Name]

Project Cult3D: [Name]

Project Printables: [Name]

Project Thingiverse: [Name]

Project Formlabs: [Name]

Project MyMiniFactory: [Name]

Project Cult3D: [Name]

Project Printables: [Name]

Project Thingiverse: [Name]

Project Formlabs: [Name]

Project MyMiniFactory: [Name]

Page 149



general notes:
do not scale the drawing.
all dimensions to be checked on site prior to commencement of work, and any discrepancy shall be immediately reported and resolved prior to work commencing.
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KEY

-  Denotes adoptable section 38 roads & footpaths
- Denotes private carriage
-  Denotes land managed by management company

E	18.05.23	WL	Updated to match layout rev Q. Entrance car park give way sign, signage and disabled parking added
D	24.04.23	ELC	Updated to match layout rev O
C	06.04.23	WL	Updated to match layout rev M
B	21.02.23	HR	Updated to match layout rev I
A	02.11.22	WL	Updated to match layout rev E, P106 51-65 amended



mck associates limited
architecture • building surveying • urban design

burnaby v/a ■ 46 wadding street road ■ fulwood ■ preston ■ pr2 8bp
tel. 01772 774510 fax: 01772 774511 email: rick@rnciclassassociates.co.uk

**PARKINSON STREET
BURY**

LAND USE PLAN

DEPT AIR	FILED CT	JUL 1 1960	NEW JULY 200
14 M 21-040	TRANSIT LU01		P E

A1 PLANNING



Plot 77 - 78

Plot 79

Plot 80

Plot 81

Plot 82

Plot 83

Plot 84

Parking Spaces



Plot 48

Plot 49

Plot 50

Plot 51

Plot 52

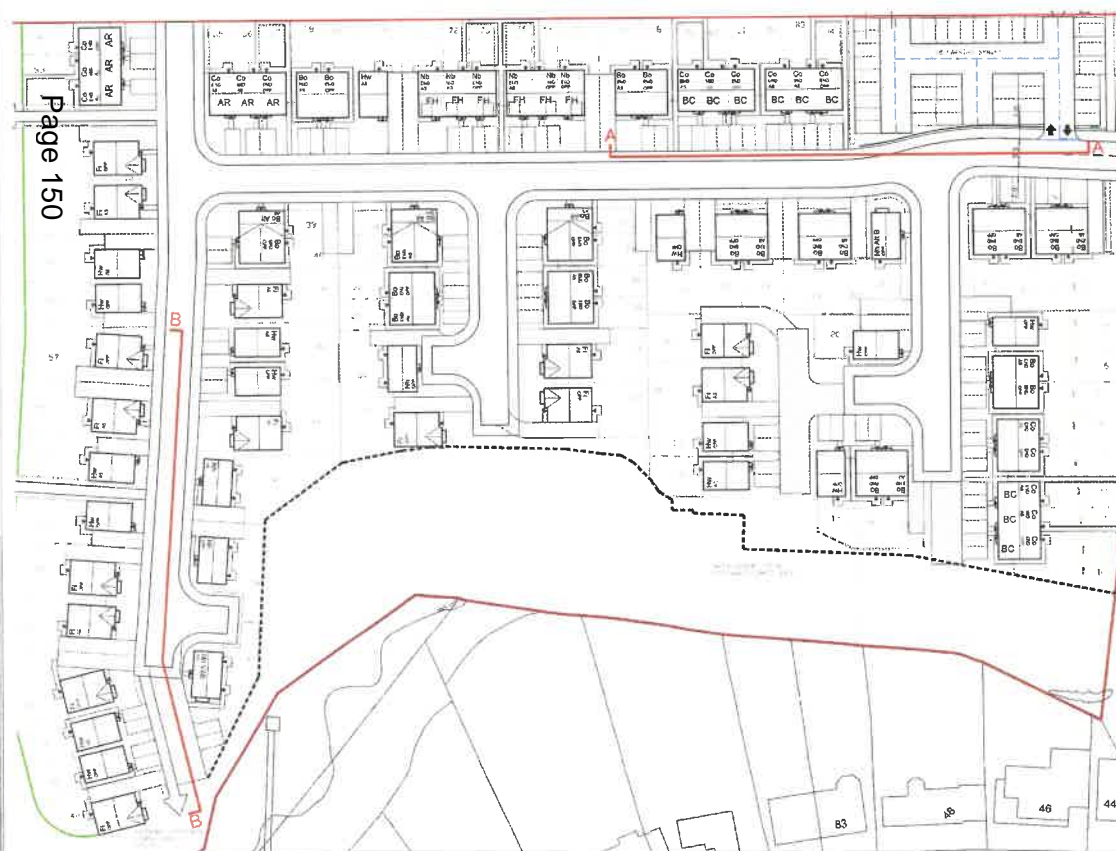
Plot 53

Plot 54

Plot 55

Plot 56

Plot 57



general notes;
do not scale the drawing;
all dimensions to be checked on site prior to commencement of work and any
discrepancy shall be immediately reported and resolved prior to work commencing.
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D 18.05.23 WL Updated to match layout rev O.
Entrance car park give way sign, signage and disabled parking
added

C 25.04.23 WL Updated to match layout rev M

B 05.04.23 WL Updated to match layout rev M

A	02.11.22	WL	Updated to match layout rev E. Plots 51-60 amended
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Aut Date By Case grow



mck associates limited 21

architectural building surveying & interior design

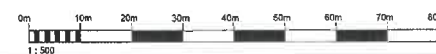
burnaby villa ■ 48 watling street road ■ fulwood ■ preston ■ pr2 8bp
tel: 01772 774510 fax: 01772 774511 email: mck@mckassociates.co.uk

PARKINSON STREET
BURY

STREETSCENE

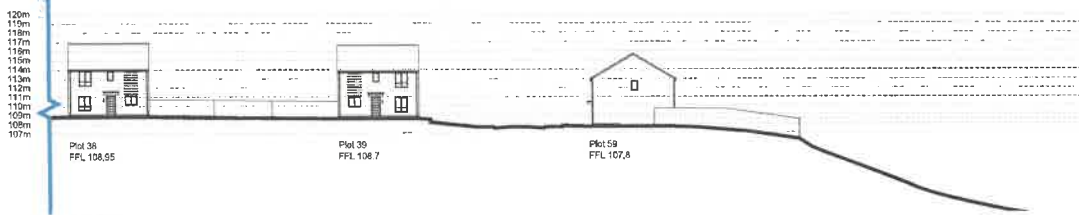
State:	File No.:	Year:	Date:
MHR	CT	1-500	JULY 2022
Job No.	Employer No.		Rev.
21-040	SS01		D

PLANNING

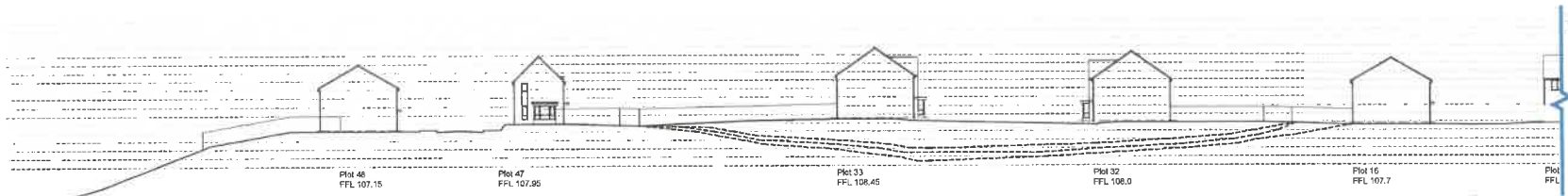




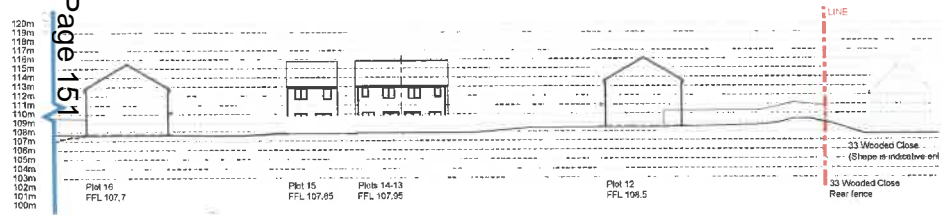
SECTION A-A 1 of 2



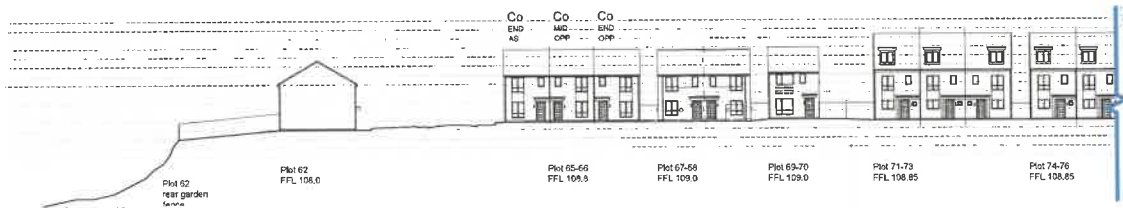
SECTION A-A 2 of 2



SECTION B-B 1 of 2



SECTION B-B 2 of 2



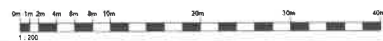
SECTION C-C 1 of 2



SECTION C-C 2 of 2

NOTE:
PLEASE NOTE, SECTIONS
ARE INDICATIVE ONLY

SUBJECT TO FINAL
ENGINEER FINISHED FLOOR
LEVELS



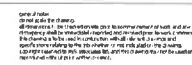
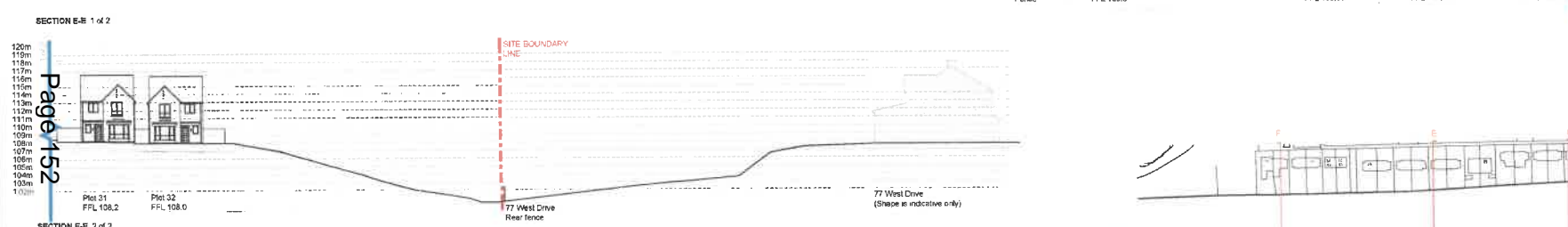
General Notes:
1. All dimensions are to the centre of the building unless otherwise stated.
2. The proposed development is shown in green on the site plan.
3. The proposed development is shown in green on the site plan.
4. The proposed development is shown in green on the site plan.
5. The proposed development is shown in green on the site plan.

C 18.95.23 WL Updated to match level 109.0
B 25.04.21 WL Updated to match level 109.0
A 25.04.21 WL Updated to match level 109.0

mck associates limited
architects and interior designers
Burtonville, 444 Wellington Road, London E15 2JF
Tel: 0202 244 0000 Fax: 0202 244 0001
BURY
PARKINSON STREET

INDICATIVE SECTIONS
Sheet 1 of 2
Date: 21-04-20
Scale: 1:500

PLANNING

[illegible]

SECTION E4-2

117m
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115m
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113m
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107m
106m
105m

ridge/eaves height TBC

ridge/eaves height TBC

53 West Drive
(shown indicative only)

Plot 49
FFL 106.7

Plot 49
FFL 106.7

Plot 50
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Plot 51
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Plot 52
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Plot



SECTION F-F 2 of 3

117m
116m
115m
114m
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112m
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110m
109m
108m
107m
106m
105m

2-64 Plot 60

81 Arley Avenue

81 Arley Avenue



NOTE:
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LEVELS



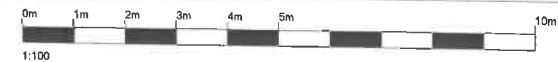
C	18.05.23	WV	Updated to match layout rev Q
Entrance car park 4th way sign, signage and disabled parking added			
B	25.04.23	WV	Updated to match layout rev Q
A	09.04.23	WV	Updated to match layout rev M
Rev	Date	By	Description



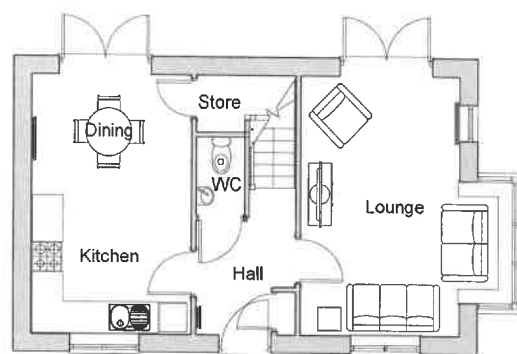
PARKINSON STREET

INDICATIVE SECTIONS
Sheet 2 of 2

Drawn 199	Applied CT	1.25	4.25
21-040		S01	



AREAS		
FLOOR	AREA m ²	AREA ft ²
GROUND	44.4 m ²	478 ft ²
FIRST	42.9 m ²	461 ft ²
TOTAL	87.3 m ²	939 ft ²



Ground Floor



First Floor

Client:



Project:
Core House Types

Drawing Title:
Newhey Variant Bay
939 Sqft.
Code - Nh VaB

Drawn: MHR
Checked: DH
Scale (A3): 1 : 100
Date: 28/08/19

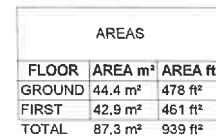
Drawing No: NH-VAB-001
Job No: 18-122
Rev: B

Rev.	Date	by	Description
B	27/10/20	MHR	Furniture layouts amended
A	13/10/20	MS	Layout amended

General notes:
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PLANNING



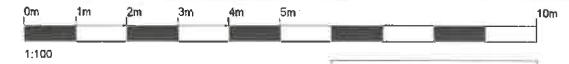


Drawing Title:
Newhey Variant Bay
939 Sqft.
Code - Nh VaB

PLANNING

General notes:
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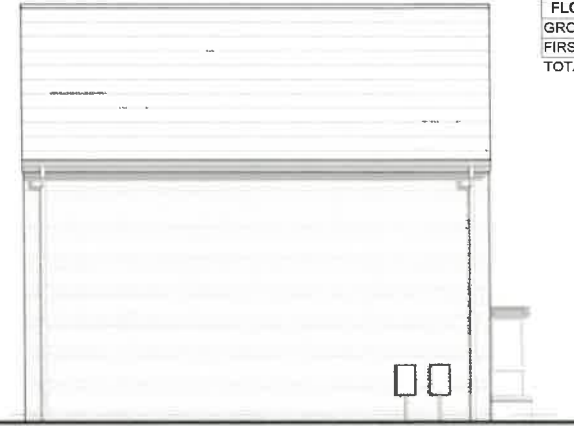
AREAS		
FLOOR	AREA m ²	AREA ft ²
GROUND	44.4 m ²	478 ft ²
FIRST	42.9 m ²	461 ft ²
TOTAL	87.3 m ²	939 ft ²



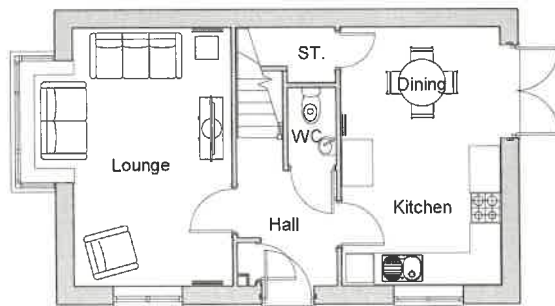
Front Elevation



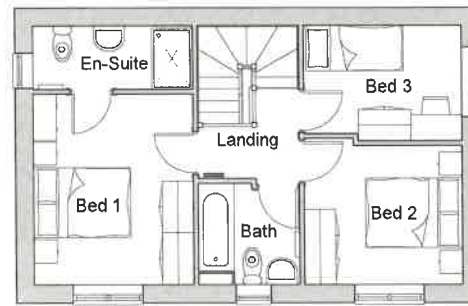
Side Elevation 1



Rear Elevation



Ground Floor



First Floor



Side Elevation 2

B	20/10/20	MS	External lighting added
A	6/3/20	DH/HR	Layout amended
Rev.	Date	by	Description

General notes:
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Client:



Project:
Core House Types

Drawing Title:
Newhey Alternative Bay
939 Sqft.
Code - Nh Alt B

Drawn:
MHR

Checked:
SK

Scale (A3):
1 : 100

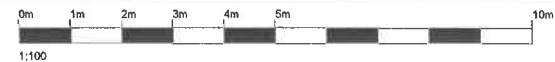
Date:
6/3/2020

Drawing No:
NH-ALT
B-001

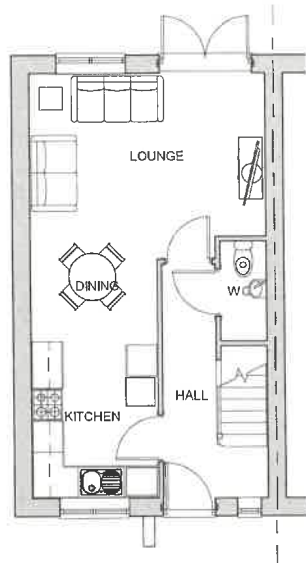
Job No:
18-122 B

PLANNING

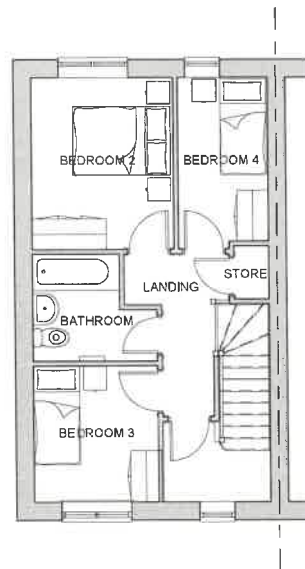




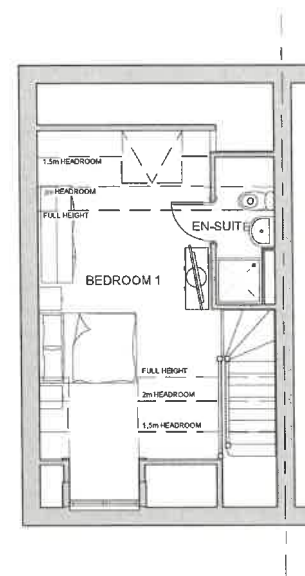
AREAS		
FLOOR	AREA m ²	AREA ft ²
SECOND	27.0 m ²	291 ft ²
GROUND	39.0 m ²	420 ft ²
FIRST	39.0 m ²	420 ft ²
TOTAL	105.0 m ²	1131 ft ²



Ground Floor



First Floor



Second Floor

Client:



Project:
Core House Types

Drawing Title:
Newbold
1131 Sqft.
Code - Nb

Drawn:
DH
Drawing No:
NB-001

Checked:
SK

Scale (A3) :
1 : 100
Job No:
18-122

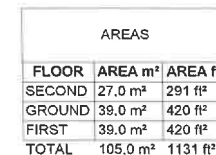
Date:
20/06/19
Rev:
A

Rev.	Date	by	Description
A	21/04/20	GO	Kitchen unit & duct amendment

General notes:
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PLANNING



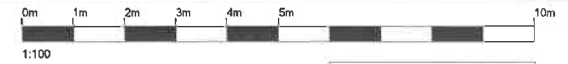
Drawing Title:
Newbold
1131 Sqft.
Code - Nb

A	15/10/20	MS	External lighting and tap added
Rev.	Date	by	Description

General notes:
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PLANNING



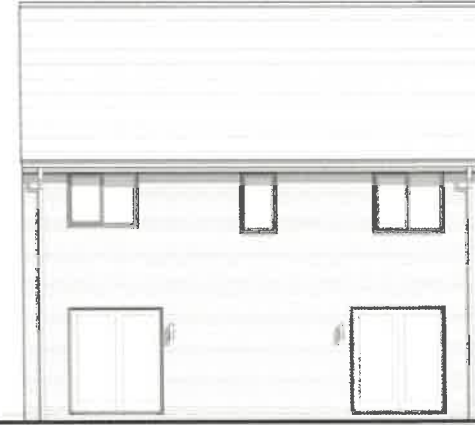
AREA SCHEDULE		
FLOOR	AREA m²	AREA ft²
GROUND	42.9 m²	461 ft²
FIRST	42.9 m²	461 ft²
TOTAL	85.7 m²	923 ft²



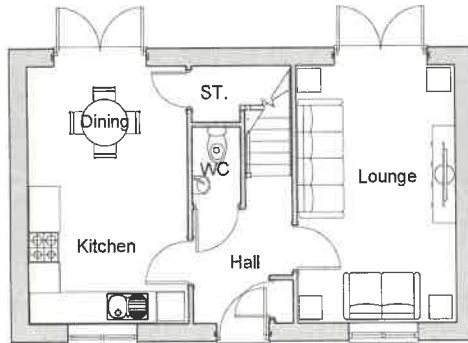
Front Elevation



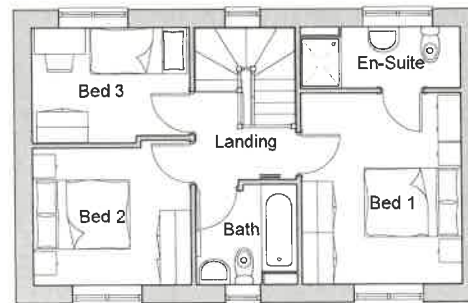
Side Elevation 1



Rear Elevation



Ground Floor



First Floor

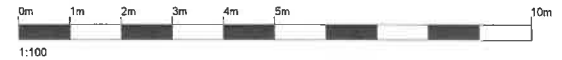


Side Elevation 2

B	27/10/20	MS	Layout amended
A	05/03/20	DH/HR	Layout altered
Rev.	Date	by	Description

General notes:
Do not scale the drawing. All dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and resolved prior to work commencing. This drawing is to be read in conjunction with all relevant drawings and specifications relating to the job whether or not indicated on the drawing. Copyright reserved to mck associates ltd, and this drawing may not be used or reproduced without prior written consent.





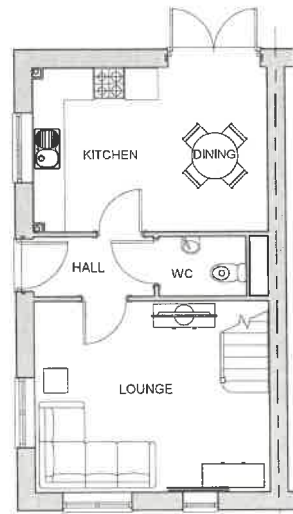
AREA SCHEDULE		
FLOOR	AREA m ²	AREA ft ²
GROUND	39 m ²	418 ft ²
FIRST	39 m ²	418 ft ²
TOTAL	78 m ²	837 ft ²



Front Elevation

Side Elevation

Rear Elevation



Ground Floor Plan



First Floor Plan

C	21/10/20	MS	SVP moved internally from external
B	06/03/20	DH/HR	Layout amended
A	28/02/20	DH	Canopy altered
Rev.	Date	by	Description

General notes:
Do not scale the drawing. All dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and resolved prior to work commencing. This drawing is to be read in conjunction with all relevant drawings and specifications relating to the job whether or not indicated on the drawing. Copyright reserved to mck associates ltd, and this drawing may not be used or reproduced without prior written consent.



Client:

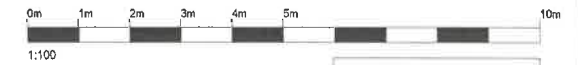


Project:
Core House Types

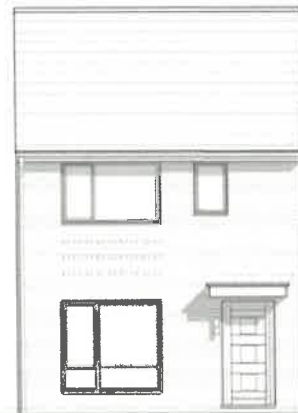
Drawing Title:
Bowker Alternative
837 Sqft.
Code - Bo Alt

Drawn: DH
Checked: SK
Scale (A3): 1 : 100
Date: 26/11/19
Drawing No: BO-ALT-001
Job No: 18-122
Rev: C

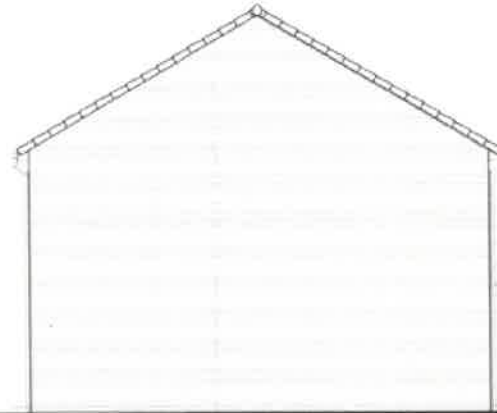
PLANNING



AREA SCHEDULE		
FLOOR	AREA m ²	AREA ft ²
GROUND	41 m ²	445 ft ²
FIRST	41 m ²	445 ft ²
TOTAL	83 m ²	890 ft ²



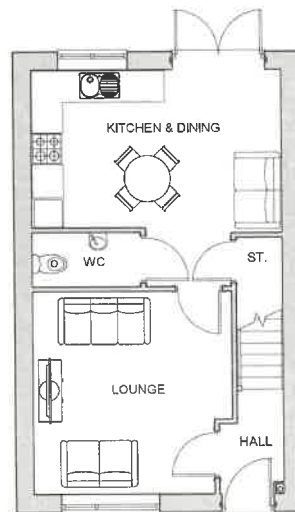
Front Elevation



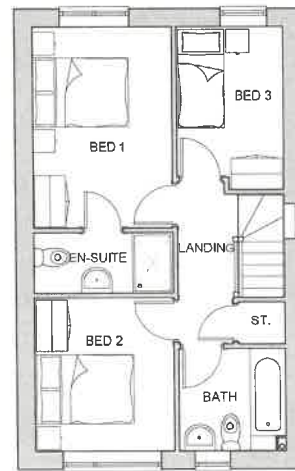
Side Elevation 1



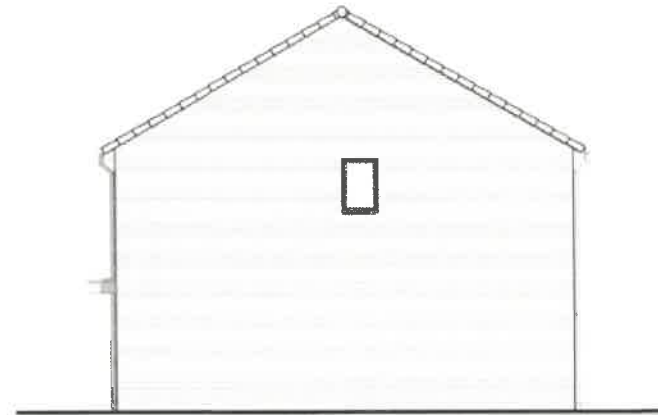
Rear Elevation



Ground Floor



First Floor



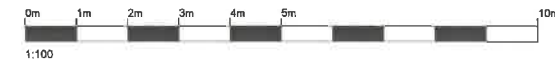
Side Elevation 2

C	03/06/20	DH	Minor amendments
B	05/03/20	DH/HR	Layout altered
A	21/04/20	GO	Kitchen unit amendment

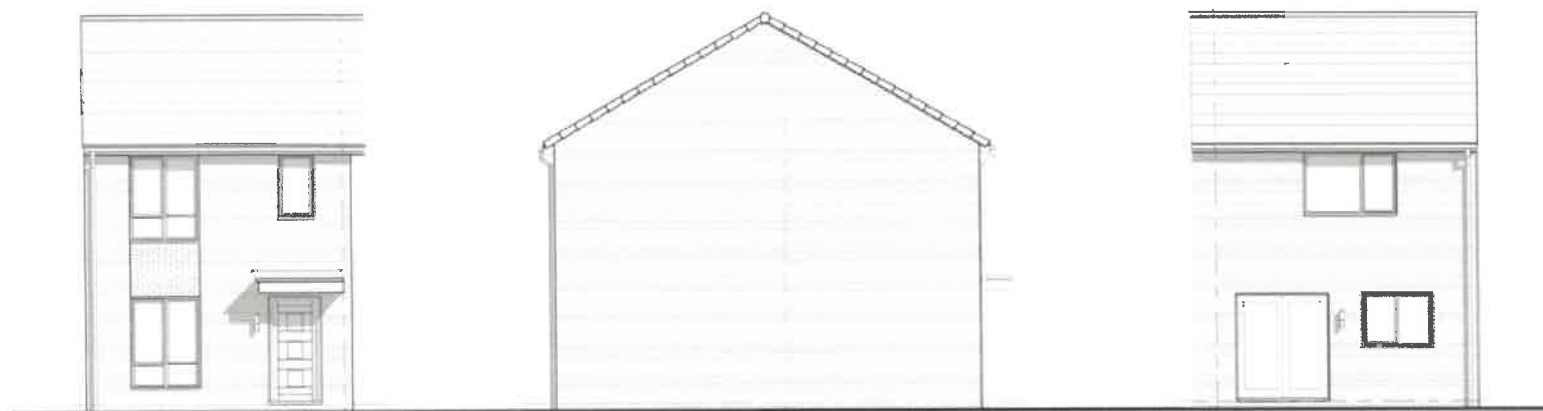
Rev.	Date	by	Description
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General notes:
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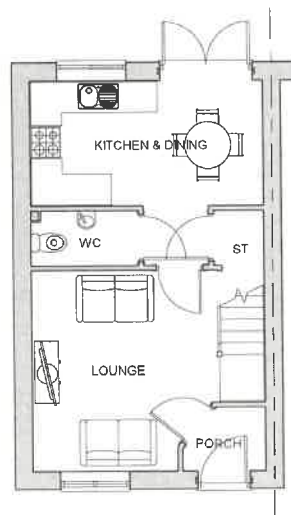
AREA SCHEDULE		
FLOOR	AREA m ²	AREA ft ²
GROUND	35.41 m ²	381 ft ²
FIRST	35.41 m ²	381 ft ²
TOTAL	70.82 m ²	762 ft ²



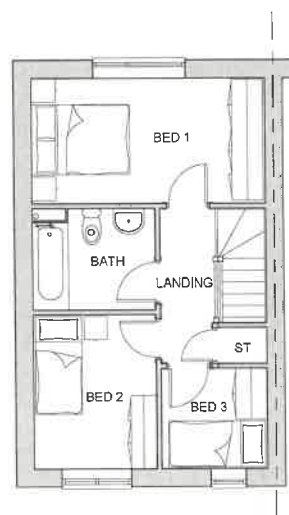
Front Elevation

Side Elevation

Rear Elevation



Ground Floor



First Floor

E	28/10/20	MHR	Layout Updated
D	10/06/20	DH	External light shown
C	03/04/20	HR	Amended the position of window in Bed 3
B	05/03/20	DH/SK	Layouts amended
A	27/02/20	DH	Canopy altered

Rev. Date by Description

General notes:
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Client:



Project:
Core House Types

Drawing Title:
Cornbrook End
762 Sqft.
Code - Co End

Drawn: DH Checked: SK Scale (A3): 1 : 100 Date: 13/06/19

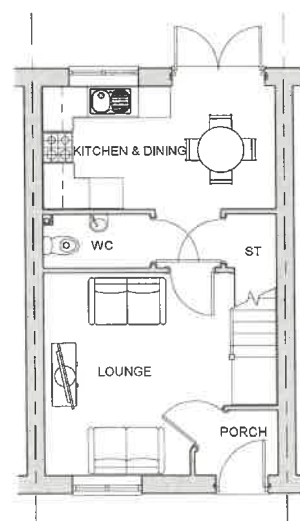
Drawing No: CO-END-001 Job No: 18-122 Rev: E

PLANNING



Front Elevation

Rear Elevation



Ground Floor



First Floor

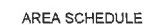
AREA SCHEDULE		
FLOOR	AREA m ²	AREA ft ²
GROUND	35.41 m ²	381 ft ²
FIRST	35.41 m ²	381 ft ²
TOTAL	70.82 m ²	762 ft ²

C	30/04/2020	GO	Kitchen unit amendment
B	30/04/2020	DH/HR	Layout amendments
A	30/04/2020	DH	Canopy updated
Rev.	Date	by	Description

General notes:
Do not scale the drawing. All dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and resolved prior to work commencing, this drawing is to be read in conjunction with all relevant drawings and specifications relating to the job whether or not indicated on the drawing, copyright reserved to mck associates ltd, and this drawing may not be used or reproduced without prior written consent.



PLANNING



FLOOR	AREA m ²	AREA ft ²
GROUND	39 m ²	418 ft ²
FIRST	39 m ²	418 ft ²
TOTAL	78 m ²	837 ft ²



G	11/04/23	MHR	Feature contrasting brick position updated
F	17/09/22	JS	W1 raised by 150mm
E	20/08/20	MHR	Layout Updated
D	20/08/20	MS	External lighting added
C	05/03/20	DH/HR	Layout amended
B	27/02/20	DH	Canopy altered / Front facade altered
A	20/01/20	DH	Roof pitch amended to match mid unit drawing
Rev.	Date	by	Description

General notes:
Do not scale the drawing. All dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and resolved prior to work commencing. this drawing is to be read in conjunction with all relevant drawings and specifications relating to the job whether or not indicated on the drawing. copyright reserved to mck associates ltd, and this drawing may not be used or reproduced without prior written consent.



PLANNING

Ward: Bury East - Redvales

Item 06

Applicant: Mrs Lorraine Howarth

Location: Land to rear of Wells Street, Bury, BL9 0TU

Proposal: Outline application for erection of 3 no. dwellings and associated parking (all matters reserved except access)

Application Ref: 68809/Outline Planning
Permission

Target Date: 16/01/2023

Recommendation: Approve with Conditions

Description

The application relates to a parcel of land located at the end of Wells Street, Back Wells Street and Barker Street. The metrolink is located to the west of the site. Terraced residential dwellings and outbuildings are located to the south and east of the site.

Outline permission is sought for 3 no. dwellings and associated parking (all matters reserved except access). Appearance, layout, scale and landscaping matters are reserved for future approval.

Relevant Planning History

21842 - Residential development: One Dwelling - Approved 15/12/1988

23386 - Railway Station and Car Park - Approved 07/12/1989

23387 - Car park - Approved 07/12/1989

Publicity

Neighbour letters sent to 39 neighbours properties on 23/11/2022. 4 objections received in relation to:

- Space it at a premium and there is now where to park, turn around, and making it necessary to reverse the full length of Wells Street unless another resident has vacated their space so a 3 point turn can be undertaken.
- Requirement to leave access one property that requires cars to be parked sensibly and sensitively.
- Making access for 4 additional dwelling will make life impossible for the current residents of Wells Street and Bradford Terrace.
- Additional traffic flow down a tightly packed street would cause unacceptable and dangerous levels of congestion.
- There already serious traffic problems due to school run and teachers vehicles going to Bury Church School. This would be exacerbated by constructors needing access to the proposed development.
- Wells Street/Bradford Terrace and Haslam Brow already have high density housing with numbers of occupants already owning more than 1 vehicle. Despite there being a resident permit system there are frequent parking problems for occupants.
- We have a garage that occupies the land adjacent to the plot in question which would be inaccessible if the development goes ahead.
- Only one off road parking space has be allocated per house which is not enough, more cars will be trying to use the street parking.
- The line of the street will be altered causing the end of the street to look odd and not sympathetic to the age of the buildings in the area.

- Plan looks shoe horned in, little garden space. There are many of 2-up-2-downs in the area, one family size home would be much more suitable.
- Side path. We have been burgled and had issues with trespassers. Having a cut through path would only provide more access and escape routes at this end of Wells Street.
- Tram line. The development would remove the visual block and acoustic deadening the vegetation provides.
- Wildlife. Habitats would be destroyed.
- Schools are getting tight and stretched.
- There is plenty of land to construct on in Bury.
- Why can't I see plans or comments before adding my own?
- The street is busy but everyone in Wells Street knows each other to say hi/hey. People that buy new builds aren't as friendly.

Following receipt of amended plans and additional information further neighbour letters sent 20/03/2023. One objection received in relation to:

- Plans for three dwellings are crammed into the plot with a footprint even smaller than the adjacent 2-up-2-down terrace. I question who these homes are designed for when family homes are much needed in the area with the close proximity to schools and nurseries.
- The resident parking is a poor use of space with a bottleneck entrance and no space for visitor parking.
- The orientation of the properties will mean our bedroom window will be overlooked. We object to this unless the glass is obscured.
- Dwelling one will look onto the side of a shed which would look very odd.
- Dwelling one is very close to the Metro boundary. A minimum distance must be left between the building and the boundary to allow for maintenance. Has this been adhered to?
- Addition of a public footpath will provide a escape route for criminals and may encourage anti-social loitering and behaviour in the area. Burglary, property damage, trespassing, anti-social behaviour and drug use are all prevalent in the areas.

Statutory/Non-Statutory Consultations

Traffic Section - Conditions requested in relation to submission of details in relation to the formation of the access and a construction traffic management plan.

Borough Engineer - Drainage Section - no response

Environmental Health - Contaminated Land - Conditions requested in relation submission of a Contaminated Land Preliminary Risk Assessment, Site Investigation, Detailed Risk Assessment and Remediation Strategy, and implementation of this strategy.

Waste Management - We collect the bins from the rear of the properties in this area. Having bins presented on Back Wells Street would reduce any potential collection issues.

United Utilities (Water and waste) - Drainage condition requested.

Greater Manchester Ecology Unit - The main ecological issue is the overall loss of biodiversity that will occur due to the development. Issues relating to bats, badger, hedgehog, nesting birds and invasive species can be dealt with via condition.

Transport for Greater Manchester - There is clearly huge potential for the proposed works to adversely impact Metrolink infrastructure and/or operations and in this regard we will request that Developer enters into an Asset Protection Agreement with Metrolink in advance of any works commencing onsite. Conditions requested in relation to working safely near metrolink, vehicle restraint measures, tree protection, noise and vibration, track and sloop monitoring during construction works, landscaping and boundary treatment and drainage.

The Coal Authority - Recommendation for conditions in relation to intrusive site investigations, prior to the commencement of development to establish the risks posed by past coal mining activity (mine entry 381410-001) and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy.

Pre-start Conditions - Applicant has 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
HT2/4	Car Parking and New Development
HT2/1	The Strategic Route Network
HT6/2	Pedestrian/Vehicular Conflict
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
EN7/2	Noise Pollution
NPPF	National Planning Policy Framework
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
SPD6	Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Principle (Residential)

The National Planning Policy Framework (NPPF) 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. The Framework maintains the emphasis on identifying 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 of 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.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be

taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, in relation to the proposed dwellings, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Therefore, in this case the 'titled balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

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 boundary, with residential properties to the east and south and the metrolink to the west. The proposed development would not conflict with the surrounding land uses and would be located in a sustainable location with regard to public transport and services. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and Layout

H2/1 - The Layout of New Residential Development and H2/2 - The Layout of New Residential Development, provides the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finish materials.

The indicative plan shows that the site can accommodate 3 dwellings, of a similar footprint to the adjacent terraces whilst incorporating areas of private amenity space. The indicative plan also shows an area that can be accommodated for parking and bin storage.

The layout and appearance is not subject to consideration at this outline stage but would be a matter for the reserved matters application.

Residential Amenity

UDP policies H2/1 and EN1/2 and requires consideration of various factors relating to built design, including the relationship of the proposal to the surrounding area and impact on residential amenity.

Indicative dwelling 1 faces towards a single storey outbuilding however windows within this property can be orientated to ensure that principal habitable room windows on the ground floor are located on the side elevation facing towards the indicative amenity space, or the internal layout can be reviewed so that non-habitable rooms face towards this building.

First floor windows within the front elevations of the indicative dwellings could maintain existing separation distances that have been established between the properties on Wells Street and Bradford Terrace and would be separated from these properties by a highway.

Any proposed rear windows would not directly face and residential properties.

As stated, the layout is not under consideration at present and would be a concern for the reserved matters application however the indicative layout submitted shows that separation

distances can be accommodated.

Amenity for future occupiers

The Local Planning Authority seeks compliance with the 'Technical housing standards - nationally described space standard' in relation to overall floor space and minimum bedroom dimensions in order to provide an acceptable standard of amenity for occupiers. Details of the house types in relation to these requirements should be included within the supporting planning statement at reserved matters stage to determine whether they would comply with the minimum gross internal floor area requirements and the associated minimum bedroom dimensions of the 'Technical housing standards – nationally described space standard'.

Highways and Access

UDP Policy EN1/2 - Townscape and Built Design requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP Policy H2/2 - The Layout of New Residential Development that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way, and UDP Policy HT6/2 - Pedestrian/Vehicular Conflict that requires developments to reduce pedestrian/vehicular conflict.

The proposal seeks to create an access from Wells Street, adjacent to the existing property at No. 20. Amendments are shown to be made to the existing footpath to allow for better visibility when exiting the site and a new footpath is shown across the front of the proposed site and running along both sides of a new access road. The indicative layout submitted shows that this access will be used to access the parking to the rear of the site, with a pedestrian access from Back Wells Street proposed to allow any future residents to put their bins out for collection.

The Traffic Section have been consulted as part of this application and have raised no objections to the proposed access subject to conditions in relation to highways works and facilities, and the submission of a construction management plan. As such the proposal is considered to be acceptable.

Parking

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

This would be a reserved matters consideration in relation to layout, however the indicative plans show that 6 spaces could be provided within the red edge site. As such the proposal should be able to comply with maximum parking standards. Therefore, given the access arrangements that are subject to consideration, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Ecology

The building on the site was assessed as having negligible bat roosting potential as were trees that could be assessed. Parts of the site were however inaccessible with trees present that could provide low bat roosting potential. Precautionary measures have therefore been recommended for the removal of these trees. This is acceptable under current guidance for low potential trees and therefore GMEU have requested a condition to ensure that further assessments and/or precautionary measures for felling have been provided to the Local Planning Authority prior to the removal of trees.

The development site also has the potential to negatively impact on the metrolink wildlife corridor as a commuting and foraging area for bats if illuminated. This appears unlikely given the access road is away from the metrolink boundary, however as a precaution GMEU have recommended a condition for an external lighting strategy.

No evidence of badger was recorded on the site. Precautionary measures have however been recommended due to the dense vegetation on the site and proximity to the metrolink that could act as a corridor for this species. Similarly, in relation to hedgehogs the dense bramble scrub is ideal habitat for hedgehog to nest and hibernate. Hedgehog is a UK Biodiversity Priority Species and therefore a material consideration. GMEU agree with the consultant that reasonable avoidance measures should be utilised during site clearance to ensure any hedgehog present are humanely displaced. These measures will also ensure that badgers and other mammals utilising the site are safeguarded. Whilst the reasonable avoidance measures outline in the report are likely adequate, GMEU have recommended that a more detailed method statement is provided via condition, if permission is granted, prior to site clearance.

The site has high potential for nesting birds due to the trees, hedge and scrub on the site. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. As such, a condition restricting works to trees and hedges outside of nesting season has been recommended.

No evidence of invasive species was recorded by the consultant, however not all the site could be accessed with Japanese knotweed present on the metrolink embankment nearby.

Biodiversity Net Gain

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site is currently primarily dense scrub a widespread but medium value habitat, which will be replaced with buildings, hardstanding and possibly some small gardens a low value habitat. There will therefore be a net loss of vegetated habitats at the site level contrary to the NPPF. There will also be a negative impact on birds and potentially hedgehog.

Whilst some mitigation could be achieved on the site for nesting birds, through provision of nest on the new buildings, it will not be possible to mitigate on site for the loss of scrub and trees. In order to quantify these losses a Defra metric has been submitted by the applicant to give a baseline of habitats currently provided on site. A condition has been attached to the proposal that requires a Biodiversity Management Plan to ensure that there is a minimum 10% net gain provided when the reserved matters application is submitted. This condition allows for on site, or off site net gain to be provided as the layout has not been secured.

Coal Mining

The indicative layout indicates that the proposed dwellings would be located within the southern part of the site, outside the 20 metre zone from the mine entry. A Coal Mining Risk Assessment has also been prepared for the proposed development, and was informed by historical, geological and coal mining information. The assessment concludes that whilst a mine entry is recorded within the northern boundary of the site (proposed bin store) the area where the dwellings are proposed lies outside the Development High Risk Area as defined by the Coal Authority. Recommendations have been made that a watching brief be maintained during all construction activities and if the mine entry is found, will need to be treated and capped.

The Coal Authority records indicate the mine entry is located just within the site boundary. Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. Accordingly, the Coal Authority consider that in order for the applicant to demonstrate safe and stable development, as a whole, at this site, intrusive ground investigations should be carried out to confirm the presence or otherwise of the mine entry. It would be prudent to carry out a positional review of the mine entry in order that the best plot position can inform the intrusive investigations. If the mine entry is not found within the site, the worst-case scenario should be assumed that the mine entry is just outside the site boundary. Based on the findings of the intrusive ground investigations (depth to bedrock) the zone of influence (no build exclusion zone) can be calculated by the

applicant's geotechnical consultants who can then recommend what mitigatory measures are required within the no build exclusion zone.

The intrusive site investigations should be designed and undertaken by competent persons to ensure that these are appropriate to assess the ground conditions on the site to establish the coal-mining legacy present and the risks it may pose to the development and inform any mitigation measures that may be necessary. The Coal Authority have recommended a condition to be attached to any permission in relation to these required investigations.

Metrolink

Transport for Greater Manchester - Metrolink - have been consulted as part of the application due to the close proximity of their infrastructure in relation to the site. They have confirmed that the metrolink runs in a fairly deep cutting on ballasted track adjacent to the proposed development site and it is of paramount importance that the stability of this cutting slope or the trees are not compromised by the works on the site or by changes to the drainage in the vicinity.

There is a significant difference in levels between the track, and the proposed site and the land is partly retained by a cutting slope with a low retaining structure at the bottom of the cutting for a short length. Whilst this does not preclude the sites from being developed as proposed it will require close liaison with TfGM and the Metrolink Operator and Maintainer (KAM) to ensure that the cutting slope is not destabilized.

Metrolink considered that there is huge potential for the proposed works to adversely impact infrastructure and/or operations and in this regard we will request that Developer enters into an Asset Protection Agreement with Metrolink in advance of any works commencing onsite and it should be noted that there may be a charge in relation to this if the expertise of Discipline Engineer's need to be called up on.

Metrolink have also requested a number of conditions to be added to the any approval at the site that include provision of the submission of a Construction Management Plan to ensure that the developers are working safely near Metrolink, vehicle restraint measures along the shared boundary, protection measures for trees, the submission of a scheme for acoustically insulating the proposed development, track and slope monitoring during construction works, landscaping and drainage.

Drainage

In terms of drainage any proposal should include a surface water scheme that must be based on the hierarchy of drainage options in the National Planning Practice Guidance and include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. It must be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). Details of proposed maintenance arrangements should also be provided. Details of this drainage scheme however could be conditioned.

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site and to manage the risks associated with water run-off onto the Metrolink infrastructure and tramway.

Response to Objections

Points raised from the consultation process have been dealt with in the report above. Layout, external appearance, landscaping and scale would be reserved matters and as such, only the principle of the development and the means of access are under consideration at this time.

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

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

Reason. To ensure the satisfactory development of the site and because this application is in outline only.
3. This decision relates to drawings numbered Location Plan, 0037-ESP, 0037 PTP received 15th May 2023 and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
4. 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. Notwithstanding the details shown indicatively on approved plan reference 0037 PTP (received 15th May 2023), 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:
 1. Formation of the site access onto Wells Street and associated extension of the northerly footway and carriageway, incorporating a kerbline and footway alignment/width based on a projection of the existing arrangements on Wells Street, measures at the cul-de-sac end of Wells Street between the existing garage and new section of footway, 'footpath accesses' on either side of the proposed site access, adequate levels of visibility at the junction of the site access with the back edge of the proposed footway, extent and demarcation of the limits of the future adopted highway, surface water drainage arrangements for the extended section of Wells Street, and all associated highway and highway drainage remedial works, road markings and signage, to a scope and specification to be agreed with the Highway Authority;
 2. Foundation and surface water drainage details for any new dwellings abutting Wells Street to ensure that there will be no projection under/over or discharge onto the future adopted highway;
 3. Provision within the curtilage of the site for the parking cars which visit the site in connection with the residential use proposed and in accordance with SPD 11;
 4. Provision within curtilage of the site to enable vehicles to enter and leave the site in forward gear;
 5. Bin storage arrangements within the curtilage of the development in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

The highway works and facilities subsequently approved shall be implemented to an agreed programme.

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, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

7. 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:
 1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
 2. Access route for all vehicles to the site from the Key Route Network and all temporary works required to facilitate access for ground works/construction vehicles;
 3. If proposed, details of site hoarding/gate positions clear of required visibility

- splays onto Wells Street;
4. The provision, where necessary, of all required temporary pedestrian facilities/protection measures;
 5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Wells Street;
 6. Confirmation of hours of operation and size/number of vehicle movements taking into consideration the use of the restricted residential streets used to access the site and school start finish times due to the proximity of the site to Bury CE High School;
 7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
 8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
 9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the 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.

8. The removal of trees on the site may have the potential to cause harm to bats as identified in the Preliminary Ecological Appraisal Arbtech dated 7th February 2023 table 4 and shall not in any circumstances occur unless further assessment and or precautionary measure for felling have been provided to and agreed in writing by the local planning authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

9. Prior to development an external lighting design strategy shall be submitted to and approved in writing by the LPA. The strategy shall:
 - show how and where street lighting will be installed and through appropriate lighting contour plans demonstrated clearly that any impacts on the functionality of the Metrolink as a dark corridor for bats is negligible;
 - Specify frequency and duration of use.

All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

10. No works to trees, hedge 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.
11. Prior to any vegetation clearance or earthworks a reasonable avoidance measures method statement for hedgehog, badger and other mammals covering site clearance and the construction phase will be provided to and agreed in writing by the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
12. At first reserved matters a Biodiversity Net gain proposal shall be submitted to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as calculated at outline stage. The Proposals shall include:
- Proposals for on-site biodiversity net gain;
 - A management and monitoring plan for any on-site proposals to cover a 30 year period;
 - A management and monitoring plan for any off-site proposals to cover a 30 year period;
 - Details of any payments for offsetting measures where there is a shortfall in achieving 10% biodiversity net through on and off-site measures

The development shall be implemented in full accordance with the requirements of the approved Biodiversity Management Plan.

Reason. In the interests of ensuring measurable net gains in biodiversity and in accordance with Section 15 of the National Planning Policy Framework.

13. No development shall commence unless and until;
- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity (mine entry: 381410-001), and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. This should include the submission of the approved site layout plan which illustrate the position and co-ordinates of the mine entry if found within the site and the zone of influence (no build exclusion zone) of any mine entry out with but within influencing distance of the site.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason. To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy

14. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.
Reason. To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework
15. 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.
16. No development shall take place until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Bury Council (approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CMP shall provide for: -
- loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - construction methods to be used; including the use of cranes if intended (which must not oversail the tramway);
 - site hoarding and scaffolding; and
 - measures to control the emission of dust and dirt during construction.
- Reason. To ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development.
17. No development shall take place until the scope and specification of vehicle restraint measures to be installed along part of the boundary of the development which is shared with Metrolink and has potential to be used by vehicles has been

submitted to, and approved in writing by Bury Council as Local Planning Authority (approval to be in consultation with Transport for Greater Manchester).

Reason. Information not submitted at application stage. To protect Metrolink infrastructure and to safeguard the amenities of the locality pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development.

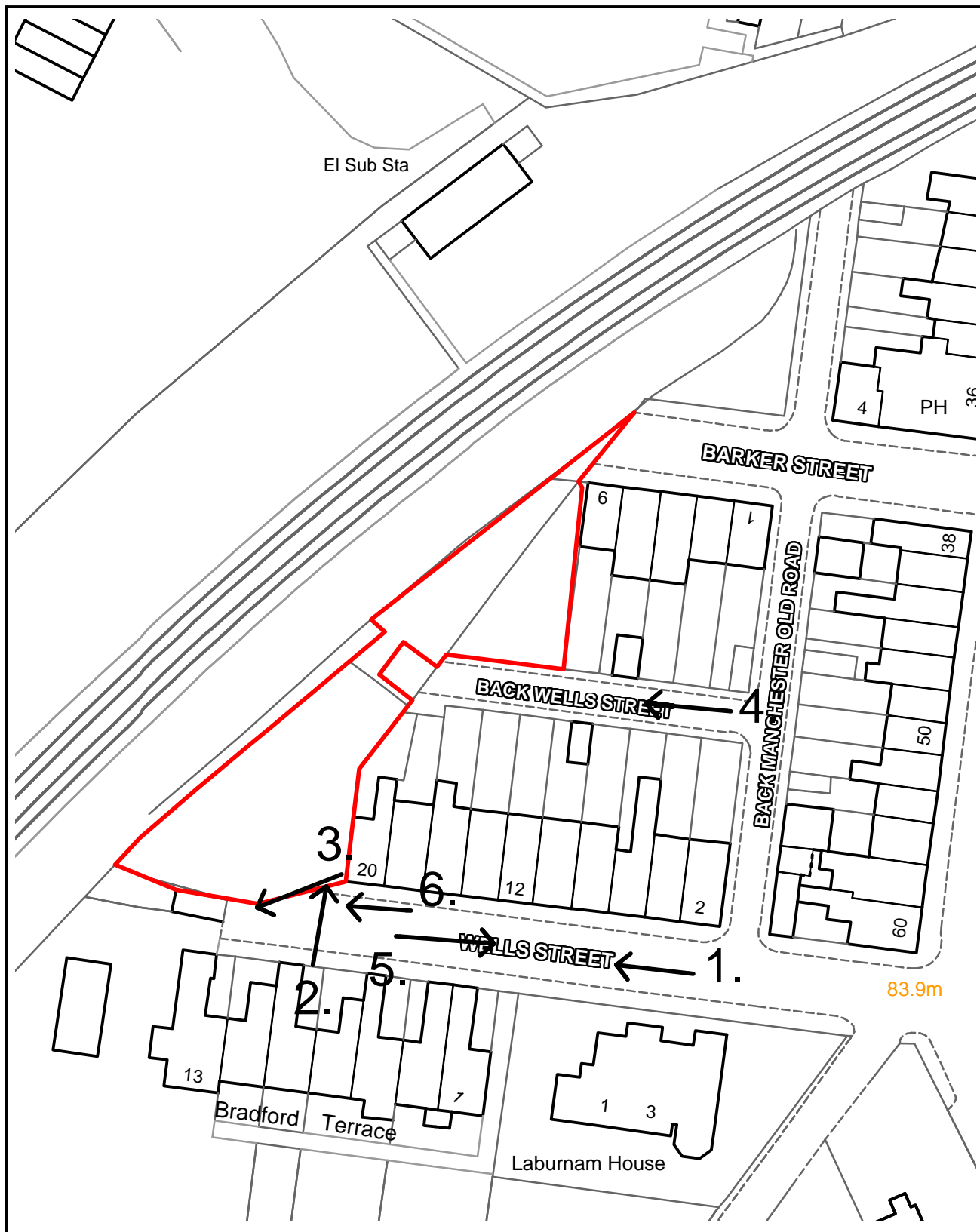
18. No development shall take place until full details of the root protection to the trees that are located within or extend into the Metrolink boundary and a design to demonstrate that the development will not impact the stability of the trees and therefore the cutting slope have been submitted to, and approved in writing by, the Local Planning Authority (approval to be in consultation with Transport for Greater Manchester).
Reason. To protect trees against root damage and to maintain the stability of the trees such that they do not fail and impact Metrolink infrastructure pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development, EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
19. Prior to the commencement of the development a scheme for acoustically insulating the proposed development against noise and vibration from the adjacent Metrolink line shall be submitted to and approved in writing by Bury Council as local planning authority. The approved noise insulation scheme shall be completed before the use of the development commences.
Reason. To secure a reduction in noise from Metrolink in order to protect future residents from noise nuisance, pursuant to policies pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and EN7/2 - Noise Pollution.
20. Excavation is not to be carried out greater than 1m deep within 1m of the Metrolink operational boundary or any piling works within the zone of influence without notifying Metrolink in advance and obtaining approval. Any such works may require track, retaining wall or slope monitoring to be carried out as agreed with Metrolink and at the cost to the developer.
Reason. To ensure that the development does not adversely affect the cutting slope or track alignment and therefore the operation of Metrolink pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development and Chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.
21. At the reserved matters stage relating to landscaping, full details of landscaping and urban realm works adjacent to the Metrolink boundary and the associated boundary treatment to the Metrolink tramway have been submitted to, and approved in writing by Bury Council as Local Planning Authority (approval to be in consultation with Transport for Greater Manchester).
Reason. To ensure that an appropriate boundary treatment is installed on the boundary of the Metrolink tramway and that adjacent landscaping/urban realm is not detrimental to Metrolink Operations pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development.
22. No development shall take place, until the detailed design for the drainage of the development has been submitted to and approved in writing by Bury Council as Local Planning Authority (approval to be in consultation with Transport for Greater

Manchester).

Reason. To manage the risks associated with water run-off onto the Metrolink infrastructure and tramway pursuant to policies pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development, 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.

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

Viewpoints - Item 06



PLANNING APPLICATION LOCATION PLAN

APP. NO 68809

ADDRESS: Land to rear of Wells Street, Bury,
BL9 0TU

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

Photo 1



Photo 2



Photo 3



Photo 4



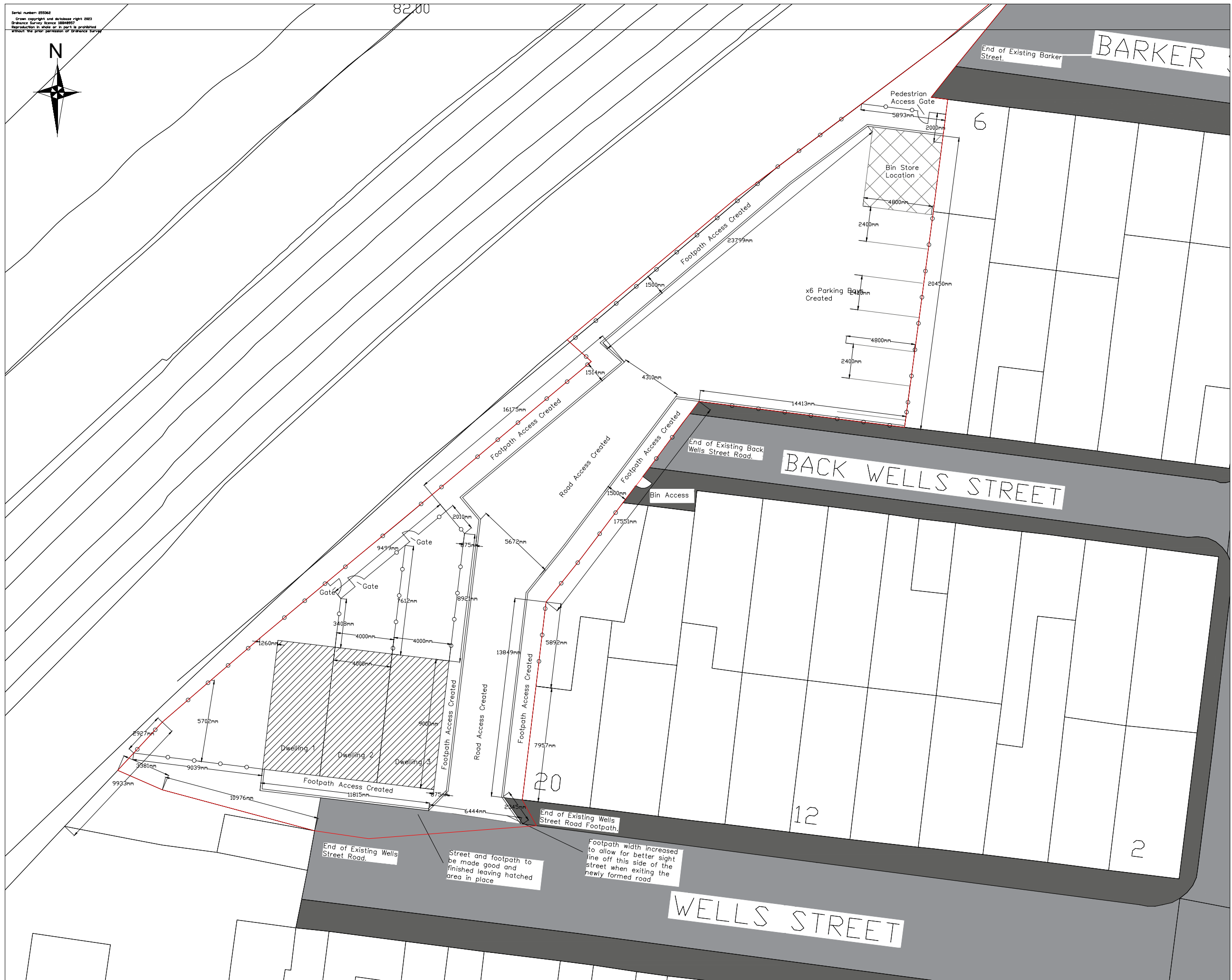
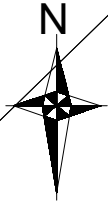
Photo 5



Photo 6



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Site Demise

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- 3) ALL DIMENSIONS ARE IN MILLIMETRES ONLY.
- 4) THE ORIGIN AND ORIENTATION OF THE SURVEY GRID RELATE TO AN ARBITRARY GRID.

REVISIONS

No.	Date	Amendments	Initial

SV
DRAWINGS LTD.

TITLE

Proposed Site Plan
With Topographical Data

CLIENT

Mrs Susan Howarth
11 Patterdale Drive
Bury
BL9 9PZ

PROJECT NAME

Land to the West of Wells Street
Back Wells Street & Barker Street
Bury, Greater Manchester
BL9 0TU

DRAWN BY SV DATE 10.10.2022

SCALE 1: 250 @A3 CHECKED SV

DRAWING NO. REV. NO.

0037-PTP

Location Plan Back of Well Street





Existing Site Plan

NOTES

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2) SV DRAWINGS LTD SHALL BE INFORMED IN WRITING OF ANY DISCREPANCIES.

3) ALL DIMENSIONS ARE IN MILLIMETRES ONLY.

4) THE ORIGIN AND ORIENTATION OF THE SURVEY GRID RELATE TO AN ARBITRARY GRID.

—

LAND BOUNDARY DEMISE
(not within application)

—

PROPOSED PROPERTY DEMISES & LAND

REVISIONS

No.	Date	Amendments	Initial

SV

DRAWINGS LTD.

TITLE

Existing Site Plan

CLIENT

Mrs Lorraine Howarth
11 Patterdale Drive
Bury
BL9 9PZ

PROJECT NAME

Land to the West of Wells Street
Back Wells Street & Barker Street
Bury, Greater Manchester
BL9 0TU

DRAWN BY

SV

DATE

10.10.2022

SCALE

1:500 @A3

CHECKED

SV

DRAWING NO.

0037-ESP

REV. NO.

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Ward: Bury West - West

Item 07

Applicant: Care Today Children's Services

Location: 21 Orpington Drive, Bury, BL8 2PJ

Proposal: Change of use from residential dwelling (Class C3) to children's residential care home (Class C2)

Application Ref: 69612/Full

Target Date: 13/07/2023

Recommendation: Approve with Conditions

Description

The application relates to 21 Orpington Drive, a 6 bedroomed detached residential dwelling which is located within a residential estate. The area is characterised by similar detached type dwellings and the property shares boundaries to houses on Haig Road and Warlingham Close. Opposite is Wellington Square, a social housing development.

The application property is detached and accommodation comprises living accommodation at ground floor and 6 bedrooms at first floor. The property has a circulatory driveway and parking for up to 3 cars. There is a rear garden with a detached garden store in the north western corner.

The application proposes the change of use from residential dwelling (Class C3) to children's residential care home (Class C2).

The property would accommodate up to 4 children between the ages of 7 and 17 years old. Support staff would operate on a shift pattern. There would be 2 members of staff working on a rota basis during the day and night time and a Manager on site Monday to Friday during office hours.

Shifts would start at 10am for a 24 hour period whereon there would be a staff changeover.

Visitors to the site would be infrequent with pre-arranged visits by support staff/social on a bi-monthly basis. and more formal meetings held away from the site. There would be no planned medical staff required to attend.

Internally the accommodation would remain the same apart from providing sleep facilities for the staff.

Externally, it is proposed to add a porch. This would be 3 sqm in floor area and less than 3m in height and as such permitted development.

There would be no changes to the access or driveway and the rear garden would continue to provide the amenity space for the property.

Relevant Planning History

N/A

Publicity

Letters sent on 19/5/23 to 9 properties.

12 objections received raising the following issues -

- Excessive noise and traffic
- 6 bedrooms each likely to have more than 1 occupier
- Disturbance to residents

- Most neighbours have been long term residents and have got used to a certain quality of life
- Surrounded by good quality housing and command high quality values
- The entrances from Haig Road and from Bolton Road off Orpington Drive are always narrow because people from private offices and other establishments park their cars on both sides of the road during the daytime. On the weekends, parents park their cars all over the place (including in front of driveways at times) as their kids are playing in the sports ground nearby.
- In addition, given it will be a 24-hour facility requiring the attendance of support staff working shifts or visiting in emergency situations, it will increase the number of vehicles requiring access to and egress from the property and will clearly increase noise and disruption throughout the entire day/night.
- The property backs onto my garden, and any disruption or disturbances that arise within the property and its grounds, potentially at any time during the day or night, will have an impact on my family and property.
- For the last few years we have been plagued especially in summer time by rowdy teenagers hanging out until quite late at night round the barracks. This has caused immense disturbance to our rightful peace with hoards of youngsters walking up and down Orpington drive causing noise disturbance. There have been instances of screaming and yelling in the middle of night, rowdy youngsters fighting amongst each other etc. There have been knocks on the door by teenagers waking us up at night.
- The proposed change of the house at 21 Orpington drive will increase and add to the safety and security concerns to us. We already concerned by the disturbances and the presence of more youngsters who unfortunately come from a troubled background may lead to unnecessary trouble for the residents.
- Have small children and are increasingly concerned.
- I feel that such facilities will not fit our current neighbourhood and may bring trouble within the area.
- The uncertainty of background checks and current needs of the children are concerning. There are many elderly residents who this may affect. They have chosen to retire in a quiet neighbourhood and it could be detrimental to their well-being if a children's residential unit is facilitated.
- It will cause a rise in traffic within the area. My children enjoy playing out on the street, as not many cars pass through. A care home will create further hazards to pedestrians. Furthermore, there is little space for parking and will result in a build-up of park cars in the street which could lead to further hazards.
- Trust the planning authority will take my objections seriously and make a well-informed decision.
- I have worked in the Education System as a Director of Inclusion and whilst I have empathy for these vulnerable children, from experience, carers have limited authority if a child behaves in a non compliant manner. If the child is non responsive to the carers expertise nothing can be done until police intervention. As a result children could be left walking the streets until an already over stretched police dept give potential help. These actions comprise the safety and security of the neighbourhood.
- Although we do not know the history of the children in care a number will have had a disadvantaged start resulting in social issues impacting on the two older vulnerable communities at either end of Orpington Drive . In particular the one directly opposite the proposed care home.
- Hazards in increased parking would result from the care home leading to congestion and the safety of resident children. Bury Cancer Centre local industries and the sports club park on Orpington
- The proposed children's residential care home is not in line with the existing character of our neighbourhood.
- Urge you to prioritise the needs and concerns of the local residents
- Concern about the noise and making my children feel unsafe and scared wholly unsuitable for a residential area with other residents including young children so close and does not take any of the other residents safety or privacy into accounts.
- The garden of my property is easily visible from the bedrooms of the above property

am concerned for the safety of my children in general and feel their privacy and well being is at risk as a result of this. I don't want my children potentially being watched, feeling uncomfortable or scared will at home or in their garden.

- Concerns that any child in the above property could easily access my property and could take a liking to my young children in particularly my young daughter and I'm concerned for her safety. I'm also concerned about the potential for anti social behaviour and the mental and physical well being of my children.
- One bathroom does not seem suitable for 6 people
- Impact on property values

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

Statutory/Non-Statutory Consultations

Traffic Section - No objection

Children's Centres & Early Years - No comments to make

Environmental Health - Pollution Control - No comments

Greater Manchester Police - designforsecurity - No response received.

Waste Management - No response received.

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN7/2	Noise Pollution
CF3	Social Services
CF3/1	Residential Care Homes and Nursing Homes
HT2/4	Car Parking and New Development
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

Chapter 5 of the National Planning Policy Framework relating to the supply of homes and indicates that local planning authorities should endeavour to provide a sufficient supply of homes of different sizes, types and tenures.

Chapter 8 of the National Planning Policy Framework relates to promoting healthy and safe communities. Paragraph 91 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

promote social interaction, including opportunities for meetings between people who might otherwise come into contact with each other.

are safe and accessible, so that crime and disorder, and fear of crime, do not undermine the quality of life or community cohesion.

enable and support healthy lifestyles.

CF3 - Social services considers favourably proposals for the provision of new, and the improvement of, existing facilities including children and young people, encouraged to live in the local community rather than in large institutions. Support for new and improved services is supported providing that there is no conflict with existing residential amenity and the environment.

CF3/1 - Residential Care Homes and Nursing Homes should be located in residential areas and will be permitted where they do not conflict with the amenity of adjoining areas

Principle of the proposed use

The application proposes a residential care accommodation to provide a sense of normal family living conditions within a safe and secure environment for children in care.

The occupation of by children and adults and the use of the property for daily living purposes would be comparable to that of a family home and would require little if any alterations or adaptations.

The property is located within a residential area with close access to shops, local amenities and schools and it is therefore considered the location of the proposed use would be acceptable.

The applicant and the use would be bound by Ofsted regulations with the condition that there would be no more than 4 children in care at any one time.

It is therefore considered that the proposed use would make a positive contribution to the care and protection of children/young adults residing at the premises and as such should be welcomed and supported.

The principle of the proposed development is therefore considered to be acceptable and would comply with UDP Policies EN1/2, CF3 and CF3/1 and the principles of the NPPF.

Scale and intensification of use

Section 55 of the Town and Country Planning Act as amended, provides that only material changes of use would constitute development and therefore require planning permission. A change of use of land or buildings from one classification of use to another use within the terms of the Use Class Order 1987 is dependent upon whether the change would be considered 'material' and therefore development.

In this case, the planning judgement is whether the change of use would significantly impact the immediate area or change the character and perception of the property as a dwellinghouse in terms of the scale and intensification of the proposed use.

In terms of the arrangements of shift changeovers, these trips would only be at certain times of the day, and only on one occasion in respect of the care staff cross-over which would occur at the time of 10am. The only other arrival and departure in a 24 hour period would be the manager on weekdays. The daily routines of the children and carers would operate similar to a family, involving journeys to school, extra curricular activities and routine chores.

Such activity and trips are considered to be generally representative of the type and number of trips carried out by a family household, where there could be 2 parents leaving and departing for work, additional school drop-offs and all the other comings and goings during the week which are part of daily life.

The attendance and visits by social workers/support workers on a bi-weekly basis would introduce additional but fairly irregular trips, and no more frequent than trips made by a family's relatives or friends for example.

For all intents and purposes, the scale of proposed development and the daily routines of the occupiers would operate the same as a family home and it is therefore considered that

the proposed change of use would not change the character of the residential area or intensify activities at the site beyond that of a 'typical family' household.

It is therefore considered that the principle and the scale of the proposed change of use would not have an adverse or detrimental impact on the character or the amenity of the surrounding area or adjacent properties and would comply with UDP Policies EN1/2, CF3 and CF3/1.

A number of uses fall under the umbrella of Use Class C2 (residential institutions), including a hospital or nursing home, residential school, college or training centre. The size of the property and the existing parking and access may be sub standard for such other C2 Uses and as such it is considered reasonable to control the use for a child care facility only and for a maximum of 4 children at any one time. Appropriate conditions to this effect would therefore be included.

Layout - The layout, arrangement and appearance of the dwelling would largely remain the same.

The existing dwelling has a circular driveway and parking for 3 cars which would be maintained.

At the rear is a garden which is bounded by fencing on all sides. The relationship to adjacent properties would not change in this respect. There is ample room at the side/rear of the dwelling for bin storage and there would be no requirement for any additional provision beyond that already provided.

Internally, the only change would be to convert the ground floor utility to an office/sleep area for staff.

Conversion of an internal space to living/bedroom accommodation does not require planning permission and could be carried out at any time and by existing or future occupiers if its use continued as a C3 dwelling.

It is proposed to add an open-sided front porch, the dimensions of which would be within the limits for permitted development for a dwellinghouse and not require consent.

The proposed condition to limit the number of staff and children residing in the property at one time would ensure that the property would continue to operate similar to that as a residential dwelling.

It is therefore considered that there would not be a detrimental impact on the character of the residential use or appearance of the existing dwelling, which would for all intents and purposes, continue to function as any other dwelling in the area, and as such no apparent change or impact on the character of the residential setting in the locality.

As such, it is considered that the proposal would comply with UDP Policies EN1/2, CF3 and CF3/1.

Impact on residential amenity - The character of a family home and the general day to day activities is one which tends to generate a number of comings and goings, visits by family and friends, deliveries etc and the proposed development would similarly operate in this respect.

Whilst 3 staff would be on duty during the day and there would be some comings and goings from dropping/picking children up from school, clubs, activities or other trips out, this would be commensurate with the workings of a family home and as such it would not be expected that the proposed use would generate any more disturbances in terms of visits or disruptions to the site than currently exists

The applicant would need to undergo an Ofsted inspection and the applicant states that

there would be no circumstances in which more than 4 children would reside at the property which would be a legally binding agreement with Ofsted.

Living within a community environment and providing the children with a 'normal' and stable lifestyle is also one of the reasons for accommodating children within a residential environment, and it is therefore in the interest of the applicant that they integrate with neighbours and the community rather than be a cause of conflict.

It is therefore considered that the proposal would not conflict with the character of the area or cause disruption or have an adverse impact on the amenity of local residents. The proposal would therefore comply with UDP Policies CF3, CF3/1 and EN1/2

Highways issues - Local residents have concerns about the lack of parking and the number of additional trips and comings and goings which would be generated and which would compromise highway safety.

In terms of staff rotations, during the week there would be 3 members of staff on site when the property is fully staffed., with two staff working a 24 hour shift and one Manager working a 9-5 work week.

The busiest time of the day would be 10am at shift changeover time. This would not be at the peak morning traffic time and changeovers would be for a brief period only. Comings and goings in a morning is also fairly typical of households, with people leaving for work, school trips or other such journeys and therefore the proposed arrangement would not be uncommon.

In terms of parking, the driveway could provide spaces for 3 cars and if all day staff drove to the site, there would be adequate space to park. Similarly there would be sufficient parking for the night staff.

part of the driveway has a circular route which would also enable staff to pull in and out in a forward gear.

There would be other visitors to the property from social workers and such like, but these would be infrequent and at pre-arranged times when parking would be managed. There is on street parking in front of the property which could be used by visitors or social workers/support staff but this would only be for brief periods of time and on infrequent occasions and would only be the same for visitors to the existing dwelling.

The scale of the development proposed would be commensurate of family living and it is therefore considered the proposed use would not have a significant on the impact on the free flow of traffic or cause highway issues.

The Highway Section is satisfied with the proposed parking and access arrangements and has raised no objection to the proposed development subject to conditions.

The proposed development would therefore comply with Policies EN1/2, CF3/1, HT2/4 and HT6/2.

Response to objections

- Effect on the valuation of properties is not a material planning consideration.
- There would be no reasonable cause to assume the proposed use would generate any more noise and disturbances comparative to any other family type dwelling, nor cause risk to existing residents.
- All other issues raised have been covered in the above report.

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

The 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.

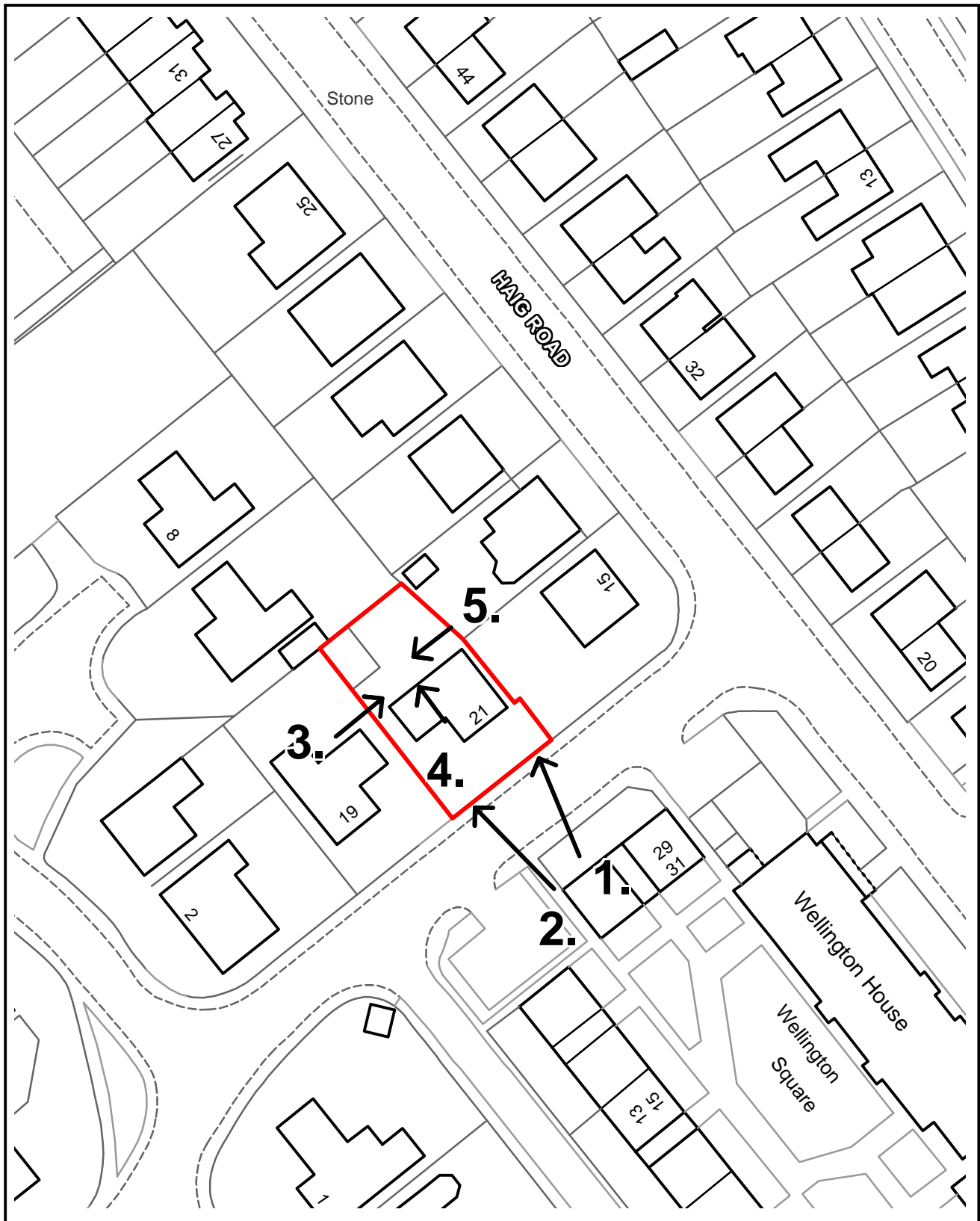
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The 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 Red edge site plan; Existing and proposed GA plans 002; Existing and proposed elevations 003 ; external and 3D 004 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. There shall be no more than 4 children accommodated at the property hereby approved at any one time.
Reason. To ensure the appropriate provision of facilities and standards of accommodation are provided for future occupiers and to ensure the use of the property is not over intensified to unacceptable levels which would incur additional activities and disturbances to local residents beyond that which would be accepted for a residential dwelling in a residential area pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, CF3 - Social Services and CF3/1 - Residential Care Homes and Nursing Homes.
4. The premises to which this approval relates shall be used for residential accommodation and care for people in need of care and for no other purpose (including any other purpose in Class C2 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 ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which would cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, CF3 - Social Services, CF3/1 - Residential Care Homes and Nursing Homes, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.

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

Viewpoints - Item 07



PLANNING APPLICATION LOCATION PLAN

APP. NO 69612

ADDRESS: 21 Orpington Drive Bury



Bury
COUNCIL

Planning, Environmental and Regulatory Services

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Item 07 – 69612

Photo 1



Photo 2



Item 07 – 69612

Photo 3



Photo 4





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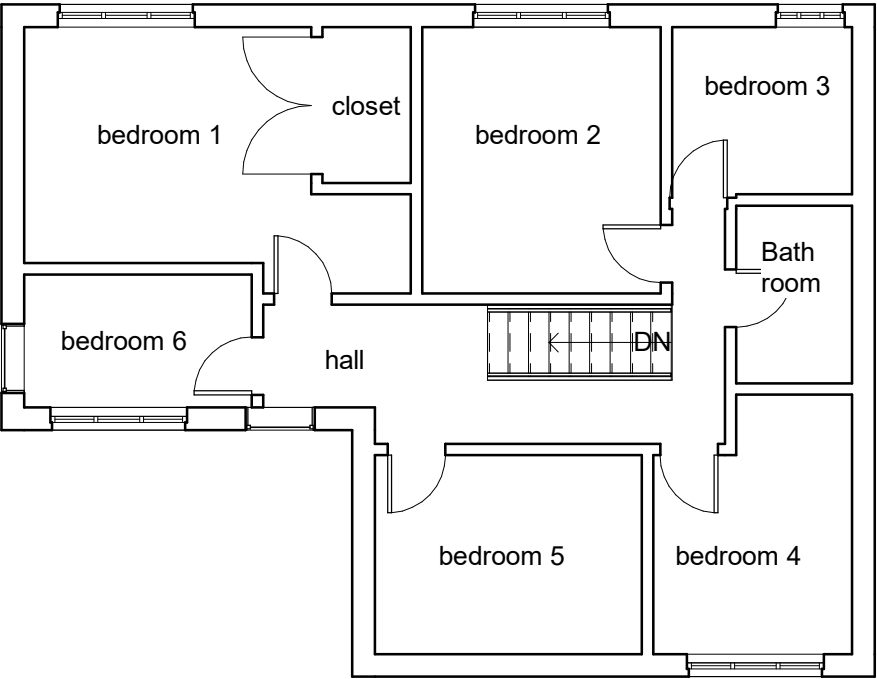
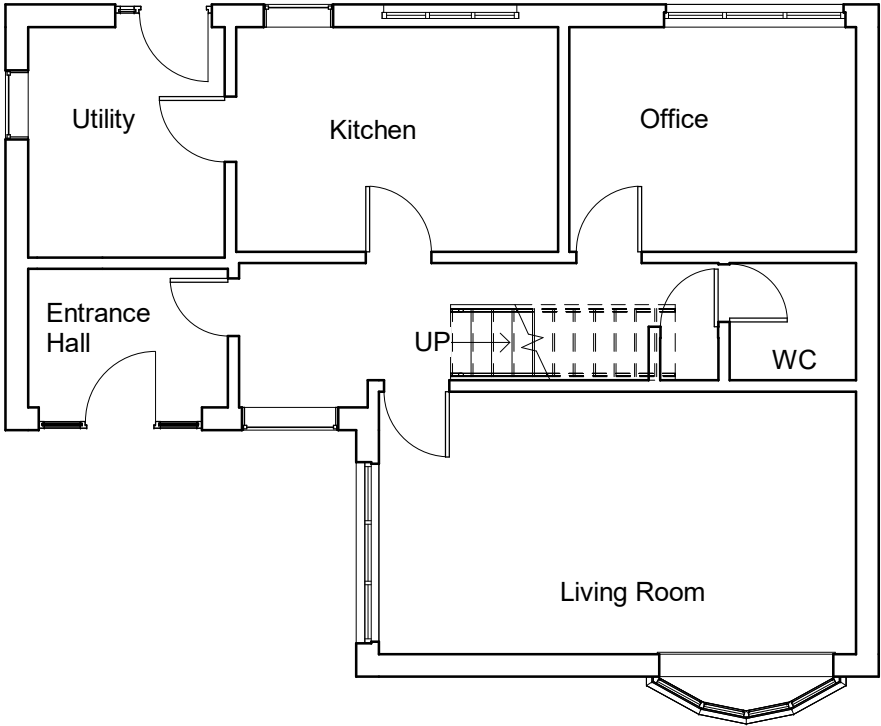
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1	18/05/23	First Planning issue	SP
Rev #:	Issue Date:	Description:	Issued By:
CLIENT: Care Today			
PROJECT: Change of use 21 Orpington Drive Bur BL8 2PJ			
DRAWING TITLE: Existing & Proposed GA plans 002			
THIS DRAWING HAS BEEN PRODUCED UNSING AUTODESK™ REVIT			
DRAWN: SP	CHECKED: SP	APPROVED: SP	
SCALE: PER VIEW	DATE: 18/05/23	SHEET SIZE: A3	
PROJECT NUMBER: PR35	SUITABILITY CODE: Planning		
DRAWING CLASSIFICATION:			

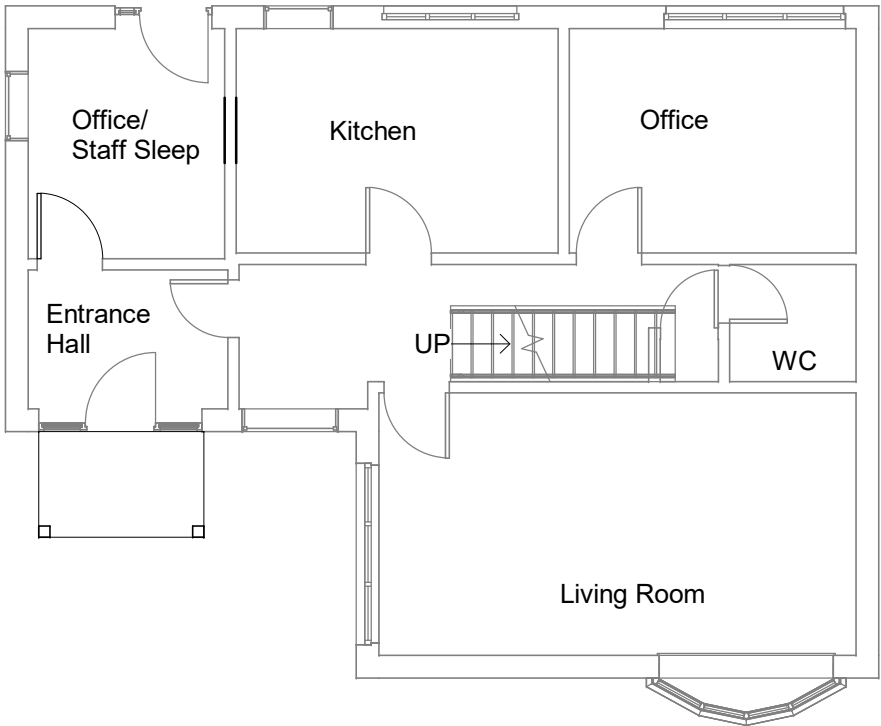


1 Ground Floor- existing

1 : 100

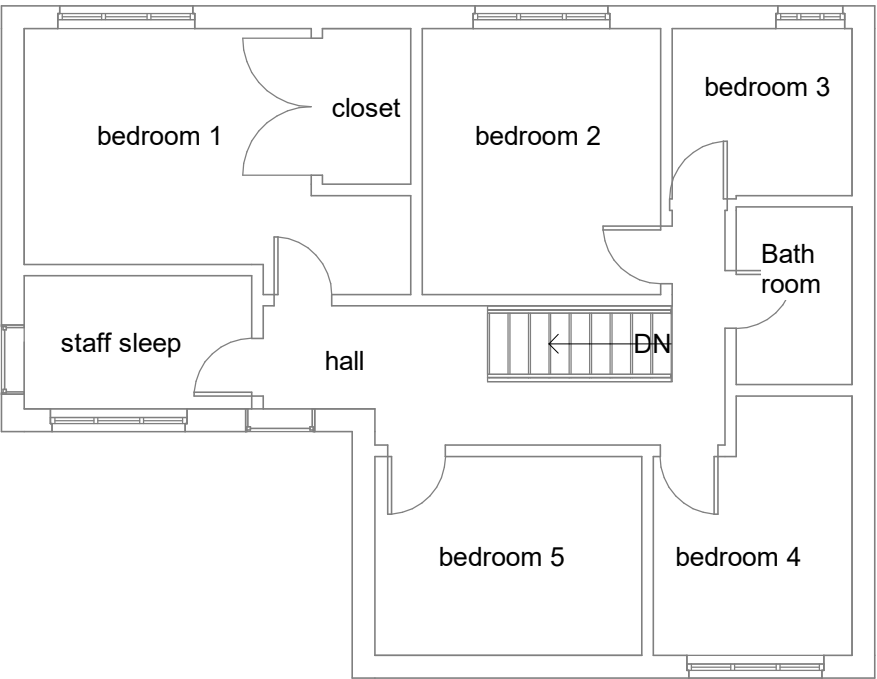
2 First Floor - existing

1 : 100



3 Ground Floor- Proposed

1 : 100



4 First Floor - Proposed

1 : 100

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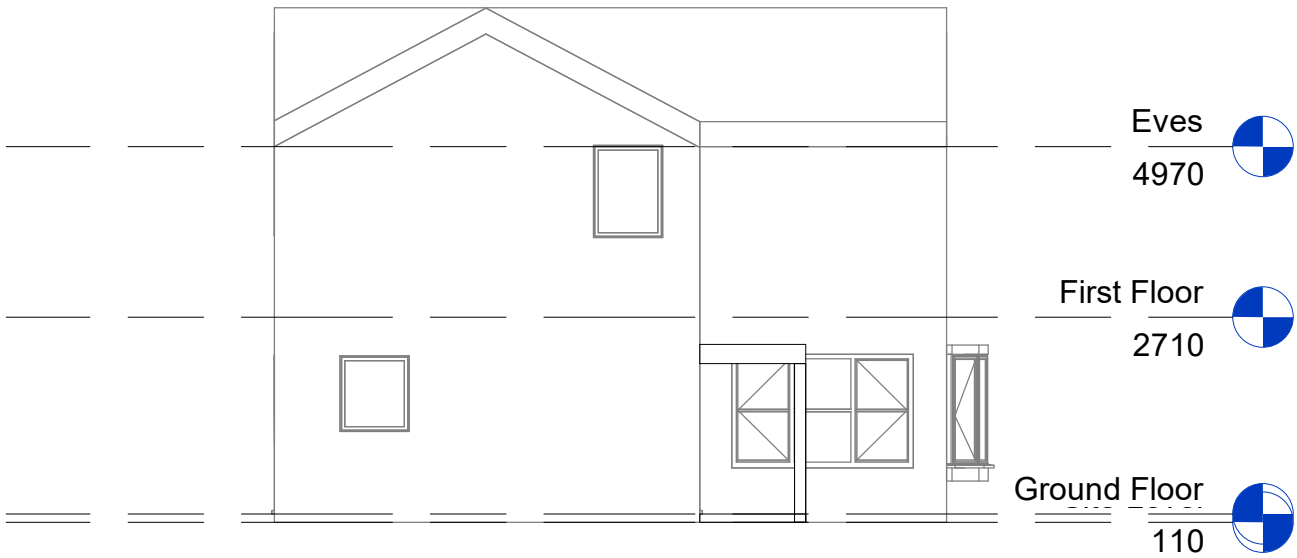
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1 Front Elevation

1 : 100



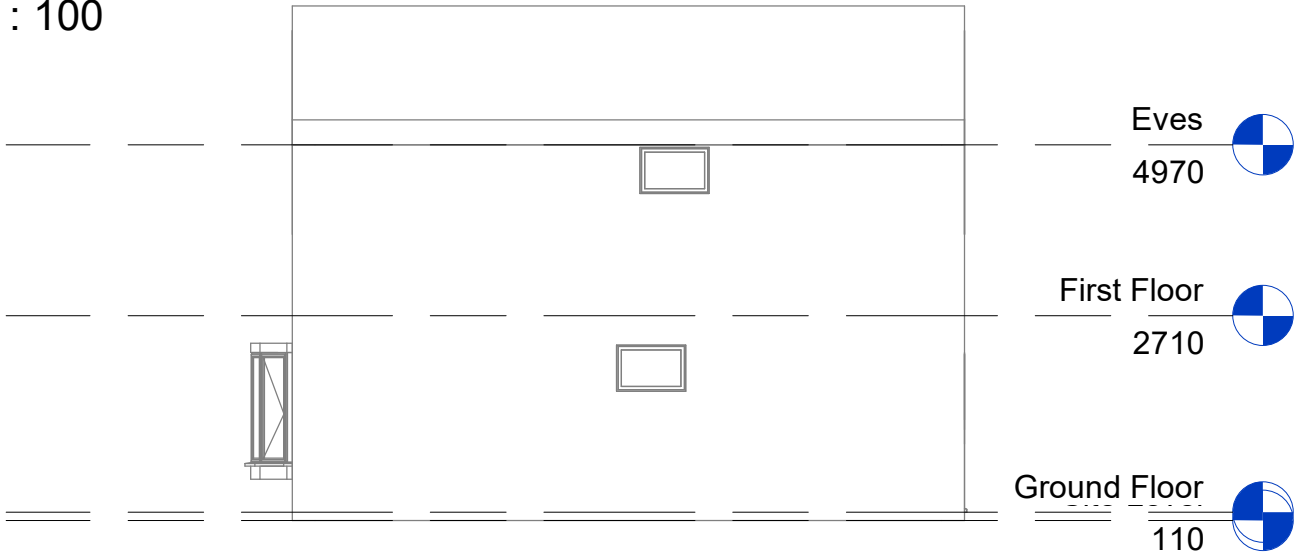
2 Side 2 Elevation

1 : 100



3 Rear Elevation

1 : 100



4 Side 1 Elevation

1 : 100

1 18/05/23 First Planning issue SP

Rev #: Issue Date: Description: Issued By:

CLIENT:
Care Today

PROJECT:
Change of use
21 Orpington Drive
Bur BL8 2PJ

DRAWING TITLE:
Existing & Proposed Elevations
003

DRAWN: SP	CHECKED: SP	APPROVED: SP
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SCALE: PER VIEW	DATE: 18/05/23	SHEET SIZE: A3
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PROJECT NUMBER: PR35	SUITABILITY CODE: Planning
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DRAWING CLASSIFICATION:

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Ward: Prestwich - Holyrood

Item 08

Applicant: Mr Lewis MacLeod

Location: 82 Bury Old Road, Whitefield, Manchester, M45 6TQ

Proposal: Variation of condition no. 1 (opening hours) of prior approval 67061 to amend the opening hours from 07.00 to 16.00 (Mon-Fri) and 09.00 to 16.00 (Sat-Sun) to 08.00 to 23.00 (Mon-Fri) and 09.00 to 23.00 (Sat-Sun)

Application Ref: 69337/Prior Approval Retail to A3 **Target Date:** 19/04/2023

Recommendation: Approve with Conditions

Description

The application relates to a mid-terraced property located on the north-west side of Bury Old Road, between the junctions of Kenilworth Avenue and Walker Avenue, in use as a Cafe. Commercial properties extend to either side of the application site. To the south-west of the application site, on the opposite side of Bury Old Road, is the Coach and Horses Public House with a Petrol Filling Station run by Esso positioned to the south-west of the site. Residential properties located on Walker Avenue and Kenilworth Avenue exist to the north of the application site, and are orientated at 90 degrees to the rear of the terrace.

The application site is allocated within the Unitary Development Plan as being within a Local Shopping Centre.

Prior Approval Application 67061 under Part 3, Schedule 2, Class C granted Prior Approval for the change of use of a former shop to a cafe/ restaurant, for a flue at the rear, and an outside seating area to the side of the property. That application had opening hours of 07.00 to 16.00 on Mondays to Fridays and 09.00 to 16.00 on Saturdays and Sundays.

This application seeks to vary the above opening times of the property to: 08.00 to 23.00 (Mon-Fri) and 09.00 to 23.00 (Sat-Sun).

The application has been with the LPA for some time due to the flue shown on the plans accompanying the application, not being built in accordance with the plans. Therefore, procedurally the Council could therefore not determine the application. During the course of the application, the applicant has extended the flue in height to extend above eaves level, to accord with the details approved by application 67061. The application is therefore now able to be determined by the Council.

Relevant Planning History

67061 - Prior approval for proposed change of use from existing shop into a cafe/restaurant with flue at rear - Prior Approval Required and Granted, 01/10/2021

36742 - Single storey rear extension. Approved with Conditions, 06/10/2000

Publicity

Adjoining neighbours have been formally consulted. 4 representations have been received. 1 letter of support received from a neighbouring business, and 3 letters of objection received from nearby residents.

The letter of support advises the applicants business has not only had a positive impact on the local footfall, but also seems to have been accepted as central part of the local community throughout the day and weekend, becoming a hub for many groups and friends and stating any extension to the opening hours must be a great benefit to the community both in a business sense and to the general public.

The 3 objections received to the proposals raise the following concerns:

- Concerned about the opening hours, specifically noise, impacting on their residential amenity - states already experience noise and some anti-social behaviour, but due to current opening hours, it does not overly impact on amenity.
- No parking provision exists for the cafe, existing customers therefore park along Walker Avenue, residents advise this causes problems to residents and prevents some of them from going out due to not being able to park when they return. Asserting extended opening hours would make things worse.
- Concerned of the added noise and added traffic the proposal would cause.
- Already experienced increase in added parking along the avenue since the business opened, and fearful that by extending the hours this would be even worse.
- Concerned that due to the property having an alcohol licence customers would be likely to leave their cars overnight on Walker Avenue advising this would be detrimental to their amenity.
- Wishes the Council to note that this is a residential avenue with a great number of young families.

Statutory/Non-Statutory Consultations

Traffic Section - No objections.

Environmental Health - Pollution Control - No objections, subject to the use of the outside seating area not being past 9pm.

Environmental Health - Contaminated Land - No comments or observations received.

Waste Management - No comments or observations received.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

S1/4	Local Shopping Centres
S2/6	Food and Drink
EN7/2	Noise Pollution
HT2/4	Car Parking and New Development
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.

ASSESSMENT

Principle of Development

The application site is set with a Local Shopping Centre located on Bury Old Road, Whitefield, as defined on the Proposals Map associated with the Unitary Development Plan (UDP).

UDP Policy S1/4 - Local Shopping Centres states that the Council will seek to maintain and enhance local shopping centres and will encourage a range of shopping facilities to serve purely local needs.

Paragraph 81 of the NPPF (2021) states:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development"

The extension proposed to the opening hours would help the business to expand, and adapt to customer demands, in line with the requirements of the Framework. The business already adds vibrancy to this part of the local shopping centre and therefore the proposal to extend the opening hours of the business is acceptable in principle.

Amenity of nearby residents

UDP Policy S2/6 - Food and Drink states that in assessing uses such as this regard us to be had as to, amongst other things, the amenity of nearby residents by reason of noise, smell, litter and opening hours.

Houses exist to the rear of the property and flats exist directly above the application site and in flats above shops on either side of the property. An objection has been received from a neighbouring flat as well as residents to the rear. No objections have been received from the occupier of the flat located directly above the application property.

Noise/ Opening Hours

The application site is located opposite the Coach and Horses Public House which is open from 11am - 11pm, Sunday to Thursday, and 11am to midnight Fridays and Saturdays. Given the property is located opposite this Public House, the two uses would be located in close proximity to each other. However, extending the use of the ground floor would cause some noise and disturbance to occupiers of adjoining flats and it is therefore recommended that the opening hours of the business be limited to 9pm, which is when most people are still awake. It is therefore recommended that the condition be varied to 07.00 to 21.00 on Mondays to Saturdays and remains at 09.00 to 16.00 on Saturdays and Sundays.

In terms of the outdoor seating area within the rear yard area, the gable of no. 1 Walker Avenue, see Photos 5 and 6, is located approximately 9.5m from the boundary of the application site. At the time of Officers site visits the yard area, which is very small - see Photo no. 4 - did not appear to be in use, however, the Prior Approval application granted included use of the rear yard area and therefore this is considered to be the fallback position. The increased use of the rear yard area as an outside seating area up to 23.00 hours would lead to conditions detrimental to the amenity of occupiers of this dwelling, and also other nearby neighbours. The Council's Environmental Health Officers have therefore advised that the use of the outdoor seating area should be restricted to 19.00 hours/ 7pm. This timeframe could be secured by planning condition, and such a condition is duly recommended.

The impact on the amenity of cars being parked along Walker Close affecting the amenity of residents is not a material consideration, therefore, whilst the residents objections are noted, it is considered that there would be no justifiable reasons to prevent the use of the building from having longer opening hours, particularly if the outside seating area, is not used by customers before 10am or after 7pm in the evening. For these reasons, it is therefore recommended the hours of use condition be varied and an additional condition is added to limit the use of the rear yard area from 10am - 7pm (10:00 hours - 19:00 hours). The proposal thus accords with UDP Policy S2/6 - Food and Drink.

Odour

At the time Officers visited the application site, some odour from the extraction flue at the rear of the property was experienced. It was clear that the flue had not been erected in accordance with the details approved under application 67061. Therefore during the course of this application, the applicant has extended the flue above the eaves of the property. Officers are therefore satisfied that odour from the property, including any extended opening hours, as proposed, would not harm the amenity of nearby residents. As such the above would comply with UDP Policy S2/6 - Food and Drink.

Bin Storage

The details approved by application 67061 are still considered to be acceptable. The proposal therefore complies with UDP Policy S2/6 - Food and Drink.

Highway Safety

The Highway Authority has considered the proposal and has raised no objections; therefore the proposed extension of the opening hours would not have a detrimental impact on the highway network as it is considered that the small scale of the proposal would not lead to a significant increase in traffic. As such the proposed extension to the opening hours complies with UDP Policy HT2/4 - Car Parking and New Development.

Conclusion

Overall, whilst Officers have some concerns over the impact of the cafe being open until 11pm, it is recommended that the opening hours of the business be restricted to:

07:00 - 21:00 hours Monday to Saturday, and,
09.00 to 16.00 on Sundays and public holidays

It is therefore recommended the application to vary the hours of use condition be approved in line with the above.

It is also recommended that an additional planning condition be imposed restricting the use of the outside seating area to:

10:00 hours - 19:00 hours Monday to Saturday, and,
10:00 hours - 16:00 hours Sundays and public holidays.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The cafe/ restaurant use hereby permitted shall not be open to customers outside the following times:

07:00 - 21:00 hours Monday to Saturday, and,
09.00 to 16.00 on Sundays and public holidays

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy S2/6 – Food and Drink of the Bury Unitary Development Plan.

2. Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with the scheme submitted to the Local Planning Authority on 09/09/2021.

Reason. In the interests of amenity pursuant to Policy S2/6 – Food and Drink of the Bury Unitary Development Plan.

3. The revised bin storage facilities located clear of the unadopted rear access

indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and shall thereafter be maintained.

Reason. To ensure adequate provision for the storage and disposal of refuse.

4. The outside seating area hereby approved shall not be used other than between:

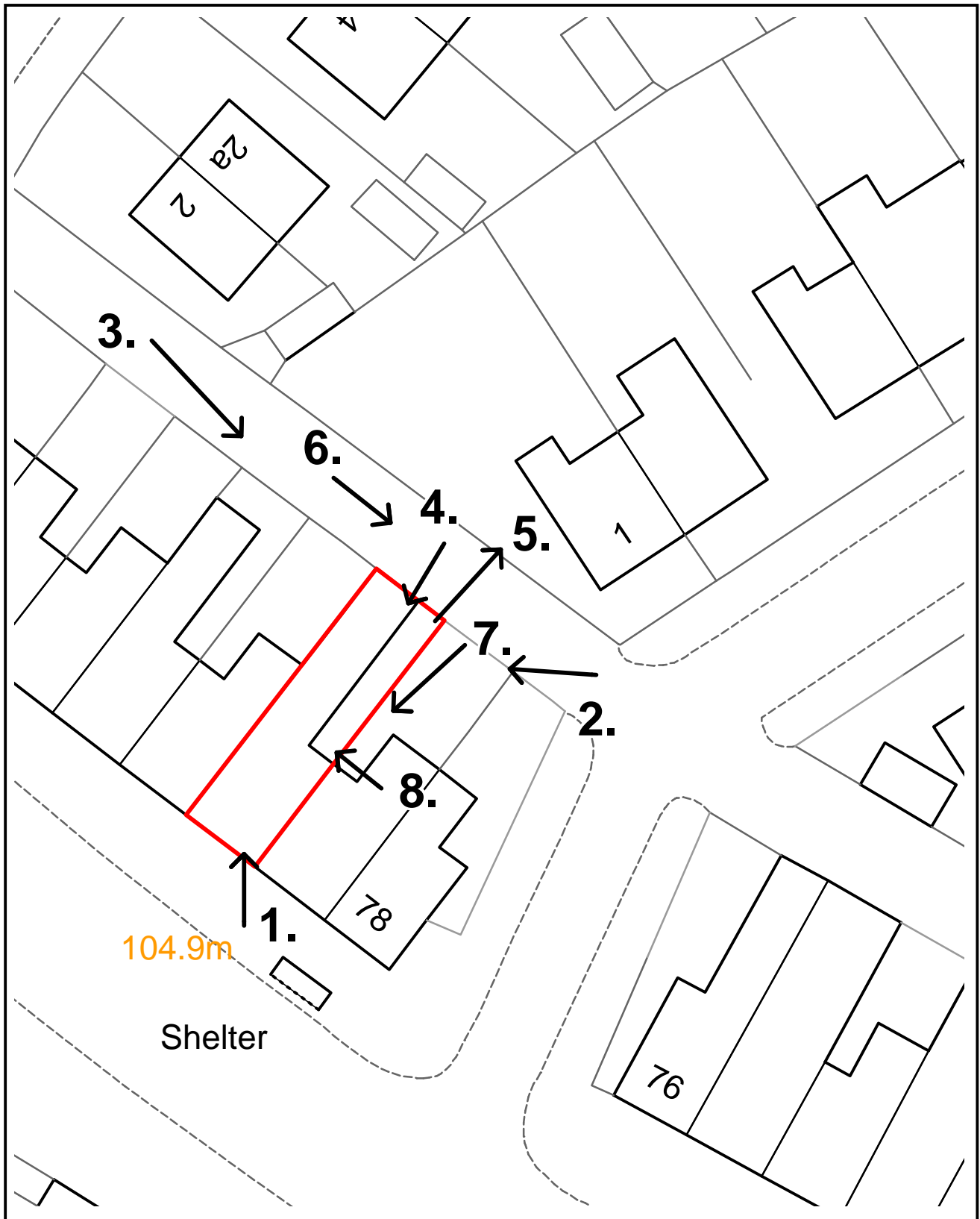
10:00 hours - 19:00 hours Monday to Saturday, and,

10:00 hours - 16:00 hours Sundays and Public Holidays.

Reason: To limit the potential for noise generation during unsocial hours and to prevent nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with the requirements of Policies S2/6 - 'Food and Drink', and EN7/2 - 'Noise Pollution', of the Bury Unitary Development Plan and the National Planning Policy Framework.

For further information on the application please contact **Claire Booth** on **0161 253 5396**

Viewpoints - Item 08



PLANNING APPLICATION LOCATION PLAN

APP. NO 69337

ADDRESS: 82 Bury Old Road, Whitefield, Manchester



Bury
COUNCIL

Planning, Environmental and Regulatory Services

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Photo 1 Front Elevation



Photo 2: View of rear from the East



Photo 3: Photo of Rear of property from the West



Photo 4: Rear Yard Area



Photo 5: Photo of neighbour directly to the rear



Photo 6: Rear of property in context with neighbour



Item 08 – 69337

Photo 7: Flue extended during course of application to accord with Prior Approval details



Photo 8: Extended Flue – Annotated

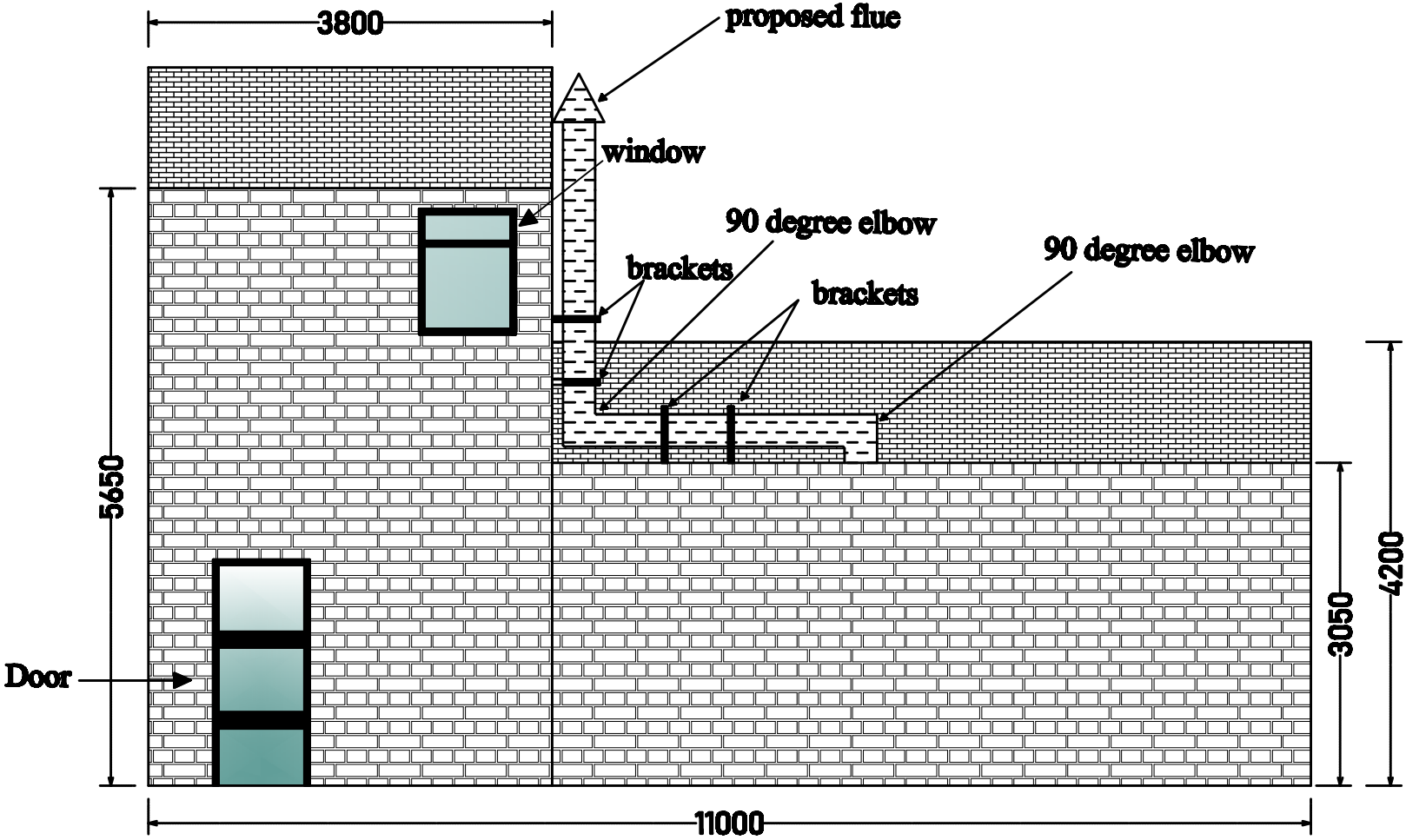


82 Bury Old Road, Whitefield, Manchester, M45 6TQ

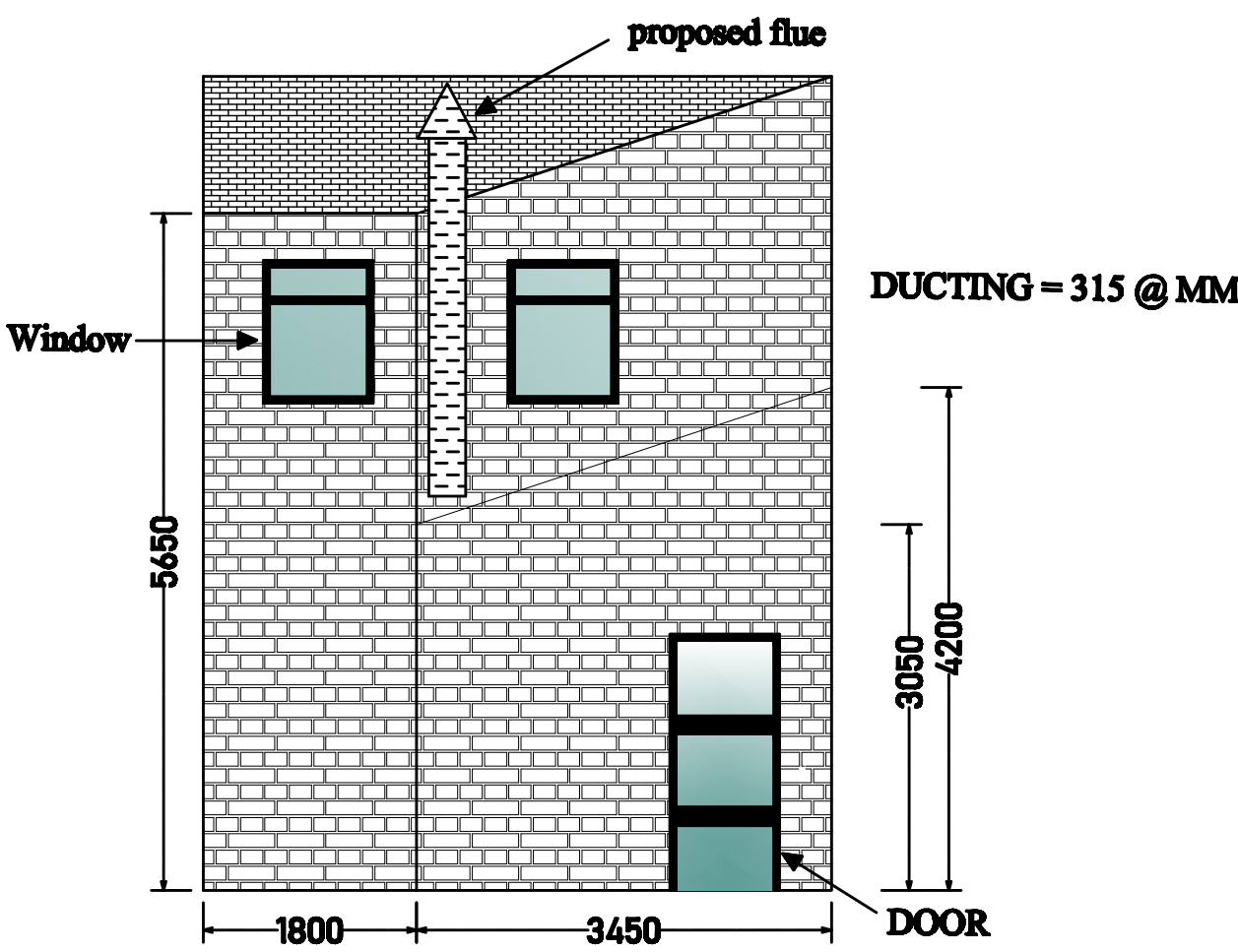


Map area bounded by: 381226,404848 381316,404938. Produced on 20 May 2021 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2021. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: b90cuk/633489/858708

PROPOSED ELEVATION OF 82 BURY OLD ROAD, WHITEFIELD



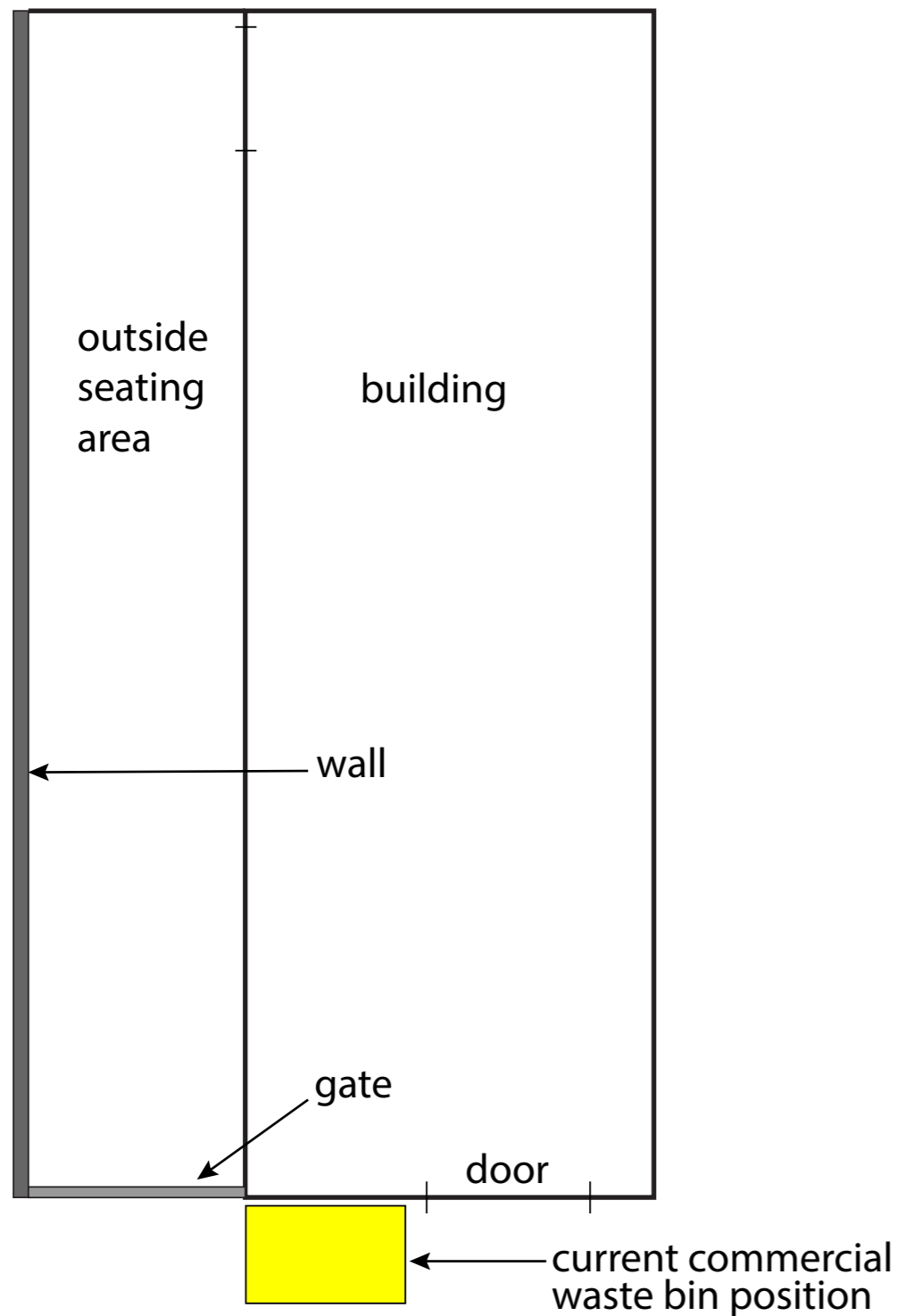
SIDE ELEVATION



REAR ELEVATION

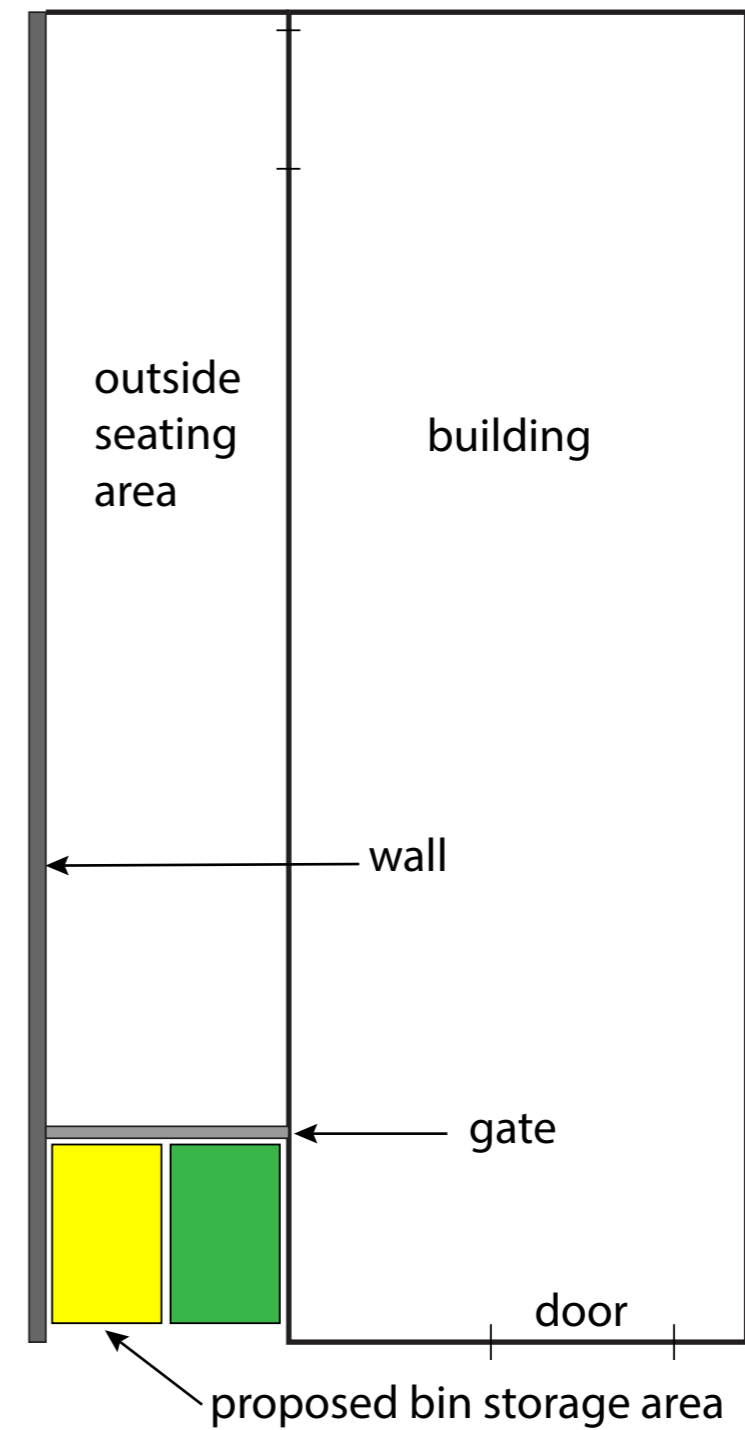
Plan View of 82 Bury Old Road Rear Access Showing Existing and Proposed Bin Storage

Page 213



Access road

Existing



Access road

Proposed

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REPORT FOR NOTING

Agenda Item 5

Bury
COUNCIL

**Agenda
Item**

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	27 June 2023
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 22/05/2023 and 18/06/2023**



Ward: **Bury East**

Application No.:	68674	App. Type:	FUL	01/06/2023	Approve with Conditions
Location:	27 Andrew Street, Pimhole, Bury, BL9 7HB				
Proposal:	Single storey rear extension				
Application No.:	68888	App. Type:	FUL	16/06/2023	Approve with Conditions
Location:	13 New Hall Road, Bury, BL9 7TQ				
Proposal:	Erection of 1 no. single storey detached dwelling in rear garden of existing dwelling with shared access				
Application No.:	69235	App. Type:	FUL	01/06/2023	Approve with Conditions
Location:	3 Fletcher Street, Bury, BL9 7AT				
Proposal:	Single storey rear extension				

Application No.:	69593	App. Type:	FUL	01/06/2023	Approve with Conditions
Location:	42 James Street, Pimhole, Bury, BL9 7EG				
Proposal:	Single storey rear extension				

Ward: **Bury East - Moorside**

Application No.:	69534	App. Type:	FUL	23/05/2023	Approve with Conditions
Location:	14 Burrs Lea Close, Bury, BL9 5HT				
Proposal:	Single storey extension at side/rear				

Ward: **Bury East - Redvales**

Application No.:	69528	App. Type:	FUL	01/06/2023	Approve with Conditions
Location:	5 Manor Gardens, Bury, BL9 9FY				
Proposal:	Erection of outbuilding at rear				
Application No.:	69557	App. Type:	FUL	12/06/2023	Approve with Conditions
Location:	Millennium Centre, Bury College, Market Street, Bury, BL9 0DB				
Proposal:	Alterations to increase the size of 12 No. existing windows on the East, South and West elevations of the ground floor of the Millennium building by lowering the internal and external window sill height				
Application No.:	69632	App. Type:	GPDE	15/06/2023	Prior Approval Not Required - Extension
Location:	68 Wordsworth Avenue, Bury, BL9 9QX				
Proposal:	Prior approval for proposed single storey rear extension				

Ward: Bury West - Elton

Application No.: 69410 **App. Type:** LDCP 24/05/2023 Lawful Development
Location: 25 Swanage Close, Bury, BL8 1JT
Proposal: Lawful development certificate for proposed erection of outbuilding to be used as a personal gym

Application No.: 69591 **App. Type:** FUL 08/06/2023 Approve with Conditions
Location: 15 Stock Street, Burrs, Bury, BL8 1BU
Proposal: Erection of canopy at rear

Ward: Bury West - West

Application No.: 69419 **App. Type:** LDCP 01/06/2023 Lawful Development
Location: 169 Bolton Road, Bury, BL8 2NW
Proposal: Lawful development certificate for proposed change of use from Hot food takeaway to Restaurant at ground floor

Application No.: 69445 **App. Type:** FUL 26/05/2023 Approve with Conditions
Location: 148 Ainsworth Road, Bury, BL8 2SH
Proposal: Erection of a timber ancillary granny annexe at rear

Application No.: 69503 **App. Type:** LDCP 24/05/2023 Lawful Development
Location: 32 Farm Crescent, Radcliffe, M26 4LX
Proposal: Lawful development certificate for proposed single storey rear extension on domestic dwelling

Application No.: 69510 **App. Type:** FUL 01/06/2023 Refused
Location: Land to south of Leigh Lane (adjacent to Scholes House), Bury, BL8 1RJ
Proposal: Erection of 2 no. detached dwellings and associated landscaping

Application No.: 69571 **App. Type:** FUL 16/06/2023 Approve with Conditions
Location: Meadowcroft Farm, Lowercroft Road, Bury, BL8 3PD
Proposal: Conversion of an existing agricultural building into dwelling with single-storey extension and associated access.

Ward: North Manor

Application No.: 69078 **App. Type:** FUL 16/06/2023 Refused
Location: Land on South side of Bolton Road, between Glencott and 1-3 Oak Cottages, opposite nos. 74 - 82 Bolton Road, Hawkshaw, BL8 4HZ
Proposal: Erection of an agricultural building and proposed access track

Application No.: 69347 **App. Type:** FUL 15/06/2023 Approve with Conditions
Location: 43 Vernon Road, Tottington, Bury, BL8 4DD
Proposal: 1m/1.3metre high fencing to the front boundary, 1m/1.9m fencing to driveway and 1.5m high fencing to the south side boundary.

Application No.: 69485 **App. Type:** FUL 16/06/2023 Refused
Location: Land adjacent to 6 Bentley Lane, Bury, BL9 6RZ
Proposal: Erection of 3 no. dwellings and associated works

Application No.: 69540 **App. Type:** FUL 02/06/2023 Approve with Conditions
Location: 1 Birch Grove, Ramsbottom, Bury, BL0 9RP
Proposal: Single storey side and rear extension; Garage conversion; Widening to existing driveway/vehicular access

Application No.: 69551 **App. Type:** FUL 07/06/2023 Approve with Conditions
Location: Top O Th Brow, Two Brooks Lane, Tottington, Bury, BL8 4LA
Proposal: Variation of condition no. 2 (approved plans) of planning permission 67925: Change to glazed roof, cottage walls, rooflights and solar panels

Application No.: 69574 **App. Type:** FUL 01/06/2023 Approve with Conditions
Location: 84 Longsight Road, Ramsbottom, Bury, BL0 9SZ
Proposal: Two storey side extension; Single storey front extension; Erection of outbuilding on raised decking to the side/rear with new fencing and steps into rear garden

Application No.: 69608 **App. Type:** FUL 09/06/2023 Approve with Conditions
Location: Holcombe Brook Primary Community, Longsight Road, Ramsbottom, Bury, BL0 9TA
Proposal: Retention of single storey Portakabin to be used as an out of school club/flexible classroom.

Application No.: 69615 **App. Type:** FUL 07/06/2023 Approve with Conditions
Location: 95 Longsight Road, Ramsbottom, Bury, BL0 9TA
Proposal: Garage conversion; New access ramp with ballustrade to front and rear elevation

Ward: **Prestwich - Holyrood**

Application No.: 69173 **App. Type:** LDCE 09/06/2023 Lawful Development
Location: 121 Simister Lane, Prestwich, Manchester, M25 2SA
Proposal: Certificate of lawfulness for use of existing outbuilding as annexe to existing dwellinghouse (Class E)

Application No.: 69526 **App. Type:** FUL 22/05/2023 Approve with Conditions
Location: 74 Tamworth Avenue, Whitefield, Manchester, M45 6UA
Proposal: Garage conversion with first floor side extension; Front canopy

Application No.: 69566 **App. Type:** GPDE 31/05/2023 Prior Approval Not Required - Extension
Location: 247 Heywood Old Road, Rochdale, Manchester, M24 4QR
Proposal: Prior approval for proposed single storey rear extension

Ward: **Prestwich - Sedgley**

Application No.: 69461 **App. Type:** FUL 22/05/2023 Approve with Conditions
Location: 8 The Crescent, Prestwich, Manchester, M25 1FL
Proposal: Loft conversion with rear dormer/roof extension including existing outrigger

Application No.: 69486 **App. Type:** FUL 30/05/2023 Refused
Location: 53 Bury Old Road, Prestwich, Manchester, M25 0FG
Proposal: Variation of condition no. 3 following approval of planning permission 68612 - Opening hours to be extended from Sunday-Thursdays 10:00-00:00 hrs and Friday-Saturday 10:00-02:00 hrs (Approved) to Sunday-Thursdays 10:00-01:00 hrs and Friday-Saturday 10:00-03:00 hrs (Extended)

Application No.: 69529 **App. Type:** FUL 22/05/2023 Approve with Conditions
Location: 4 Dovedale Avenue, Prestwich, Manchester, M25 0BU
Proposal: Single storey side extension

Application No.: 69556 **App. Type:** GPDE 24/05/2023 Prior Approval Not Required - Extension
Location: 54 Albert Avenue, Prestwich, Manchester, M25 0LX
Proposal: Prior approval for single storey rear extension

Application No.: 69569 **App. Type:** FUL 08/06/2023 Approve with Conditions
Location: 14 Dovedale Avenue, Prestwich, Manchester, M25 0BU
Proposal: Single storey rear extension

Application No.: 69570 **App. Type:** FUL 02/06/2023 Approve with Conditions
Location: 46 Richmond Avenue, Prestwich, Manchester, M25 0LW
Proposal: Installation of external wall insulation to front, side and rear elevations (90 mm EPS Board with silicon render finish)

Application No.: 69589 **App. Type:** LDCEP 07/06/2023 Lawful Development
Location: 271 Middleton Road, Manchester, M8 4LX
Proposal: Lawful development certificate for proposed erection of new outbuilding to host gym and storage areas

Ward: **Prestwich - St Mary's**

Application No.: 69400 **App. Type:** FUL 01/06/2023 Approve with Conditions
Location: 17 Prestwich Park Road South, Prestwich, Manchester, M25 9PF
Proposal: Alterations to the lower ground and ground floor level fenestration on the north and east elevations

Application No.: 69511 **App. Type:** FUL 24/05/2023 Approve with Conditions
Location: 78 Prestwich Hills, Prestwich, Manchester, M25 9PY
Proposal: Single storey rear extension; Single storey side extension and first floor side extension

Application No.: 69536 **App. Type:** FUL 01/06/2023 Approve with Conditions
Location: 3 Ruskin Crescent, Prestwich, Manchester, M25 9LS
Proposal: Two storey side extension and two/single storey rear extension

Application No.: 69545 **App. Type:** FUL 15/06/2023 Approve with Conditions
Location: 18 Branksome Avenue, Prestwich, Manchester, M25 1AG
Proposal: Two mono pitched dormers to side; One pitched roof dormer extension with feature window to side

Application No.: 69607 **App. Type:** FUL 09/06/2023 Approve with Conditions
Location: 7 Branksome Avenue, Prestwich, Manchester, M25 1AG
Proposal: Single storey rear extension and addition of 2 no. ground floor windows to side elevation.

Ward: **Radcliffe - East**

Application No.: 69467 **App. Type:** FUL 01/06/2023 Refused
Location: 35 Bankside Avenue, Radcliffe, Manchester, M26 2QH
Proposal: Erection of decking on raised platform with steps, balustrade and fencing, garden room pod and covered spa area

Application No.: 69564 **App. Type:** GPDE 07/06/2023 Prior Approval Required & Granted - Ext
Location: 97 Bury Road, Radcliffe, Manchester, M26 2UT
Proposal: Prior approval for proposed single storey rear extension

Ward: **Radcliffe - North and Ainsworth**

Application No.: 69178 **App. Type:** FUL 01/06/2023 Refused
Location: Land at junction of Arthur Lane & Bury Old Road, Ainsworth, Bolton
Proposal: Demolition, conversion and extension of existing stable/livestock buildings to create 1 no. single storey dwelling with enclosed garden and parking

Application No.: 69415 **App. Type:** FUL 22/05/2023 Refused
Location: Smith Fold Farm, Taylors Lane, Radcliffe, Bolton, BL2 6QS
Proposal: Replacement of existing stables with erection of new stable block (retrospective).

Application No.: 69444 **App. Type:** FUL 09/06/2023 Refused
Location: 2 Taylors Lane, Radcliffe, Bolton, BL2 6QS
Proposal: Change of use from garage/unit into 1 no. dwelling

Application No.: 69521 **App. Type:** FUL 24/05/2023 Approve with Conditions
Location: 116 Turks Road, Radcliffe, Manchester, M26 4WN
Proposal: Single storey rear extension

Ward: **Radcliffe - West**

Application No.: 69466 **App. Type:** FUL 26/05/2023 Approve with Conditions
Location: 136 Stand Lane, Radcliffe, Manchester, M26 1GS
Proposal: Erection of two storey building with retail unit at ground floor and 3 no. apartments at first floor with associated parking and landscaping.

Application No.: 69492 **App. Type:** FUL 14/06/2023 Approve with Conditions
Location: 298A Stand Lane, Radcliffe, Manchester, M26 1JB
Proposal: Two storey/first floor side extension with alterations to roof and front porch; Alterations to windows on ground/first floors

Application No.: 69527 **App. Type:** FUL 22/05/2023 Approve with Conditions
Location: 193 Stand Lane, Radcliffe, Manchester, M26 1JJ
Proposal: Single storey rear extension

Application No.: 69635 **App. Type:** FUL 08/06/2023 Approve with Conditions
Location: 11 Normandy Crescent, Radcliffe, Manchester, M26 3TD
Proposal: Single storey side extension with render to elevations

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 69112 **App. Type:** FUL 26/05/2023 Approve with Conditions
Location: 131-133 Holcombe Road, Tottington, Bury, BL8 4AY
Proposal: Proposed engineering works to rear and side garden including the reinstatement of a collapsed embankment and parking area, together with associated landscaping and creation of terraced garden spaces and raised deck.

Application No.: 69447 **App. Type:** FUL 22/05/2023 Approve with Conditions
Location: 16 Croft Drive, Tottington, Bury, BL8 3HT
Proposal: Single storey rear extension and insertion of window in existing gable elevation

Application No.: 69519 **App. Type:** PMBPA 01/06/2023 Prior Approval Required and Refused
Location: Land to rear of 44 Moorside Road, Tottington, Bury, BL8 3HW
Proposal: Prior approval for the change of use from agricultural building to dwellinghouse

Application No.: 69532 **App. Type:** LDGP 24/05/2023 Lawful Development
Location: 22 Bank Street, Walshaw, Tottington, Bury, BL8 3AZ
Proposal: Lawful development certificate for proposed rear facing roof dormer extension on the rear of the above mid-row terraced house

Application No.: 69629 **App. Type:** FUL 08/06/2023 Approve with Conditions
Location: 7 Cheviot Close, Bury, BL8 1RA
Proposal: Single storey rear extension

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 69136 **App. Type:** FUL 02/06/2023 Refused
Location: 1 Park Avenue, Ramsbottom, Bury, BL0 0DA
Proposal: Erection of 1 no. dwelling (Use Class C3) and formation of new vehicular access/driveway to existing dwelling

Application No.: 69207 **App. Type:** FUL 22/05/2023 Approve with Conditions
Location: 16 Scotland Place, Ramsbottom, Bury, BL0 9BD
Proposal: Excavation of garden/alterations to levels to form stepped access to cellar with seating area and glass canopy at front

Application No.: 69402 **App. Type:** FUL 23/05/2023 Approve with Conditions
Location: Holcombe Hey Fold, Hawkshaw Lane, Tottington, Bury, BL8 4LD
Proposal: Replacement of existing shed with agricultural storage building

Application No.: 69520 **App. Type:** FUL 23/05/2023 Approve with Conditions
Location: 39 Bury New Road, Ramsbottom, Bury, BL0 0AR
Proposal: Conversion of existing garage into a detached home office with new pitched roof

Ward: **Whitefield + Unsworth - Besses**

Application No.: 69483 **App. Type:** FUL 30/05/2023 Approve with Conditions
Location: 122 Bury New Road, Whitefield, Manchester, M45 6AD
Proposal: Single storey rear extension

Ward: **Whitefield + Unsworth - Pilkington Park**

Application No.: 69385 **App. Type:** FUL 12/06/2023 Approve with Conditions
Location: Machzikei Hadass Cemetery, Philips Park Road, M45 7TN
Proposal: Erection of 3 no. pole-mounted floodlights and siting of storage unit

Application No.: 69598 **App. Type:** TEL 05/06/2023 Prior Approval Required and Refused
Location: Grass verge at junction of Higher Lane/Church Lane, Whitefield, Manchester, M45 7WE
Proposal: Prior approval for proposed 15m 5G telecoms installation comprising H3G street pole and additional equipment cabinets.

Application No.: 69621 **App. Type:** FUL 01/06/2023 Approve with Conditions
Location: 103 Higher Lane, Whitefield, Manchester, M45 7EY
Proposal: Single storey rear extension with render to rear elevations and new patio area

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 68399 **App. Type:** FUL 30/05/2023 Approve with Conditions
Location: The Rustlings, 7 Killy Lane, Bury, BL9 8GA
Proposal: Removal of condition 3, 4 & 5 of planning permission 55738 - the workspace requirement and permission to use the whole property as a domestic dwelling (Class C3)

Application No.: 69428 **App. Type:** FUL 26/05/2023 Refused
Location: 9 Elland Close, Bury, BL9 8LG
Proposal: Erection of 1 no. dwelling in side garden

Application No.: 69531 **App. Type:** FUL 31/05/2023 Approve with Conditions
Location: 3 Haweswater Crescent, Bury, BL9 8LT
Proposal: First floor side extension with front pitched roof and first floor rear balcony structure with glazed balustrade; Single storey rear extension

Application No.: 69541 **App. Type:** FUL 31/05/2023 Approve with Conditions
Location: 10 Goodison Close, Bury, BL9 8JY
Proposal: Two storey side extension

Application No.: 69552 **App. Type:** P3JPA 07/06/2023 Prior Approval Not Required
Location: Co-op, 376 Parr Lane, Bury, BL9 8LU
Proposal: Prior approval for a proposed collection facility within the curtilage of a shop: Installation of InPost locker

Total Number of Applications Decided: 66

REPORT FOR NOTING

Agenda Item 6

Bury
COUNCIL

**Agenda
Item**

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	27 June 2023
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

Tel: 0161 253 5291

Email: d.marno@bury.gov.uk

**Planning Appeals Lodged
between 22/05/2023 and 18/06/2023**



Application No.: 69310/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Ewan Perry

Location 7 Crosfield Avenue, Summerseat, Ramsbottom, Bury, BL9 5NX

Appeal lodged: 01/06/2023

Appeal Type: Written Representations

Proposal Two storey side extension and external alterations including zinc cladding to first floor and roof, render to the ground floor and part of the existing front elevation

Application No.: 69336/TEL

Decision level: DEL

Recommended Decision: Prior Approval Required

Applicant: CK Hutchison Networks (UK) Ltd

Location Pavement outside Radcliffe Hall C of E Methodist Primary School, Bury Street, Radcliffe, M26 2GB

Appeal lodged: 25/05/2023

Appeal Type:

Proposal Prior approval for proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets

Total Number of Appeals Lodged: 2

**Planning Appeals Decided
between 22/05/2023 and 18/06/2023**



Application No.:

Appeal Decision: Dismissed

Decision level: DEL

Date: 31/05/2023

Recommended Decision: Prior Approval Required

Appeal type: Written Representations

Applicant: Mr Tony Rostron

Location: Tottington Manor Farm, Turton Road, Bury, BL8 3QQ

Proposal: Prior approval for the change of use from agricultural building to dwellinghouse



Appeal Decision

Site visit made on 12 April 2023

by A Veevers BA(Hons) DipBCon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st May 2023

Appeal Ref: APP/T4210/W/22/3311835

Tottington Manor Farm, Turton Road, Bury BL8 3QQ

- 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 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Tony Rostron against the decision of Bury Council.
 - The application Ref 68245, dated 16 March 2022, was refused by notice dated 10 June 2022.
 - The development proposed is described as 'prior notice application for the change of use and associated operational development relating to an agricultural building to form 1 dwelling'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the post code in the address above from the Council's decision notice as it has not been provided in the relevant section of either the application form or the appeal form.
3. No description of development has been provided on the application form; however, reference is made in the relevant section, to the description provided in the appellant's planning statement. I have therefore taken the description from the statement, which is the same as that given in the appeal form.
4. Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015¹ (GPDO) permits development consisting of (a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) or (b) development referred to in (a) together with building operations reasonably necessary to convert the building referred to in (a) to a Class C3 (dwellinghouse) use. The appeal relates to development under both Q(a) and Q(b), so that the proposal relates to the change of use to residential as well as associated facilitating works.
5. Paragraph Q.1 sets out specific limitations for Class Q with paragraph Q.1(g) specifying that development is not permitted by Class Q if certain works to the building were carried out after specific dates.
6. Paragraph Q.2(1) sets out that development is permitted under Class Q(a) and Q(b) subject to the condition that before beginning the development, the

¹ SI 2015 No.596

developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to a number of considerations. One such consideration (a) relates to the transport and highway impacts of the development.

7. Where an application is made as to whether prior approval is required for development under Class Q, paragraph W(3) of Part 3 of the GPDO states that the local planning authority may refuse an application where, in its opinion, the proposed development does not comply with, or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified as being applicable to the development in question.
8. The Council have refused the application for the reasons that the proposal would not comply with paragraph Q.1(g)(i) or the requirements of Class Q(b) of the GPDO and have then proceeded to determine that the details submitted in respect of Q.2(1)(a) relating to highway safety, parking and servicing are unacceptable.

Main Issues

9. The main issues are:

- Whether the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO with regard to paragraphs Q.1(g)(i) and Q(b); and,
- If so, whether the prior approval details relating to the highway impacts of the proposed development, including vehicle parking and manoeuvring, would be acceptable.

Reasons

Permitted development under paragraph Q.1(g)(i) - works since 2013

10. The building to be converted comprises a barn which is used for agricultural storage and is accessed from Turton Road via a short access track which leads to several fields. The building has asbestos cladding to 3 sides, an asbestos and metal clad flat roof, and metal roller door with substantial metal supporting posts to one side facing the access track. It is supported by steel and timber beams, which are set into a concrete slab base. Aside from the roller shutter door, there is one small door and no window openings.
11. Paragraph Q.1(g) states that development is not permitted by Class Q if development under Class A(a) or Class B(a) of Part 6 of Schedule 2 (agricultural buildings and operations) has been carried out on the established agricultural unit (i) since 20th March 2013; or (ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins.
12. Development under Class A(a) relates to agricultural development on agricultural units of 5 hectares or more and development under Class B(a) relates to agricultural units less than 5 hectares. The appellant's supporting statement submitted with the planning application states that the agricultural unit is 6.6 hectares. However, while the Council's officer report does not mention a specific size, reference is made to development under Class B(a).

Notwithstanding this, Class A(a) comprises '*works for the erection, extension or alteration of a building*' and Class B(a) comprises '*the extension or alteration of an agricultural building*'. As such, both criteria of section (g) of Q.1 would include alterations to the building.

13. I note the concerns of a third party who suggests that the building and land upon which it sits has never been used for agriculture and several photographs have been provided dating from April 2017. The photographs demonstrate the building in situ but do not conclusively indicate that the land was not in use for agriculture. Furthermore, two sworn statements have been provided, one confirming the land and building was purchased by the appellant in 2012 and used exclusively for agricultural purposes since that time, and one from an occupier who used the land in relation to taking a hay crop which was stored in the building from mid-2012 and on 20 March 2013. The Council have not disputed that the building is an agricultural building on an agricultural unit. Based on the evidence before me, I see no reason to disagree.
14. Nonetheless, it has been put to me that the building was altered and extended in October 2021 and therefore comprises an extension or alteration of the building since 20 March 2013. Although photographs show a large metal roller door was fitted in October 2021, other photographs indicate a roller door was in situ in 2017. While it is unclear when that roller door was inserted, I consider the recently fitted door to be a replacement which would not constitute development under the Act².
15. Similarly, the appellant submits that the recently inserted steel beams were erected to support the roller door and, as they comprise internal works, constitute repair and maintenance under the Act rather than works carried out under Part 6 of the GPDO. From my observations on site, the steel frame has been attached to the existing concrete floor by steel plates and I have been presented with no evidence to suggest additional footings have been incorporated. However, I have no doubt that the insertion of the four bays of steel connected by a horizontal beam provides additional support to the timber beams, not only for the roller door, but to the whole building.
16. Consequently, substantive evidence indicates that the works that have taken place on the agricultural building in October 2021 constitute alterations and strengthening of the structure of the barn. As such, these are works of the type described in criterion (g) of Class Q.1.
17. I acknowledge that, at my site visit, I observed no extension to the building, which appears to be the same size as indicated on the photograph from 2017 and the aerial photographs submitted by the appellant. While there are other structures on the land, these do not form part of the proposal before me.
18. Nonetheless, for the above reasons and on the evidence before me, I conclude that development under Class A(a) of Part 6 of Schedule 2 (agricultural buildings and operations) has been carried out on the agricultural unit since 20th March 2013. Therefore, the proposal would not satisfy the requirement of Schedule 2, Part 3, paragraph Q.1(g)(i) and accordingly, is not development permitted by it.

Permitted development under paragraph Q(b) - reasonably necessary

² s.55 Town and Country Planning Act 1990

19. The GPDO states at paragraph Q.1(i) that development under Class Q(b) is not permitted if it would consist of building operations other than the installation or replacement of windows, doors, roofs, or exterior walls, or water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse; and partial demolition to the extent reasonably necessary to carry out building operations as listed above.
20. Paragraph 105 of the Planning Practice Guidance (PPG) advises that the right under Class Q assumes that the agricultural building is capable of functioning as a dwelling. However, the PPG is clear that it is not the intention of the permitted development right to allow rebuilding work that would go beyond what is reasonably necessary for the conversion of the building to a residential use. Accordingly, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to benefit from the permitted development rights. The PPG also acknowledges that internal works are generally not development and that for the building to function as a dwelling it may be appropriate to carry out internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floorspace permitted, or internal walls, which are not prohibited by Class Q.
21. Neither the GPDO nor the PPG define the term 'reasonably necessary'. Consequently, this is a matter of planning judgement based on fact and degree of an individual case. The Council have drawn my attention to the *Hibbitt Judgement*³ which is also referred to in paragraph 105 of the PPG. *Hibbitt* related to the conversion of an agricultural building that was open to all four sides. The Judgement considered whether the works required to bring about the change of use amounted to a re-build or 'fresh' build as opposed to a conversion. Although the *Hibbitt* case is not directly comparable to that before me, the principles established within the Judgement are relevant.
22. The appellant's submission is clear that the steel frame, roof and concrete floor of the existing building would be retained. The asbestos wall cladding would be replaced, and composite panels externally faced with plastic coated steel bonded to Kingspan insulation panels would be used to construct walls within the existing frame. The roller shutter door would be replaced with a window and 4 other windows would be inserted in the structure.
23. In respect of the structural integrity of the building, the appeal documentation includes a 'Structural Calculations for Roof Steel at Tottington Manor Farm, Turton Road, Tottington' (Michael Pooler Associates, 22 November 2022) (Structural Calcs). The Structural Calcs summary confirms that there would be no increase in stresses or bearing pressures on the existing foundations or sub-strata, concluding that the proposal would have no adverse effect on the structural capability of the building.
24. While void of photographs and detailed written analysis, the structural information in the document indicates that the barn's existing steel framework can support the required additional loads for the proposed conversion. Furthermore, the appeal scheme would not require new foundations or additional structural work to take place. No robust evidence has been provided by the Council that challenges the appellant's structural findings. Indeed, the

³ *Hibbitt and another v Secretary of State for Communities and Local Government* (1) and *Rushcliffe Borough Council* (2) [2016] EWHC 2853 (Admin).

Council agree that the 'installation of the steel has made the building structurally capable of conversion'. The Council attest that the recent installation of the steel made the building structurally sound before the application was made.

25. Nevertheless, even if the recently installed steel frame would be capable of taking the load bearing capacity of the conversion, given the fact that all the external walls would be replaced, the proposal would essentially re-build a substantial portion of the building. The question of whether a proposal would be a conversion or re-build is central to whether the barn is capable of conversion. A re-build would not necessarily follow total demolition. *Hibbitt* reinforces that it is a matter of planning judgement as to whether the level of works involved would constitute a conversion.
26. Although I accept that substantial works could fall under the scope of class Q and be dealt with under Building Regulations, they nonetheless presuppose that the works comprise 'conversion'. In this case, the building before me would not be capable of functioning as a dwelling without the building works outlined above which include the construction of all four exterior walls. Having regard to the *Hibbitt* case, this goes well beyond what could reasonably be described as conversion. Notwithstanding the re-use of the 4 steel uprights as the main structural element for the building and the retention of the roof, the works described would be so extensive as to comprise a fresh build.
27. Consequently, based on the evidence before me and my own observations of the existing building, it has not been demonstrated that the required works would be limited to building operations reasonably necessary to convert the building, so as to be permitted development under Class Q(b).
28. The Council does not indicate conflict with any other part of paragraph Q.1 and I see no reason to find to the contrary. However, given my findings above, it does not alter my view that proposed use of the building would not satisfy the requirements of Schedule 2, Part 3, Class Q of the GPDO, having regard to the associated guidance within the PPG, and therefore is not development permitted by it.

Prior approval matters

29. Given my conclusion that the proposal would not be development permitted under Class Q of the GPDO, there is no need for me to consider whether or not prior approval would be required, as it would not alter the outcome of the appeal.

Other Matters

30. The proposed development would result in an additional dwelling to the housing supply of the borough which would also provide economic and social benefits. However, the consequent benefits have already effectively been recognised by the grant of permission under Article 3(1) of the GPDO. These matters are therefore not relevant considerations to my assessment pursuant to the GPDO.

31. I note the appeal decision⁴ provided by the appellant in relation to a Class Q appeal and the Inspectors findings. However, I have dismissed this appeal for other reasons and have not considered this matter further.

Conclusion

32. For the reasons given above, I conclude that the proposal is not permitted development under Schedule 2, Part 3, Class Q of the GPDO and the appeal is therefore dismissed.

A Veervers

INSPECTOR

⁴ Ref: APP/B2355/W/21/3284053