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AGENDA FOR

PLANNING CONTROL COMMITTEE



Contact: Michael Cunliffe
Direct Line: 0161 253 5399
E-mail: m.cunliffe@bury.gov.uk
Website: www.bury.gov.uk

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, 29 August 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/3203

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 25TH JULY 2023 *(Pages 3 - 6)*

Minutes of the meeting held on Tuesday the 25th July 2023 are attached.

4 PLANNING APPLICATIONS *(Pages 7 - 180)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 181 - 192)*

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 193 - 210)*

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 CONFIRMATION OF TREE PRESERVATION ORDER (361) *(Pages 211 - 220)*

A report from the Head of Development Management on the issues relating upon the current temporary tree preservation order, Tree Preservation Order (Number 361) at land adjacent to 78 Countess Lane, Radcliffe, M26 3NH is attached.

8 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: 25 July 2023

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

Public Attendance: 4 members of the public were present at the meeting.

Apologies for Absence: Councillor U Farooq

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor U Farooq.

PCC.2 DECLARATIONS OF INTEREST

Councillor B Ibrahim declared an interest in planning application 69459, Land adjacent to 35 Hilton Street, Bury, BL9 6LT. He knew the applicant along with his family as they lived in the same area. He had not commented on the application and would remain in the meeting during deliberation of this application.

PCC.3 MINUTES OF THE MEETING HELD ON THE 27TH JUNE 2023

Delegated decision:

That the Minutes of the meeting held on the 27th June 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 69388, 68578, 69699 and 69459.

The Committee heard representations from objectors 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 any supplementary information submitted and subject to the conditions included: -

Saw Mills, off Spring Street, Ramsbottom, Bury, BL0 9JQ

Demolition of existing sawmill and associated outbuilding and construction of 5 no. dwellings

2. That the Committee **Approve with Conditions** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted with an additional condition for the installation of a EV charging point and subject to the conditions included:-

240 Walmersley Road, Bury, BL9 6NH

Change of use from dwelling (Class C3) to 9 no. bedroom HMO (single occupancy, Class Sui Generis)

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

13-21 Blackburn Street, Radcliffe, Manchester, M26 1NN

Demolition of 13-21 Blackburn Street/TSB Bank and erection of three-storey civic hub building containing swimming pools, fitness suites and studios, indoor climbing facility, offices, cafeteria and library; Link block between Radcliffe Market and Market Chambers buildings, plus refurbishment of Market Chambers and Market Hall basement, for use as a multi-use event space, with associated external alterations and works and hard and soft landscaping

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

Land adjacent to 35 Hilton Street, Bury, BL9 6LT

Erection of 2 no. terraced dwellings

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 8.05pm)

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Title	Planning Applications
To:	Planning Control Committee
On:	29 August 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: North Manor	App No. 68055
	Location: Land at Springside Road, Bury	
	Proposal: Residential development comprising of 41 no. dwellings with associated access, landscaping and ancillary works	
	Recommendation: Minded to Approve	Site Visit: Y
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02	Township Forum - Ward: Bury East - Redvales	App No. 69735
	Location: Rostrevor Hotel, 146-148 Manchester Road, Bury, BL9 0TL	
	Proposal: Change of use from hotel (C1) to 2 no. 9 bedroom (single occupancy) HMOs (Sui Generis)	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Radcliffe - West	App No. 69233
	Location: Site of the former Riverside High School, School Street, Radcliffe, M26 3BW	
	Proposal: Residential development to erect 90 dwellings with associated parking and landscaping	
	Recommendation: Minded to Approve	Site Visit: Y
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04	Township Forum - Ward: Whitefield + Unsworth - Besses	App No. 69535
	Location: Land at Billberry Close & Albert Road, Whitefield, M45 8BL	
	Proposal: Erection of 7 no. bungalows with associated works	
	Recommendation: Minded to Approve	Site Visit: N
<hr/>		
05	Township Forum - Ward: Bury East	App No. 69580
	Location: Land & buildings at Murray Road/2-10 Princess Parade/47-51 Market Street & Bury Market, Bury, BL9 0BJ	
	Proposal: 1. Demolition of buildings and erection of flexible events hall with associated servicing, parking and landscaping; 2. New canopy structure to cover existing outdoor market; 3. Temporary permission sought for area of Bury Market car park to be utilised for site cabins for the duration of the build	
	Recommendation: Approve with Conditions	Site Visit: N
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Ward: North Manor

Item 01

Applicant: Morris Homes (North) Ltd

Location: Land at Springside Road, Bury

Proposal: Residential development comprising of 41 no. dwellings with associated access, landscaping and ancillary works

Application Ref: 68055/Full

Target Date: 31/05/2022

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, affordable housing and off-site highway design works and biodiversity mitigation, thereto in accordance with policies H2/1, HT6/1, RT2/2 of the adopted Unitary Development Plan, SPD1 and SPD5 and Section 15 of the National Planning Policy Framework. 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.

Description

The application site is 1.44 hectares and is located between Burnley Road/School Lane and Springside Road in Walmersley. The site contains scrubland and is grassed with trees pertaining largely to the boundaries. The site contains a disused tennis court. There are no public rights of way pertaining to the site. There appears to be a gated vehicular access into the site from Walmersley Road that is available for patrons of the neighbouring church.

The site is allocated as protected recreation land in the Bury Unitary Development Plan. The application site is adjacent to, but not within the Walmersley Conservation Area.

The community hall, and the graveyard to Christ Church, Walmersley are located to the northeast of the site and are accessed from School Lane/Burnley Road. There are residential properties to all other boundaries.

The proposed development is for the erection of 41 dwellings on land between Springside Road and Burnley Road/School Lane and arranged around short cul-de-sacs and with small areas of landscaping to the frontage to Springside Road and Burnley Road. The proposed dwellings would be two storeys in height and would be constructed from red brick with a tile roof. They would include a range of detached, semi-detached and mews (terraced) properties. 36 dwellings would be accessed from Springside Road and 5 dwellings from Burnley Road/School Lane, from where an emergency access would be taken, which would also act as a pedestrian route for the entire development and beyond.

Since the original submission the proposal has been amended to alter the layout (including the intended affordable dwellings), alter the mix of house types and reduce the number of proposed dwellings from 43 down to 41. The proposed structural landscaping scheme has also been amended as a result of comments received from the Greater Manchester Ecology Unit.

Relevant Planning History

No relevant history at the site

Surrounding area

67116 - Application for permission in principle for 5 no. dwellings at land adjacent to 62 Springside Road, Bury. Refused - 20 August 2021.

68815 - Outline application for 12 no. dwellings including means of access (all other matters reserved for appearance, layout, scale and landscaping) at land adjacent to 62 Springside Road, Bury. Received - 23 August 2022.

At the Planning Control Committee meeting in May, the Planning committee resolved to approve the scheme, subject to the completion of the Section 106 agreement.

Publicity

41 neighbouring properties were notified by directly on 2 March 2022 and a press notice was published in the Bury Times on 10 March 2022. Site notices were posted on 9 March 2022.

2 letters of support have been received, which have raised the following issues:

- The proposal has nice looking houses that are fitting with the area.
- Thought has gone into the egress and ingress to the site.
- Fully support the proposal.
- Such is the housing crisis in Bury, we should be granting planning permission.
- More applications like this please

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

- Springside Road is crumbling due to the natural spring under the road.
- At peak times, the road is blocked with cars on the pavement, double parking and farm vehicles use the road all year round.
- The church field is waterlogged and removing mature trees will have an impact.
- 43 houses is excessive as the land availability assessment was 20.
- The build on the Tetrosyl site will swamp the local infrastructure.
- Far too many houses.
- Why is all traffic being routed up Springside Road and none to School Lane or Atkinson Street.
- Field is subject to flooding.
- Loss of leisure area.
- The road is under a lot of pressure, especially during the school run, where you will find all cars double parked, parking across driveways and dangerous parking.
- 200+ houses are being built on the Tetrosyl site. We do not need any more.
- The road adjacent to the church should be used for access.
- Adding 43 homes will be nothing short of lunacy.
- None of the photos in the Transport Statement were taken during school pick up and drop off times. At these times, the road is a genuine danger to children.
- Where will children, who live in the new houses be schooled? All the local schools are at capacity.
- Removal of trees and shrubs would compromise the privacy of those who live around the site.
- Question whether the sewerage and drainage systems can cope with the proposal.
- This will lead to the removal of more green belt land.
- Impact upon bats and wildlife on site.
- Springside Road is busy and safety is a serious concern, particularly as the road is a drop off point for the primary school.
- Impact from vehicle pollution on health
- Lack of future proofing in plans as GM has committed to reaching net zero by 2038.
- The development does not meet the needs of the people of Walmersley.
- Housing density is excessive and there are no bungalows for older people.
- No provision for children to play outside.
- Grouping Walmersley with Ramsbottom and Tottington for an open space assessment is inappropriate.
- The access road and 5 houses with drives onto Springside Road will make problems

worse.

- Insufficient space for vehicle parking.
- The rear first floor windows of houses will overlook the rear windows and gardens of the houses on Barnside Close.
- As a governor of Springside Primary School, I have concerns for the health of the children.
- There is no evidence that solar panels, heat pumps or soakaways would be used.
- Trees will be destroyed.
- No account has been taken of the development at Waldmers Wood.
- The bat survey is invalid.
- The loss of recreation land is not consistent with the Bury UDP.
- Land has historically been used by residents until it was fenced off recently.
- Adverse impact upon drainage.
- The proposals do not anticipate a switch away from gas. Energy efficient building should include solar panels, ground/air heat source pumps, soakaways and ev charging points as standard.
- There is no mention of preserving the wall, which is 100 years old and forms the western boundary of the site.
- The bat surveys are flawed as I have seen bats foraging on the site.
- Loss of recreation space.
- Harm to the conservation area
- Impact on drainage and run off.
- It is vital that Bury Council highways department carry out their own traffic count on any mid-week day, which will prove beyond doubt how congested Springside Road is.
- How many of the 43 houses will be social housing?
- Springside Road is the only access for emergency services to use for the whole estate.
- Would access by heavy machinery be restricted to outside of peak hours?
- Concerned about the pathway onto School Lane, which will invite anti-social behaviour.
- The developer has a poor rating.
- Brownfield sites should be developed first before looking at greenfield sites like this.
- Residents needs should outweigh the needs of outsiders and it is the Council's duty to represent us.
- The land would be better used as a park and open space for children.
- A thorough ecological survey needs to be undertaken in the summer months.
- What provision is being made to compensate for the loss of the recreation land?
- The proposed streetscene plans do not include the existing dwellings on either side and should be updated. There are no plans available of the proposed garages.
- A larger number of properties should use School Lane and the emergency access could be combined with the access. If this is not possible, then, it is requested that large construction vehicles should only access the site between 9.30 and 2.30.
- Garages do not count towards the parking standards and it is not clear whether the garages would be large enough to park in.

The neighbouring properties and objectors were notified of revised plans on 23 November 2022.

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

- Previous objections are still valid.
- Increased traffic and the danger to pedestrians from blocked pavements is real.
- Development will take place on the side and rear of my property.
- The footpath from the Vicarage to the church including an easement from the garden is not shown on the plans.
- An application is being considered to build 13 houses on Springside Road.
- Where are all the contractors vehicles going to park?
- The local schools are at capacity.
- The affordable housing has not been pepper potted among the site.
- Plot 16 is too close to the boundary wall and would not allow space for repairs

- Replacing the private gardens with the open public space in front of plots 12 - 16, creates a security risk to properties on Barnside Close.
- Plans do not contain bungalows or provide space for children to play.
- It would be sensible to defer permission for this development until the impact of the Tetrosyl development has been assessed.
- Local amenities and infrastructure are already overstretched.
- Potential for flooding.
- Ask that planners take note of the change to the Levelling Up and Regeneration Bill, where the target for building homes is advisory and not mandatory.
- Location of plots would make repairs to boundary wall difficult.
- More consideration should be given to properties which edge the field.
- The plan delivers a net ecological loss.
- There has been no follow up to the winter bat survey and bats are active during the summer months.
- The plans would lead to poor air quality for the children at the nearby school.
- The Bray and Poynton house types do not comply with the nationally described space standards.
- Request that someone comes to visit between 8 and 9am or 3 and 5pm.
- Does the church have the authority to sell this land?
- Obvious solution would be to have the site access coming out onto Burnley Road, which is a quiet road and has good visibility in both directions.

The neighbouring properties and objectors were notified of amendments to the proposal by means of a letter on 19 April 2023.

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

- Object. The site is a green site full of wildlife.
- This land should be used for the local residents.
- There is a large development on the Tetrosyl site and another at Seedfield.
- The road is struggling to maintain the traffic as it is.
- The junction at Walmersley Road is not adequate for this development
- Houses overlook the properties on Springside Road, which are lower.
- Car lights will shine directly into properties adjacent to the entrance.
- There is no requirement for housing and should be developing brownfield sites.
- Nothing has been done to ease the traffic congestion on Springside Road.
- The gable end of plot 26 is only 14.2 metres from the rear of my house.
- The gable end of plot 27 is 1.5 metres to the side of the house and does not follow the building line of the existing dwellings.
- Loss of light and privacy.
- The latest plans do not address my concerns.
- The reduction of 3 dwellings does not answer the issues raised.
- Traffic on Walmersley Road is leading to a number of fatal/near fatal accidents.
- No bungalows or open space for children to play.
- Positions of plots 12 - 16 will affect Barnside Close by invading privacy and cast a shadow over the garden.
- Open space in front of plots 12 - 16 would create a security risk.
- There are a number of technical changes, but none address the concerns of the residents.
- The highways technical note was commissioned by Morris Homes and must be viewed with suspicion.
- The density of the housing is excessive.
- Concerns raised by the principal engineer have not been addressed, which includes parking/access on Springside Road.
- The bray and chelford house types are still not compliant with the national space standards.
- Concerned about the re-siting of the culvert. How will this be achieved safely and will it affect my property.

- There is no need to grant permission, when there are numerous brownfield sites that need developing first.
- Plots 10 - 16 would take the light away from Nos 10 -14 Barnside Close.
- Parking for these houses would be located at the end of my garden. I have a serious lung condition and am concerned that the extra exhaust fumes would cause me breathing problems when I am in my garden.

Statutory/Non-Statutory Consultations

Traffic Section - No objection, subject to conditions relating to off-site highway works (including a review of current waiting restrictions and introduction of traffic calming measures) and street lighting, adherence to adoption standards (if necessary), agreement of a Construction Traffic Management Plan (CTMP), provision of vehicular turning facilities and driveways and surfacing of car parking areas.

Lead Local Flood Authority - No objection, subject to conditions relating to surface water drainage scheme and culvert diversion works.

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 a condition relating to electric vehicle charging points.

Environmental Health - Pollution Control - No response.

Conservation Officer - No objection.

The site lies adjacent to the south and west boundaries of Walmersley Conservation Area, which covers Christ Church and its churchyard which are considered to be a Non-Designated Heritage Assets (NDHA), the former school and school master's house, together with the adjacent Spur Petroleum site which contains the former Walmersley Brewery buildings, also considered to be an NDHA.

The application site together with the church and its grounds and the site of the former Walmersley Brewery are surrounded by 20th century housing development, with 21st century housing development within the former brewery site, carried out post conservation area designation.

Southern Section of the Conservation Area - The proposal would have no direct or indirect impact on what remains of the former Walmersley Brewery building or its setting or the setting of this section of the conservation area.

Northern Section of the Conservation Area - The church possesses moderate to low heritage significance in so far as with regard to its architectural aesthetic and historical values. Its heritage significance would not be directly or indirectly affected by the proposal.

The grave yard to the south and east of the church fronting Walmersley Road provides a key element of its setting contributing to its significance and the character and appearance of this part of the conservation area. The proposal would not impact on this part of the setting of the church or the character or appearance of that part of the conservation area. The western part does not have the same level of contribution and is backdropped by C20th housing.

The proposed development would bring that baseline condition of housing closer to the conservation area boundary, but there would be a visual separation maintained between the western boundary of the conservation area and the application site by virtue of the proposed emergency access running north to south from School Lane which would not diminish the setting of the church. The proposed design and materials for the development would be acceptable as they would present a similar baseline condition as the existing residential

development.

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to bats, nesting birds, hedgehogs and invasive species. A contribution should be secured for the off-site mitigation for the loss of 2.79 biodiversity units.

GM Fire Service - Require a secondary emergency access.

Greater Manchester Police (Design for security) - No objections.

The Coal Authority - No objections.

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

Environment Agency - No comments received.

Sport England - The proposal does not fall within their statutory remit. If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Para. 99 of the National Planning Policy Framework, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

Transport for Greater Manchester (TfGM) - No objections, subject to the inclusion of conditions relating to the new priority junction into the site from Springside Road, a review of waiting restrictions (Traffic Regulation Orders (TRO's)), a Construction Management Plan. TfGM also recommend that the development contribute towards the provision of pedestrian crossing facilities across Walmersley Road and/or Walmersley Old Road to improve accessibility of the site for future residents by sustainable modes.

The predicted number of trips does not trigger TfGM's requirement for any further highway impact assessment work.

Nearest bus stops to the site, which provide a range of services at regular intervals, are around a 3 minute walk from the site.

TfGM would refer to the Local Authority to determine whether the quantum of development triggers the requirement for a Residential Travel Plan. If not, then TfGM would recommend that a Travel Pack is produced for residents.

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
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
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
EN8/2	Woodland and Tree Planting
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT2/6	Replacement Car Parking
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
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 - Recreation

UDP Policy RT1/1 relates to protected recreation in the urban area. In basic terms, the policy states that development will not be allowed on recreation space unless it meets specific criteria.

Whilst similar, the approach in RT1/1 has now been superseded by Paragraph 99 of the NPPF which states that "existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use".

The whole site is allocated as protected recreation provision, as identified within the Bury Greenspace Audit and Strategy 2015, falling within the Ramsbottom, Tottington and North Manor Analysis Area. The site for the proposed development consists of open space and a former tennis courts and as such, the proposal can only be supported if it complies with the exception criteria listed above.

The submission includes an Open Space Assessment, which notes that the site is identified as 'Christ Church Open Space' in the Bury Greenspace Audit and Strategy 2015. However, the Assessment considers that it does not meet the sub-typology definition of 'Informal Recreation' as identified in the Bury Greenspace Audit and Strategy 2015 (defined as grassed sites usually within residential areas that offer opportunities for informal play), as it relates to private land which is not publicly accessible (without trespassing) and there are no public rights of way pertaining. Additionally, the loss of 1.44 hectares of open space would have a negligible impact on the level of open space in the sub-area of Ramsbottom, Tottington and North Manor, as a surplus of 2.17 of the amenity greenspace typology would remain post development. Furthermore, the open space is assessed as being poor quality (amenity greenspace) as it does not contain seating, bins or provision for the disabled and

is not maintained and it is not publicly accessible.

The site contains a dilapidated tennis court that is not in use. The Bury Playing Pitch and Outdoor Sport Strategy (2019) builds upon the Bury Greenspace Audit and Strategy 2015 and does not identify the site as containing tennis courts (and so does not provide any contribution towards tennis court provision in the Borough) and outlines that there is a sufficient supply of tennis courts within the geographical analysis area of Ramsbottom, Tottington and North Manor to meet current and future demands. Therefore, the redevelopment of the site would have no impact on the quantity and quality of tennis court provision.

Given the above, the Open Space Assessment undertaken demonstrates clearly that the identified open space is surplus to requirements and that its redevelopment would not lead to a quantitative or qualitative deficiency in the host geographical analysis area.

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 area and there are residential dwellings surrounding the

site. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Impact upon conservation area and NDHA

The national legislative framework for development affecting listed buildings and conservation areas is provided by the Planning (Listed Buildings and Conservation Areas) Act 1990. This sets out the duty on local planning authorities with regard to listed buildings and any buildings or land within a conservation area, when determining applications for planning permission. It is essential that these legal duties are considered, alongside the contents of the NPPF and other planning policies and guidance.

The Town and Country Planning (Listed Building and Conservation Area) Act 1990 imposes a duty under Section 72 on Local Planning Authorities to pay 'special attention to the desirability of preserving or enhancing the character or appearance of that area' (section 72(1)).

Paragraph 189 of the NPPF states that heritage assets are an irreplaceable resource, and they should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 194 of the NPPF states that when determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than sufficient to understand the potential impact of the proposal on their significance.

Paragraph 197 states that in determining applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The proposed development would be adjacent to, but not within the Walmersley Conservation Area. As such, the proposed development would need to have regard to the character and setting of the Conservation Area (CA).

Objections to the proposal raise concerns about the impact of the proposal on the character and setting of the conservation area. This includes a comprehensive representation from an independent heritage consultant. This considers that the proposal would cause harm to the special character and appearance of the Walmersley Conservation Area through development within its setting, removal of mature vegetation and further encroachment of modern residential development. The objection also states that there would be potential impacts on non-designated heritage assets (NDHA).

The Council's Conservation Officer's response is noted above, which notes the juxtaposition of the application site to the Walmersley Conservation Area and the NDHA and the surrounding 20th and 21st century housing development, part of which was carried out post conservation area designation.

The Conservation Officer assesses that the proposal would have no direct or indirect impact on what remains of the former Walmersley Brewery building or its setting or the setting of this (southern) section of the conservation area. In relation to the northern section of the conservation area, the Conservation Officer considers that the church possesses moderate to low heritage significance in relation to its architectural aesthetic and historical value and

that this would not be directly or indirectly affected.

It is the grave yard to the south and east of the church fronting Walmersley Road that provides a key element of its setting, contributing to its significance and the character and appearance of this part of the conservation area. The Conservation Officer assesses that the proposal would not impact on this part of the setting of the church or the character or appearance of that part of the conservation area. The western part does not have the same level of contribution and is backdropped by C20th housing.

Whilst the proposed development would bring that baseline condition of suburban housing closer to the conservation area boundary, there would be a visual separation maintained between the western boundary of the conservation area and the application site by virtue of the proposed emergency access running north to south from School Lane which would not diminish the setting of the church. This would be separated by an extension to the existing natural stone wall. The proposed design and materials for the development would be acceptable as they would present a similar baseline condition as the existing residential development.

Given the above, it is not considered that the proposal would have unacceptable impacts on the setting or appearance of the Walmersley Conservation Area or NDHA.

Design and layout

The proposed development would provide a mix of detached, semi-detached and terraced dwellings, which would be two storeys in height. The proposed dwellings would be constructed from red brick with a grey tile roof, which would match the surrounding dwellings and those dwellings within the conservation area. The use of headers, stone cills, bay windows, pike details, canopies, porches and chimneys would add visual interest to the elevations. As such, the proposed dwellings would not be a prominent feature in the locality. The proposed density, at 30 dwellings per hectare, would reflect the general density of the surrounding suburban streets.

All of the proposed dwellings would have a side or rear garden, which would provide a suitable level of private amenity space. There would be space within the side/rear gardens for bin storage, which includes 4 bins. The proposed boundary treatments would include 1.8 metre high timber boarded and low knee rail fencing between gardens, with 1.8 metre high brick walls with pillars and timber panels at prominent corner locations. The proposed boundary treatments would match the existing fencing and walls in the locality.

Therefore, 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.

Impact upon residential amenity

SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a habitable room window and a two storey blank wall.

The separation distances between the proposed dwellings would comply with the aspect standards in SPD6.

There would be 15.3 metres between the rear of No. 2 Brierfield Drive and the blank gable of plot 1, which would be in excess of the 13 metre aspect standard.

There would be between 23.9 metres and 36.2 metres between the proposed dwellings and the existing properties (Nos 4 - 12 Brierfield Drive and 2 - 8 Barnside Close), which would be in excess of the 20 metre aspect standard.

There would be between 16.3 and 17.5 metres between the rear of Nos 10 and 12 Barnside

Close and the blank gable of plot 16, which would be in excess of the 13 metre aspect standard.

There would be between 10.6 metres and 15.4 metres between the rear of plots 18 - 24 and the boundary of the site, which would be in excess of the 7 metre aspect standard.

There would be 14.7 metres between the rear of Nos 12 and 14 Old Brewers Court and the blank gable of plot 24, which would be in excess of the 13 metre aspect standard.

There would be over 22 metres between the rear of Nos 6 & 7 Old Brewers Court and the rear of plot 26, which would be in excess of the 20 metre aspect standard.

There would be 15 metres between the rear of No. 1 Vicarage Close and the blank gable of plot 26, which would be in excess of the 13 metre aspect standard.

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

The 'Technical housing standards – nationally described space standard (2015)' concerns internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use.

The standard has not been adopted as a local plan policy (given that Bury UDP dates from 1997), but it represents a useful guide as to what may constitute an acceptable standard of development. Of the 14 different house types proposed across the development, 3 of the houstypes would fall short of the standard (10 dwellings in total), representing 25% of the total. They would be between 9 - 14% smaller than the relevant prescribed overall floor space standard. 75% of the dwellings would exceed the standard by between 3 and 31%.

Given the above, it would not be sustainable to raise an objection owing to the lack of a local plan policy and the relatively modest shortfall.

Ecology, trees and landscaping

The representations concerning potential impacts on ecological interests are noted above.

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

The Greater Manchester Ecology Unit (GMEU) have raised no objections to the proposal, subject to conditions relating to the felling of trees and bats, the protection of nesting birds and hedgehog, control/eradication of invasive species

Bats - There are no buildings on the site. The trees have been surveyed from the ground for features relating to bats and aerial surveys were conducted for any features that could not be assessed from the ground. No evidence of bats roosting in the trees were detected. However, several trees could not be totally ruled out and as such, these have been classed as having low bat roosting potential.

The site is likely to provide bat foraging habitat, which has been verified by a number of local residents in their comments on the application. The loss of bat foraging habitat is unlikely to be significant, given the extent of foraging habitat available to the local bat population and given the proximity to a tributary of the River Irwell, such as Pigs Lee Brook and the River Irwell itself. No further information or measures are required in relation to the loss of bat foraging habitat.

Other Protected Species - No evidence of any other protected species was found or suitable habitat identified. There is no reason to doubt this assessment as there are no ponds or watercourses on or near the site.

Nesting Birds - The proposed development would result in the loss of trees and scrub, which are potential bird nesting habitat. However, the proposed losses would be mitigated.

Hedgehog - Hedgehog, a UK Biodiversity Priority Species is reported as being present on site. There are no reasons to doubt the reports as the site does provide suitable habitat for nesting and hibernating.

Invasive Species - A number of invasive species listed under Schedule 9, Part 2 of the Wildlife & Countryside Act 1981 (as amended), were found on the site. It is an offence to introduce or cause to grow wild any plant listed under this schedule.

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 currently is a mosaic of low and moderate ecological value habitats, most likely in poor condition given the presence of invasive species.

The proposed development would replace this with low value ecological value habitats and hardstanding. The ecological report notes that only partial compensation would be possible on site and off-site compensation would be required. The latest iteration of the supporting Biodiversity Net Gain Assessment (following amendment to the proposed layout and structural planting) calculates the baseline value of the site as 6.68 biodiversity units (BU) and that this would decrease to 3.99 BU post development, resulting in a loss of 2.80 BU. This translates into a contribution of £42,000 (i.e. £15,000 x 2.80), which would be allocated to a site known as Walker's Field, Chesham.

Therefore, subject to conditions and a contribution for off-site biodiversity mitigation, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Trees and landscaping - An Arboricultural report has been submitted in support of the application, which confirms that 2 trees and 6 groups of trees would be felled as a result of the proposed development. The 2 individual trees and 4 of the groups, are assessed as category C (poor quality), whereas the other 2 groups (one to only be partially removed) are assessed as category A and B (good quality).

The proposal is supported by a comprehensive structural planting plan and Arboricultural Impact Assessment. This includes, as mitigation for the loss of trees, the provision for the planting of a mixture of native as well as ornamental trees, shrubs and hedges and tree protection measures.

Given the general poor quality of the existing tree cover at the site and further to the amendments made to the proposed landscaping scheme to introduce more native species, the GMEU are satisfied that the proposed replacement landscaping (in tandem with the off-site mitigation noted above) would be satisfactory.

Therefore, the proposed development, subject to conditional control, would not harm the character of the area and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Highways and accessibility

As per the description, 36 dwellings would be accessed from Springside Road and 5 dwellings would be accessed from Burnley Road/School Lane. There would be acceptable level of visibility at both junctions with Springside Road and Burnley Road/School Lane and turning facilities would be provided within the site.

The junction with Springside Road and Walmersley Road is a signalised junction with pedestrian crossing facilities that would be partially upgraded in association with the residential scheme at Bevis Green to the east under planning permission 63533..

Transport for Greater Manchester (TfGM) have recommended that the proposed development contribute to the upgrading of pedestrian facilities at the signalised junction between Springside Road/Walmersley Road/Walmersley Old Road. In response, the applicant has commissioned and submitted Highway Technical Notes, which explored the alternative pedestrian options for accessing public transport (bus stops) along Walmersley Road, the potential for an uncontrolled crossing or a signal controlled crossing on the southern section of the junction.

The Technical Notes highlighted that the proposed development was approximately equidistant from bus stops south and north of the site, with both routes within 400m via pedestrian crossing points. The assessment also found that an uncontrolled crossing would not be deliverable on technical and safety grounds and that a potential signal-controlled crossing would require significant changes to the junction layout and signal timings at a cost that would be unlikely to be proportionate to the proposed scale of development or justified, given the alternative options for pedestrians available. Additionally, the full extent and cost of the suggested improvement works is currently unknown and without undertaking the preliminary design and capacity modelling, the proposals may not be feasible. The applicant also notes that the suggested improvement works are not required to make the site sustainable in transport terms, as it has previously been demonstrated that the site location provides for all types of active travel (to the satisfaction of TfGM). Finally, the Technical Note highlights that the Council does not have a UDP policy that would allow the applicant to make a financial contribution towards junction improvements without a scheme to be fully designed and costed.

However, given that a scheme needs to be fully designed and costed, the developer is willing to fund the design of a pedestrian improvement scheme at the junction as a Section 106 contribution, which could then potentially be used to seek contributions for implementation from future developments.

Given the circumstances set out in the supporting Technical Notes, it is considered that the suggested contribution by TfGM is not proportionate or justified by the nature or scale of the proposed development. If a scheme for the junction is fully designed however, this could assist with the provision of any justified contributions that may be required in the future.

Notwithstanding the above, neither the Highway Officer or TfGM object to the proposal subject to the suggested conditions set out above, which would include interventions that could potentially improve the present problems highlighted in the representations (e.g. review of current waiting restrictions and traffic calming measures) and would ensure that the development is not implemented to the detriment of the safe operation of the highway network (e.g. agreement of a Construction Traffic Management Plan).

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/3, H2/1, H2/2 and HT6/2 of the Bury Unitary Development Plan.

Parking

SPD11 states that the maximum parking standards for a residential development are as follows:

- 1.5 spaces per 2 bed dwelling
- 2 spaces per 3 bed dwelling
- 3 spaces per 4 bed dwelling and above.

This would equate to 99 spaces.

The proposed development would provide 82 spaces and there would be 17 integral garages. There would be a further 13 properties with access to a detached garage. The proposed garages would be large enough to be able to park a vehicle inside and as such, the proposed development would provide 112 spaces.

It is acknowledged that this is above the maximum of 99, but given the various comments on the difficulty of parking near the site during school start and finish times, it is considered that the level of parking provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Other matters

Greater Manchester Fire & Rescue Service (GMFRS)

The applicant has confirmed that the proposed emergency access from School Lane would be in accordance with the technical requirements set out in the consultation response from the GMFRS (e.g. droppable bollards at either end/3.7m width).

Ground conditions

The Environmental Protection Officer and the Coal Authority do not object to the proposal, subject to the above noted conditions.

Air quality

The Environmental Protection Officer has no objection to the proposal, subject to the inclusion of a condition relating to the installation of electric vehicle charging points.

Drainage

Neither the Lead Local Flood Authority or United Utilities object to the proposal, subject to conditions relating to surface water drainage scheme, culvert diversion works and foul drainage.

Waste Management

Each proposed dwelling would be adequately provided for the storage of waste and recycling facilities with collection point pertaining to unadopted streets.

Planning obligations

Recreation - A contribution of £116,011.46 would be required towards recreation in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1.

Affordable Housing - The proposed development would provide 10 affordable units, which would equate to 25% of the total number of units in accordance with Policy H4/1 of the Bury Unitary Development Plan and SPG5.

Of the 10 affordable units, 3 (25%) would be provided as First Homes at a 30% discount.

Of the other 7 affordable units, 1 would be available for home ownership as per NPPF requirements.

The affordable units are located in different areas of what is a relatively modest site and as such, would comply with the policy requirement for pepper potting throughout.

Off-site biodiversity mitigation - As noted above, the proposal generates a requirement to replace 2.80 biodiversity units, translating into a contribution of £42,000, which would be allocated to a site known as Walker's Field, Chesham, in accordance with paragraph 174 of the NPPF.

Observation on representations received

Many of the points raised in the representations, where material, have been addressed in the above analysis and/or recommended conditions.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be in accordance with the plan, unless material considerations indicate otherwise.

The Open Space Assessment undertaken demonstrates clearly that the identified open space is surplus to requirements and that its redevelopment would not lead to a quantitative or qualitative deficiency in the host geographical analysis area. Furthermore, the 'titled balance' applies and the NPPF therefore requires that planning permission should be granted 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.

The principle of the development is therefore acceptable. The proposal would deliver much needed residential development on a site within the urban area that is considered to be in a sustainable location. It would provide a mix of good quality market and affordable dwellings in a layout that would create varied and attractive streets, framed in a wider context of robust and extensive landscaping and open space.

The above assessment indicates that the proposed development would maintain the setting of the Walmersley Conservation Area and nearby Non-Designated-Heritage-Asset and would not unacceptably undermine residential amenity, highway safety or ecological interests. Furthermore, it would provide contributions for biodiversity gains and off-site highway design works.

Other constraints including drainage and flooding, contamination, coal mining risk and air quality impacts have been adequately addressed.

On this basis, the scheme, along with the legal agreement to secure the above noted contributions, the development would comply with the Unitary Development Plan and the NPPF when considered as a whole.

As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with 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: 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. Subject to the requirements of the conditions below, the development hereby

permitted shall be carried out in accordance with the following approved drawings and documents:

Drawings:

Location Plan (Dwg No. N1232/P/LP0)

The Warwick - Proposed Ground & First Floor Plans & Elevations (Dwg No. NRS/4H/1424/L2013Q/PE01)

The Poynton - Proposed Floor Plans & Elevations (Dwg No. NRS/2H/687/L2013Q/PE01)

The Norfolk - Proposed Floor Plans & Elevations (Dwg No. NRS/4H/1502/L2013Q/PE01)

The Knutsford - Proposed Floor Plans & Elevations (Dwg No. NRS/3H/1056/L2013Q/PE01)

The Disley (Formerly the Disbury Special) - Proposed Floor Plans & Elevations (Dwg No. NRS/3H/934/L2013Q/PE01)

The Davenham - Proposed Floor Plans & Elevations (Dwg No. NRS/3H/957/D2/L2013Q/PE01)

The Dalton Semi - Proposed Floor Plans & Elevations (Dwg No. NRS/3H/938/SEMI/L2013Q/PE01)

The Cranleigh - Proposed Floor Plans & Elevations (Dwg No. NRS/4H/1358/L2013Q/PE01 REV.A)

The Chelford (Formerly The Chatsworth SA AFF) - Proposed Floor Plans & Elevations (Dwg No. NRS/AFF/3H/808/L2013Q/P01)

The Bray - Proposed Floor Plans & Elevations (Dwg No. NRS/2H/784/L2013Q/PE01)

The Bray (Plot 16) - Proposed Floor Plans & Elevations (Dwg No. NRS/2H/784/L2013Q/PLOT16)

The Brancaster (Formerly the Brereton) - Proposed Floor Plans & Elevations (NRS/4H/1169/L2013Q/PE01 B)

The Adlington - Proposed Floor Plans & Elevations (Dwg No. NRS/4H/1119/A2P/L2013Q/PE01)

The Abingdon - Proposed Floor Plans & Elevations (Dwg No. NRS/4H/1469/L2013Q/PE01)

Proposed Single Detached Garage Plans & Elevations (Dwg No. 13/006 REV.A)

Proposed Detached Double Garage Plans & Elevations (Dwg No. 13/010)

The Henley - Proposed Floor Plans & Elevations (Dwg No. NRS/4H/1462/L2013Q/PE01 REV.A)

The Davenham (Formerly the Dunham) - Proposed Floor Plans & Elevations (Dwg No. NRS/3H/957/HIP/L2013Q/PE01 REV.B)

The Capesthorpe - Proposed Floor Plans & Elevations (Dwg No. NRS/3H/947/L2013Q/PW01 REV.A)

The Bray - Proposed Floor Plans & Elevations (Dwg No. NRS/2H/784/L2013Q/PE01)

Proposed Street Scene (Dwg No. N1232/P/SS01 REV.C)

Refuse (Bin Storage) Plan (Dwg No. N1232/P/RP01 H)

Proposed Lighting & Installation Design Layout (Dwg No. 23370/D/01 REV.B)

Proposed Planning Layout (Dwg No. N1232/P/PL01L)

Proposed Materials Dispersion Plan (Dwg No. N1232/P/MP/01H)

Proposed Landscape Structure Plan (Dwg No. M3492/PA/01/V10)

Proposed Dwelling Separation Plan (Dwg No. N1232/DS01 REV.F)

Proposed Car & Cycling Parking Provisions (Dwg No. N1232/P/CP01 REV.D)

Proposed Car & Cycle Parking Provisions (Dwg No. N1232/P/CP01 REV.F)

Proposed Affordable Housing Plan (Dwg No. N1232/P/AH01 REV.G)

Documents:

Bat Tree Assessment UES ref.UES03089/05

Arboricultural Impact Assessment (Ref. P.1059.18 Rev. C)

Invasive Species Method Statement (Ref. UES03089/06)

Flood Risk Assessment (Rev. C)

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

3. No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

4. Following the provisions of condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out within timescales agreed with the Local Planning Authority; 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 occupation of the first dwellinghouse.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof and the extension to the stone wall between points A and B on the approved Planning Layout (Dwg No. N1232/P/PL01 L), have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

Reason. No material samples have been submitted and are required 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.

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 Section 9 of the National Planning Policy Framework.

7. The felling of trees called G2A, G6A, G6B, and G7 shall be carried out in accordance with the Bat Tree Assessment UES ref. UES03089/05 section 4.2.1 as already submitted with the planning application.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section

11 of the National Planning Policy Framework.

8. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
9. Prior to any vegetation clearance or earthworks, a reasonable avoidance measures method statement for hedgehogs shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to any vegetation clearance and remain in place for the construction phase of the development.
Reason. Reason. In order to ensure that no harm is caused to a Priority Species pursuant to Policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
10. No development shall commence until full details of a scheme for the eradication and/or control of Himalayan Balsam, Rhododendron, Cotoneaster spp and Variegated Yellow Archangel 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 invasive species in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
11. 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.
12. The hard and soft landscaping shall be carried out in accordance with the approved Landscape Structure Plan (Dwg No. M3492-PA-01-V10), which shall be supplemented with a Portuguese Laurel to the rear boundary of plots 18 to 24. All planting, seeding and/or turfing shall be carried out in the first planting and seeding seasons following the occupation of the building(s) relating to that phase or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity and to ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value, pursuant to policies EN6/4, EN8/2 and EN10/2 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

13. Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme shall be in accordance with the principles set out in the submitted Flood Risk assessment document 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 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.

For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, pursuant to policies EN5/1, EN7/3 and EN7/5 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

14. Development shall not commence until details of proposed culvert diversion works have been submitted to and approved by the Local Local Flood Authority. Details shall include surveys of the existing culvert downstream of the development and method statements for proposed construction works

Reason. To ensure the adequacy of the proposed discharge to the culverted watercourse to prevent an undue increase in surface water run-off and to reduce the risk of flooding, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

15. Notwithstanding the details indicated on the approved plans, no development 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 main site access onto Springside Road, incorporating the provision of adequate arrangements at the interface with the adopted highway, reconstruction of the northerly footway on Springside Road and alterations to the site boundary to form the accesses to Plots 1 & 2 and provide a 2.0m wide footway along the development frontage and provision of visibility splays appropriate for a design speed of 20mph, demarcation of the limits of the adopted highway, tactile paved crossing point, 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. Formation of the access to Plots 12 - 16 and secondary emergency access onto School Lane/Burnley Road, incorporating the realignment of the southerly kerbline and footway, provision of adequate arrangements at the interface with the adopted highway and alterations to the site boundary to provide a 2.0m wide footway along the development frontage and provision of visibility splays appropriate for a design speed of 20mph, demarcation of the limits of the adopted highway, scheme of bollards clear of the southerly School Lane/Burnley Road footway, and all associated highway and highway drainage remedial works;
3. 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;
4. 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;
5. Provision of a street lighting assessment to a scope and specification to be agreed for Springside Road between Walmersley Road and Brierfield Drive, School Lane between Walmersley Road and Burnley Road and the proposed residential estate roads, and, where identified, a scheme of improvements on the existing adopted highway;
 6. Review of need for the introduction of waiting restrictions to scope to be agreed on Springside Road between Walmersley Road and Brierfield Drive and School Lane in the vicinity of the access to Plots 12 - 16 and secondary emergency access, including all necessary road markings and signage;
 7. A scheme of 20mph traffic calming measures on Springside Road between Walmersley Road and its cul-de-sac end and the proposed estate roads, to a scope and specification to be agreed, incorporating, but not limited to, the formation of a speed table as shown at the junction within the development, measures on the existing adopted highway to be agreed and all associated road markings and signage.

The details subsequently approved shall be implemented in full to a programme agreed with the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, in the interests of fire safety, 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 H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

16. 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 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, and secondary emergency access to a detail/incorporating rubbing strips/limits of adoption, to be agreed;
 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. Swept path analysis of the proposed estate roads to ensure that an 11.85m (minimum) long refuse collection vehicle can pass a private car at all points, the bend and manoeuvre at all turning heads;
 6. Facilities for the storage of bins on collection day at the interfaces of all shared accesses, located clear of the future adopted highway and appropriate visibility splays at junctions and the back edge of the footway;
 7. Provision of a scheme of bollards and measures/boundary treatment at the interface of the secondary emergency access with the future adopted highway, incorporating foundations for the proposed 1.1m high boundary stone wall that do not encroach under the future adopted highway;
 8. Proposed planting/surfacing details and management/maintenance arrangements for all landscaped/car parking areas abutting the proposed adopted highway;
 9. 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 and to the written satisfaction of the Local Planning Authority, with the secondary emergency access made available for use prior to occupation of any dwelling.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, in the interests of fire safety, 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 H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

17. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
 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 construction vehicles to the site from the Key Route Network;
 3. Access point/arrangements for construction traffic, incorporating all temporary works required to facilitate access for construction vehicles;
 4. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain adequate levels of visibility onto the adopted highway;
 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;
 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 construction vehicles, together with storage on site of 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the 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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

18. In the event that it is not intended for the proposed residential estate roads to be considered for adoption by the Council, no development 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 roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason. This is required prior to the commencement of development to ensure that the unadopted estate roads 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 policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

19. The various 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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.
20. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided to the 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 to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.
21. Where dwellings are constructed without a garage, minimum hardstanding lengths of 5.0m at all dwellings (10.0m when in tandem) shall be provided to the 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 to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.
22. The communal car parking indicated on the approved plans shall be surfaced and made available for use to the satisfaction of the Local Planning Authority 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 of the Bury Unitary Development Plan.
23. Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with the approved Refuse Plan (Dwg No. N1232/P/RP01 H) before first occupation of the respective dwelling.
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.
24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification), no development within Class A to E of Part 1 of Schedule 2 shall be carried out at Plots 1 and 4 to 11 (inclusive), unless permission is granted by the Local Planning Authority.
Reason. The excluded types of development would not be appropriate due to the restricted size of the external amenity areas and proximity to existing neighbouring dwellings, pursuant to policy H2/1 of the Bury Unitary Development Plan.
25. Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure shall be erected adjacent to the northern boundary of the rear garden, which shall be lined by a Laurel hedge as required by Condition 12 of this planning permission.
Reason. To enable the Local Planning Authority to regulate and control the development of land in order to protect the character and appearance of the Walmersley Conservation Area, pursuant to policy EN2/2 of the Bury Unitary

Development Plan.

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

Viewpoints:







68055

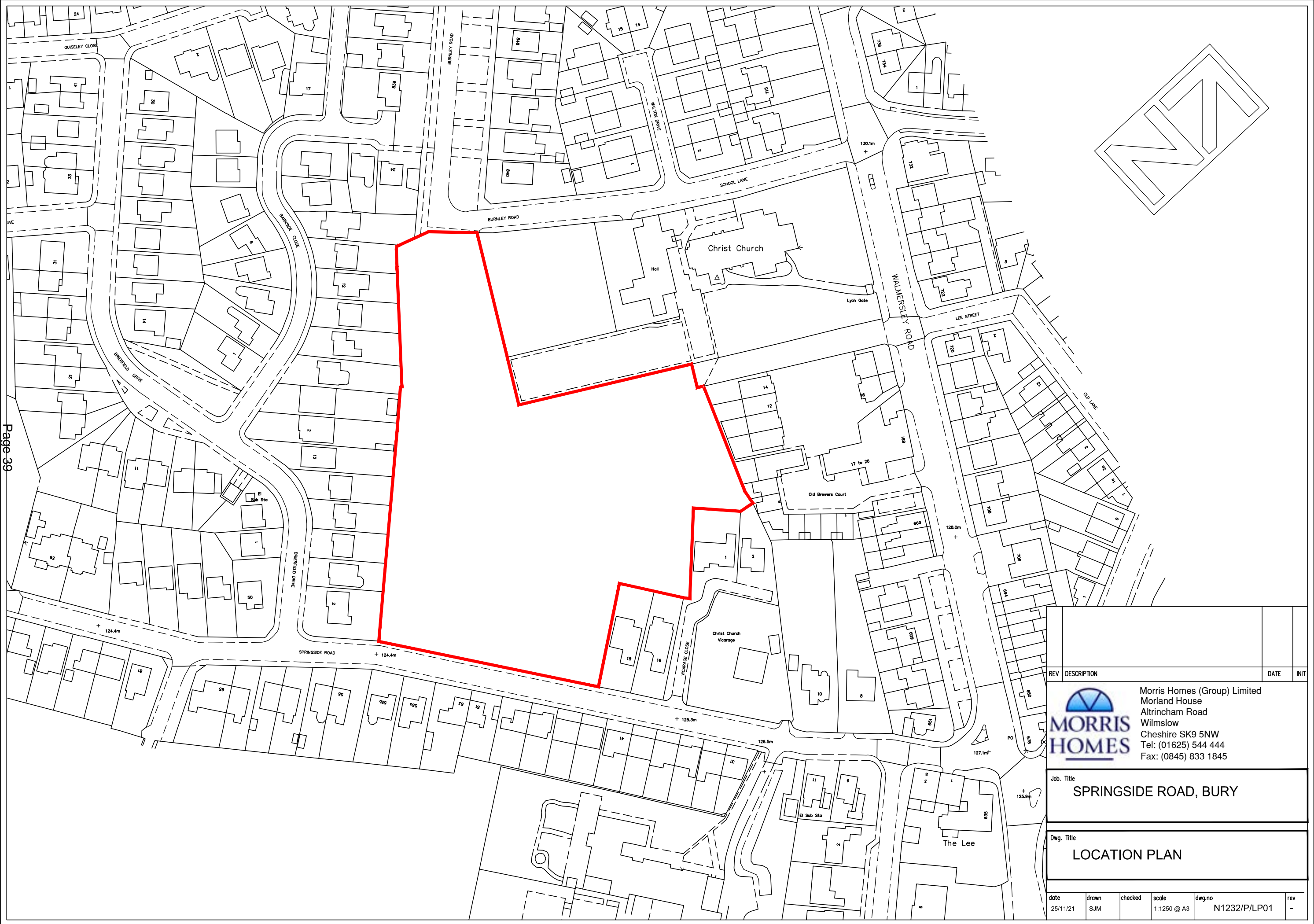
Aerial view of site from the east



68055

Surrounding residential character





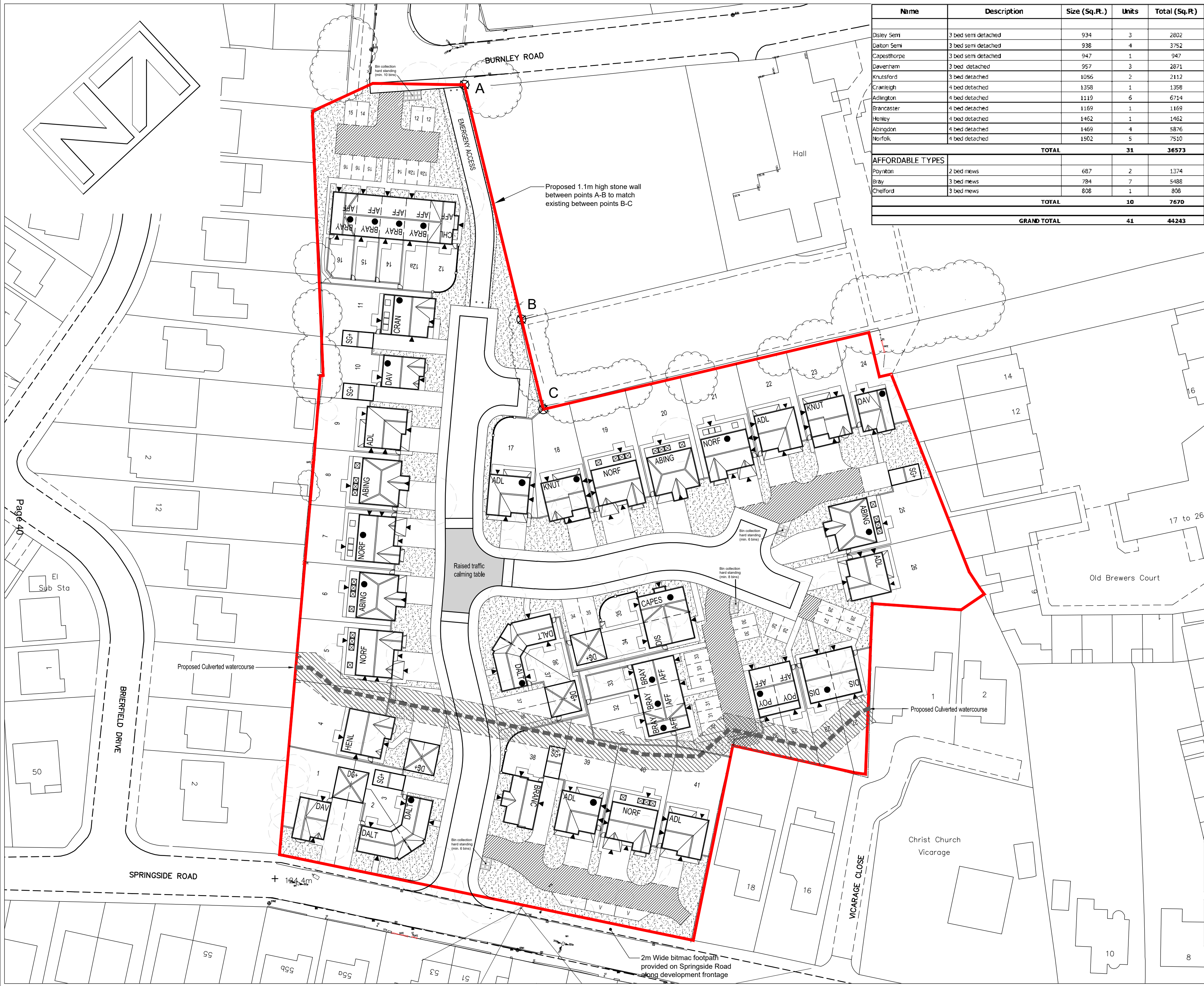
REV	DESCRIPTION	DATE	INIT



Morris Homes (Group) Limited
Morland House
Altrincham Road
Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job. Title SPRINGSIDE ROAD, BURY				
Dwg. Title LOCATION PLAN				

date 25/11/21	drawn SJM	checked	scale 1:1250 @ A3	dwg.no N1232/P/LP01	rev -
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Name	Description	Size (Sq.Ft.)	Units	Total (Sq.Ft.)
Disley Semi	3 bed semi detached	934	3	2802
Dalton Semi	3 bed semi detached	938	4	3752
Capesthorpe	3 bed semi detached	947	1	947
Davenham	3 bed detached	957	3	2871
Knutsford	3 bed detached	1056	2	2112
Cranleigh	4 bed detached	1358	1	1358
Adlington	4 bed detached	1119	6	6714
Brancaster	4 bed detached	1169	1	1169
Henley	4 bed detached	1462	1	1462
Abingdon	4 bed detached	1469	4	5876
Norfolk	4 bed detached	1502	5	7510
TOTAL			31	36573
AFFORDABLE TYPES				
Poynton	2 bed mews	687	2	1374
Bray	3 bed mews	784	7	5488
Chelford	3 bed mews	808	1	808
TOTAL			10	7670
GRAND TOTAL			41	44243

LEGEND	
	Proposed dwelling
	Proposed dwelling to be built opposite hand
	Proposed brick built garage
	Common areas of shared drives in contrasting material or kerb edgings to delineate shared drive area
	Proposed 1.8m high feather edge boarded timber screen fence
	Proposed 1.8m high feather edge boarded timber screen fence with P.C.C. posts & gravel boards
	Proposed 1.8m high/0.44m square brick piers at 2.0m ctrs with 0.65m high brick dwarf wall/feather edged boarded infill panels
	Proposed 0.45m high timber post & rail divisional fence
	Proposed 0.45m high timber V-rail fence

L	Shared parking arrangement to plots 29-33 updated.	07/07/23	SJM
K	Handing and roof configuration of plots 1 and 24 amended. Shared parking arrangement to plots 27-33 updated with additional landscaped areas provided.	28/06/23	SJM
J	Layout updated in line with Highways comments (bin collection points to plots 12-16, 22-24, 29-33 & 38-41).	20/03/23	SJM
H	Layout updated in line with LPA comments (shared parking arrangement to plots 29-33 amended).	24/02/23	SJM
G	Layout updated in line with LPA comments, including updated Affordable housing mix.	15/02/23	SJM
F	Emergency access arrangement updated to take into account Highways comments.	11/01/23	SJM
E	Planning and Highways comments incorporated including - Position of plots 14-16 amended to increase aspect distance to 12 Barnside. Access provided to rear of plots 14-16 and existing boundary wall. Plot 1 handed to provide forward visibility off driveway. Roof configuration to plots 1, 16 & 24 amended to improve amenity of private rear gardens to 2, 10, 12 Barnside and 14 Old Brewers. Drive arrangement to plots 22-26 & 38-41 amended. House type substitution to plots 6, 38 & 39. Schedule of accommodation updated accordingly.	15/12/22	SJM
D	Layout re-planned to take into account Highways comments.	27/10/22	SJM
C	Layout re-planned to take into account As Built location of existing culvert.	07/10/22	SJM
B	Proposed low stone wall position indicated on North Western boundary.	23/02/22	SJM
A	Position of plots 18-22 amended to enable turning head size to be increased adjacent plot 22. Raised traffic calming table and bin collection point opposite plot 10 added following consultants comments.	06/01/22	SJM
REV	DESCRIPTION	DATE	INIT

Morris Homes (North) Limited
Morland House
Altrincham Road
Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

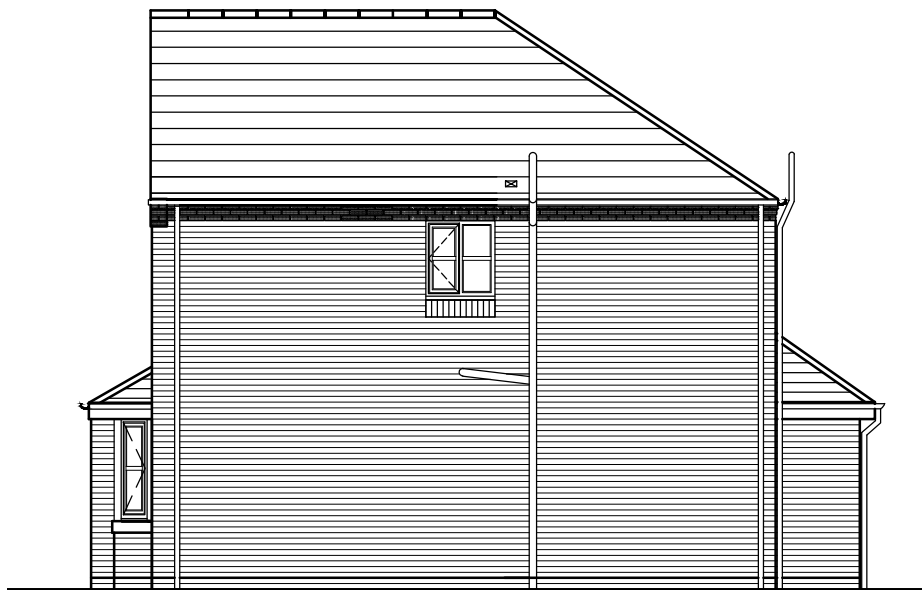
Job Title
SPRINGSIDE ROAD, BURY

Dwg. Title
PLANNING LAYOUT

date	drawn	checked	scale	dwg.no	rev
08/10/21	SJM		1:500@A2	N1232/P/PL01	L



FRONT ELEVATION



SIDE ELEVATION



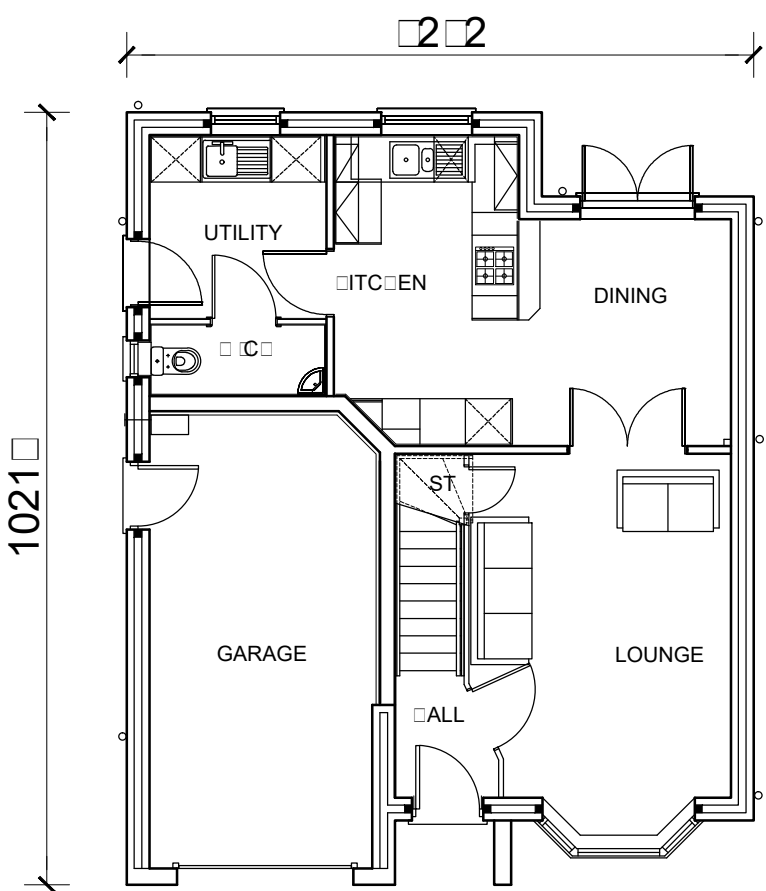
REAR ELEVATION



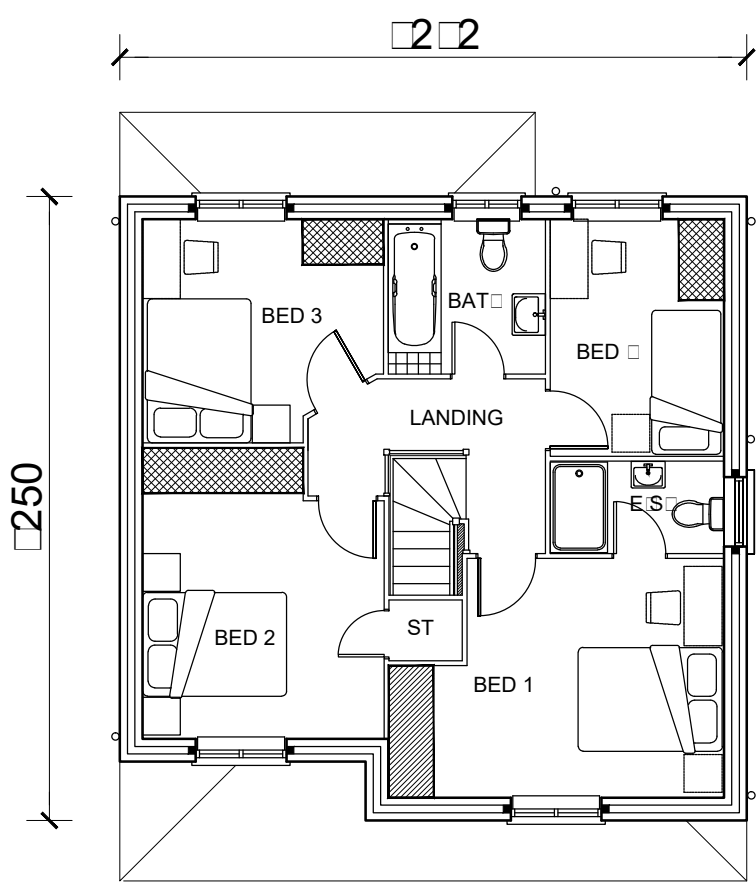
SIDE ELEVATION



STANDARD CGI RENDERING



GROUND FLOOR PLAN



FIRST FLOOR PLAN

A	2021	BED 2/3 STUDWORK REPOSITIONED, BED 4 WINDOW REPOSITIONED, GARAGE PERSONNEL DOOR REPOSITIONED.	RDL
Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title	THE ADLINGTON (FORMERLY THE APPLETON 2 PLUS)		
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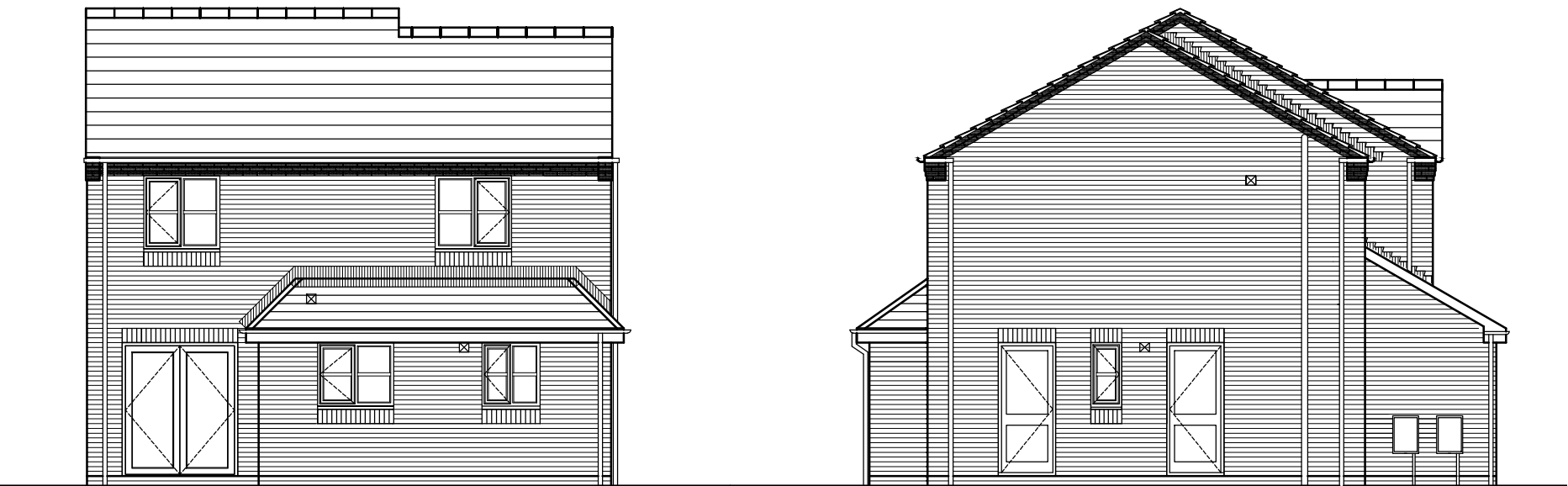
Dr. Title	PART L 2013 1119 SQ FT		
P	L		
N	dr	S	

date	drawn	checked	scale	dr. no	rev
FEB 21	SK		1:100@A2	NRS/4H/1119/A2P/L2013Q/PE01	A



FRONT ELEVATION

SIDE ELEVATION

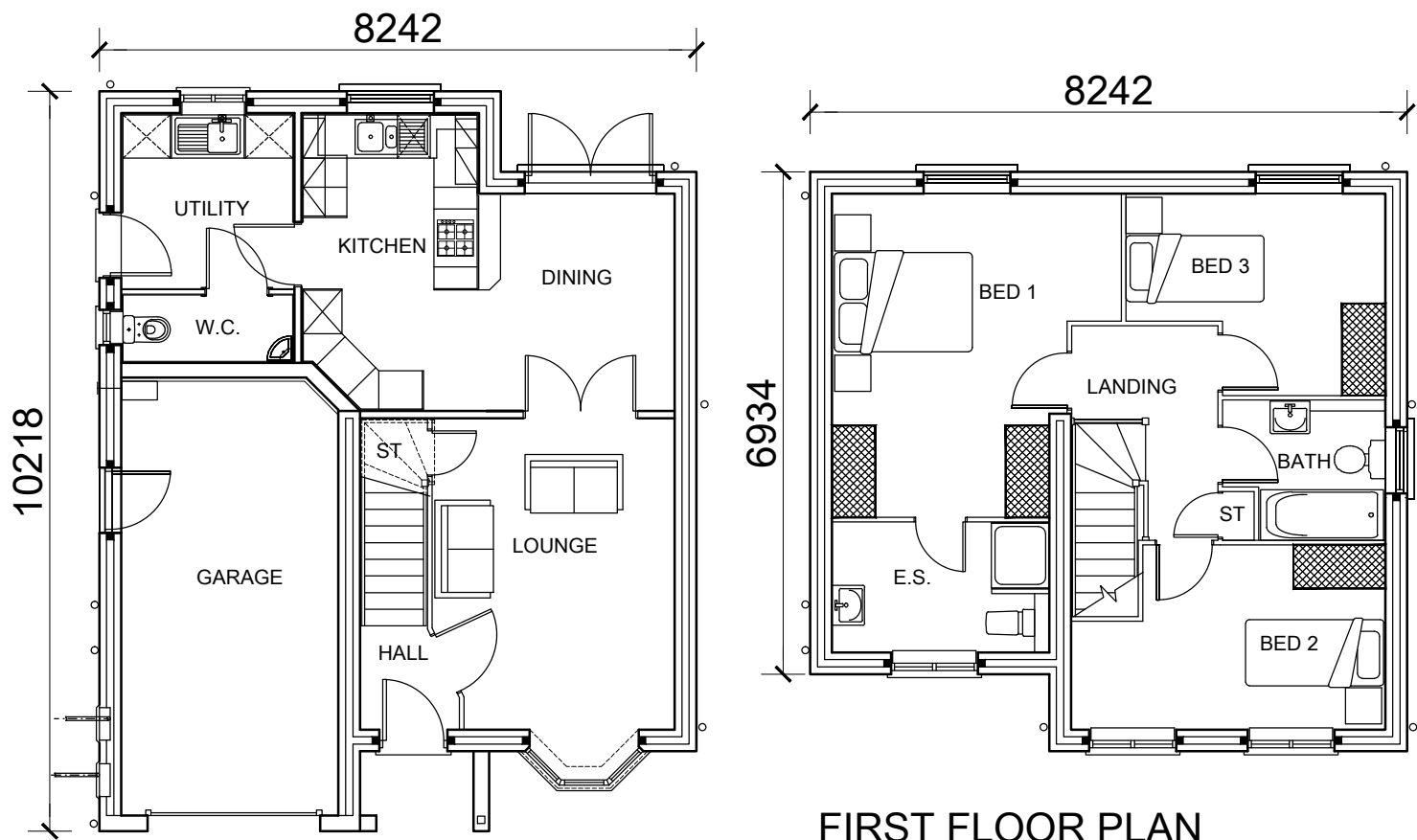


REAR ELEVATION

SIDE ELEVATION



STANDARD CGI REV (-)



GROUND FLOOR PLAN

FIRST FLOOR PLAN

Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road, Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title		T E NUTS ORD			
		FORMERLY T E RU ORD 2 PLUS			
Drg. Title		PART L 2013 1056 SQ FT			
P L		N S			
N rdr S					
date	drawn	checked	scale	drg.no	rev
DEC 20	RDL		1:100@A2	NRS/3H/1056/L2013Q/PE01	-

MILLIMETRES 1,000 0 5,000 10,000 15,000 MILLIMETRES

SCALE BAR 1:100



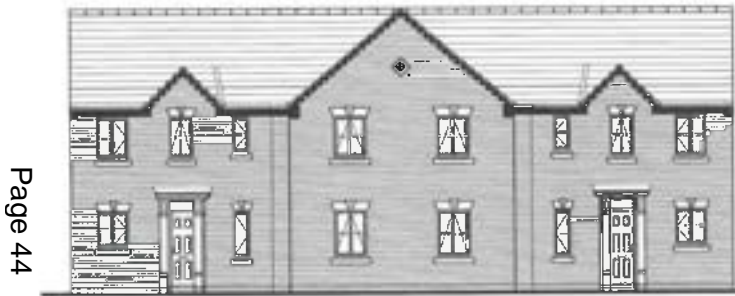
FRONT ELEVATION



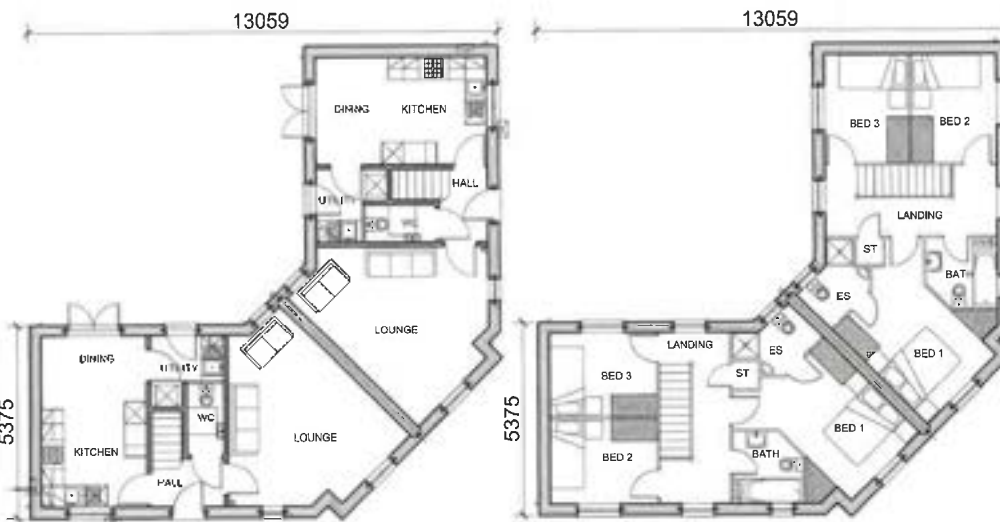
REAR ELEVATION



STANDARD CGI REV (-)



FRONT ELEVATION - on splay



GROUND FLOOR PLAN

FIRST FLOOR PLAN

Rev	Date	Amendment	By



Morris Homes (Group) Limited
Morris Homes
Abingdon Road Walsley
Cheshire SK9 5NN
Tel: (01483) 544 444
Fax: (01483) 833 1845

Job Title

THE DALTON SEMI

Dep. Title

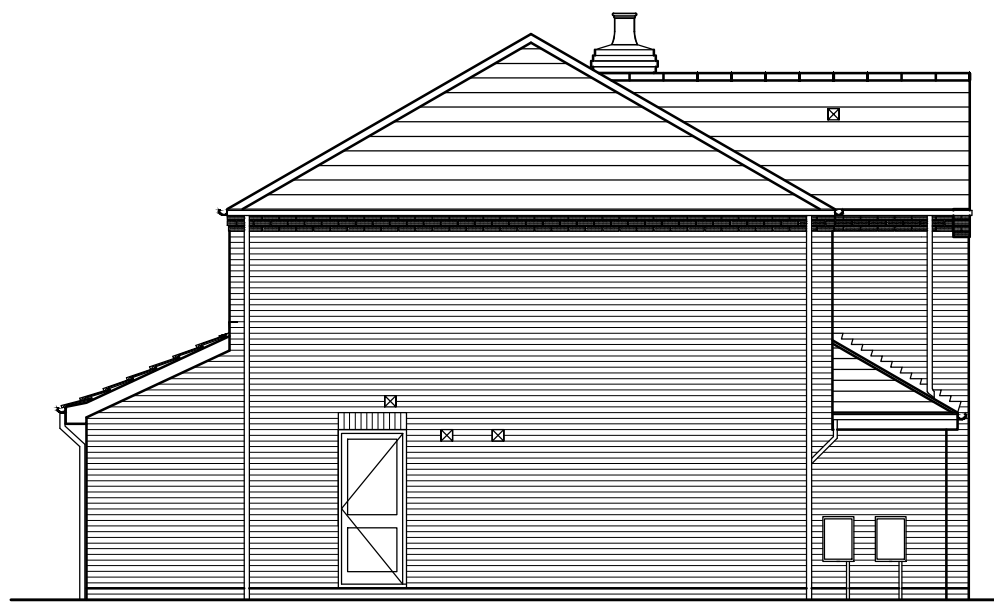
PART L 2013Q 938sq.ft

Planning Layout
New Wardrobe Specification

Rev	Date	By	Check	Scale	Drawn	Rev
FE9 21		ROL		1:100@A2	NRS/SH/SEM/L2013Q/PE01	



FRONT ELEVATION



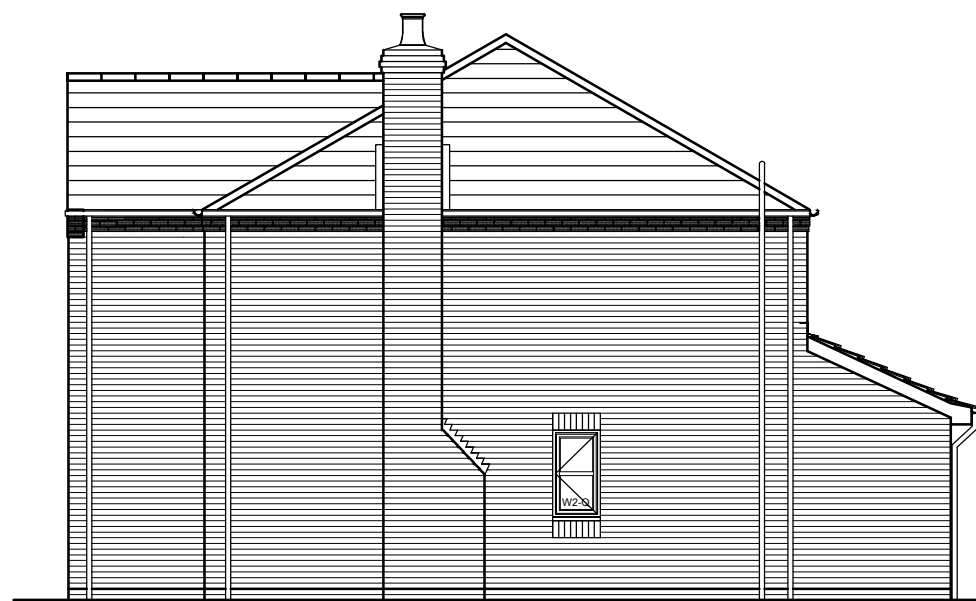
SIDE ELEVATION



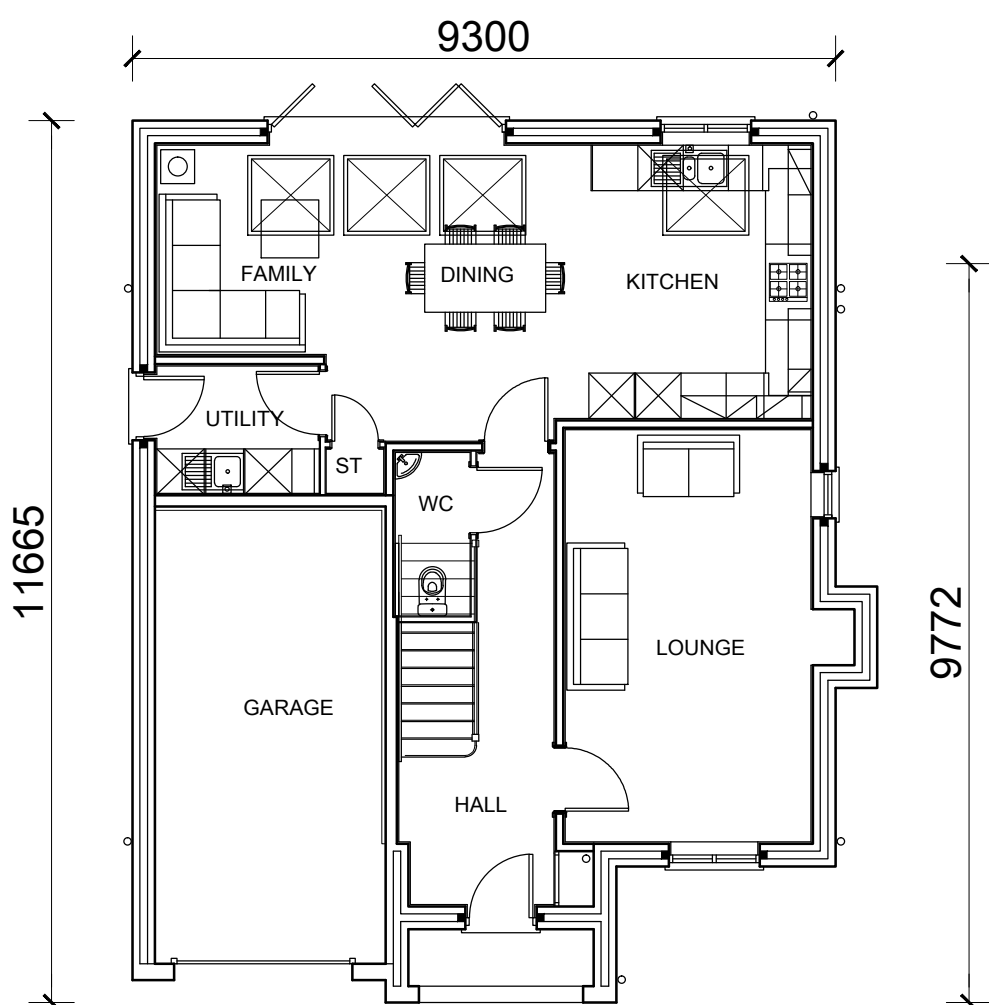
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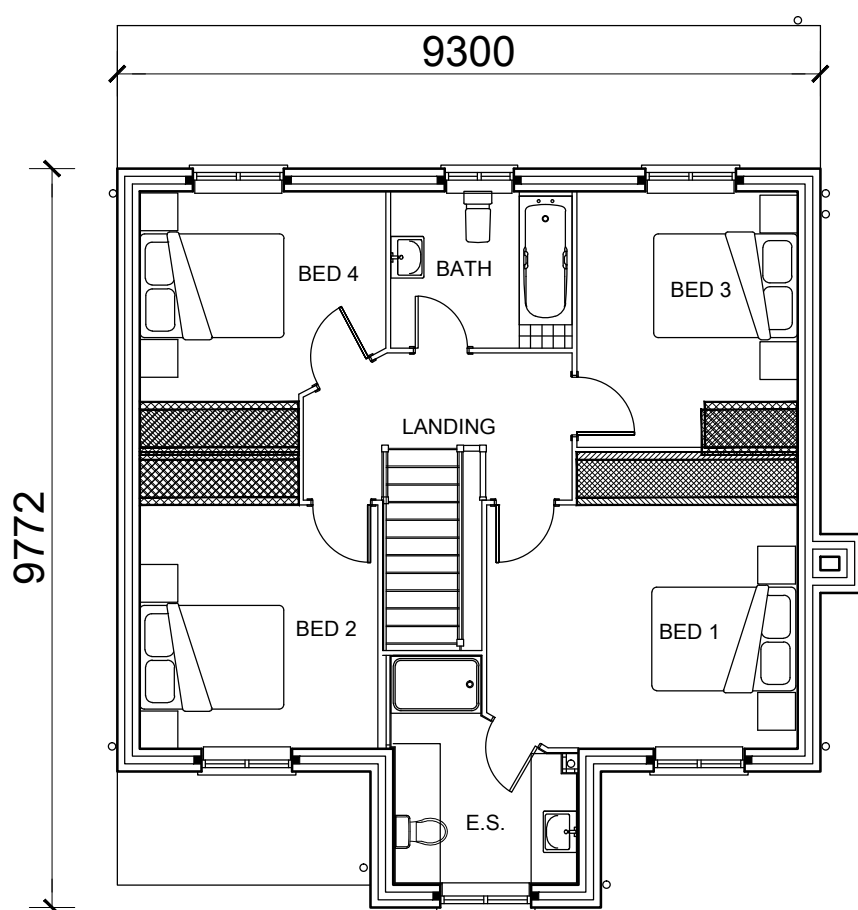
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR LAYOUT



FIRST FLOOR LAYOUT

A	03.11.21	BED 2/4 STUDWORK & BED 4 DOOR REPOSITIONED TO SUIT WARDROBE, BED 1/3 STUDWORK & BED 3 DOOR REPOSITIONED TO SUIT WARDROBE	RDL
Rev	Date	Amendment	Init

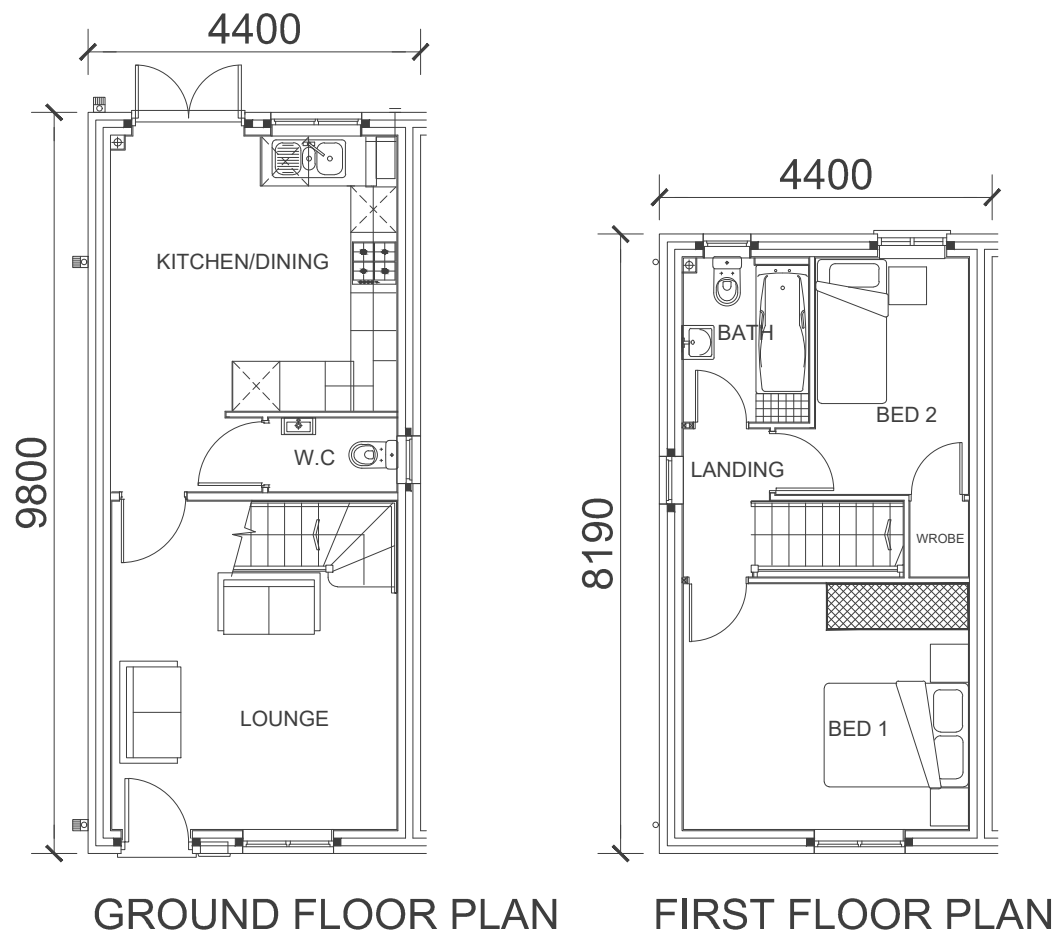


Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title		THE ABINGDON			
Drg. Title		PART L 2013Q		1469sq.ft	
Planning Layout New Wardrobe Specification					
date	drawn	checked	scale	drg.no	rev
MAR 21	SS		1:100@A2	NRS/4H/1469/L2013Q/PE01	A



CGI REV (-)



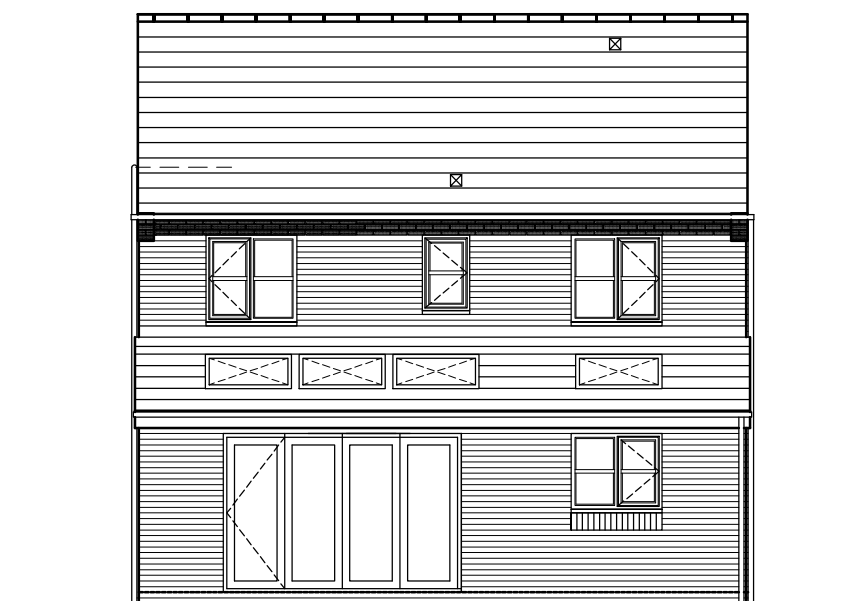
Rev	Date	Amendment		Init
<div><div></div><div>Morris Homes (Group) Limited Morland House Altrincham Road Wilmslow Cheshire SK9 5NW Tel: (01625) 544 444 Fax: (0845) 833 1845</div></div>				
Job Title				
THE POYNTON				
Drg. Title				
PART L 2013Q			687sq.ft	
Planning Layout New Wardrobe Specification				
date	drawn	checked	scale	drg.no
Jun 21	SK		1:100@A2	NRS/2H/687/L2013Q/PE01
				rev
				-



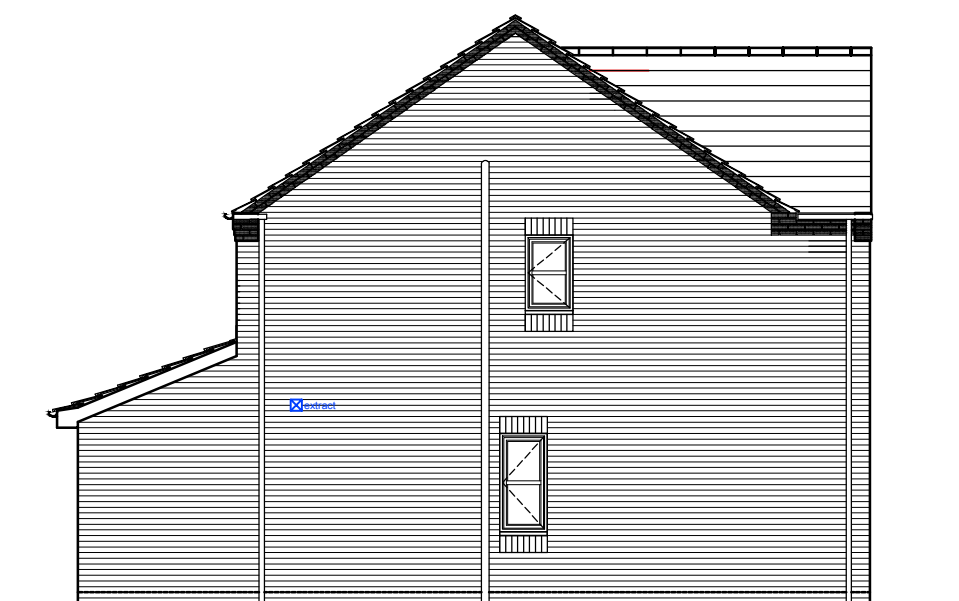
FRONT ELEVATION



SIDE ELEVATION



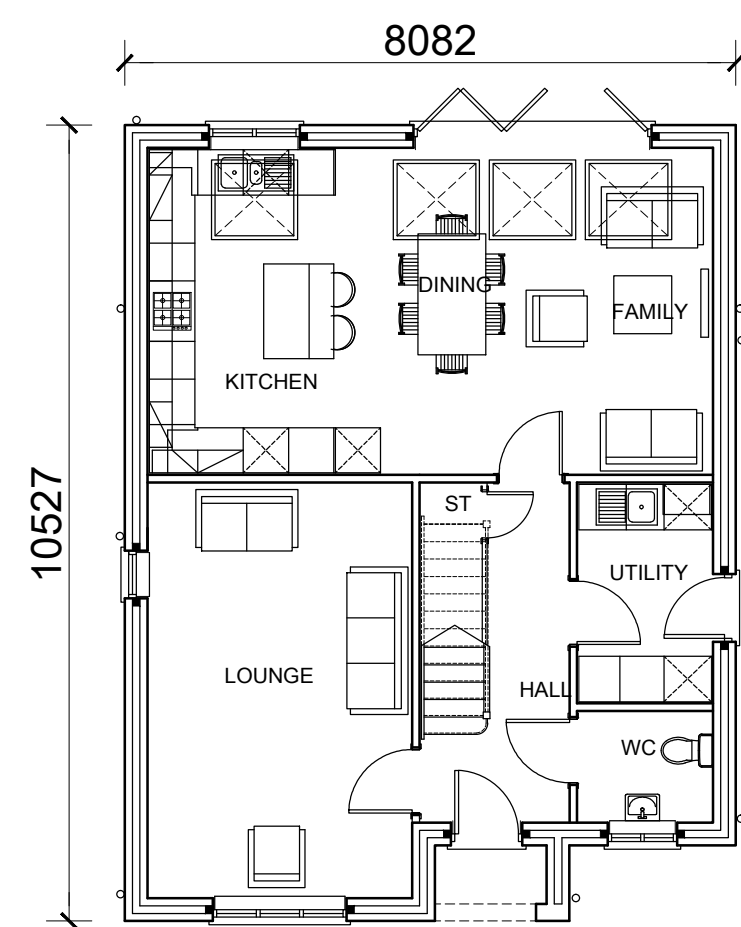
REAR ELEVATION



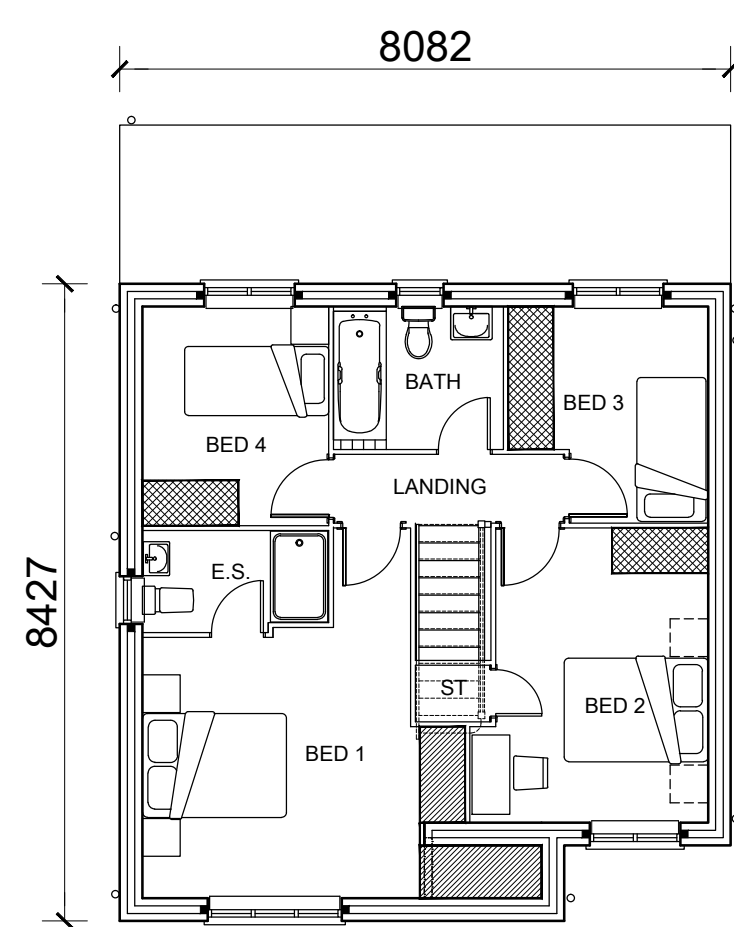
SIDE ELEVATION



STANDARD CGI REV (-)



GROUND FLOOR PLAN



FIRST FLOOR PLAN

A	28.10.21	BED 3 WINDOW REPOSITIONED TO SUIT WARDROBE.	RDL
Rev	Date	Amendment	Init

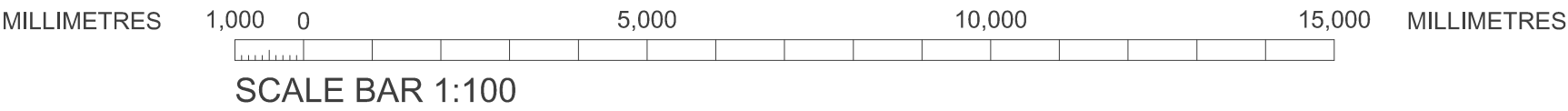


Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title	THE CRANLEIGH
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Dwg Title	PART L 2013Q	1358sq.ft
Planning Layout New Wardrobe Specification		

date	drawn	checked	scale	drg.no	rev
FEB 21	SS		1:100@A2	NRS/4H/1358/L2013Q/PE01	A



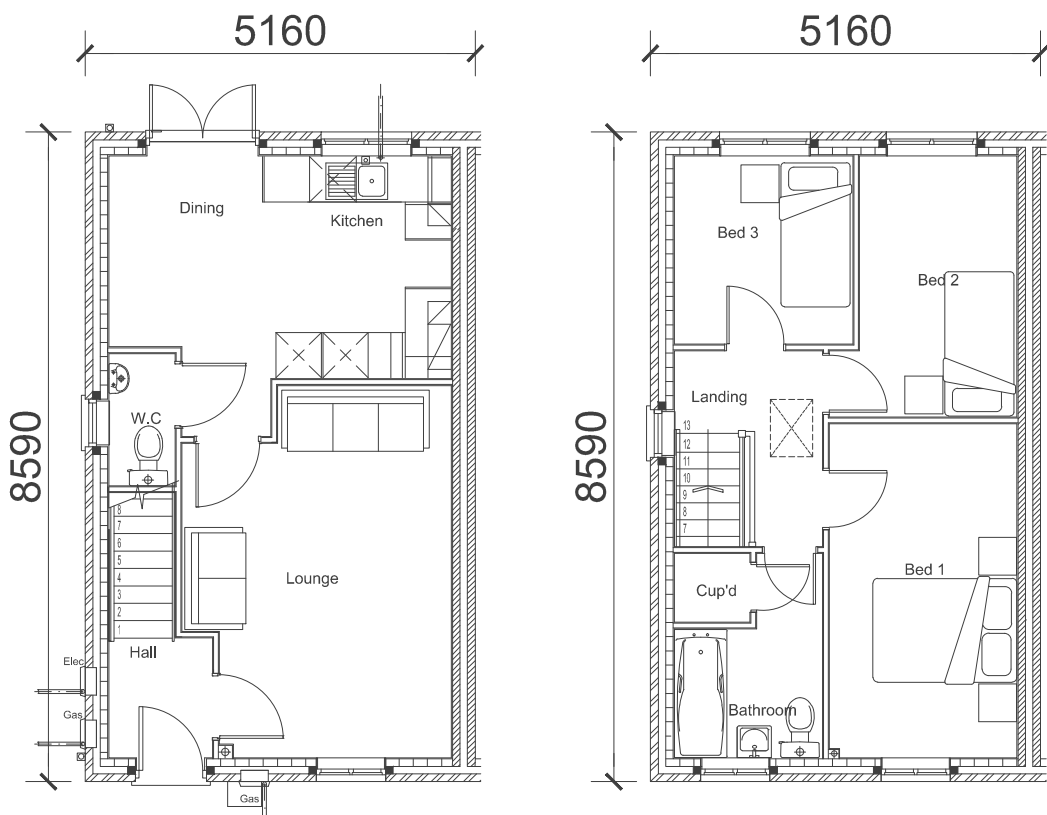
FRONT ELEVATION SIDE ELEVATION



REAR ELEVATION SIDE ELEVATION

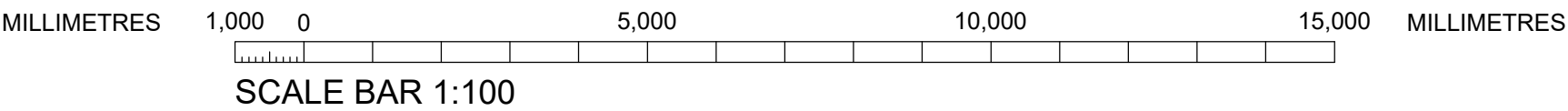


CGI REV (-)

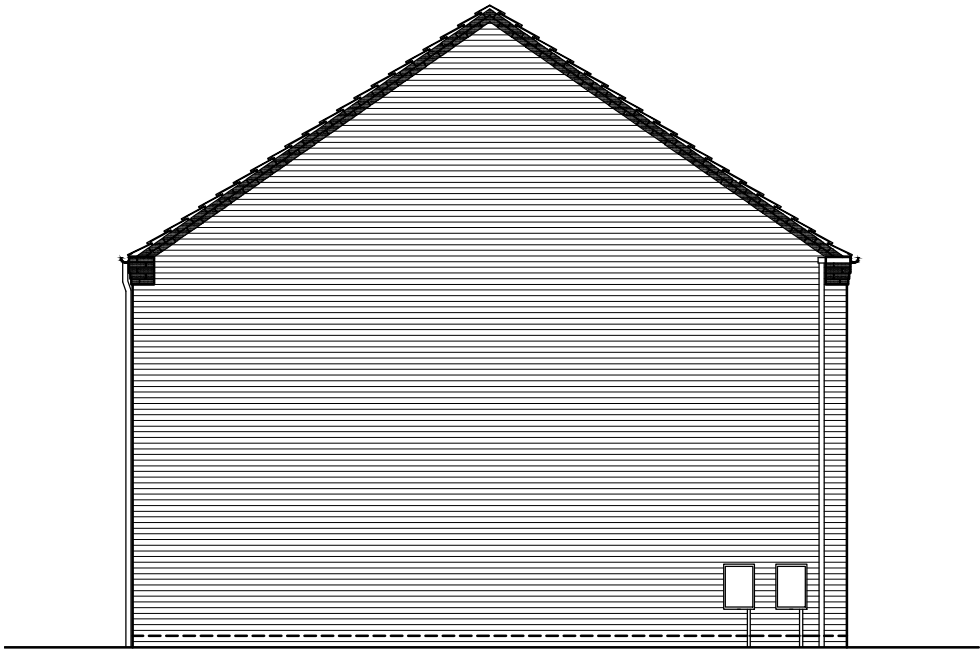


GROUND FLOOR PLAN FIRST FLOOR PLAN

Rev	Date	Amendment	Init
<div>Morris Homes (Group) Limited Morland House Altrincham Road Wilmslow Cheshire SK9 5NW Tel: (01625) 544 444 Fax: (0845) 833 1845</div>			
Job Title			
THE BRAY			
Drg. Title			
PART L 2013Q			784sq.ft
Planning Layout New Wardrobe Specification			
date	drawn	checked	scale
Jun 21	SK		1:100@A2
drg.no			rev
NRS/2H/784/L2013Q/PE01			-



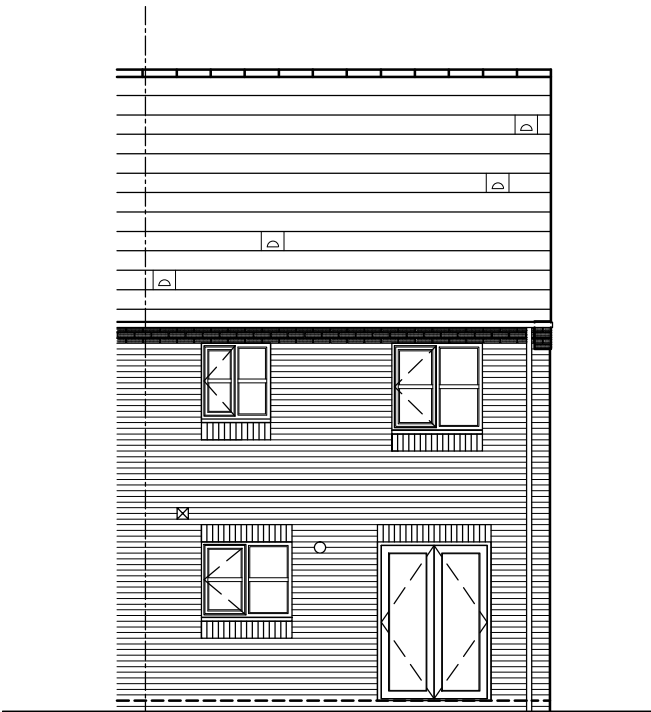
FRONT ELEVATION



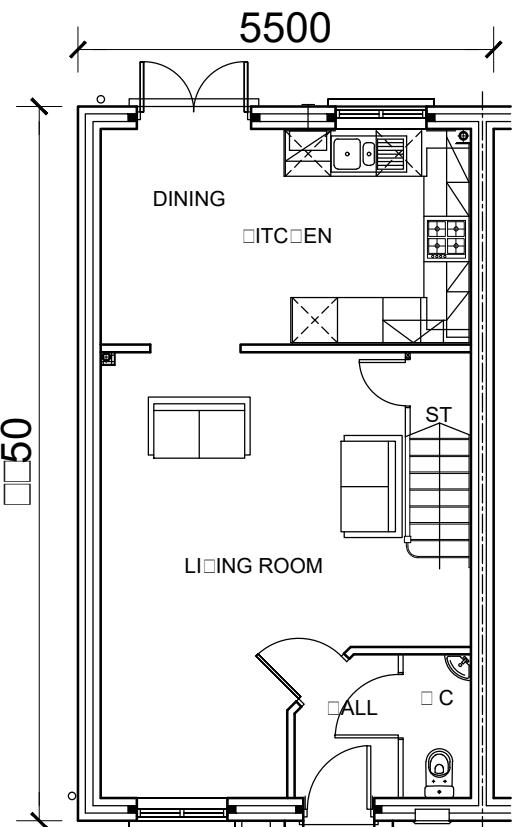
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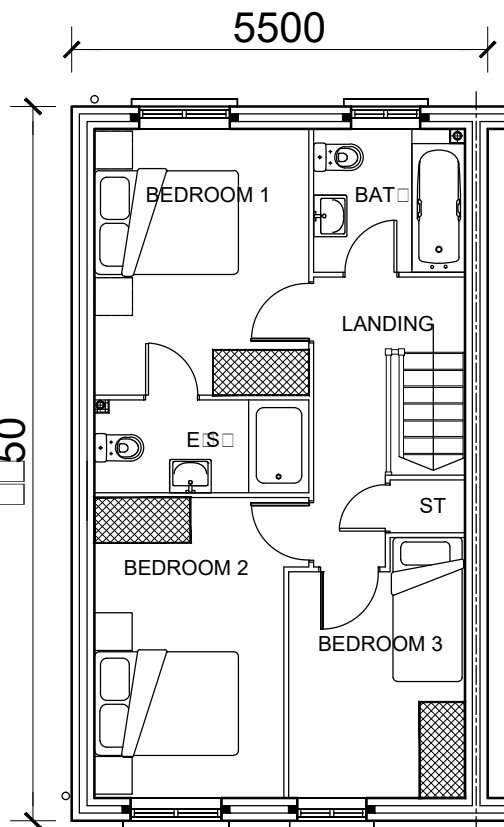
STANDARD CGI RENDERING



REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title	TIDE DISLEY		
	FORMERLY TIDE DIDSBUY SPECIAL		

Dwg. Title	PART L 2013		934 sq.ft
PROJECT INFORMATION			
NORTH ORIENTATION			

date	drawn	checked	scale	drg.no	rev
FEB 21	RDL		1:100@A2	NRS/3H/934/L2013Q/PE01	-



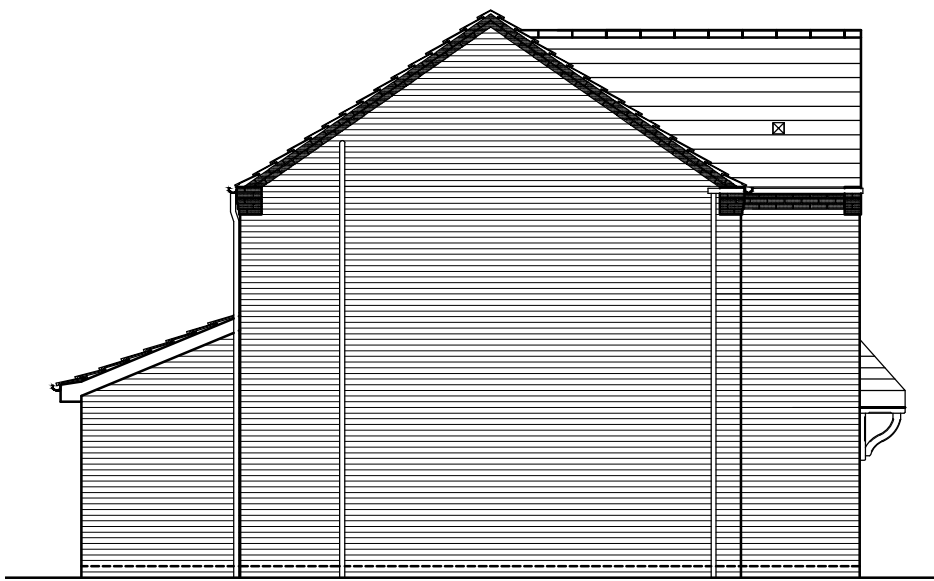
FRONT ELEVATION



SIDE ELEVATION



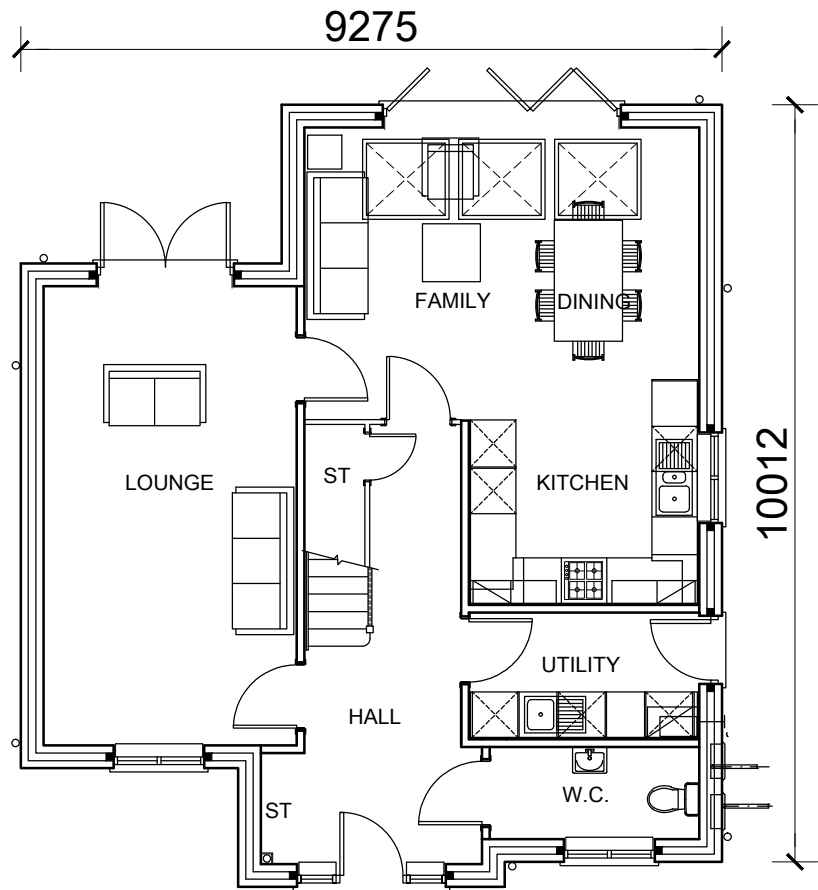
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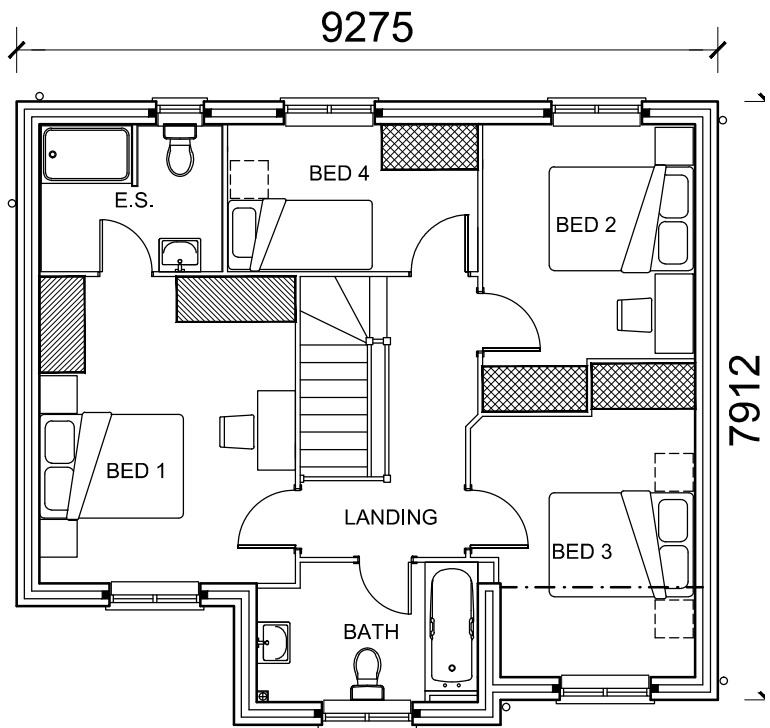
SIDE ELEVATION



STANDARD CGI REV (-)



GROUND FLOOR PLAN



FIRST FLOOR PLAN

A	29.10.21	WC DOOR CENTRALIZED, BED 2/3 STUDWORK & BED 2 DOOR REPOSITIONED TO SUIT WARDROBE.	RDL
Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

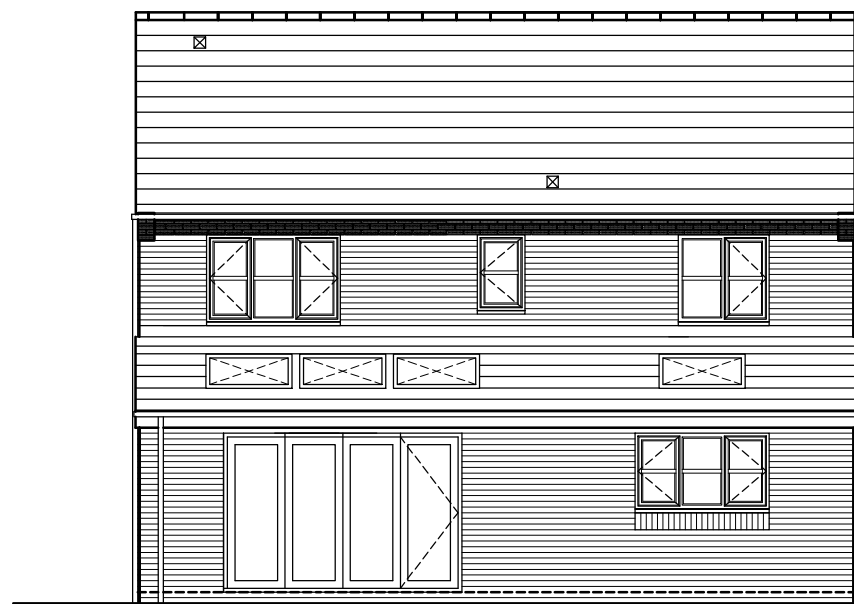
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Drg. Title		PART L 2013Q		1424 SQ FT	
Planning Layout New Wardrobe Specification					
date	drawn	checked	scale	drg.no	rev
DEC 20	RDL		1:100@A2	NRS/4H/1424/L2013Q/PE01	A



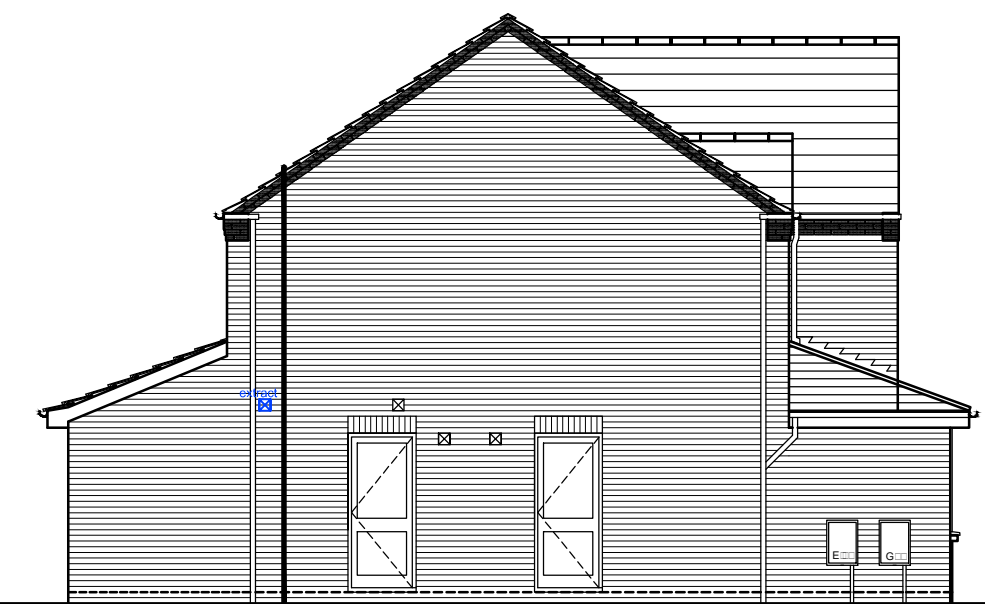
FRONT ELEVATION



SIDE ELEVATION



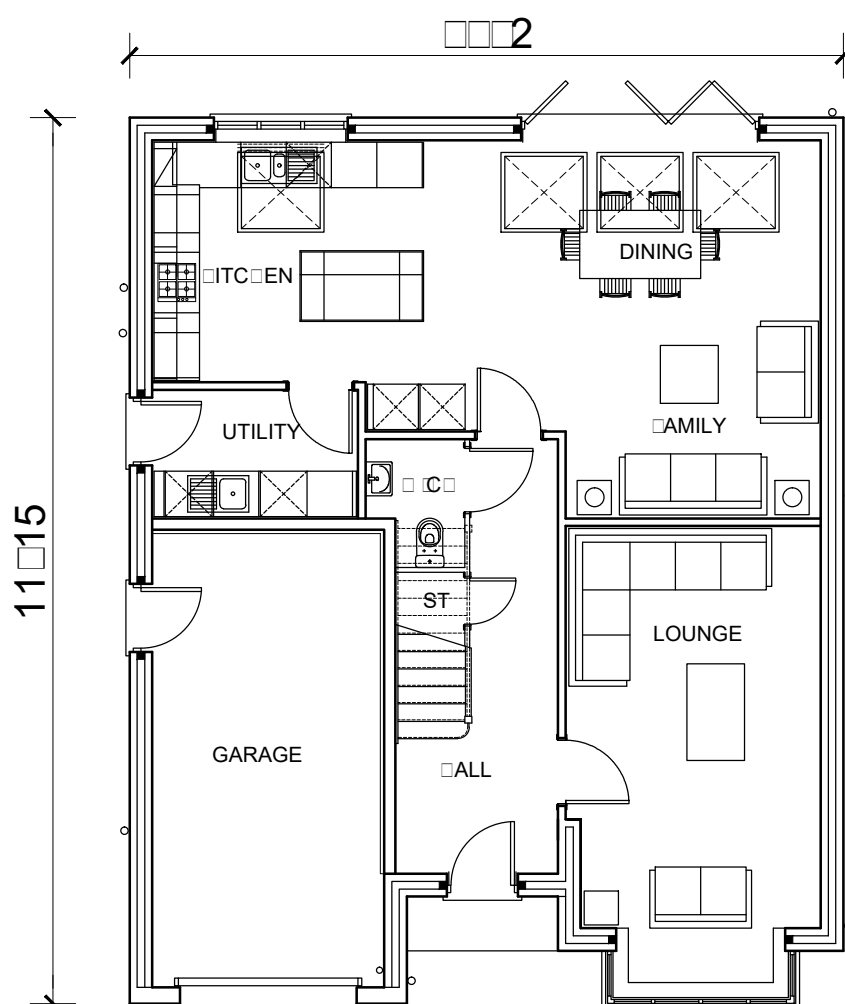
REAR ELEVATION



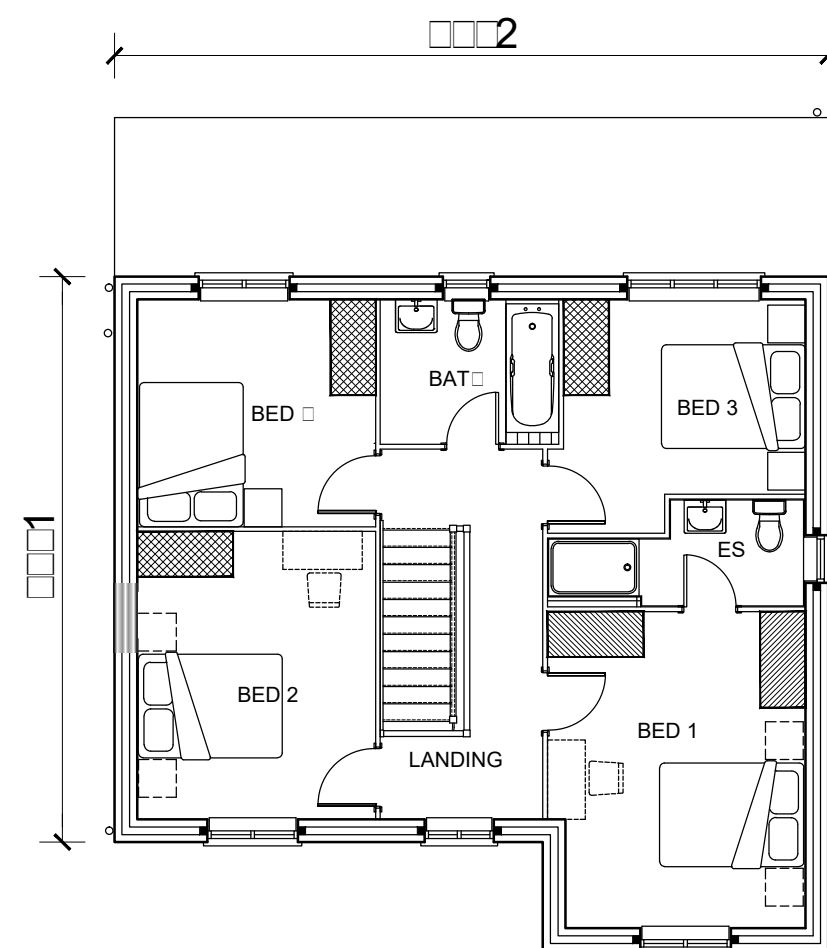
SIDE ELEVATION



STANDARD CGI RENDER



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title	THE NORWOL
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Dwg. Title	PART L 2013	1502sq.ft
Project Name	NORWOL S	

date	drawn	checked	scale	drg.no	rev
MAR 21	SS		1:100@A2	NRS/4H/1502/L2013Q/PE01	-



FRONT ELEVATION



SIDE ELEVATION



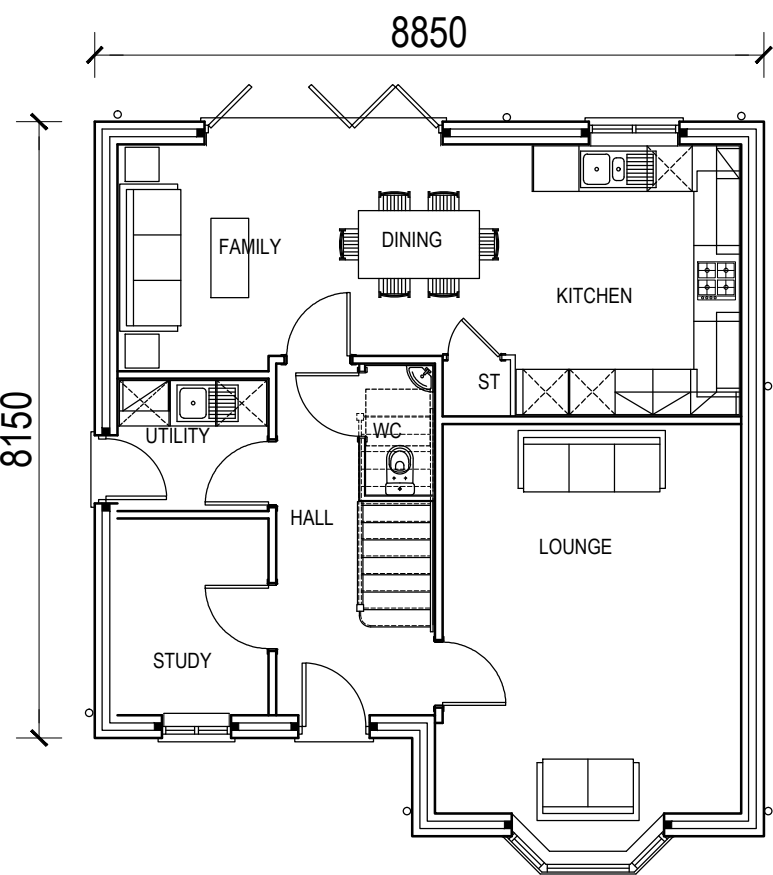
REAR ELEVATION



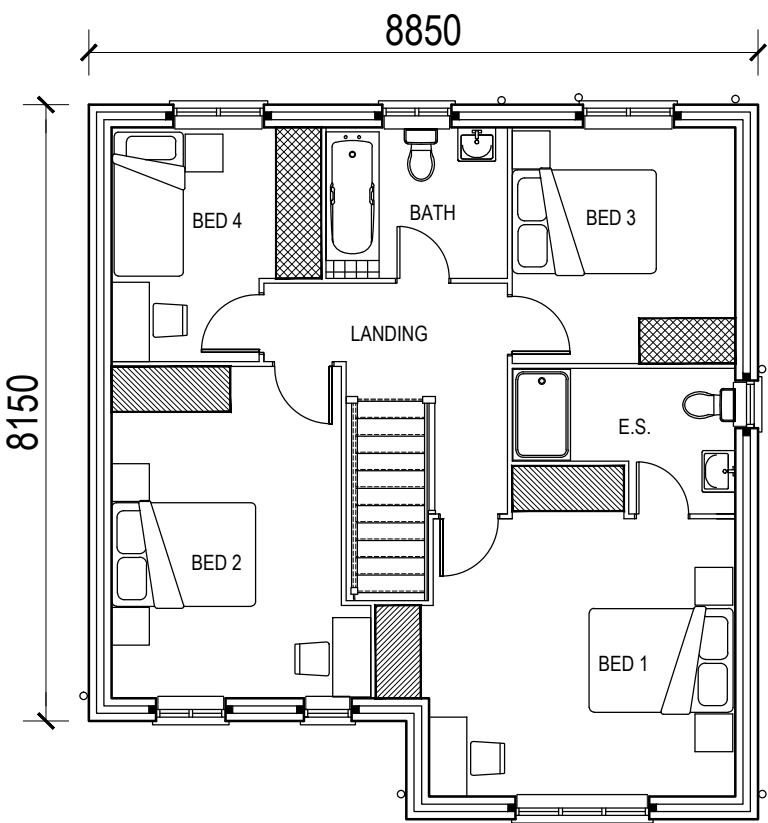
SIDE ELEVATION



STANDARD CGI REV (-)



GROUND FLOOR PLAN



FIRST FLOOR PLAN

A	2021	BED 1/2 STUDWORK REPOSITIONED TO SUIT WARDROBE, BED 4 WINDOW REPOSITIONED TO SUIT WARDROBE, ENSUITE/BED1 STUDYWORK & BED 3 DOOR REPOSITIONED TO SUIT WARDROBE.	RDL
Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title	T E ENLEY		
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Dwg Title	PART L 2013		1462 SQ FT
P	L		
N	dr S		

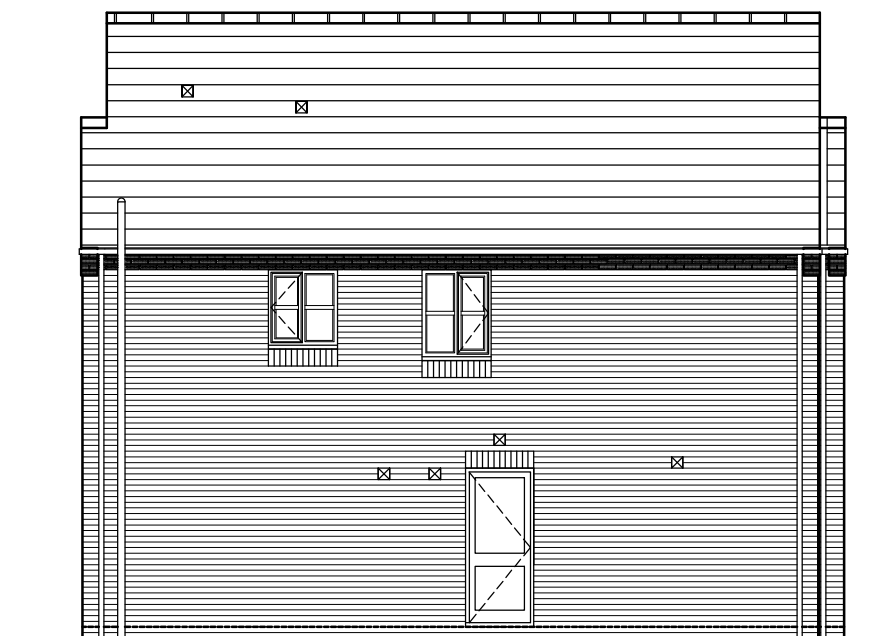
date	drawn	checked	scale	drg.no	rev
FEB 21	SK		1:100@A2	NRS/4H/1462/L2013Q/PE01	A



FRONT ELEVATION



SIDE ELEVATION



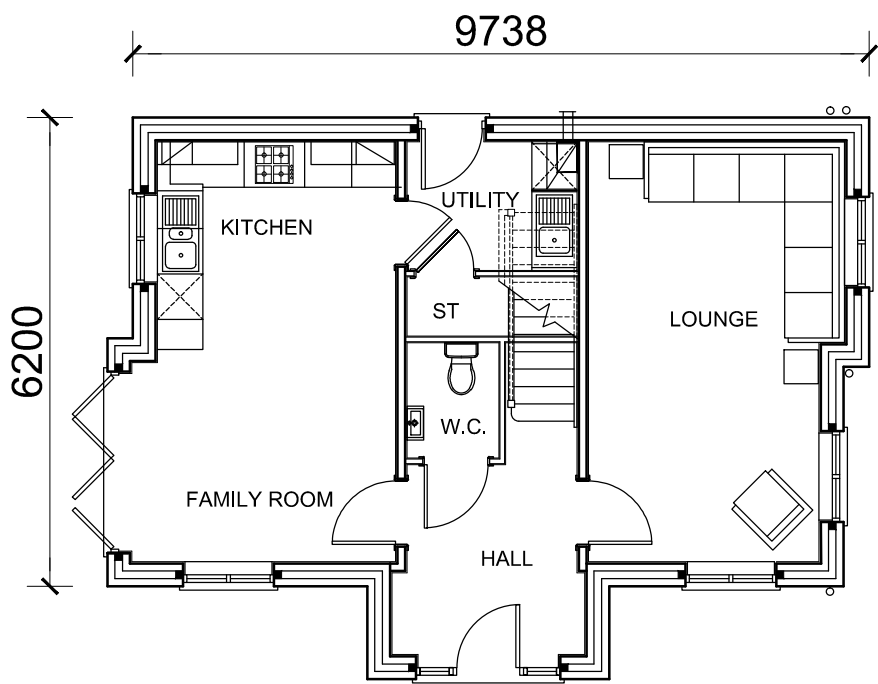
REAR ELEVATION



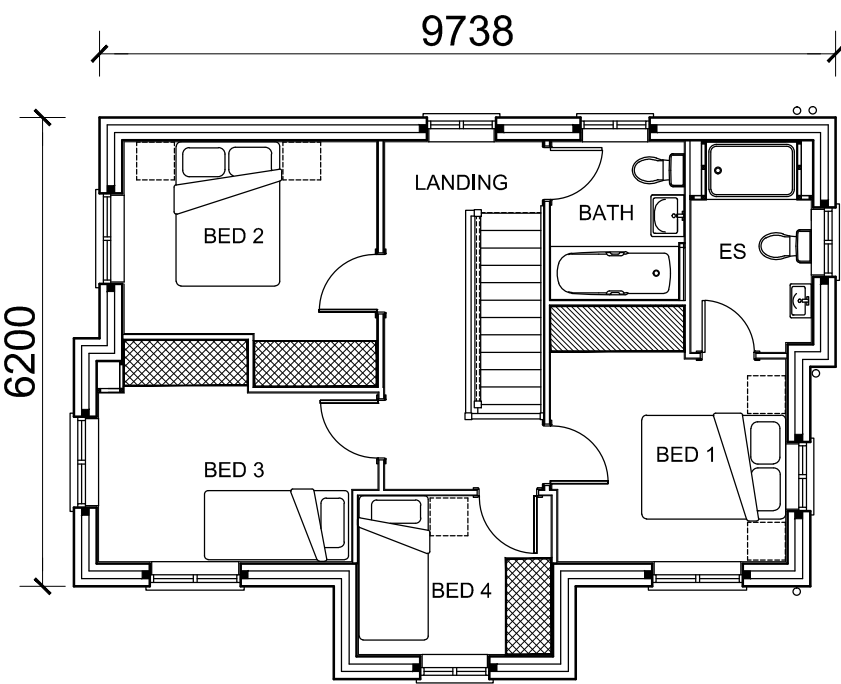
SIDE ELEVATION



STANDARD CGI REV (-)



GROUND FLOOR PLAN



FIRST FLOOR PLAN

B	12.10.22	METERS REPOSITIONED.	RDL
A	06.07.22	LOUNGE FURNITURE RECONFIGURED.	RDL
Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title
THE BRANCASTER
(FORMERLEY THE BRERETON)

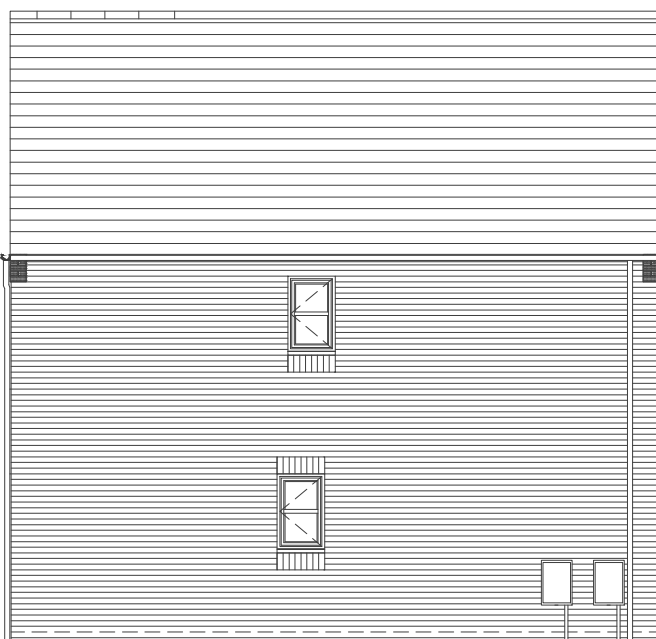
Drg. Title
PART L 2013 1169 SQ FT

P L
N S

date	drawn	checked	scale	drg.no	rev
MAR 22	RDL		1:100@A2	NRS/4H/1169/L2013Q/PE01	B



FRONT ELEVATION



SIDE ELEVATION



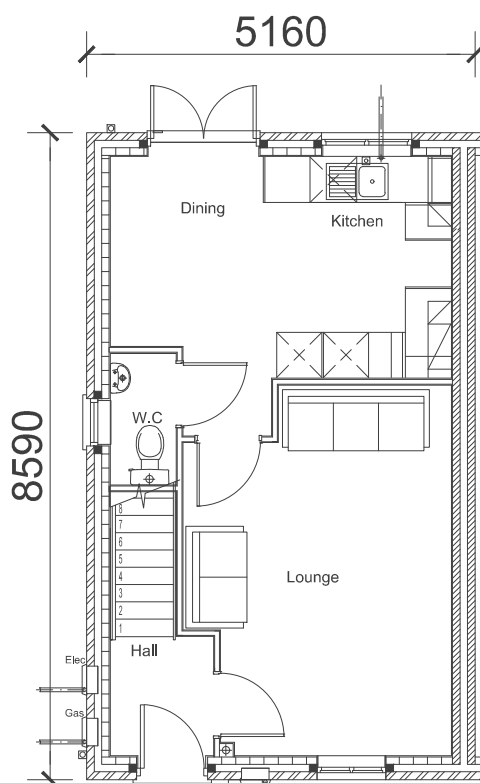
REAR ELEVATION



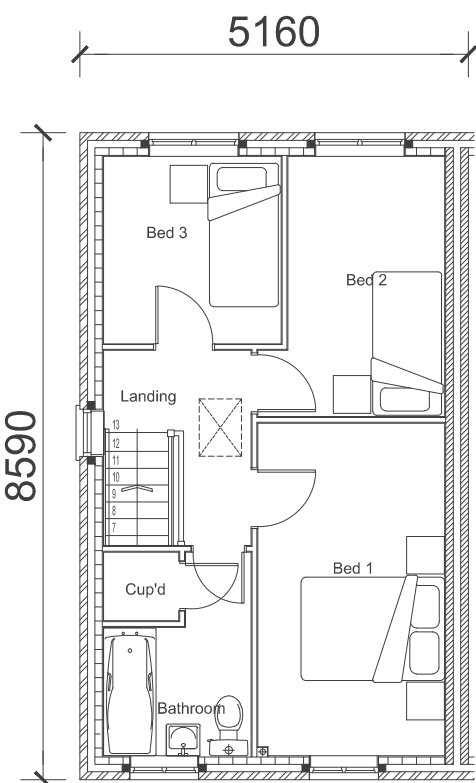
SIDE ELEVATION



CGI REV (-)

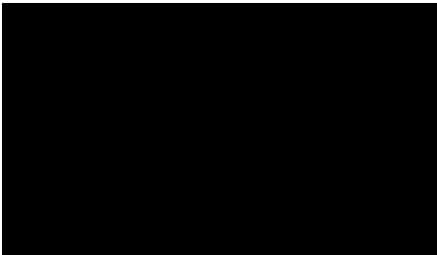


GROUND FLOOR PLAN



FIRST FLOOR PLAN

Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title	THE BRAY
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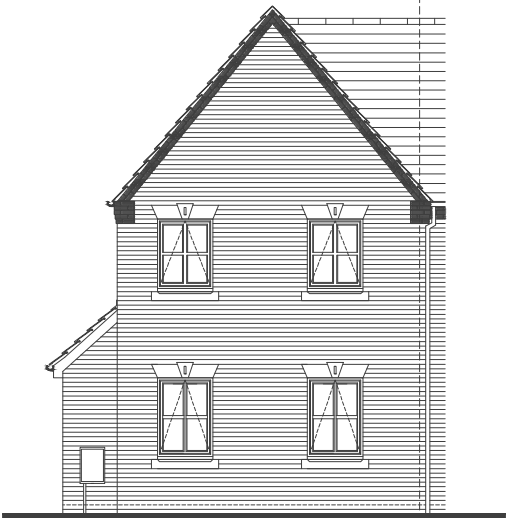
Dwg. Title	PART L 2013Q	784sq.ft
Planning Layout New Wardrobe Specification		

date	drawn	checked	scale	drg.no	rev
Jun 21	SK		1:100@A2	NRS/2H/784/L2013Q/PLOT16	-

PLOT 16



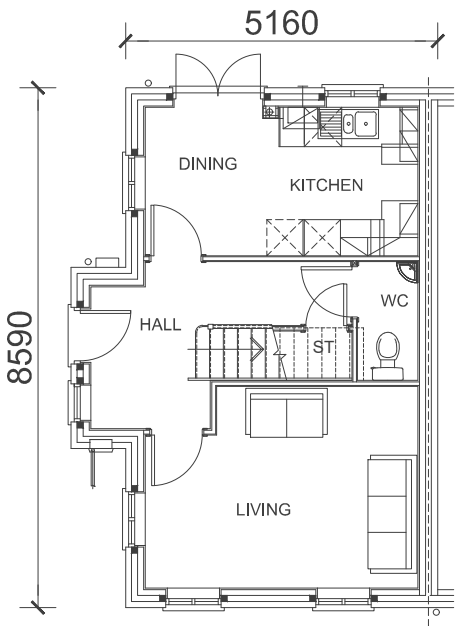
FRONT ELEVATION



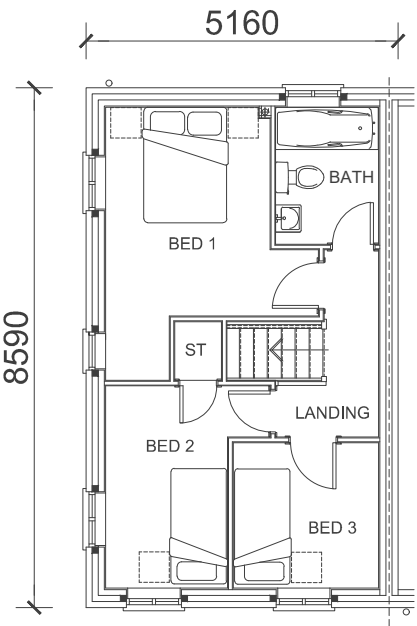
SIDE ELEVATION



REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



STANDARD CGI REV (-)

GROSS AREA 75.02sq.m/808sq.ft

Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road, Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title
THE CHELFORD
(FORMERLY THE CHATSWORTH SA AFF)

Dwg. Title
PART L 2013Q 808sq.ft
Portfolio Layout
New Wardrobe Specification

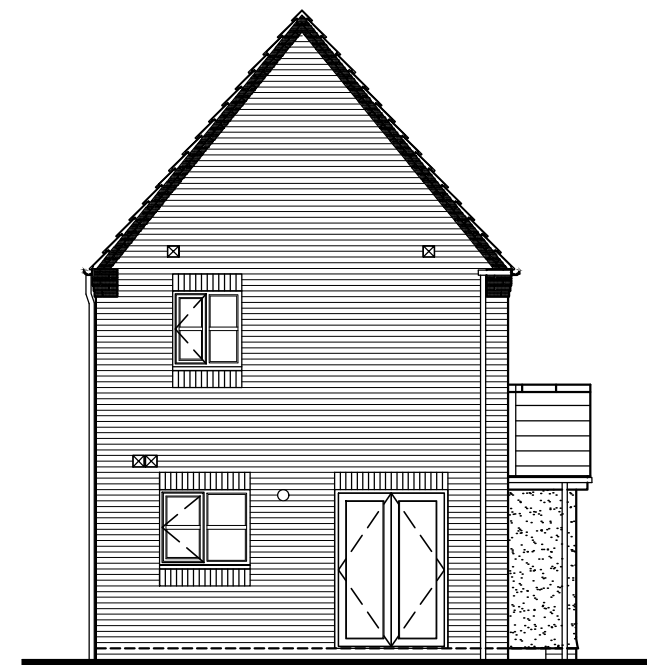
date	drawn	checked	scale	drg.no	rev
OCT 22	RDL		NTS	NRS/AFF/3H/808/L2013Q/P01	-



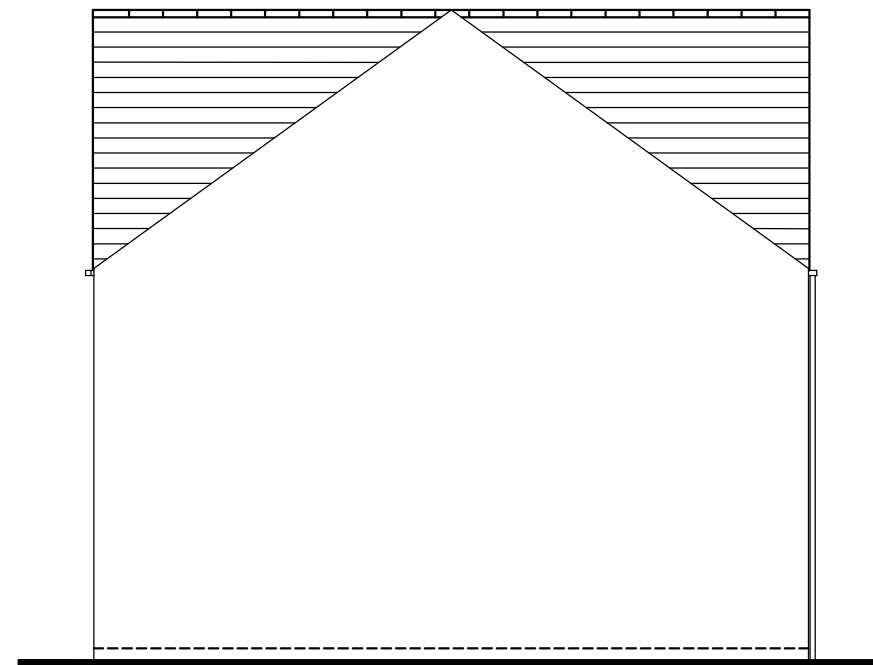
FRONT ELEVATION



SIDE ELEVATION



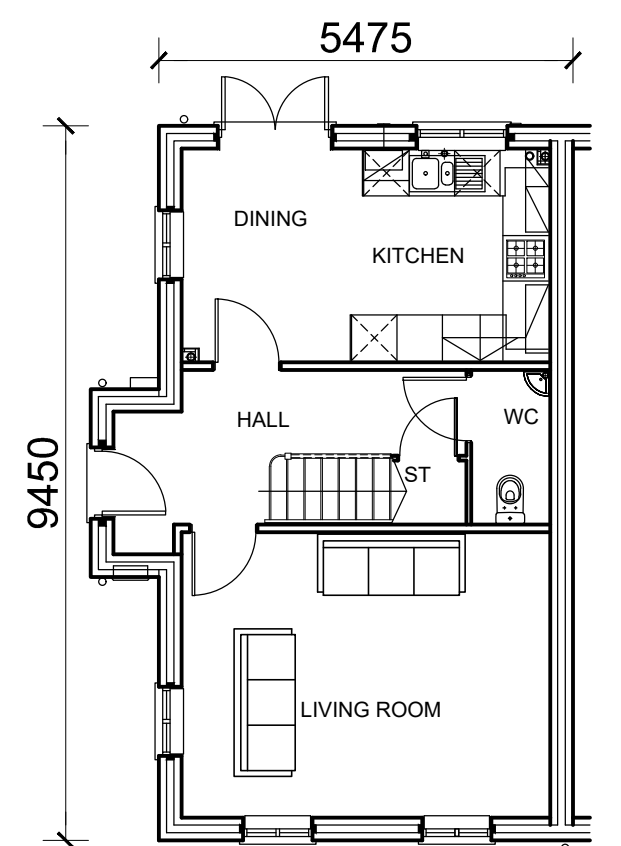
REAR ELEVATION



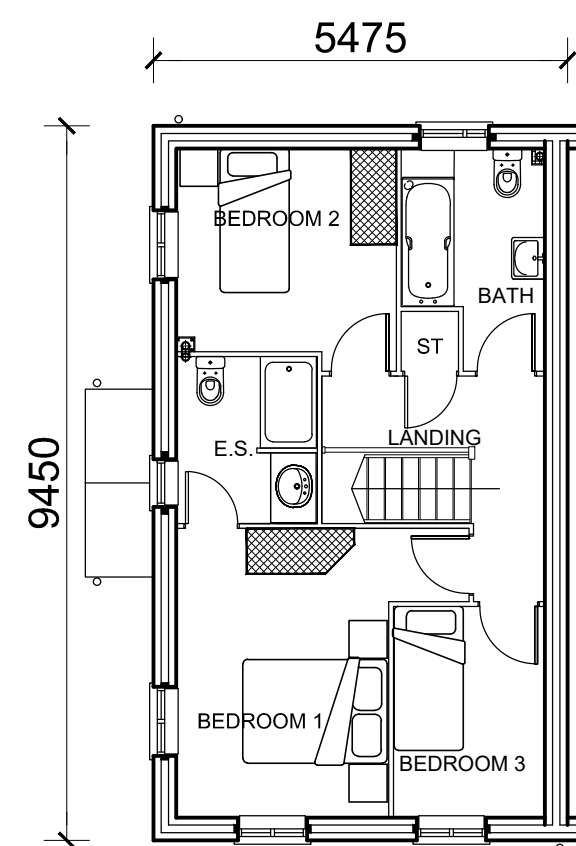
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STANDARD CGI REV (-)

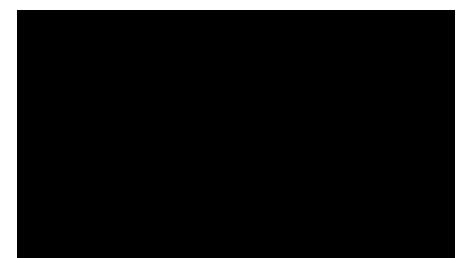


GROUND FLOOR PLAN



FIRST FLOOR PLAN

A	27/03/23	Side elevation view corrected.	SJM
Rev	Date	Amendment	Init



Morris Homes (Group) Limited
Morland House
Altrincham Road Wilmslow
Cheshire SK9 5NW
Tel: (01625) 544 444
Fax: (0845) 833 1845

Job Title	THE CAPESTHORPE		
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Org. Title	PART L 2013Q	947sq.ft
Planning Layout New Wardrobe Specification		

date	drawn	checked	scale	drg.no	rev
FEB 21	RDL		1:100@A2	NRS/3H/947/L2013Q/PE01	A



Street Elevation A-A - 1:100



Street Elevation B-B - 1:100



Street Elevation C-C - 1:100



Street Elevation D-D - 1:100



SITE PLAN - N.T.S.

Mr & Mrs J. & K. Smith 123 Main Street Bury, Lancashire Tel: 0161 555 1234 Fax: 0161 555 1235		Project No: Date: Scale: Drawn by: Checked by: Date:
MORRIS HOMES Morris Homes Ltd 123 Main Street Bury, Lancashire Tel: 0161 555 1234 Fax: 0161 555 1235		
Job No: SPRINGSIDE ROAD, BURY		
Drawn by: STREET SCENES		
Date: 01/10/21 Scale: 1:100 Project: SPRINGSIDE ROAD, BURY	Drawn by: J. Smith Checked by: K. Smith Date: 01/10/21	Project: SPRINGSIDE ROAD, BURY Scale: 1:100 Drawn by: J. Smith Checked by: K. Smith Date: 01/10/21

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Ward: Bury East - Redvales

Item 02

Applicant: Mrs Lauren Cohen

Location: Rostrevor Hotel, 146-148 Manchester Road, Bury, BL9 0TL

Proposal: Change of use from hotel (C1) to 2 no. 9 bedroom (single occupancy) HMOs (Sui Generis)

Application Ref: 69735/Full

Target Date: 02/08/2023

Recommendation: Approve with Conditions

Description

The application site is the Rostrevor Hotel on Manchester Road, opposite Manchester Road Park. It comprises an imposing four-storey building (3 floors and a Basement), which is the combination of No.148 (Rostrevor) and No.146 (Belgrave) Manchester Road. The application site was historically built as two large semi-detached dwellings with single storey outriggers. The use of the property has been in use as a Hotel since at least 1995.

The application site is located on Manchester Road, which is predominantly residential, with Manchester Road Park directly opposite, and Holly Cross College and Sixth Form college diagonally opposite.

The Property was constructed in 1895 in red brick with white sash windows framed with stone heads and cills. The most prominent and attractive original features of the building are the bay fronted windows on the ground and first floor of the front elevation and the design details of the front elevation. The main entrance is accessed via a set of steps at the front facing Manchester Road. In addition, there are two access doors on the rear elevation.

To the rear of the building are two separate garden areas, bin stores and a private car park providing twelve car parking spaces (arranged in tandem), accessed from Back Manchester Road West, an adopted road.

The building is considered to be a non-designated heritage asset given its local importance as a historical building. The property is identified on the Council's draft list of non-designated Heritage Assets.

The proposal seeks to re-create the two properties, and have 9 bedrooms within each of the properties, therefore 18 bedrooms (single occupancy) in total. External changes are proposed to the rear outrigger of the outrigger associated with 146 Manchester Road, relocating a doorway in the side elevation of its single storey outrigger to serve the kitchen areas, rather than the proposed living room area.

The plans have been amended during the course of the application to retain the ground floor patio doors on the rear elevation and also amendments have been made to the rear car park to provide a safer parking area which allows refuse bins to be moved freely through the car park on collection days.

Relevant Planning History

Rostrevor Hotel

09230/79: Additional use of premises for catering for functions, conference and similar type meetings - Refused, 15 March 1980

146 Manchester Road

01142/74: Conversion of House into 4 Flats - Approved, 24 April 1975

05074/77: Change of use, flats to guest house - Approved with Conditions, 10 November 1977

148 Manchester Road

04980/77: Change of use, house to guest house. Approved with Conditions, 10 November 1977

Publicity

The proposals have been advertised by Site Notices posted to the front and rear of the application site and all surrounding neighbours have been notified by letter.

4 representations have been received raising the following objections:

- Asserts that approval of such applications to turn properties in to HMO's is the return of slum housing.
- Concerned that there is insufficient parking for at least 18 new residents within the area and that this will cause a significant issue to residents.
- Questions how parking will be managed.
- Concerned that a historic local building will lose much of its original features and character in the conversion to a large HMO.
- Asserts that there is not the need nor want for this development in this area
- Notes there is at least one HMO directly behind the property

Statutory/Non-Statutory Consultations

Adult Care Services - No comments or observations received.

Traffic Section - No objections, subject to the car park and bin storage being installed as per the amended plans.

Conservation Officer - No objections.

Environmental Health - Pollution Control No comments or observations received.

Greater Manchester Police - designforsecurity - No comments or observations received.

Waste Management - No objections, subject to the refuse storage provision being provided in accordance with the amended plans.

Housing - Public Protection - No comments or observations received.

The Coal Authority - No comments or observations received.

Pre-start Conditions - Not applicable.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/4	Conversions
EN1	Built Environment
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
HT5/1	Access For Those with Special Needs
SPD11	Parking Standards in Bury
SPD13	Conversion of Buildings to Houses in Multiple Occupation
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

The application site is a commercial property, currently run as a Hotel, the Rostrevor Hotel that falls within the Use Class C1 (Hotels). The applicant is looking to purchase the property and change it into two 9 bedroom properties for housing in multiple occupation (HMO) purposes.

The Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. Use Class C4 (Houses in multiple occupation) is limited to houses with no more than six residents. Therefore, houses in multiple occupation with more than six residents, as is the case here, become a 'sui generis' use, which requires planning permission.

There are no local or national planning policies preventing the loss of the commercial use of this property.

In terms of converting the property into a HMO use, the National Planning Policy Framework (NPPF) sets out the governments' objective of significantly boosting the supply of homes in all kinds of size and tenures. With regard to HMOs, the conversion of large houses into flats or bedsits can make an important contribution to the local housing stock and can utilise space more efficiently.

UDP Policy H1/2 of the Unitary Development Plan (UDP) 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.

Taking account of the above, the application site is within the boroughs urban area, on a main transport route that is within walking distance of the town centre, Bus Stops and the Tram Station, and is therefore suitably located for new housing. The proposed development is therefore acceptable in principle subject to the other matters raised within UDP Policy H1/2 and UDP Policy H2/4 (Conversions) and other relevant Local Plan Policies.

The requirements of the relevant UDP policies and Supplementary Planning Documents will be discussed throughout this report.

Impact on Heritage Asset(s)

The property dates from about 1910 and is considered to be a Non-Designated Heritage Asset (NDHA). It is a fine example of a late Victorian, early Edwardian, town house. It is largely unaltered externally and contributes to the strong group value of the row which forms an attractive group of properties that are considered to be a NDHA which all have the same appearance.

Paragraph 203 of the National Planning Policy Framework (NPPF) states that the effect on an application on the significance of a non-designated heritage asset should be taken into account in determining the application. It further states:

"In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"

The chief aspect of significance is the architectural interest of the front elevation and the decoration of the front elevation and decoration of the stairs and hall and the front rooms of the historic property. The rear outrigger is of the least significance, which would have been in-fitting with the staff quarters and the 'working' side of the property.

Officers note local residents concerns about the loss of internal historic features of the property. Whilst Officers share these concerns, internal works to unlisted buildings do not constitute development and can thus be undertaken without planning permission. Therefore, there are no justified reasons to resist the application on this basis.

Notwithstanding this, the submitted Heritage Assessment states that the proposal retains the architectural detail to the historic fittings in the entrance way, hall stairs and front rooms on the ground floor, indicating the higher significance of these rooms, which include staircases, moulded cornices, dado rails, door cases and moulded skirtings. In order to comply with fire regulations as a Hotel, partitions were installed at the top of the stairways, at the back of the hallways and, to provide fire protection, 'doorways behind doorways' were installed to the principal rooms on the ground floor.

This application proposes to remove the modern partition installations without causing damage to the historic walls and features. The application proposes to reinstate the dividing wall that existed between nos. 146 and 148. Modern walls within the property include the ensuite bathroom walls, most of which are to remain in situ.

Overall, internal alterations and changes to the original layout of the building are proposed to be kept to a minimum to ensure original features would not be removed or damaged as part of the proposed works.

Turning to the external works proposed, the submitted plans indicate the garden area at the frontage of the property would be retained and maintained as existing and that no changes are proposed to the front elevation of the existing property.

To the rear elevation, the proposal seeks permission to re-position a doorway in the side elevations of the outrigger facing no. 146 Manchester Road serving the proposed kitchen areas in that part of the existing property. This proposed doorway is considered to be a minor alteration which would not cause significant harm to this non-designated heritage asset, and provided the repositioned doorway is given a stone head and cill would appear as a sympathetic additions. A stone head and cill for this re-positioned doorway can be secured by a recommended planning condition.

The ground floor of this and neighbouring properties all have the same openings which are therefore a historical feature of this group of properties. As initially submitted the application proposed to change the rear ground floor double door openings into windows, which would have detracted from the rear elevation of this locally listed building(s). Officers have therefore secured amendments to the rear elevation of the property to ensure the existing ground floor openings on the rear elevation of the building(s) are retained so the appearance of the rear elevation of the property is retained.

The rear tarmaced car park will be retained as part of the proposals and laid out more formally than exists to include car parking, parking for powered two-wheel vehicles and bicycles.

Turning to local residents' concerns about the loss of internal historic features of the property, whilst Officers share residents concerns; internal works to unlisted buildings can be undertaken without planning permission, and therefore the Council has no jurisdiction over the proposed internal works and therefore there are no justified reasons to resist the application on this ground.

Based on all of the above, the proposals would maintain the appearance of the building(s).

The proposed doorway within the rear outrigger of no. 146 is considered to be a minor alteration which can be undertaken sympathetically and therefore harm to the non-designated heritage asset would be minimal.

Proposed Conversion

UDP Policy H2/4 recognises that the conversion of buildings to HMOs can, in some cases, raise issues such as parking, residential amenity and impact on character and appearance of an area. This policy states that applications for the conversion of a building into a house of multiple occupation will be considered with regard to the following:

- the effect on the amenity of neighbouring properties through noise, visual intrusion, the
- position of entrances, impact of parking areas, extensions and fire escapes;
- the general character of the area and the existing concentration of flats
- the amenity of occupants;
- the effect on the streetscene of any changes to the external appearance of the building;
- car parking and servicing requirements.

This policy is further supported by Supplementary Planning Document 13: 'Conversion of Buildings to Houses in Multiple Occupation' (SPD13) that seeks to ensure that proposals for HMOs do not have a detrimental effect on the amenity of surrounding residents through noise, visual intrusion, the position of entrances, impact of parking areas, extensions and fire escapes.

Effect on Neighbouring Properties

SPD 13 states that the Council will seek to avoid proposals that would lead to loss of neighbouring occupants' privacy.

Rear elevations of properties on Inman Street overlook the application site and are within 20m of the application site. This separation distance will ensure no direct overlooking of occupiers of Inman Street would occur.

Nos. 144 Manchester Road is located to the north of the application site. No. 150 Manchester Road is located to the south of the application site. Both neighbouring properties are within residential use (Class C3). The proposed doorways in the single storey outriggers would have an outlook into each of the neighbouring rear outriggers. The creation of a doorway in the side of each of the outriggers next to the existing window openings would not cause materially worse overlooking to both neighbouring occupiers. The proposal is therefore considered to accord with UDP Policy H2/4 and SPD13 in relation to its effect on neighbouring properties.

Effect on Street Scene and the Character of the area

UDP Policies EN1/1 (Visual Amenity), EN1/2 (Townscape and Built Design) and H2/4 (Conversions) are relevant in the determination of this planning application. These require all proposals to be sympathetic to the host building, the street scene and the character of the area in which properties are set.

The property is visible from Manchester Road, Manchester Road Park, and the street that runs along the rear of the property, the rear of properties on Inman Street and from neighbouring properties.

No changes are proposed to the front of the property. The rear elevations of the building(s) would also be retained. The proposed new doorways in the side elevations of the outbuildings could be incorporated into the building sympathetically.

The front garden area facing Manchester Road is to be retained.

For the above reasons, the proposal is considered to accord with the above-mentioned UDP policies.

In terms of the proposals impact on the character of the area and the concentration of HMO properties (Policy H2/4), there is a 6-bed HMO on Inman Street located to the north-west of the site on the street at the rear which representations have made reference too. A 7-bed HMO is also present at no. 221 Manchester Road which is located approximately 400m to the south of the application site. Officers therefore conclude that the proposal would not result in an over concentration of HMO development and therefore the proposal accords with this aspect of UDP Policy H2/4.

Car parking and servicing requirements

UDP Policy HT2/4 (Car Parking and New Development) states the Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards set out in SPD11 - 'Parking standards in Bury'.

Paragraph 124 of the NPPF states planning policies and decisions should support development that makes efficient use of land, taking into account, amongst other things, the availability and capacity of infrastructure and services and the scope to promote sustainable travel modes that limit future car use.

The site is located on the A56 Manchester Road, a main transport road running through the borough which can accommodate abnormal loads. Bus stops are located approximately 100m to the north of the site and 150m to the south of the site. The application site is also located approximately 700m from Bury Town Centre.

The proposed development would provide 7 parking spaces to the rear of the property. One of the car parking spaces which could be used as a disabled parking space, 2 - Two Wheel Powered Vehicles parking bays, 8 cycle parking spaces. and 8 x 1100 litre refuse bins, 4 of which would be for general refuse with 4 dedicated to the two streams of recycling operated by the Council.

The Rostrevor Hotel is an existing Hotel. The existing car park contains 12 No. parking spaces on the car parking area to the rear of the property. However, they are not laid out or are of the size to meet the Parking requirements set out within SPD11. Officers have therefore worked with the applicant to ensure the proposed development would provide 7 parking spaces which accord with the size requirements laid out in SPD11. One of the parking spaces proposed could also accommodate provision for people with special needs, in accordance with the requirements of UDP Policy HT5/1.

Concerns have been raised over the under provision of car parking being proposed at this site. However, given the highly accessible location of the site on a main transport route, close to Bury Town Centre and the Bus and Tram interchange, it is considered that future occupants of the development would not need to rely on the private car to access basic services, amenities and work, which will limit future car use.

The proposed development also provides sufficient refuse storage provision which will be manoeuvred through the car park on collection days. A condition is recommended to ensure this refuse storage provision proposed is in place prior to occupation of either of the HMO's.

Overall, the site is located within a sustainable/ highly accessible location which has access to sustainable travel modes and Bury Town Centre. It is therefore suitable for the development proposed and thus accords with the above-mentioned local and national policies.

Amenity of Future Occupants

All residential development should accord with the minimum space standard requirements laid out in the nationally prescribed Space Standards. The bedrooms and bathroom proposed accord with the nationally prescribed space standards and all bedrooms, including the two proposed in the Basement area are all served with natural light, by

windows. The number of bedrooms have also been reduced from 20 bedrooms in total to 18 bedrooms in total. This amended proposal provides a larger communal area on the ground floor of the properties, with the creation of a Lounge area adjacent to the kitchen-diner, which will benefit the amenity of future occupants and their well-being of the development.

The property also provides outside amenity areas to the front and rear of the building, as well as dedicated refuse storage provision, and parking provision for a range of transport modes.

Overall, Officers conclude that as amended, the proposed development would provide a satisfactory level of amenity for future occupiers of the proposed development.

Conclusion

The proposed development to use this property as 2 x 9 bedroom (single occupancy) Houses in Multiple Occupation is acceptable given the sites highly accessible location and close location to public transport connections and the services and amenities within Bury Town Centre and that the location around the application site is not overly concentrated by other HMO developments.

The proposed development would also retain and be sympathetic to the external character and appearance of the property, a non-designated heritage asset, subject to a condition requiring suitable stonework around the new doorways on the rear outrigger.

The proposal also provides safe and sufficient parking provision, in light of the availability of public transport within close proximity of the site and provides a parking space which would allow people with special needs to access the development.

Overall, subject to the amended plans and the recommended planning conditions, the proposals accord with all aforementioned local and national planning policies. It is therefore recommended that the application be approved.

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 permission relates to the following plans:

Drawing no. Location Plan - HM Land Registry Title Plan
Drawing no. 01 Rev. 03: Existing and Proposed Site Plans

Drawing no. 01 Rev. 05: Landscaping Plan

Drawing no. 01 Rev. 01: Proposed Floor Plans

Drawing no. GF-01 - 01 Rev. 03: Proposed Areas and Dimensions - Ground Floor

Drawing no. FF-01 - Rev. 03: Proposed Areas and Dimensions - First Floor

Drawing no. 2F-01 - 01 Rev. 03: Proposed Areas and Dimensions - Second Floor

Drawing no. BM-01 - 01 Rev. 03: Proposed Areas and Dimensions - Basement

Drawing no. EL02 - 01: Proposed Front Elevation

Drawing no. EL-04 - 01 Rev. 4: Proposed Rear Elevation

Drawing no. EL06 - 01 Rev. 02: Proposed Right Elevation

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

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

3. Notwithstanding any details shown on the approved plans and the requirements of condition 2 [Approved Plans] of this permission, no conversion works shall take place until details of all windows and doors (including both new and replacement openings) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include their design, materials (including sill and lintel treatments and stone surrounds), finishes, colour treatment, reveals and opening profile. The windows and doors shall be installed in accordance with the duly approved details before any of the bedrooms hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure use of appropriate materials which are sympathetic to the character of the building, a non-designated heritage asset. and its surroundings in the interests of visual amenity in accordance with the requirements of Policy EN1/1 and EN1/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

4. The car parking, two-wheel motorised vehicle parking, and cycle parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and shall be retained as such thereafter.

Reason: To ensure adequate off street car parking provision, servicing and manoeuvring in the interests of highway safety pursuant to Policy HT2/4 - 'Car Parking and New Development' of the Bury Unitary Development Plan and the National Planning Policy Framework.

5. Within three months of any conversion works first taking place, a scheme for the provision of the enclosure of the bin storage areas shown on Drawing ref no. SP-01 01 Rev. 03 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the height, design and materials of the bin stores. The bin stores shall be constructed in accordance with the duly approved scheme and made available for use before any of the bedrooms within the houses in multiple occupations hereby approved are first occupied, and retained as such thereafter.

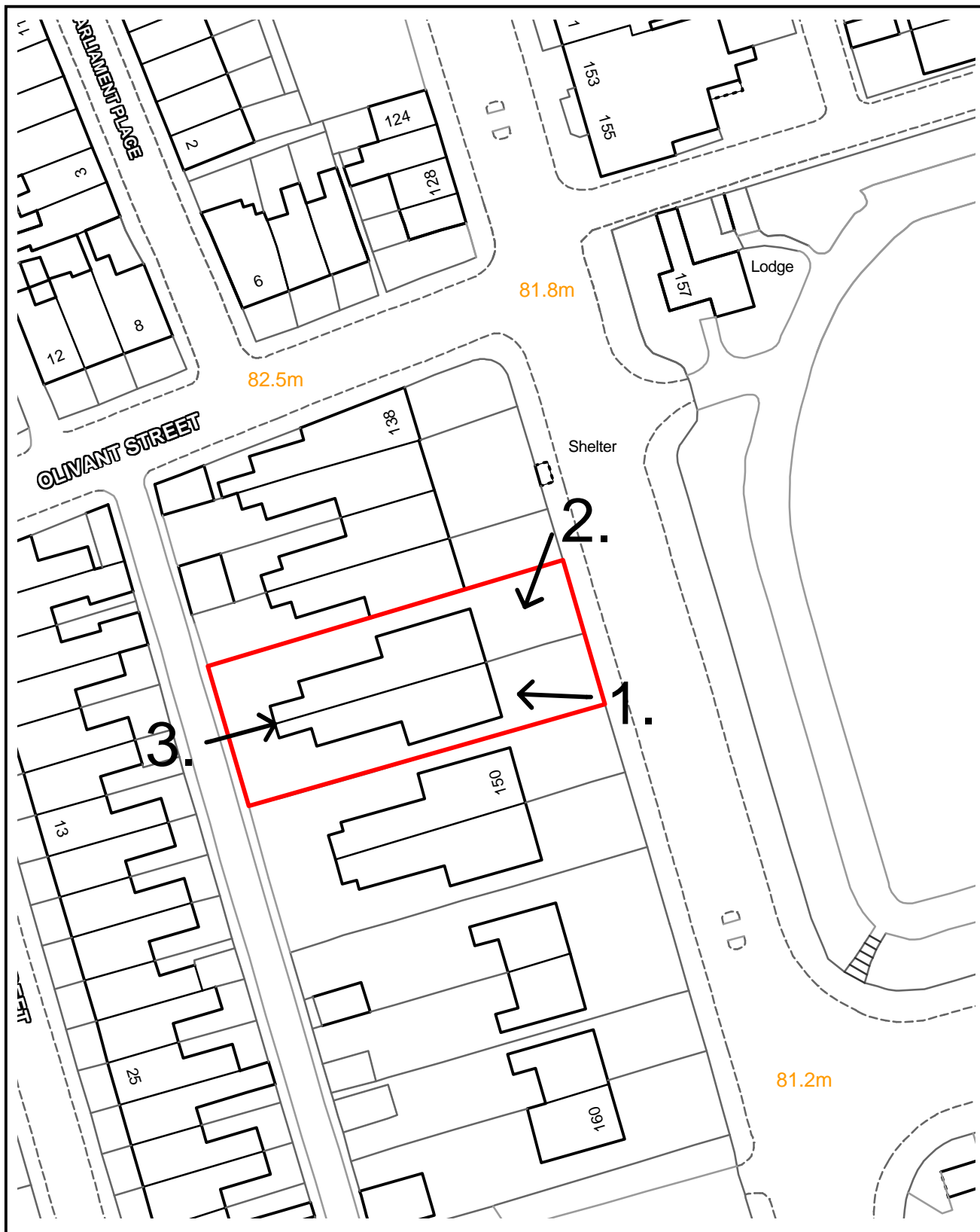
Reason: To ensure the provision of satisfactory facilities for the storage of refuse in the interests of the amenity of future occupiers and to ensure the appropriate

design of the refuse storage facilities within the site in accordance with the requirements of Policy H2/4 of the Bury Unitary Development Plan and the National Planning Policy Framework.

6. Before the re-positioned door proposed on the north elevation of the rear outrigger, as shown on Drawing no. EL06 - 01 Rev. 02, is installed, details of its design, material and construction, of the natural stone head and cill, in the form of scale drawings and material samples/specifications, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed heads and cill details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure that the works preserve the special architectural and historic interest of the historic building, in accordance with the principles of the National Planning Policy Framework.

For further information on the application please contact **Claire Booth** on **0161 253 5396**



PLANNING APPLICATION LOCATION PLAN

APP. NO 69735

ADDRESS: Rostrevor Hotel 146-148 Manchester Road
Bury

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

69735

Photo 1



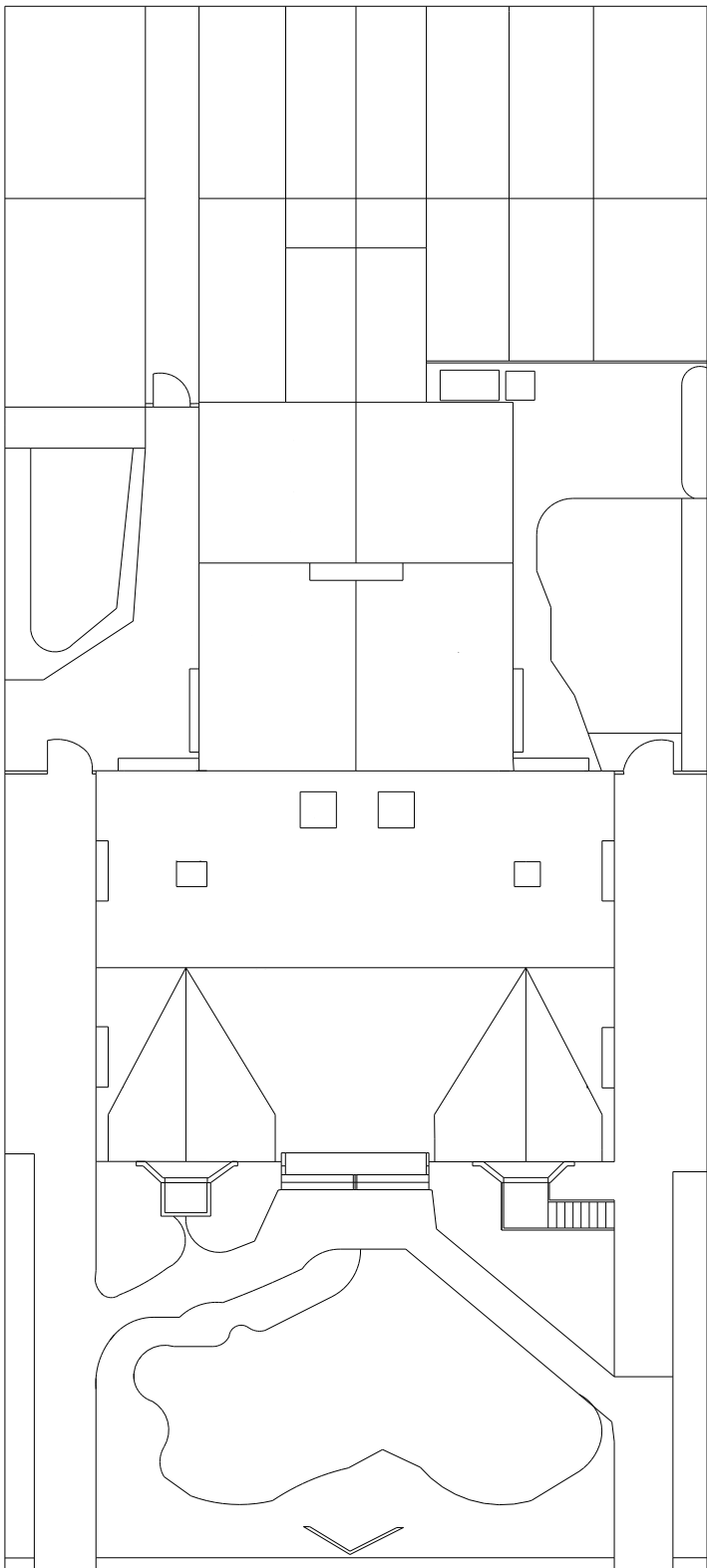
Photo 2



69735

Photo 3





↑
V STACK HOTEL SIGNAGE

1 EXISTING

1:200

7 x CAR PARKING SPACES (2.4m x 5m)

8 x SECURE BIKE STORAGE WITH COVERED CANOPY
(2.3m X 2m)

2 x MOTORBIKE SPACES (3.25m X 1.55m)

8 X 1100 LITRE WHEELIE BINS (1.08m X 1.37m)



GRASS



HEDGES



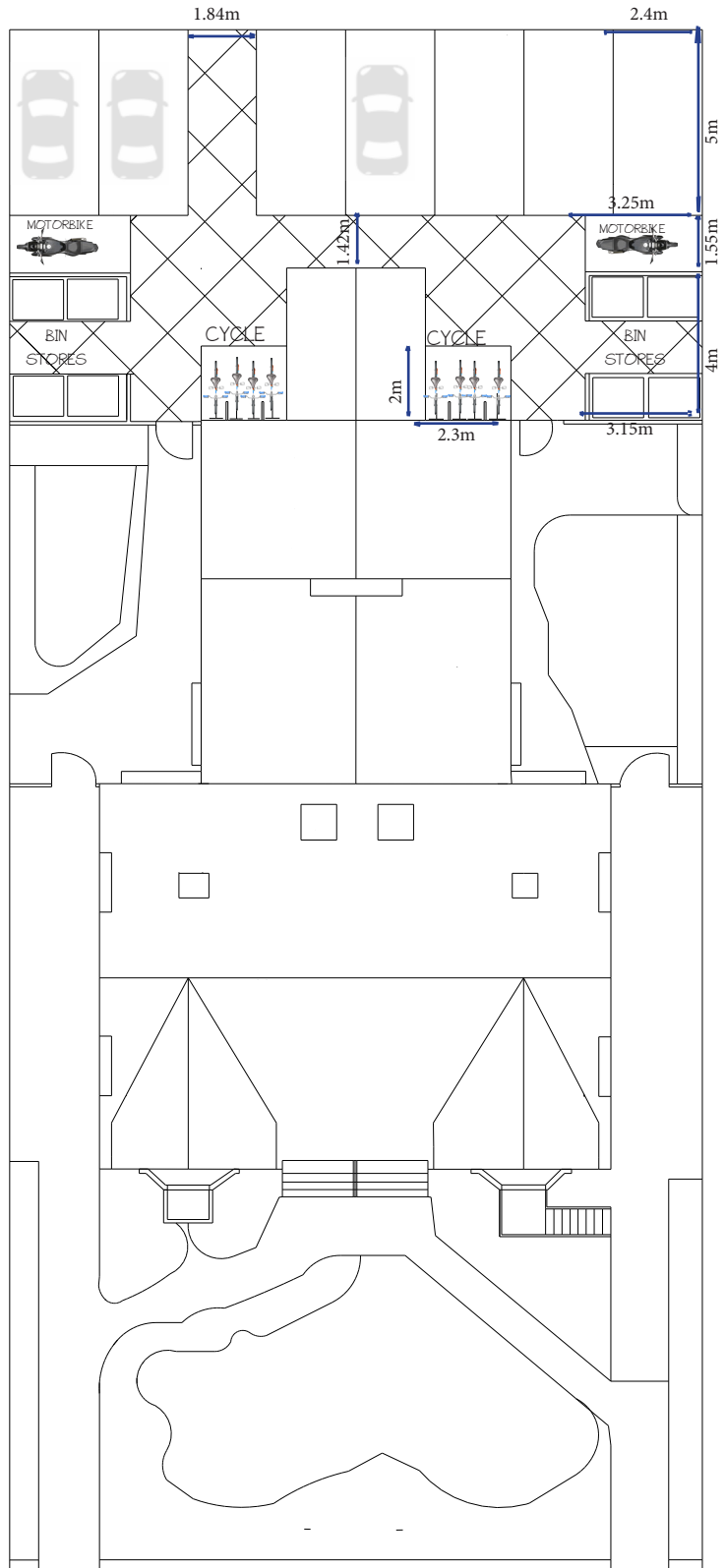
PAVING



BUSHES / BORDER PLANTS



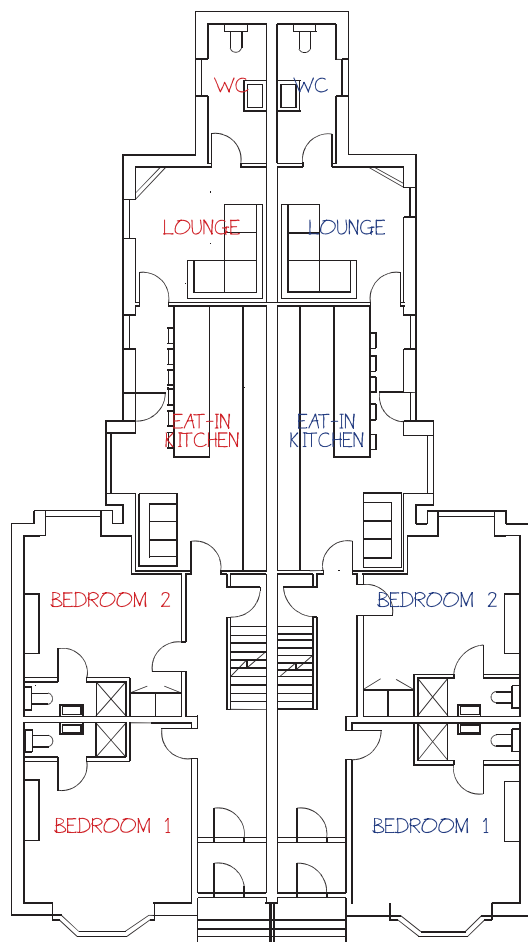
TARMAC



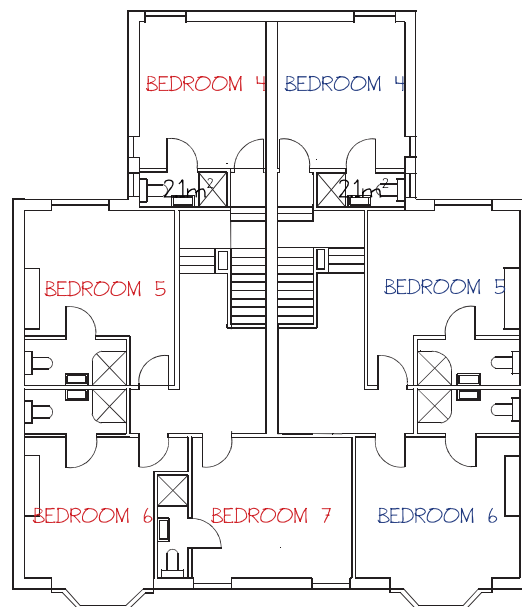
2 PROPOSED

1:200

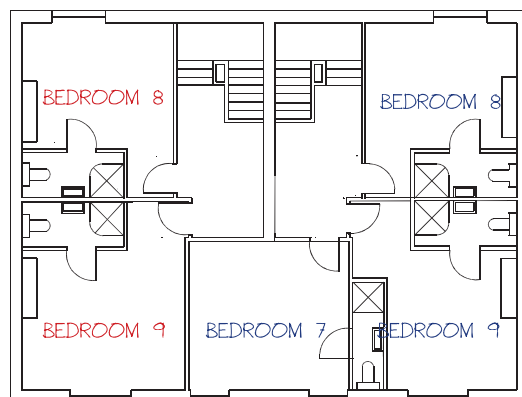
PROJECT ADDRESS		
146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
TITLE		
EXISTING & PROPOSED SITE PLANS		
PROJECT NO.	DRAWING NO.	REV
SP-01	01	03
SCALE	DATE	DRAWN BY
SCALE @ A1	27/07/23	LC
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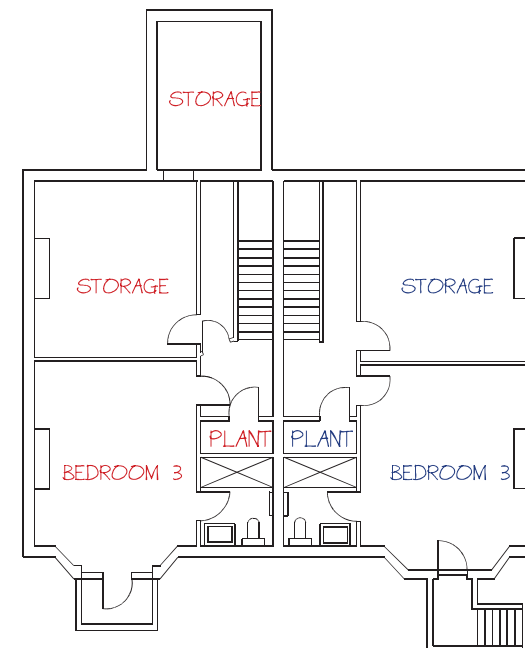
1 **GROUND FLOOR**
1:200 PROPOSED



2 **FIRST FLOOR**
1:200 PROPOSED

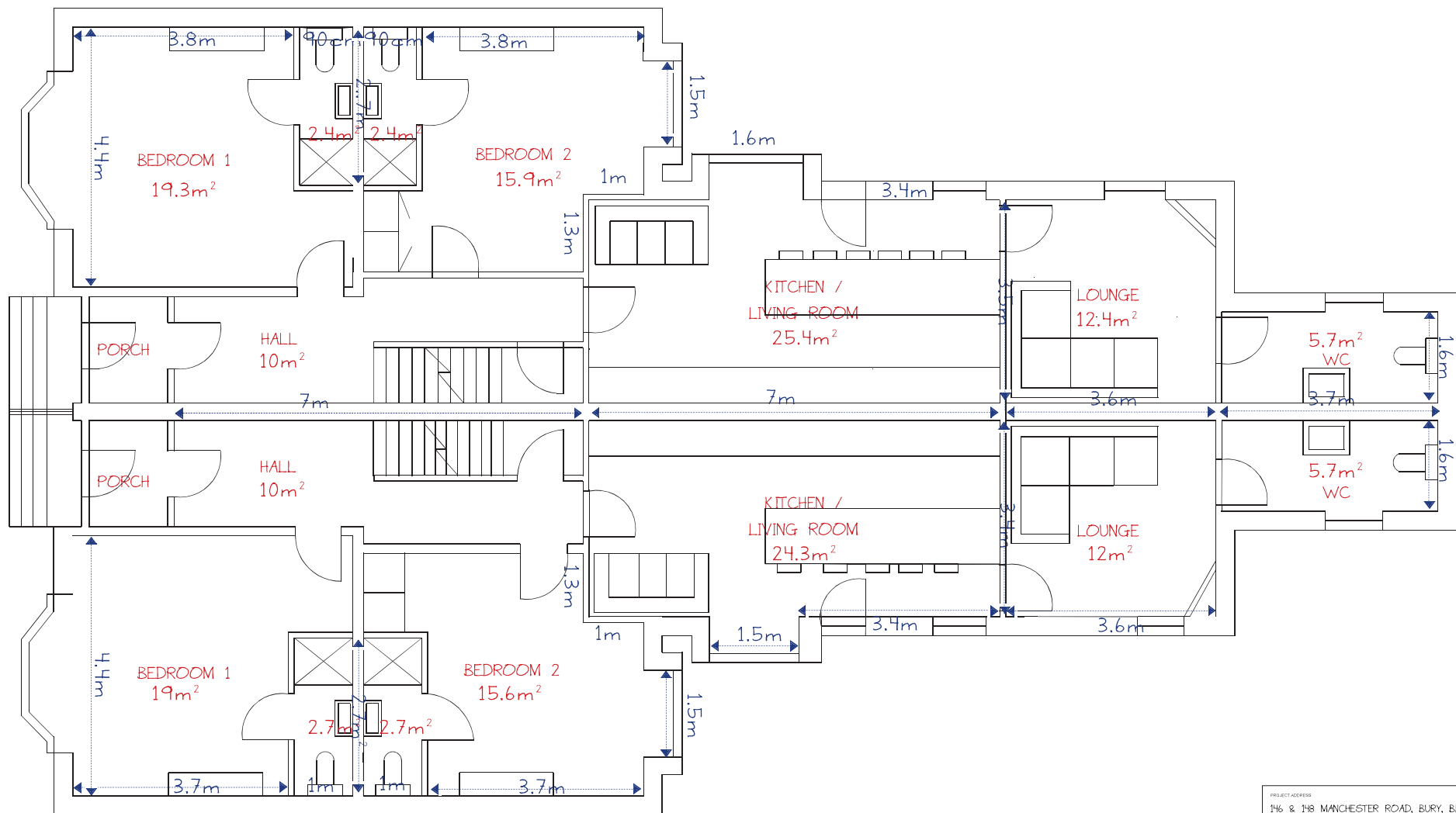


3 **SECOND FLOOR**
1:200 PROPOSED



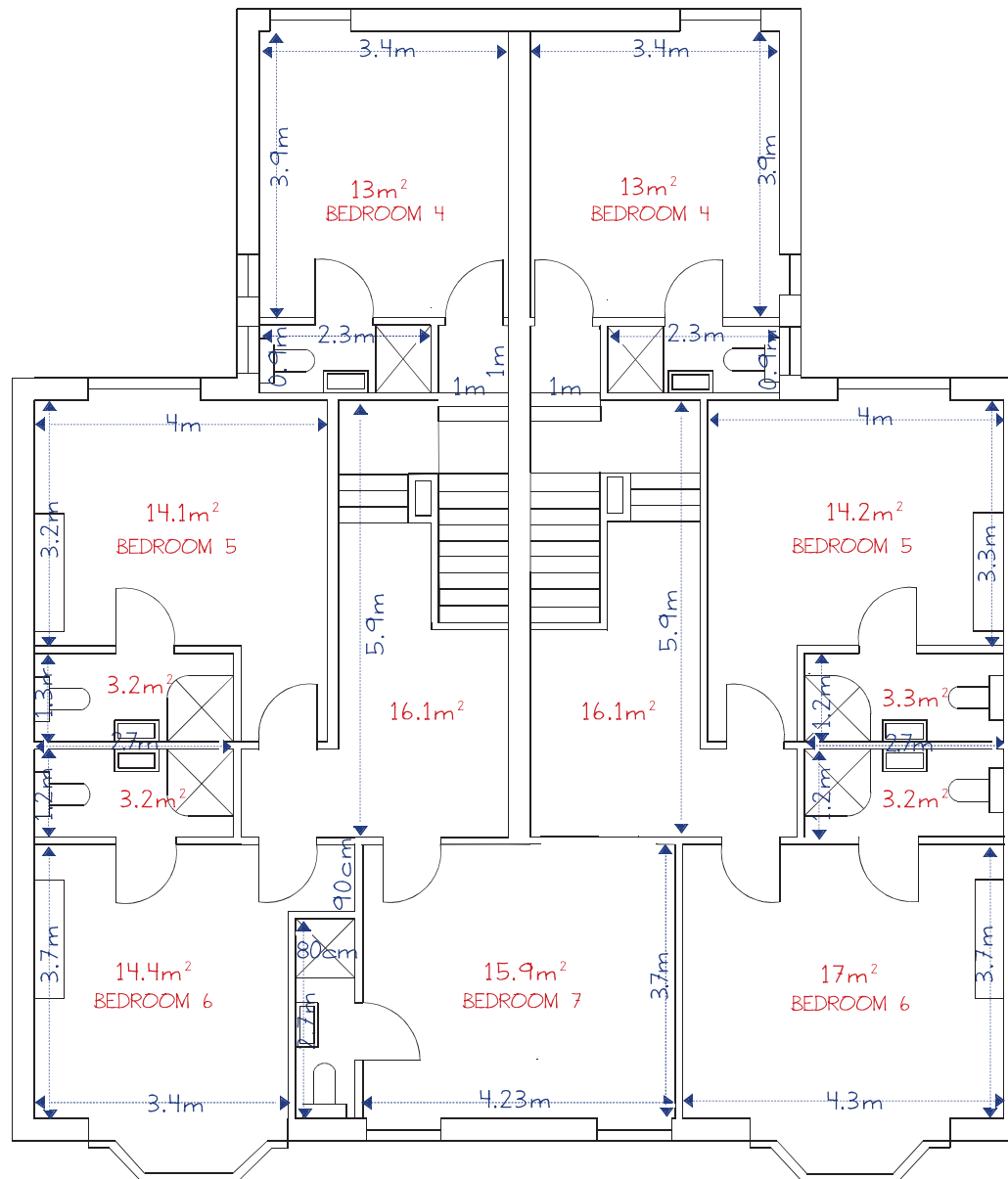
4 **BASEMENT**
1:200 PROPOSED

PROJECT ADDRESS 146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
THE PROPOSED FLOORPLANS		
PROJECT NO. PF-01	DRAWING NO. 01	REV 01
SCALE SCALE @ A4	DATE 15/07/23	DRAWN BY LC
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1 GROUND FLOOR
PROPOSED | 1:100

PROJECT ADDRESS 146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
THE PROPOSED AREAS & DIMENSIONS - GROUND FLOOR		
PROJECT NO. GF-01	DRAWING NO. 01	REV 03
SCALE SCALE @ A1	DATE 15/07/23	DRAWN BY LC
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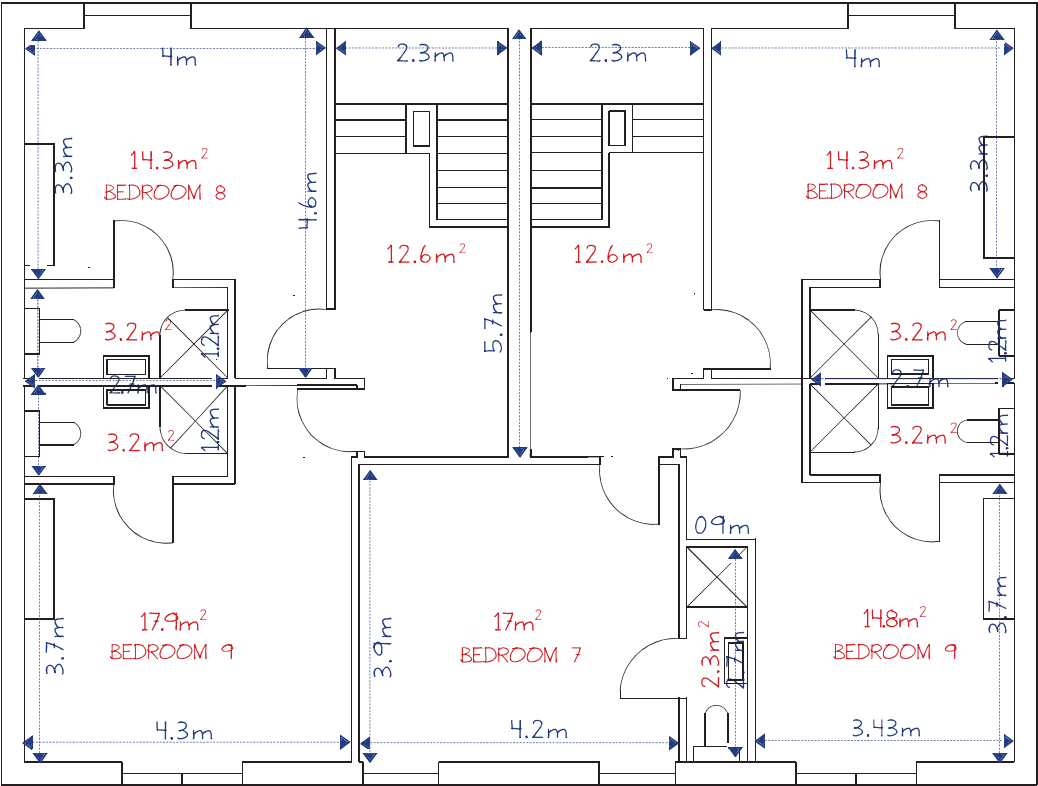


1 FIRST FLOOR
PROPOSED | 1:100

ROOM SIZES (BEDROOMS: INCLUDING ENSUITES)

BEDROOM 1	21.8m ²	BEDROOM 1	21.6m ²
BEDROOM 2	18.3m ²	BEDROOM 2	18.3m ²
BEDROOM 3	27.1m ²	BEDROOM 3	27.3m ²
BEDROOM 4	15.2m ²	BEDROOM 4	15.1m ²
BEDROOM 5	17.3m ²	BEDROOM 5	17.5m ²
BEDROOM 6	17.7m ²	BEDROOM 6	20.2m ²
BEDROOM 7	18.8m ²	BEDROOM 7	19.3m ²
BEDROOM 8	17.5m ²	BEDROOM 8	17.5m ²
BEDROOM 9	17.9m ²	BEDROOM 9	18m ²
KITCHEN	25.4m ²	KITCHEN	24.3m ²
LOUNGE	12.5m ²	LOUNGE	12m ²
TOTAL	210m ²	TOTAL	211m ²

PROJECT ADDRESS 146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
THIS PROPOSED AREAS & DIMENSIONS - FIRST FLOOR		
PROJECT NO. FF-01	DRAWING NO. 01	REV 03
SCALE 1:100	DATE 15/07/23	DRAWN BY LC
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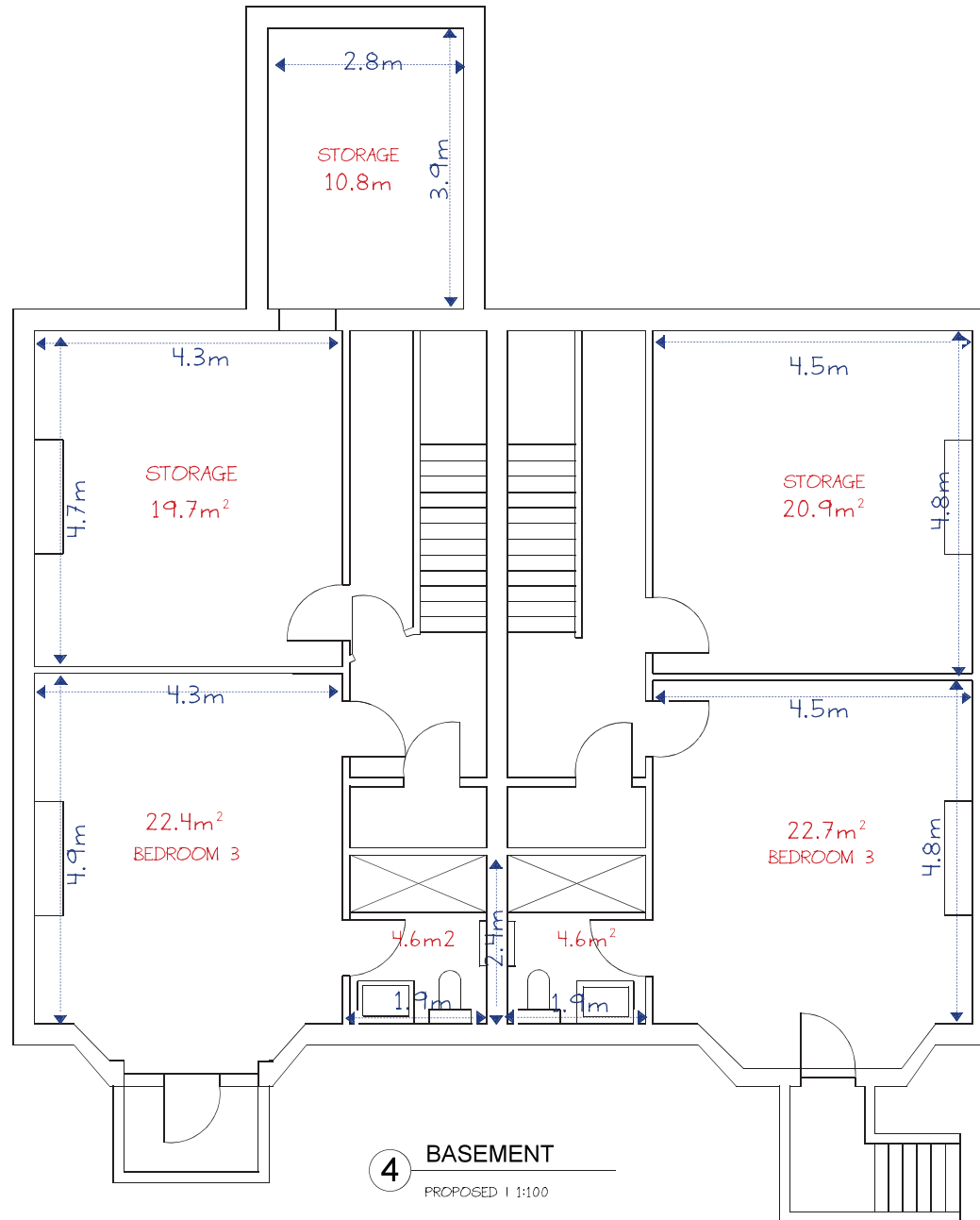


1 SECOND FLOOR
PROPOSED | 1:100

ROOM SIZES
(BEDROOMS: INCLUDING ENSUITES)

BEDROOM 1	21.8m ²	BEDROOM 1	21.6m ²
BEDROOM 2	18.3m ²	BEDROOM 2	18.3m ²
BEDROOM 3	27.1m ²	BEDROOM 3	27.3m ²
BEDROOM 4	15.2m ²	BEDROOM 4	15.1m ²
BEDROOM 5	17.3m ²	BEDROOM 5	17.5m ²
BEDROOM 6	17.7m ²	BEDROOM 6	20.2m ²
BEDROOM 7	18.8m ²	BEDROOM 7	19.3m ²
BEDROOM 8	17.5m ²	BEDROOM 8	17.5m ²
BEDROOM 9	17.9m ²	BEDROOM 9	18m ²
KITCHEN	25.4m ²	KITCHEN	24.3m ²
LOUNGE	12.5m ²	LOUNGE	12m ²
TOTAL	210m ²	TOTAL	211m ²

PROJECT ADDRESS 146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
THE PROPOSED AREAS & DIMENSIONS - SECOND FLOOR		
PROJECT NO. 2F-01	DRAWING NO. 01	REV 03
SCALE SCALE @ A1	DATE 15/07/23	DRAWN BY LC
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4 BASEMENT
PROPOSED | 1:100


ROOM SIZES (BEDROOMS: INCLUDING ENSUITES)

BEDROOM 1	21.8m ²	BEDROOM 1	21.6m ²
BEDROOM 2	18.3m ²	BEDROOM 2	18.3m ²
BEDROOM 3	27.1m ²	BEDROOM 3	27.3m ²
BEDROOM 4	15.2m ²	BEDROOM 4	15.1m ²
BEDROOM 5	17.3m ²	BEDROOM 5	17.5m ²
BEDROOM 6	17.7m ²	BEDROOM 6	20.2m ²
BEDROOM 7	18.8m ²	BEDROOM 7	19.3m ²
BEDROOM 8	17.5m ²	BEDROOM 8	17.5m ²
BEDROOM 9	17.9m ²	BEDROOM 9	18m ²
KITCHEN	25.4m ²	KITCHEN	24.3m ²
LOUNGE	12.5m ²	LOUNGE	12m ²
TOTAL	210m ²	TOTAL	211m ²

PROJECT ADDRESS 146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
THE PROPOSED AREAS & DIMENSIONS - BASEMENT		
PROJECT NO. BM-01	DRAWING NO. 01	REV 03
SCALE SCALE @ A1	DATE 15/07/23	DRAWN BY LC
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1 FRONT ELEVATION
1:100 PROPOSED

PROJECT ADDRESS		
146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
TITLE		
PROPOSED FRONT ELEVATION		
PROJECT NO.	DRAWING NO.	REV
EL-02	01	02
SCALE	DATE	DRAWN BY
SCALE  AH	14/07/23	KD
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RIGHT ELEVATION

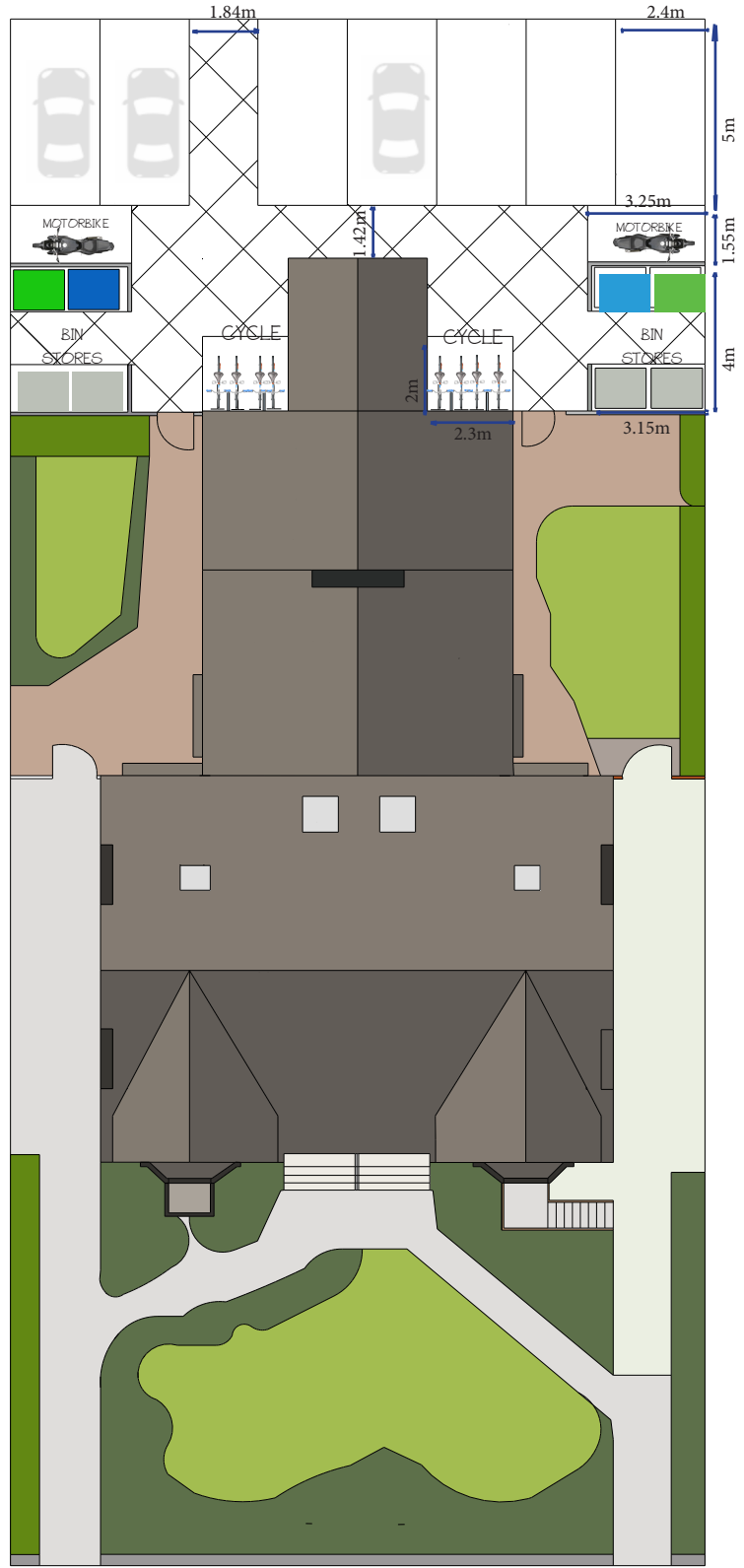
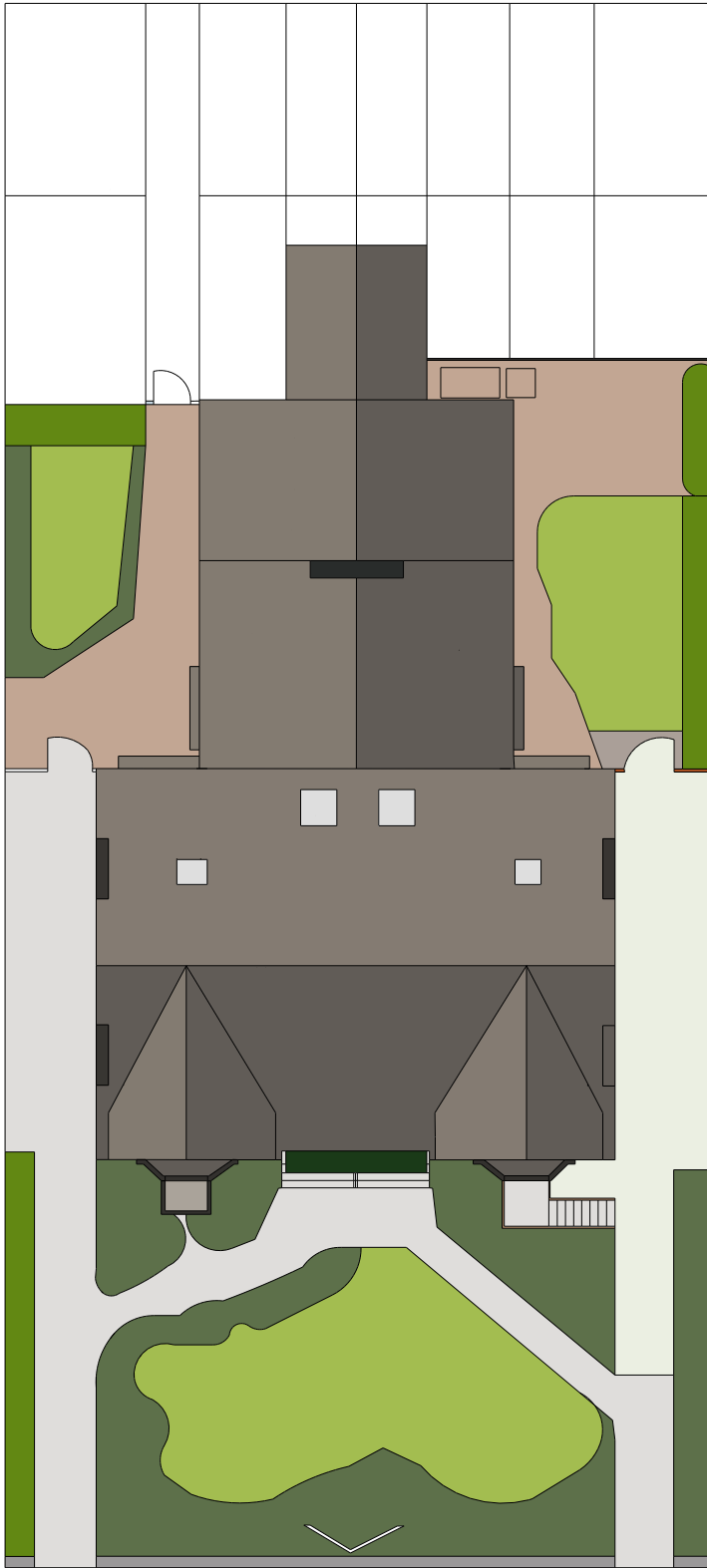
1:100 PROPOSED

[illegible]



1 REAR ELEVATION
1:100 PROPOSED

PROJECT ADDRESS 146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
TITLE PROPOSED REAR ELEVATION		
PROJECT NO. EL-04	DRAWING NO. 01	REV 03
SCALE SCALE @ A1	DATE 14/08/23	DRAWN BY KD
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↑
V STACK HOTEL SIGNAGE

1 EXISTING

1:200

- 7 x CAR PARKING SPACES (2.4m x 5m)
- 8 x SECURE BIKE STORAGE WITH COVERED CANOPY (2.3m X 2m)
- 2 x MOTORBIKE SPACES (3.25m X 1.55m)
- 8 X 1100 LITRE WHEELIE BINS (1.08m X 1.37m)

- GRASS
- HEDGES
- PAVING
- BUSHES / BORDER PLANTS
- TARMAC

Page 80

2 PROPOSED

1:200

PROJECT ADDRESS		
146 & 148 MANCHESTER ROAD, BURY, BL9 0TL (CURRENTLY ROSTREVOR HOTEL)		
TITLE		
LANDSCAPING PLAN		
PROJECT NO.	DRAWING NO.	REV
LAP-01	01	05
SCALE	DATE	DRAWN BY
SCALE @ A1	27/07/23	LC
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Ward: Radcliffe - West

Item 03

Applicant: Hive Homes (Greater Manchester) LLP

Location: Site of the former Riverside High School, School Street, Radcliffe, M26 3BW

Proposal: Residential development to erect 90 dwellings with associated parking and landscaping

Application Ref: 69233/Full

Target Date: 19/04/2023

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, affordable housing and off-site biodiversity mitigation, thereto in accordance with policies H2/1, RT2/2 of the adopted Unitary Development Plan, SPD1 and SPD5 and Section 15 of the National Planning Policy Framework. 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 requests a site visit.

Description

The application site relates to 2.3ha of land which formally comprised Radcliffe High School site and its grounds. The main school building has long since been demolished and the northern part of the site redeveloped for a school for children with special educational needs, known as Millwood School, which was granted planning permission in 2010. As part of that application, permission was also granted in outline to develop the southern part of the site for a residential development. This permission was not implemented.

The site is bounded by a builder's merchant to the north, the Millwood School to the west, traditional terraced housing to the east, single storey sheltered housing and more contemporary suburban housing opposing the site to the south. The site falls within the Radcliffe Strategic Regeneration Framework and as such is a priority housing site.

The proposal is for full planning permission for a residential development comprising 90 no. two storey dwellings with associated parking and landscaping. There would be two vehicular accesses into the site, one from School Street on the southern boundary and another from Abden Street at the eastern boundary and two additional dedicated pedestrian from School Street and Ulundi Street. The dwellings would be made up of:

- 30 no. 3 bed mews;
- 6 no. 4 bed mews;
- 38 no. 3 bed semi-detached;
- 10 no. 3 bed detached;
- 6 no. 4 bed detached.

There would be 7no. house types (13 variations in total), of which all would be two storey, although the Newbold mews property would have accommodation in the roof space, served with a small dormer at the front (with a higher ridge).

The finishing materials are indicated as red brick, with blue brick detailing and grey roof tiles with grey uPVC window frames, doors and rainwater goods, but the application states that precise details would be agreed by condition.

Existing boundary iron railings to School Street/Ulundi Street would be retained where possible. Rear gardens to plots would be enclosed by 1.8m high timber fencing and 1.8m brick wall and piers with timber panel infills. An acoustic fence would be erected along the northern boundary to the neighbouring builder's merchant. The existing western boundary fence to the school would be retained.

The proposal has been amended to facilitate the retention of two stands of mature trees arranged in rows northwards from the boundary with School Street. This resulted in the realignment of the access road into the site from School Street westwards. The arrangement of dwellings fronting School Street has also been amended in addition to minor alterations in response to feedback from the Highway Officer.

Relevant Planning History

66307: Demolition and Site Enabling Works. Approved 22/02/2021

53879: Non Material Amendment following the grant of permission 52038. Approved 1/7/2011

52038: Full planning for construction of a new primary school for children with special educational needs together with the construction of associated parking and external play areas; outline proposals to develop the remaining high school site for housing. Approved 16/02/2010

45673: Outline application - residential development including associated infrastructure & open space. Approve with Conditions 14/09/2007

Publicity

Direct neighbour notification undertaken 19/01/2023

Press Notice undertaken 26/01/2023

Site Notice 23/01/2023

5 representations were received raising matters that can be summarised as:

Access/Highways/Parking

- The proposal would add more traffic onto the local road network. School Street is a narrow and very busy road, serving Millwood School with its associated heavy traffic at drop-off and collection times and vehicles only have one way in and out. Additionally, there are horse riders, cyclists and pedestrians accessing the canal and rural paths.
- The junction at Hutchinson Way and Sion Street is already challenging and can be blocked.
- A full traffic study of the area should be undertaken
- Exit via Abden Street is hampered by the traffic lights at Blackburn Street and access via Lord Street would cause congestion given that this isn't light controlled.
- Site traffic would need to be accommodated on site. Traffic associated with the previous demolition blocked pavements and parked poorly.
- Traffic accessing the site from School Street has previously caused damage to pavements and come close to damaging private property as the turning circle is not big enough for larger construction vehicles (some vehicles have had to unload on the street). Such impacts would need to be mitigated.
- The provision of 192 parking spaces should mitigate against overflow parking and having two access points, plus additional pedestrian accesses is good news, as it would split the pedestrian and vehicular traffic, avoiding it all being routed along School Street. Construction activity would need to mitigate against such impacts.
- The parking area to the neighbouring care home should not be blocked by construction/loading/deliveries.
- The documents provided contain a number of inaccuracies - we are assured this will be

understood by both highways & planning in the assessment. The highways officer noted that School Street is the most direct route from the Key Route Network, albeit there are a number of accesses on the opposite side of the street to consider.

- It is stated that the plan therefore shows the adjacent access points, including School Court which is situated approx 25m to the east, low-rise sheltered housing (this is not School Court).

Amenity

- Construction activity should be time limited to mitigate against noise and disturbance.
- The site should be made secure (fencing) to prevent anti-social behaviour.
- The main site entrance should not be from School Street as previously it has caused massive disruption in relation to noise and privacy .
- The neighbouring Millwood School is a Special School to children with complex medical and/or behavioural needs. Construction activities can be very distressing and disruptive to the children (as was found with the remediation of the land).
- Noise and construction activities would need to be managed appropriately to ensure that impacts on the neighbouring care home is kept to a minimum

Ecology/landscaping

- All existing trees would be removed and these provide homes for wildlife and are attractive. The replacement planting must be required, although it would be many years before they provide the same benefits.

Drainage

- The drainage on School Street is poor. There has been sewage floods at neighbouring properties and United Utilities have said that the drainage system is not in good condition. The drainage system would need to be upgraded.

Other matters

- The location of the proposed development indicates that the rear gardens of some houses directly border the neighbouring school site and therefore directly overlook children's playgrounds and the school car park. This could present a safeguarding issue for the school. What measures are in place to provide a barrier against this intrusion?
- The development has the potential to significantly improve the quality of life and recreational leisure facilities for the local community, residents and pupils. Section 106 monies from the developer should be directed to improving the facilities along and access to the towpath of the canal.

Support points

- The development looks well laid out and the properties seem to fit in well with the existing character. The landscaped area fronting School Street would provide a good division.
- New housing and therefore families in the neighbourhood, will create opportunities for the care home to receive new service users in future. Staff are mostly local too, and so this may aid recruitment.

Due to amendments to the proposal, further direct neighbour notification was undertaken on 21/07/2023

2 further representations were received raising the following matters:

- The developer appears to have not given due consideration to the existing properties in the vicinity, overstating the appropriateness of the proposal based on inaccurate information.
- The proposed layout & transport plan neglects to identify the neighbouring properties and two further access points.
- The revised access location places the primary access to the site directly opposite existing property. This will have a huge negative impact on the enjoyment of opposing property and it's resale attractiveness/value.

- Vehicles exiting the estate will cause light nuisance to the main living and sleeping areas at opposing property. If this was triggered by an existing domestic or business property, we would have just cause to claim this as a statutory light pollution nuisance - I feel that developer proposals should be held accountable in the same regard.
- The placement of the junction means, according to the highway code, occupants or visitors to properties opposing are unable to park opposite this junction - it is an offence if hindering emergency services.
- This currently occurs on a daily basis by visitors, deliveries and 'home to school transport', which includes disabled visitors.
- It is suggested that a primary access point opposite Pendlebury Street, potentially with a mini-roundabout, would be far more suitable to the traffic flow and cause significantly less hazard in the area.

Statutory/Non-Statutory Consultations

Traffic Section: No objection, subject to conditions relating to the formation of accesses (including relocation of speed cushions), footpaths, street lighting, review of waiting restrictions, street lighting, adherence to adoption standards (if necessary), agreement of a Construction Traffic Management Plan (CTMP), provision of vehicular turning facilities, driveways and surfacing and waste and recycling provision.

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

Environmental Health - Pollution Control: No objection, subject to condition securing the mitigation measures set out in the Ambient Noise Assessment

Environment Agency: No comments received.

The Coal Authority: No objection.

Waste Management: No objection.

United Utilities (Water and waste): No objection, subject to a condition relating to foul and surface water drainage.

Greater Manchester Police - designforsecurity: No objection. The proposal, where feasible, should be designed and constructed in accordance with the recommendations and specification set out in the supporting Crime Impact Statement.

Transport for Greater Manchester: No objection.

TfGM would recommend that the development funds improved pedestrian facilities at the junction of Pilkington Way / Sion Street / Dale Street and that this is secured by way of planning condition subject to agreement with the Local Highway Authority (LHA).

The site would be served by a new priority junction on School Street. The access should be designed to ensure the provision of tactile paving and dropped kerbs. Any redundant access points which served the former site should be reinstated as continuous footway to adoptable standards. A secondary access is also proposed connecting to Abden Street. This connection should be designed in accordance with adopted standards in liaison with the Local Highway Authority.

TfGM would 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

Nearest bus stops to the site, which provide a range of services at regular intervals, are

around a 4 minute walk from the site and Radcliffe Bus Station around 6 minutes away. Radcliffe Metrolink stop is located around an 11 minute walk away.

TfGM would refer to the Local Authority to determine whether the quantum of development triggers the requirement for a Residential Travel Plan. If not, then TfGM would recommend that a Travel Pack is produced for residents. It is therefore considered that there are genuine public transport alternatives available for future residents of the site.

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B): No objection.

The Fire Service requires vehicular access for a fire appliance to within 45m of all points within the dwellings and the access road should be a minimum of width of 4.5m and capable of carrying 12.5 tonnes. There should be a suitable fire hydrant with 165m of the furthest dwelling.

The Fire Service strongly supports the installation of domestic sprinkler systems as a positive measure to protect persons. At a small cost occupants' can be given the reassurance of a high level of protection.

Borough Engineer - Drainage Section: No comments received.

Greater Manchester Ecology Unit: No objections, subject to the inclusion of conditions relating to reasonable avoidance measures relating to bats. A contribution should be secured for the off-site mitigation for the loss of 2.32 biodiversity units or alternatively, more of the existing trees could be retained, with more ambitious targets for habitat creation on site.

Minerals and Waste Planning Unit (Urban Vision Partnership Ltd): No comments provided.

Pre-start Conditions - Agent 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
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
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
EN8/2	Woodland and Tree Planting
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
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
H5	Housing Improvement
H5/1	Area Improvement
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 - Residential

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 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 area and there are residential dwellings surrounding the site and the proposal would not therefore conflict with the surrounding land uses. Appropriate infrastructure would be available and the site is located in an accessible location, within 8 minutes walk of Radcliffe town centre. As such, the proposed development would be acceptable in principle, and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Furthermore, as noted above, planning permission for residential development has been approved at the site on two separate occasions, having been considered against the same UDP policies that relate to the present proposal. Whilst the NPPF did not relate to those planning applications, the latest version indicates that planning permission should be granted unless paragraph 11 (d) i or ii apply.

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 proposed development would provide a mix of detached, semi-detached and terraced dwellings, framing streets which would be laid out to reflect the traditional layout of terraced streets to the east. The proposed dwellings would be of a simple form and character, again to reflect the predominant residential character, although the arrangement would be of a lower density to facilitate vehicle parking and private and communal amenity space. However, the layout would form robust building lines that would result in a clear delineation of streets with framing dwellings and the associated curtilages.

The layout of dwellings fronting onto School Street has been amended (partly to enable the retention of the majority of existing mature trees) to reflect the wider existing traditional residential character and that within the core of the proposed development. The built form would be framed by generous soft landscaping and retained mature trees. Similarly, the dwellings at proposed plots 69-75 (onto Ulundi Street) have been re-orientated to have their principal elevation fronting the existing street (as opposed to backing onto it and presenting a fenced boundary). This would reinforce the layout of the existing street.

The proposed materials would reflect those existing in the wider area with brick facades, which would be render free with grey tiles.

Existing boundary iron railings and former gate posts to School Street/Ulundi Street would be retained where possible. 1.8m brick wall and piers with timber panel infills would frame principal gateways into and within the site and close boarded timber fencing would be used principally to separate gardens.

All of the proposed dwellings would have a side or rear gardens, which would provide a suitable level of private amenity space. There would be space within the side/rear gardens for bin storage.

Given the above, the proposed development would assimilate 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.

Impact upon residential amenity Neighbouring amenity

SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable windows and 13 metres between a habitable room window and a two storey blank wall.

The separation distances between the proposed dwellings would comply with the aspect standards in SPD6.

Concerning the relationship to existing dwellings surrounding the site, the proposed dwellings at plots 69-75, which have been re-orientated and re-positioned (as noted above), would be approximately 14m from the opposing front elevations of existing dwellings. This arrangement would reflect the existing layout of Ulundi Street to the immediate north and the relationship between opposing dwellings on other nearby terraced streets. Furthermore, the proposed dwellings at plots 69-75 would have small forecourt gardens that would frame the street on the west side and soften the character and appearance of the development. It is considered that the wider benefit of creating a robust and more attractive street scene with dwellings either side fronting it justifies the tolerance of a separation distance that reflects and reinforces the traditional layout.

All other relationships to surrounding dwellings would meet the suggested separation distances.

Objections refer to potential impacts on neighbouring amenity due to construction activities. Such matters can be controlled by agreement of a Construction Traffic Management Plan, to be agreed by condition. The hours of operation fall within the Environmental Pollution Act considerations.

Other objections refer to the impact of the access into the site from School Street and the impact of the associated vehicles by way of noise (queuing on School Street) and head light nuisance to opposing dwellings. Existing dwellings on the south side of School Street front onto an adopted road within the urban area opposing a brownfield site that has had planning permission on two occasions previously (having been approved under the same UDP policies). Furthermore, dwellings in many urban settings oppose junctions and it is not an anomalous juxtaposition. Headlights on cars tend to be in a default 'dipped' position and dwellings typically have blinds or curtains drawn during darker hours.

Similarly, the neighbouring school to the east was approved under the same planning permission as outline permission for residential development at the site under consideration and there is a significant area of landscape buffer and intervening security fencing that would be retained. GM Police have not raised any concerns.

Given the above circumstances, the proposed development would not conflict with the relevant policies.

Occupiers amenity

UDP Policy EN7/2 states that the Council will not permit development close to a permanent source of noise.

Given the relationship of those dwellings at the northern part of the site adjacent to the boundary to the existing builder's merchant, the proposal is supported by a Noise & Building Envelope Assessment, which was undertaken in accordance with BS 4142 - Method for rating and assessing industrial and commercial sound and BS 8233:2014 - Guidance on sound insulation and noise reduction for buildings.

The Assessment concludes that the results of the noise impact indicate that the builder's merchant would have a 'low' impact at the nearest residential receivers, subject to the installation of a 2m high acoustic fence for the full length of the northern boundary and stated construction methods.

The Council's Pollution Control Section is satisfied that subject to the implementation of the recommendations of the Assessment, the proposal would not have unacceptable impacts on occupier's amenity.

The 'Technical housing standards – nationally described space standard (NDSS) (2015)' concerns internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use.

The standard has not been adopted as a local plan policy (given that Bury UDP dates from 1997), but it represents a useful guide as to what may constitute an acceptable standard of development.

The development would not meet the standards. However, the applicant notes the presence of developments within the vicinity of the site that have been determined and are being built out, or have recently been approved, where space standards have also not been met. In this instance, given that Bury do not currently have a local plan policy that requires development 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.

Accessibility, Highways and Parking

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP Policy H2/2 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 that requires developments to reduce pedestrian/vehicular conflict. 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.

Objections largely refer to highway concerns as noted above.

A Transport Statement has been prepared to accompany the planning application with further addendums in response to matters raised by TfGM and the Council's Highway Officer, who is aware of the nature and content of the objections.

The consultation responses from TfGM and the Council's Highway Officer are reported above. Neither object to the proposal and recommend that the proposal is acceptable, subject to the conditions that would require agreement of the re-positioning of speed cushions and a review of waiting restrictions to ensure that access and egress into the site and the local highway network operates in a safe manner. Further conditions are noted above, which would include a requirement to make good any residual damage to the surrounding highway network caused by construction activity.

In relation to the TfGM recommendation for a contribution for the improvement of pedestrian facilities at the junction of Pilkington Way / Sion Street / Dale Street, the applicant has submitted an assessment of the pedestrian routes from the site to facilities in and around Radcliffe town centre. This finds that there are other, more likely pedestrian routes into the town centre (than via Pilkington Way/Sion Street/Dale Street) that are more direct, well lit and safer, better surfaced, and some of which will be improved as part of City Region Sustainable Transport Settlement (particularly around Green Street/May Street/Railway Street). This would strengthen the applicant's assumption that School Street/Blackburn Street or pedestrian footbridge (via Green Street) would represent the most desirable and the shortest pedestrian routes to the town centre from the site.

The assessment concludes that given that other more attractive (more pedestrian friendly) routes are available to residents, and whilst some residents may choose to use the Pilkington Way/Sion Street/Dale Street junction, the numbers are likely to be low and therefore a contribution would not be proportional to the size and scale of the development.

Given the circumstances set out by the applicant, it is not considered that it would be either proportionate or justified to seek the off-site mitigation works suggested by TfGM.

Each dwelling would have 2 off-street parking spaces, provided either to the front or to the side of each property and this is considered adequate given the high accessibility of the site.

Ecology and landscaping

The objection refers to the loss of trees at the site. However, the proposal has been amended since the original submission and the two principal groups of trees would be retained in the main.

A Preliminary Ecological Appraisal has been submitted.

The Greater Manchester Ecology Unit (GMEU) have raised no objections to the proposal, subject to a condition to protect bats.

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 currently comprises mixed scrub, neutral grasslands, base ground and urban trees.

The proposed development would replace this with low value ecological value habitats and bare ground. The ecological report notes that only partial compensation would be possible on site and off-site compensation would be required. The GMEU consider that the latest iteration of the supporting Biodiversity Net Gain Assessment (following amendment to the proposed layout and retention of the most significant existing trees) significantly over-estimates the value of the existing habitat (earlier assess methods gave higher values to urban trees). They have therefore advised that the habitat loss (after the introduction of a landscaping scheme) would equate to 2.32 biodiversity units.

Given that the biodiversity baseline was established in 2021 in relation to planning permission 66307, this translates into a contribution of £23,200 (i.e. £10,000 x 2.32).

Therefore, subject to conditions and a contribution for off-site biodiversity mitigation, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Trees and landscaping

An Arboricultural Constraints Appraisal has been submitted in support of the application and the proposal has been amended to retain a significant level of existing tree cover.

The proposal is also supported by a comprehensive soft landscaping scheme, which includes, as mitigation for the loss of trees, the provision for the planting of a mixture of native as well as ornamental trees, shrubs and hedges and tree protection measures.

GMEU are satisfied that the proposed replacement landscaping (in tandem with the off-site mitigation noted above) would be satisfactory.

Therefore, the proposed development, subject to conditional control, would not harm the character of the area and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Other matters

Greater Manchester Fire & Rescue Service (GMFRS)

The applicant has confirmed that the proposal would be in accordance with the technical requirements set out in the consultation response from the GMFRS.

Ground conditions

The Environmental Protection Officer and the Coal Authority do not object to the proposal, subject to the above noted conditions.

Air quality

The Environmental Protection Officer has no objection to the proposal, subject to the inclusion of a condition relating to the installation of electric vehicle charging points.

Drainage

United Utilities do not object to the proposal, subject to conditions relating to a surface and foul water drainage scheme.

Waste Management

Each proposed dwelling would be adequately provided for the storage of waste and recycling facilities with collection point pertaining to unadopted streets.

Planning obligations

Recreation - A contribution of £246,319.40 would be required towards recreation in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1.

Affordable Housing - The proposed development would provide 22 affordable units, which would equate to 25% of the total number of units in accordance with Policy H4/1 of the Bury Unitary Development Plan and SPG5.

Of the 22 affordable units, 6 (25%) would be provided as First Homes at a 30% discount.

The affordable units would be adequately pepper-potted around the site and as such, would comply with the policy requirement for pepper potting throughout.

Off-site biodiversity mitigation - As noted above, the proposal generates a requirement to replace 2.32 biodiversity units, translating into a contribution of £23,200, which would be allocated to a site known as Walker's Field, Chesham, in accordance with paragraph 174 of the NPPF.

Observation on representations received

Many of the points raised in the representations, where material, have been addressed in the above analysis and/or recommended conditions.

On the specific point relating to claimed inaccuracies, the local planning authority is satisfied that the submitted plans and supporting information has enabled a robust assessment of the proposal and the potential impacts.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be in accordance with the plan, unless material considerations indicate otherwise.

The 'titled balance' applies and the NPPF therefore requires that planning permission should be granted 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.

Given the status of the site, the principle of the development is acceptable. The proposal would deliver much needed residential development on a previously developed site within

the urban area that is considered to be in a highly sustainable location. It would provide a mix of good quality market and affordable dwellings in a layout that would create varied and attractive streets, framed in a wider context of robust and extensive landscaping and open space.

Further, the development would not unacceptably undermine residential amenity, highway safety or ecological interests and would provide a contribution for off-site biodiversity mitigation.

Other constraints including drainage and flooding, contamination, coal mining risk and air quality impacts have been adequately addressed.

On this basis, the scheme, along with the legal agreement to secure the above noted contributions, the development would comply with the Unitary Development Plan and the NPPF when considered as a whole.

As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with 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: 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. Subject to the requirements of the conditions below, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents:
Drawings:
Location plan (dwg no. SL01)
External Works - Sheet 1 (Dwg No. 21196-EDGE-XX-XX-DR-C-1101 P02)
External Works - Sheet 2 (Dwg No. 21196-EDGE-XX-XX-DR-1102 P02)
Plot Drainage - Sheet 2 (Dwg No. 21196-EDGE-XX-XX-DR-C-2012 P02)
External Works - Sheet 1 (Dwg No. 21196-EDGE-XX-XX-DR-C-1101 P02)
1.8m Brick Wall with Piers with Timber Infill Panels (Dwg No. BW01)
1800mm High Feathered Access Door (Dwg No. TG01)
1.8m Feather Edges Timber Fence (Dwg No. FB01)
Newbold End - Floor Plans (Dwg No. NB-END-001 A)
Newbold End - Elevations (Dwg No. NB-END-002 A)
Bowker mid - elevations and floor plans (Dwg No. BO-MID-001 18-122 REV.C)
Brooklands house type - elevations and floor plans (Dwg No. BR-001 18-122 REV.B)
Construction details (Dwg no. 21196-EDGE-XX-XX-DR-C-3201 -P01)

Bowker Alternative House Type - floor plans and elevations (Dwg no. BO-ALT-001)
 Timber fence detail (Dwg no. FB01)
 Hollinwood House Type - proposed floor plans and elevations (Dwg no. Hw 001)
 Timber gate detail (dwg no. TG01)
 Brooklands Alternative Bay House Type - proposed elevations and floor plans (Dwg no. BR ALT B-001)
 Cornbrook Alt House Type - proposed floor plans and elevations (Dwg no. CO-ALT-001)
 Cornbrook end House Type - proposed floor plans and elevations (Dwg no. CO-END-001)
 Cornbrook mid house type - proposed floor plans and elevations (Dwg no. CO-MID-001)
 Firwood house type - proposed floor plans and elevations (Dwg no. FI-001)
 Newhey Alternative Bay House Type - proposed floor plans and elevations (Dwg no. NH-ALT B-001)

Proposed Layout (Colour) (Dwg No. 21-039 PL01 U)
 Proposed Layout (Dwg No. 21-039 PL01 U)
 Catchment Analysis ((Dwg No. 21196-EDGE-XX-XX-DR-C-2004 Rev. P03)
 Manhole schedule (dwg no. 21196-EDGE-XX-XX-DR-C-2201 P03)
 Longitudinal Sections - Sheet 2 (dwg no. 21196-EDGE-XX-XX-DR-C-2102 P03)
 Road Setting Out - Sheet 1 (dwg no. 21196-EDGE-XX-XX-DR-C-3002 P02)
 Road Setting Out - Sheet 2 (dwg no. 21196-EDGE-XX-XX-DR-C-3003 P02)
 Kerb and Surfacing Layout (dwg no. 21196-EDGE-XX-XX-DR-C-3006 P02)
 Longitudinal Sections - Sheet 1 (dwg no. 21196-EDGE-XX-XX-DR-C-2101 P03)
 Drainage Layout (dwg no. 21196-EDGE-XX-XX-DR-C-2002 Rev P03)
 Bowker End (Dwg No. BO-END-001 G)
 Indicative Sections (Dwg No. 21-039 CS01 C)
 Hard Landscaping Plan (Dwg No. 21-039 HL01 B)
 Land Use Plan (Dwg No. 21-039 LU01 B)
 Boundary Details Plan (Dwg No. 21-039 BD01 G)
 Indicative Streetscenes (Dwg No. 21-039 SS01 B)
 Proposed Soft Landscaping Plan - Sheet 1 of 2 (Dwg No. 21-039 L-S-001 B)
 Proposed Soft Landscaping Plan - Sheet 2 of 2 (Dwg No. 21-039 L-S-002 B)
 Materials Plan (Dwg No. 21-039 MP01 B)
 Refuse Management Plan (Dwg No. 21-039 RM01 B)

Documents:

Addendum Gas Risk Assessment and Updated Remediation Strategy (Ref. LKC 20 1836)
 Ambient Noise and Building Envelope Assessment (Ref. J004296-6055-TD-01)
 Crime Impact Statement (2022/0362/CIS/01)

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

3. No development shall commence unless and until:-

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

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory

development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

4. Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, and all boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

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.

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 Section 9 of the National Planning Policy Framework.

7. Notwithstanding the details indicated on the approved plans and in the supporting information, no development 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 accesses onto School Street, incorporating the provision of adequate arrangements at the interface with the adopted highway and 1 in 20 plateau (maximum) at the junction, relocation of the affected speed cushions in a position to be agreed and any associated accommodation works, level access to the private footpaths serving Plots 80 - 85 and the public open space between Plots 79 & 80, 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 any associated alterations to existing road markings (subject to the requirements of the scheme of 20mph traffic calming measures and Traffic Regulation Order review) and all associated highway and highway drainage remedial works;
2. Formation of the access onto Abden Street/un-named back street adjacent to No.'s 65/67 Ulundi Street, incorporating the provision of adequate arrangements adequate arrangements at the interface with the adopted highway and tying-in with the existing kerblin e of and parking lay-by/road markings on Abden Street, 1 in 20 (maximum) plateau at the junction, reconstruction of the section of Abden Street between Ulundi Street and the easterly site boundary and scheme of road markings/coloured surfacing,

- alterations to the boundaries at Plots 43/43 to form an acceptable junction with the back street and provide 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;
3. Revised footpath arrangements in the vicinity of Plot 69 to ensure that the new pedestrian route connects to and at the correct level on the existing southerly footway on Chard Street and all associated accommodation works on the adopted highway;
 4. All works around the perimeter of the site to either retain or replace the existing school boundary walls, pillars and railings, incorporating, where required, new foundations that do not encroach under the adopted highway, demarcation of the limits of the adopted highway with flush/50mm upstand edgings (as appropriate) and all associated accommodation works on the adopted highway;
 5. 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;
 6. 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;
 7. Provision of a street lighting assessment to a scope and specification to be agreed for School Street between the site access and Hutchinson Way, Abden Street between the site access and Blackburn Street, the proposed residential estate roads, and, where necessary, a scheme of improvements;
 8. Review of need for the introduction of waiting restrictions to scope to be agreed at the junction of the site accesses with School Street and Abden Street, including, if required, all necessary road markings and signage;
 9. A scheme of 20mph traffic calming measures on the proposed estate roads to a scope and specification to be agreed, incorporating the formation of speed tables at all appropriate junctions, road markings, signage and works within the existing as required.

The details subsequently approved shall be implemented in full to a programme agreed with the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, in the interests of fire safety, 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 H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

8. 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 and supporting information, 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. 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. Revised access/parking arrangements for Plots 5, 31 & 36 to ensure that the new dwellings are served from the adjacent private shared accesses and to mitigate the need for long reverse manoeuvres into the adjacent junctions along the proposed adopted footways that would otherwise result from the layout as submitted;
6. Revised access/parking arrangements for Plot 40 to avoid the proposed driveway straddling the anticipated limits of adoption;
7. Provision of adequate levels of visibility at the back edge of the footway at Plots 27, 38 & 39;
8. 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 and manoeuvre at all turning heads;
9. Facilities for the storage of bins on collection day at the interfaces of all shared accesses with the proposed adopted highway;
10. Proposed planting/surfacing details and management/maintenance arrangements for all landscaped/car parking areas abutting the proposed adopted highway;
11. 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 and to the written satisfaction of the Local Planning Authority.

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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

9. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
 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 construction vehicles to the site from the Key Route Network, including the need to prohibit/limit the use of the residential street in the Abden Street/Lord Street area;
 3. Access point(s) for construction traffic taking into consideration existing residential properties and their accesses onto School Street and any temporary works/phasing of the development that may be required to facilitate safe access for construction vehicles;
 4. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain adequate levels of visibility onto the adopted highway;
 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(es);
 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 construction vehicles, together with storage on site of 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the 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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

10. In the event that it is not intended for the proposed residential estate roads to be considered for adoption by the Council, no development 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 roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason. This is required prior to the commencement of development to ensure that the unadopted estate roads 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 policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

11. The various 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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

12. 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 allow adequate space to maintain vehicles clear of the highway in the interests of pedestrian safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

13. The car parking indicated on the approved plans shall be surfaced and made available for use to the satisfaction of the Local Planning Authority 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 of the Bury Unitary Development Plan.

14. Bin storage shall be provided within the curtilage of each dwelling in accordance with the approved Refuse Management Plan (Dwg No. 21-039 RM01 B).

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

15. Any tree assessed as low risk by either TEP in the preliminary ecological assessment dated February 2021 drawing number g8603.001, or Arbtech in the preliminary ecological appendix 4 Habitat survey plan, shall be removed using soft felling techniques under the guidance of an ecological consultant, unless

otherwise agreed in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

16. The drainage for the development hereby approved shall be carried out in accordance with the principles set out in the approved Drainage Layout 211196-EDGE-XX-XX-DR-C-2002 Rev P03, dated 11/05/2023, which was prepared by EDGE. For the avoidance of doubt surface water must drain at the restricted rate of 22.3l/s. Prior to occupation of the first dwellinghouse, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

17. All trees to be retained on site, as indicated on approved drawing Proposed layout 21-039 PL01 Q, shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

18. The hard and soft landscaping shall be carried out in accordance with the approved Proposed Soft Landscaping Plan - Sheet 1 of 2 (Dwg No. 21-039 L-S-001 B) and Proposed Soft Landscaping Plan - Sheet 2 of 2 (Dwg No. 21-039 L-S-002 B). All planting, seeding and/or turfing shall be carried out in the first planting and seeding seasons following the occupation of the building(s) relating to that phase or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

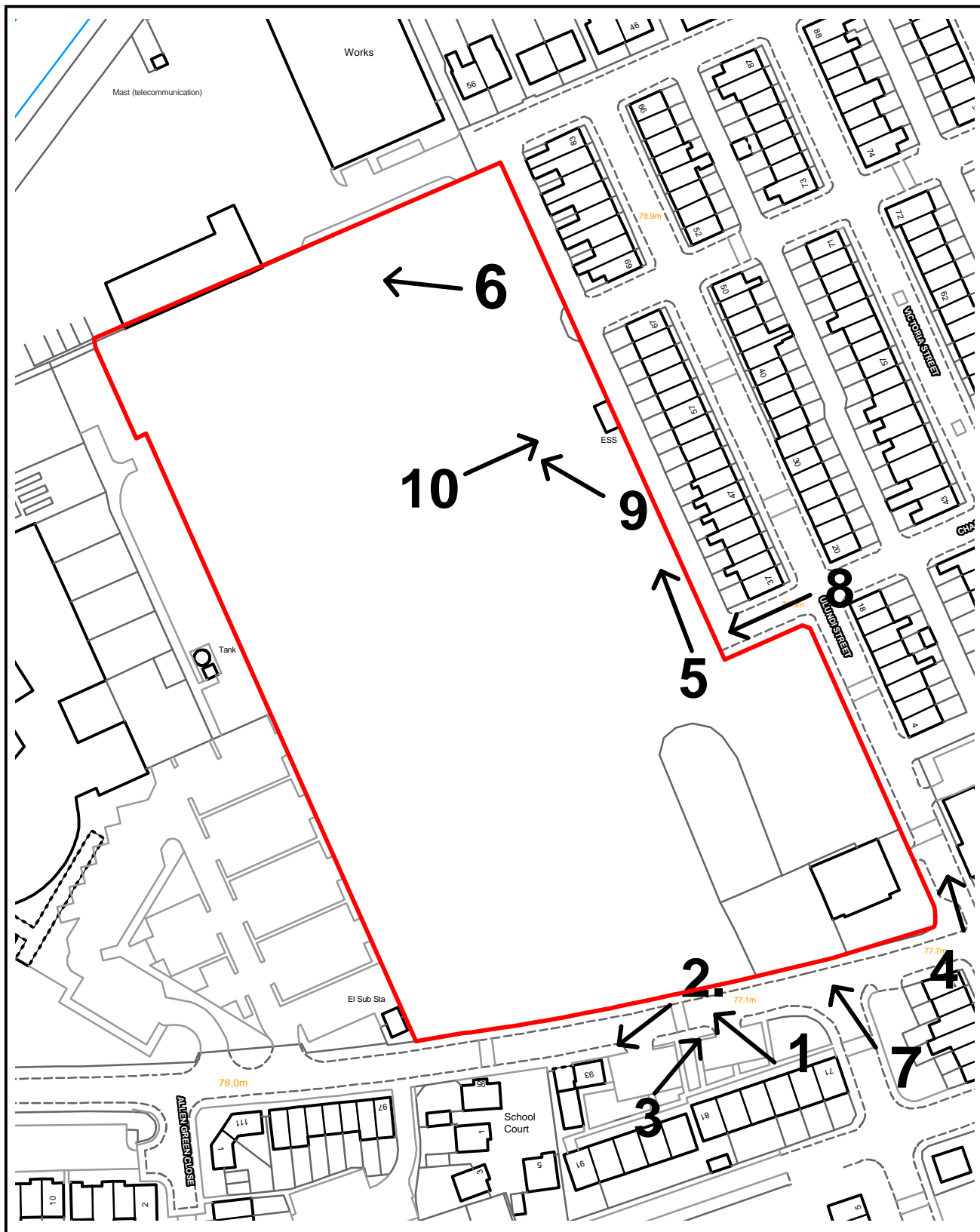
Reason. To secure the satisfactory development of the site and in the interests of visual amenity and to ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value, pursuant to policies EN6/4, EN8/2 and EN10/2 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

19. The acoustic fence to the northern boundary of the site, as detailed in the submitted Ambient Noise & Building Envelope Assessment (Report Ref. J004296-6055-TD-01), shall be implemented in full prior to the occupation of the first dwellinghouse and where building fabric mitigation measures are indicated, these shall be completed in full prior to the first occupation of the associated dwellinghouse.

Reason. In order to ensure that the amenities of the future occupants of the proposed properties are not adversely impacted by noise from the nearby industrial builder's merchant, in accordance with Policy EN7/2 of the Bury Unitary Development Plan and the Section 15 of the National Planning Policy Framework.

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

Viewpoints - 69233



PLANNING APPLICATION LOCATION PLAN

APP. NO 69233

ADDRESS: Site of the former Riverside High School,
School Street, Radcliffe, M26 3BW

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

69233

Aerial



Existing character



69233

Photo 1: School Street frontage



Photo 2 - Newer suburban housing opposite site



69233

Photo 3 -Opposite direction



Photo 4 - North along Ulundi Street (from junction with School Street)



69233

Photo 5 Rear of houses at eastern boundary



Photo 6 - Millwood School (left) and builders merchants (right)



69233

Photo 7 - Panorama from School Street



Photo 8 - Panorama from Ulundi Street



Photo 9 - Panorama west/north



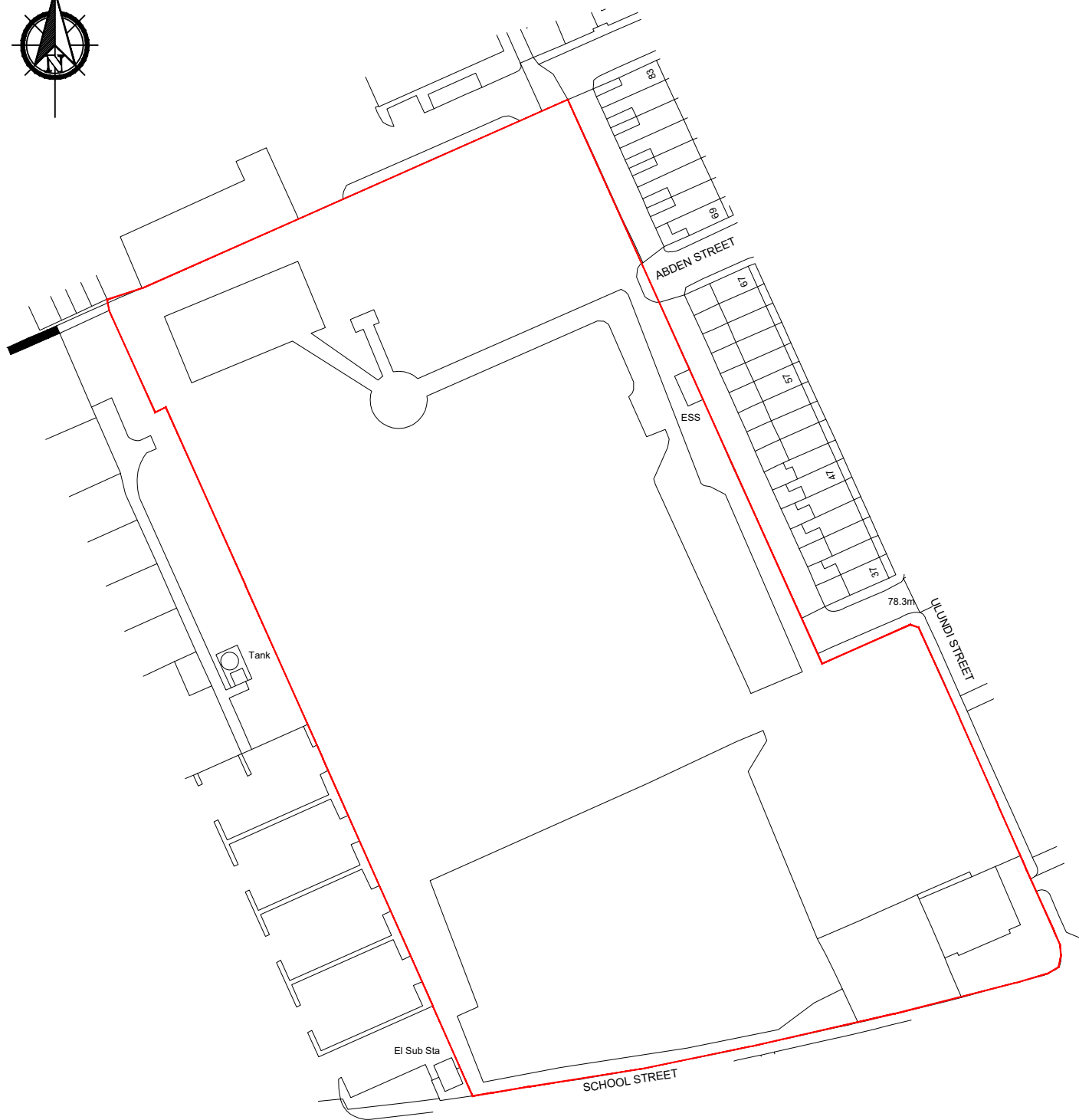
Photo 10 - Panoramas east



69233

Photo 11 - Illustrative Street Scene (School Street)





PLANNING

Client:
HIVE HOMES

Project:
SCHOOL STREET, RADCLIFFE

Drawing Title:
SITE LOCATION PLAN

Drawn:
W.L

Checked:

Scale:
1:1250

Date:
JULY 2021

Job No:
Page 106
21-039

Drawing No:
SL01

Rev:



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

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- Buyl County-1x6 "Co" (762sqft) 3 bed - gifted to Buyl County to Shared Ownership
- All x10 "Co" (762sqft) 3 bed - sold as Shared Ownership
 - first Homes x3 "HD" (1,131sqft) 4bed (Sold as first Homes by Nine Homes)
 - first Homes x7 "Bo" (837sqft) 3bed (Sold as first Homes by Nine Homes)

- Buyl County-1x6 "Co" (762sqft) 3 bed - gifted to Buyl County to Shared Ownership
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 - first Homes x3 "HD" (1,131sqft) 4bed (Sold as first Homes by Nine Homes)
 - first Homes x7 "Bo" (837sqft) 3bed (Sold as first Homes by Nine Homes)

- **Learn Friendship**
 (Learning how to be a friend)
- **Introduction to music**
- **Learning Singing**
- **"Learned to read in 1st"**
- **Memorize 100 songs**
- **Learned the "100 best songs of all time"**
- **Learn music theory**

[illegible]

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turning the 45-degree steering wheel forward to position a 200-

SC4001 STREET
RADCLIFFE

PROPOSED LAYOUT

1000

Name	Company	Age	Sex
C. J.		1900	M
J. H.		1875	M
A. B.		1860	M
E. F.		1850	F
G. I.		1840	M
H. K.		1830	F
L. M.		1820	M
N. O.		1810	F
P. Q.		1800	M
R. S.		1790	F
T. U.		1780	M
V. W.		1770	F
X. Y.		1760	M
Z. A.		1750	F
B. C.		1740	M
D. E.		1730	F
F. G.		1720	M
H. I.		1710	F
J. K.		1700	M
L. M.		1690	F
N. O.		1680	M
P. Q.		1670	F
R. S.		1660	M
T. U.		1650	F
V. W.		1640	M
X. Y.		1630	F
Z. A.		1620	M
B. C.		1610	F
D. E.		1600	M
F. G.		1590	F
H. I.		1580	M
J. K.		1570	F
L. M.		1560	M
N. O.		1550	F
P. Q.		1540	M
R. S.		1530	F
T. U.		1520	M
V. W.		1510	F
X. Y.		1500	M
Z. A.		1490	F
B. C.		1480	M
D. E.		1470	F
F. G.		1460	M
H. I.		1450	F
J. K.		1440	M
L. M.		1430	F
N. O.		1420	M
P. Q.		1410	F
R. S.		1400	M
T. U.		1390	F
V. W.		1380	M
X. Y.		1370	F
Z. A.		1360	M
B. C.		1350	F
D. E.		1340	M
F. G.		1330	F
H. I.		1320	M
J. K.		1310	F
L. M.		1300	M
N. O.		1290	F
P. Q.		1280	M
R. S.		1270	F
T. U.		1260	M
V. W.		1250	F
X. Y.		1240	M
Z. A.		1230	F
B. C.		1220	M
D. E.		1210	F
F. G.		1200	M
H. I.		1190	F
J. K.		1180	M
L. M.		1170	F
N. O.		1160	M
P. Q.		1150	F
R. S.		1140	M
T. U.		1130	F
V. W.		1120	M
X. Y.		1110	F
Z. A.		1100	M
B. C.		1090	F
D. E.		1080	M
F. G.		1070	F
H. I.		1060	M
J. K.		1050	F
L. M.		1040	M
N. O.		1030	F
P. Q.		1020	M
R. S.		1010	F
T. U.		1000	M
V. W.		990	F
X. Y.		980	M
Z. A.		970	F
B. C.		960	M
D. E.		950	F
F. G.		940	M
H. I.		930	F
J. K.		920	M
L. M.		910	F
N. O.		900	M
P. Q.		890	F
R. S.		880	M
T. U.		870	F
V. W.		860	M
X. Y.		850	F
Z. A.		840	M
B. C.		830	F
D. E.		820	M
F. G.		810	F
H. I.		800	M
J. K.		790	F
L. M.		780	M
N. O.		770	F
P. Q.		760	M

A1	PLANNING
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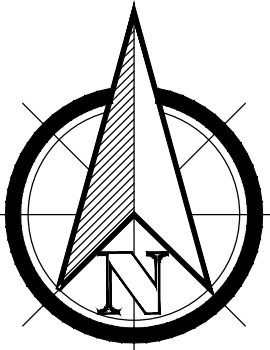
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general notes:
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SCHOOL STREET, RADCLIFFE



Plant Schedule					
Tree Species	Height	Girth	Specification	Pot Size	
Aesc campestre	350-425cm	12-14cm	Heavy Standard: 3xIB		
Acer davidi	350-425cm	12-14cm	Heavy Standard: 3xIB		
Acer ginnala	350-425cm	12-14cm	Heavy Standard: 3xIB		
Betula utilis jacquemontii	350-425cm	12-14cm	Heavy Standard: 3xIB		
Betula pendula	350-425cm	12-14cm	Heavy Standard: 3xIB		
Calceola betulae 'Fastigiata'	350-425cm	12-14cm	Heavy Standard: 3xIB		
Fagus sylvatica	350-425cm	12-14cm	Heavy Standard: 3xIB		
Malus tchonoskii	350-425cm	12-14cm	Heavy Standard: 3xIB		
Prunus avium	350-425cm	12-14cm	Heavy Standard: 3xIB		
Pyrus calliana 'Chanticleir'	350-425cm	12-14cm	Heavy Standard: 3xIB		
Sorbus aria	350-425cm	12-14cm	Heavy Standard: 3xIB		
Sorbus aucup. 'Sheerwater Seedling'	350-425cm	12-14cm	Heavy Standard: 3xIB		
Shrub					
Tree Species	Specification	Height 10L	Pot Size	Density	
Crataegus japonica 'Cronfolia'		60-80cm	6L	4mm ²	
Cytisus scoparius 'Cormish Cream'		30-40cm	3L	6mm ²	
Cotoneaster dammeri		40-60cm	3L	6mm ²	
Choysa tetema Sundance®		40-60cm	3L	4mm ²	
Calluna vulgaris 'Gold Haze'		30-40cm	2L	10mm ²	
Eunymnus alatus 'Compactus'		30-40cm	3L	10mm ²	
Escallonia Donard Seedling		60-80cm	10L	3mm ²	
Eunymnus fortunei Emerald 'n Gold'		40-60cm	3L	6mm ²	
Eunymnus fortunei 'Silver Queen'		30-40cm	3L	6mm ²	
Hebe 'Autumnum Gold'		40-60cm	3L	6mm ²	
Hypericum 'Hidcot'		60-80cm	10L	3mm ²	
Hypericum x moseianum 'Tricolor'		30-40cm	3L	6mm ²	
Lavandula angustifolia 'Avea'		30-40cm	3L	4mm ²	
Portulaca aquatica 'Kopki'		30-40cm	3L	6mm ²	
Potentilla fruticosa 'Red Vera'		30-40cm	6L	6mm ²	
Scilla x fraseri 'Red Robin'		60-80cm	10L	3mm ²	
Skimmia japonica		30-40cm	3L	6mm ²	
Senecio 'Sunshine'		40-60cm	6L	6mm ²	
Viburnum shrub		30-40cm	3L	6mm ²	
NATIVE SHRUB MIX					
Species	Specification	Height	Percentage	Contribution	Density
Corylus avellana	Transplant 1+1	Double staggered row	60-80cm	20%	1/m ²
Crataegus monogyna	Transplant 1+1	Double staggered row	60-80cm	30%	1/m ²
Hamamelis virginica	Container 3L	Double staggered row	60-80cm	10%	1/m ²
Prunus spinosa	Transplant 1+1	Double staggered row	60-80cm	20%	1/m ²
Rosa arvensis	Transplant 1+1	Double staggered row	60-80cm	5%	1/m ²
Saxa canina	Transplant 1+1	Double staggered row	60-80cm	5%	1/m ²
Viburnum opulus	Transplant 1+1	Double staggered row	60-80cm	10%	1/m ²

Species	Specification	Height	Girth	Pot Size	Density
<i>Buxus sempervirens</i>	Single row	30-40cm		5L	4/m
<i>Hebe 'Carl Teschner'</i>	Single row	25-30cm		5L	6/m
<i>Prunus laurocerasus 'Rotundifolia'</i>	Single row	60-80cm		10L	4/m

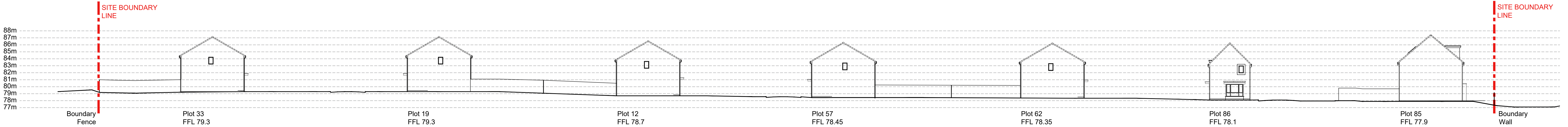
WILDFLOWER SEED - To be sown at a rate of 5g/M ² . EM1 - Basic General Purpose Meadow Mixture. EM8 - Meadow Mixture for Wetlands. Available from Emorsgate Seeds Tel: 01553 829 028 or similar approved.	All wildflower areas to have 1M wide close mown grass edge adjacent roads and footpaths. Seeded with grass mix A22.
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GRASS SEED - To be sown at a rate of 50g/M².
A22 Hard Wearing, Low Maintenance. Available from Germinal GB. Tel: 01522 868714 (or similar approved)

SHEET TWO

SHEET ONE

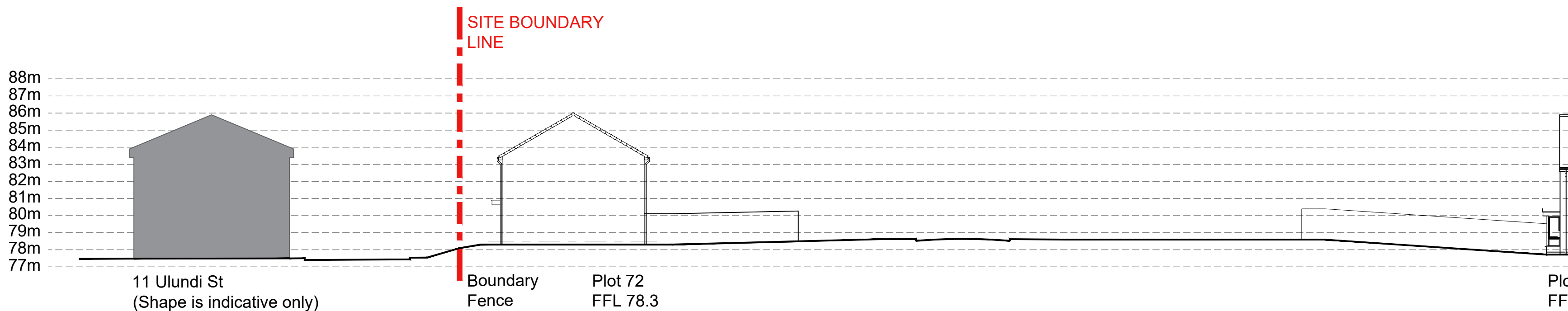
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SECTION A-A



SECTION B-B



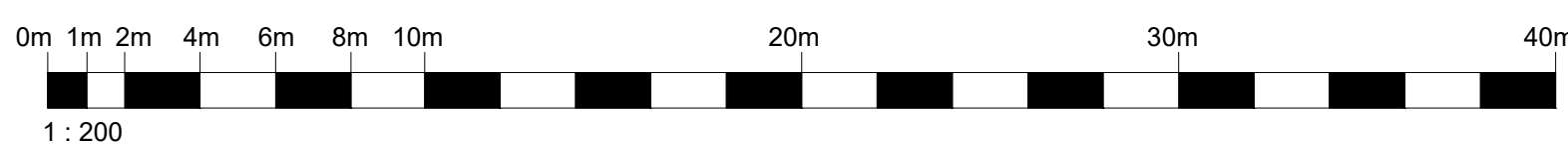
SECTION C-C



NOTE:
PLEASE NOTE, SECTIONS
ARE INDICATIVE ONLY

SUBJECT TO FINAL
ENGINEER FINISHED FLOOR
LEVELS

PLEASE NOTE,
TOPOGRAPHY LEVELS
OUTSIDE OF RED EDGE ARE
INDICATIVE DUE TO
INACCESSIBILITY DURING
SURVEYS



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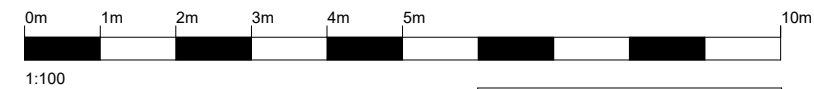
LAYOUT NOT TO SCALE
- FOR SECTION LINE LOCATION INDICATION ONLY

C	14/01/2023	WL	After Section Diagram
B	20/02/2023	WL	Change Section Diagram
A	16/01/2023	WL	On high level of detail with 2.5m heavy duty fence
Rev	Date	By	Description
Client:			

mck associates limited
architecture | building surveying | urban design
burnaby villa ■ 48 waiting street road ■ fulwood ■ preston ■ p2 8sp
tel: 01772 774510 fax: 01772 774511 email: mck@mckassociates.co.uk
Project:
**SCHOOL STREET
RADCLIFFE**

Drawing Title:
INDICATIVE SECTIONS

Drawn MHR	Checked CT	Scale 1:200	Date 18/01/2023
Job No. 21-039	Drawing No. CS01	Rev. C	



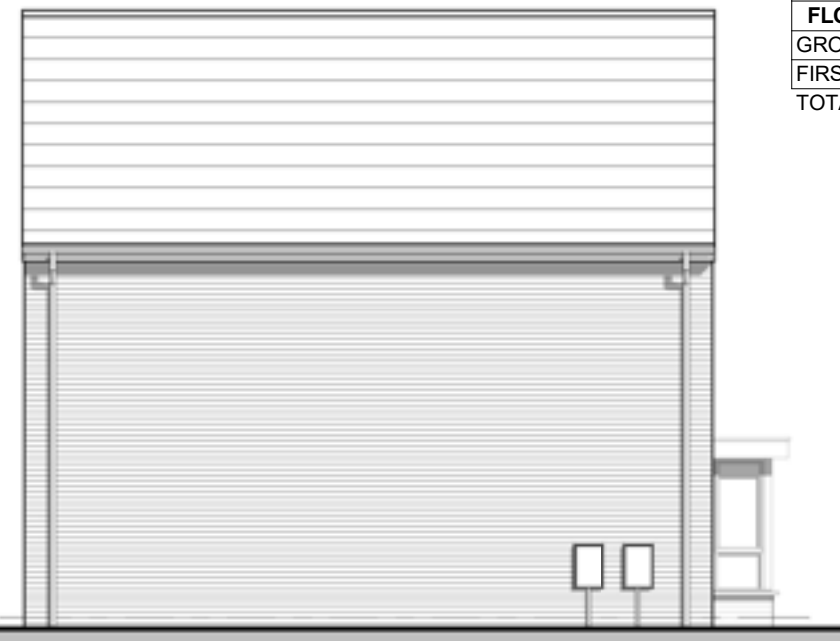
AREAS		
FLOOR	AREA m ²	AREA ft ²
GROUND	44.4 m ²	478 ft ²
FIRST	42.9 m ²	461 ft ²
TOTAL	87.3 m ²	939 ft ²



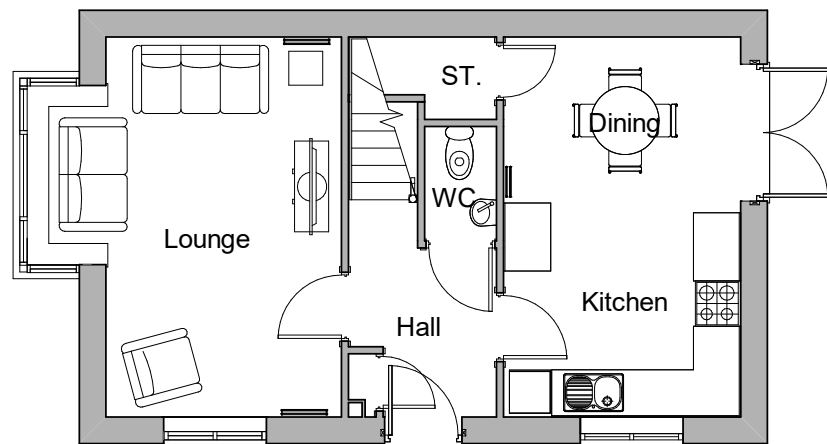
Front Elevation



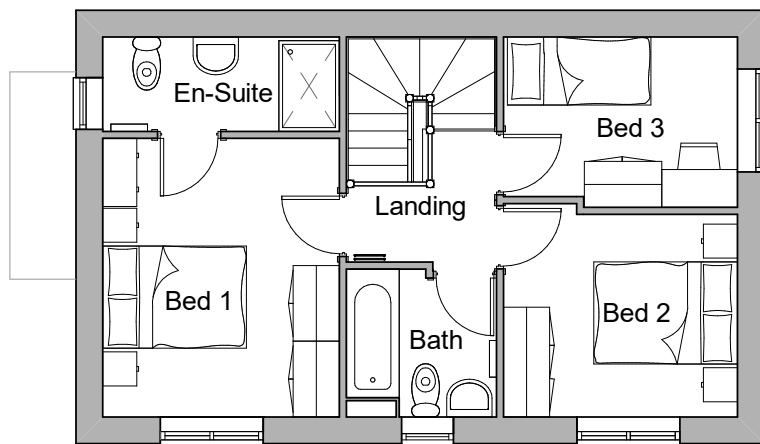
Side Elevation 1



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

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


Rev:

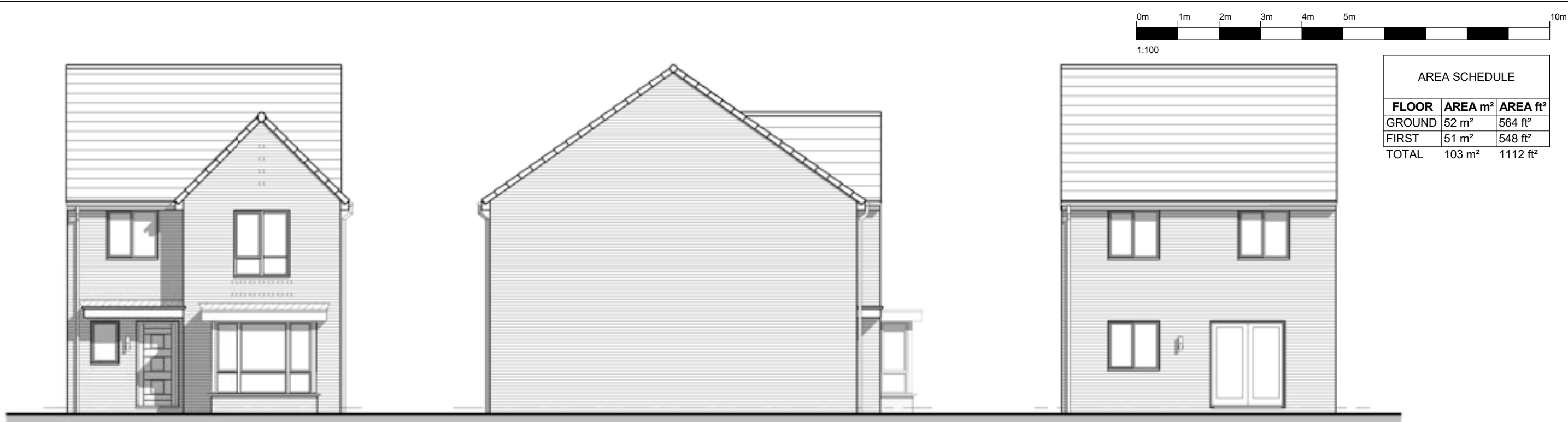
B

PLANNING

General notes:

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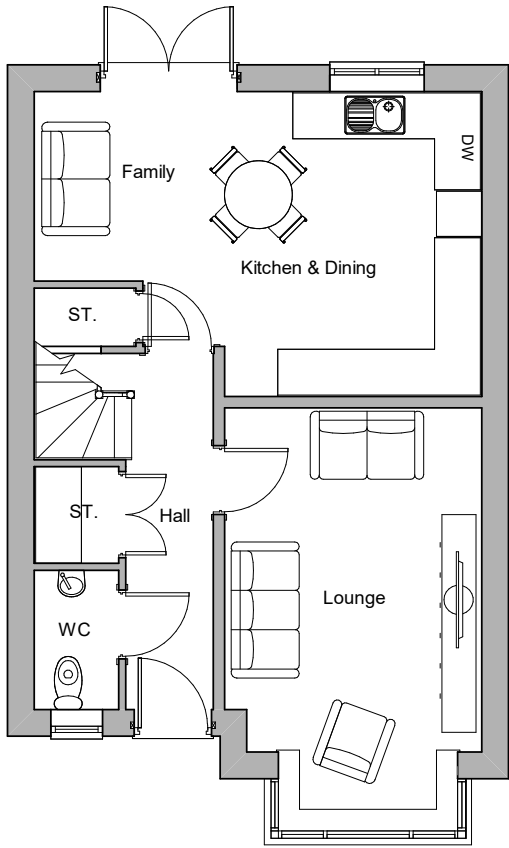




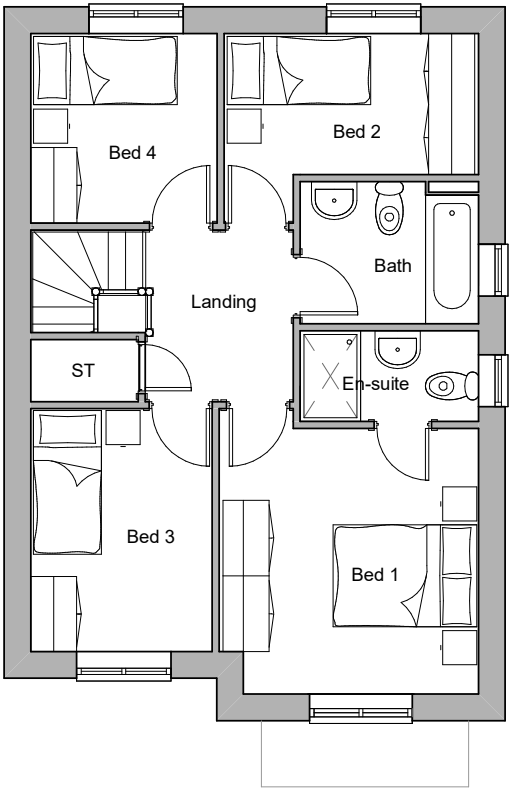
Front Elevation

Side Elevation 1

Rear Elevation



Ground Floor Plan

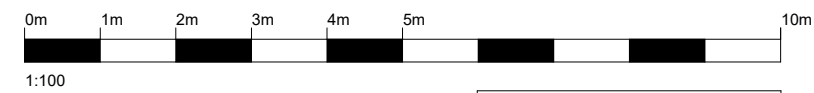


First Floor Plan



Side Elevation 2

D	21/10/20	MS	Elevations amended
C	02/06/20	DH	Minor aesthetic changes
B	21/04/20	GO	kitchen unit amended
A	05/03/20	DH/HR	Layout altered
Rev.	Date	by	Description

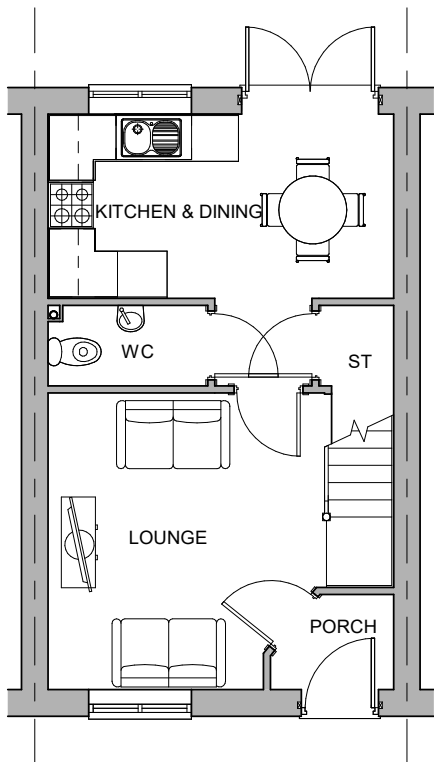


AREA SCHEDULE		
FLOOR	AREA m ²	AREA ft ²
GROUND	35.41 m ²	381 ft ²
FIRST	35.41 m ²	381 ft ²
TOTAL	70.82 m ²	762 ft ²

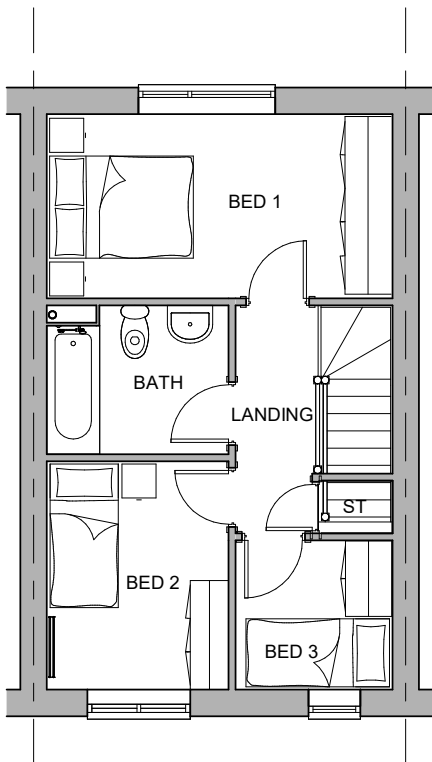


Front Elevation

Rear Elevation



Ground Floor





First Floor

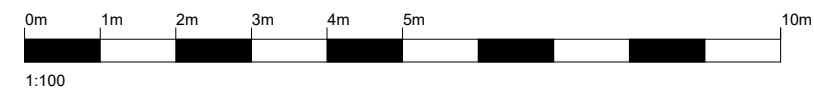
C	30/04/2020	GO	Kitchen unit amendment
B	30/04/2020	DH/HR	Layout amendments
A	30/04/2020	DH	Canopy updated

Rev.	Date	by	Description
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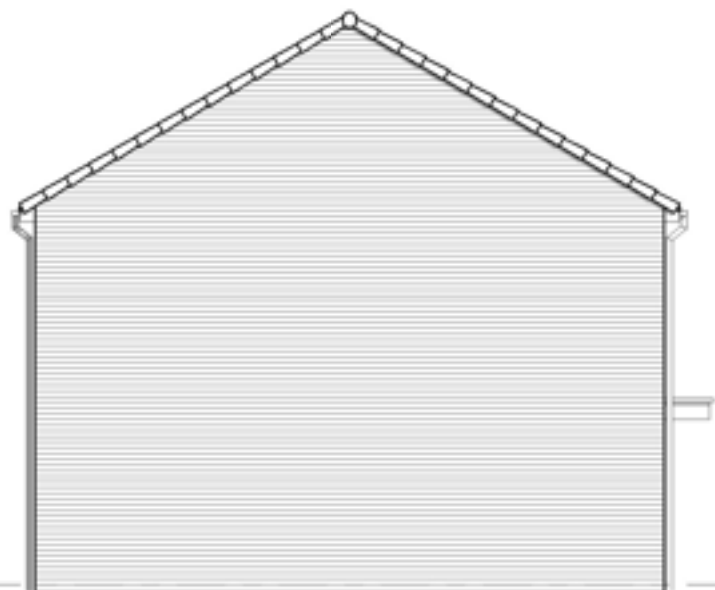
General notes:
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Client:		Project:	Drawing Title:	Drawn:	Checked:	Scale (A3) :	Date:	<div>General notes: Do not scale the drawing. All dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and 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.</div>	
		Core House Types	Cornbrook Mid 762 Sqft. Code - Co Mid	DH	SK	1 : 100	13/06/19		
				Drawing No: CO-MID-001		Job No: 18-122	Rev: C		
PLANNING									



Front Elevation

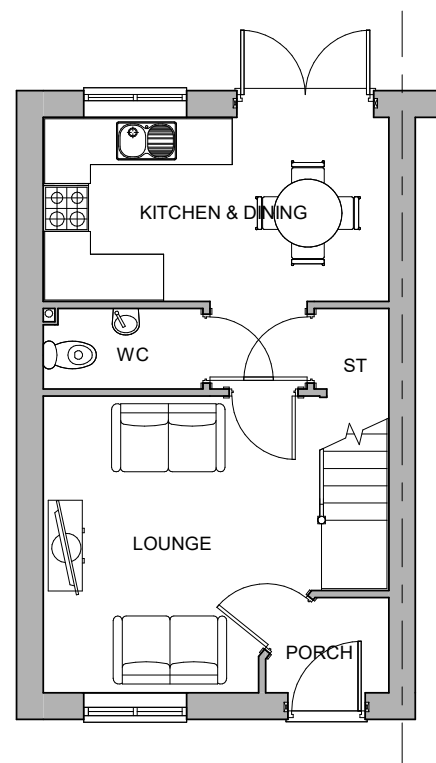


Side Elevation

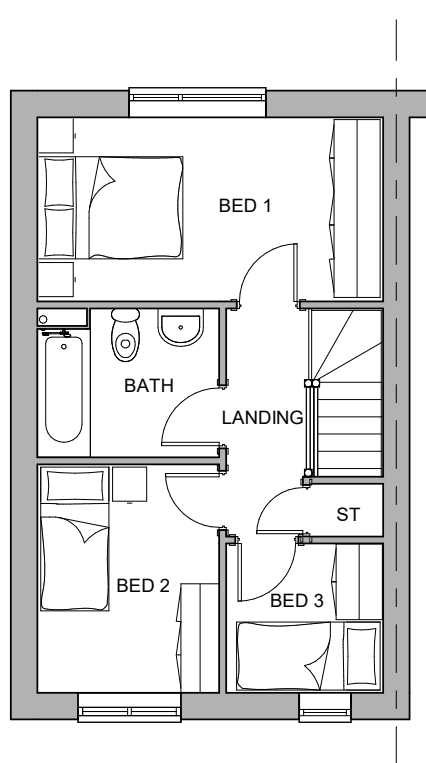


Rear Elevation

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



Ground Floor

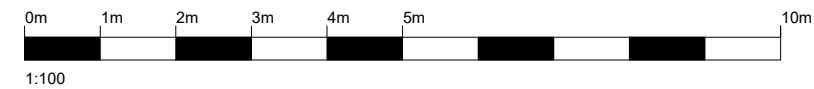


First Floor

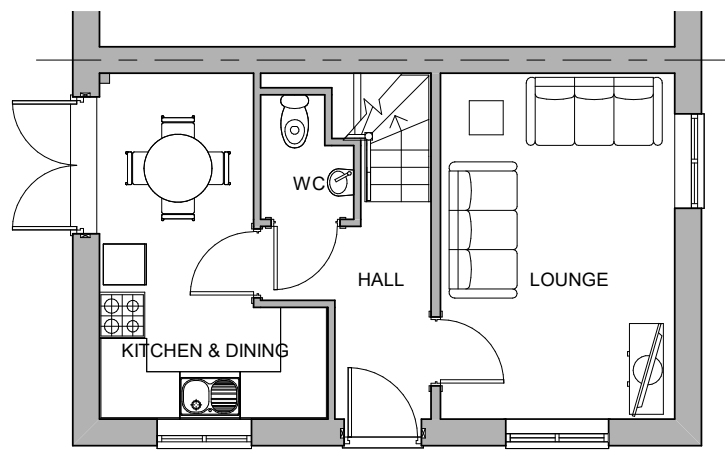
E	28/10/20	MHR	Layout Updated
D	10/06/20	DH	External light shown
C	03/04/20	HR	Amended the position of window in Bed 3
B	05/03/20	DH/SK	Layouts amended
A	27/02/20	DH	Canopy altered

Rev.	Date	by	Description
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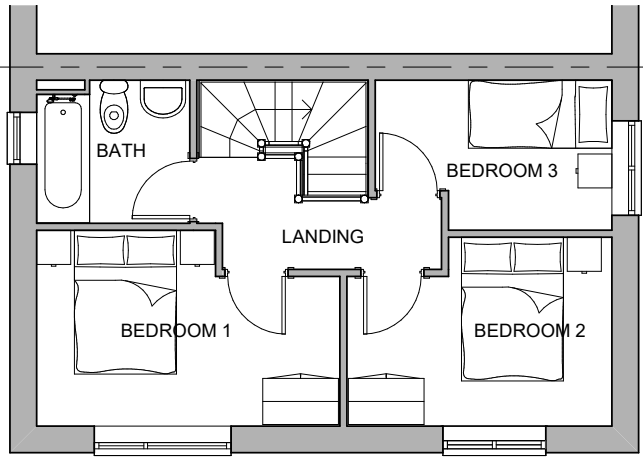




AREAS		
FLOOR	AREA m ²	AREA ft ²
GROUND	35.4 m ²	381 ft ²
FIRST	35.4 m ²	381 ft ²
TOTAL	70.8 m ²	762 ft ²



Ground Floor Plan



First Floor Plan



Front Elevation




Rear Elevation



Side Elevation

B	14/10/20	MS	Verge caps added
A	26/02/20	DH	Canopy amended
Rev.	Date	by	Description

Client:



Project:

Core House Types

Drawing Title:

Cornbrook Alt
762 Sqft.
Code - Co Alt

Drawn:

AF

Checked:

DH

Scale (A3) :

1 : 100

Date:

26/11/19

Drawing No:

CO-ALT-001

Job No:

18-122


Rev:

B

CONSTRUCTION

General notes:

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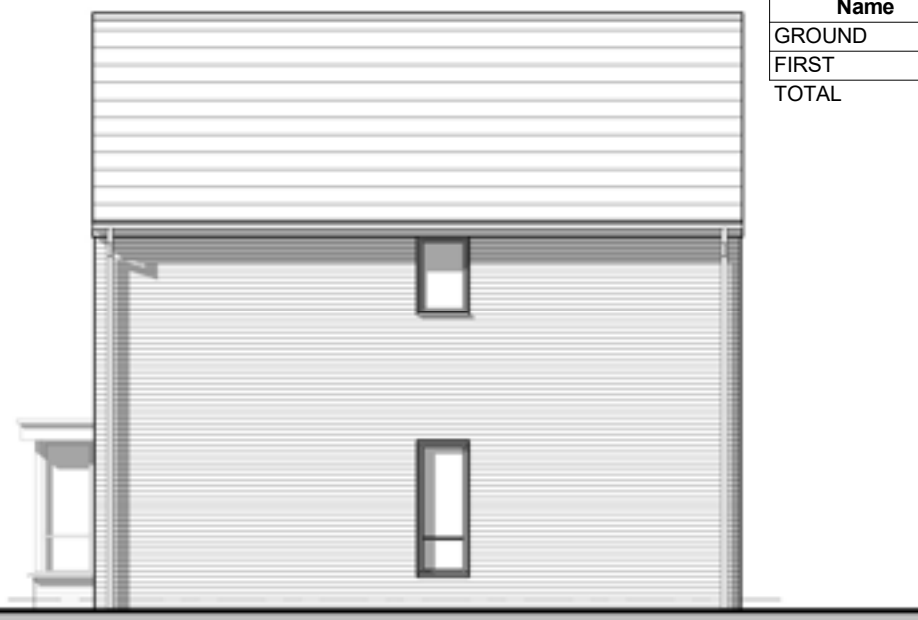
Area Schedule (GIA)		
Name	AREA m ²	AREA ft ²
GROUND	57 m ²	609 ft ²
FIRST	55 m ²	592 ft ²
TOTAL	112 m ²	1201 ft ²



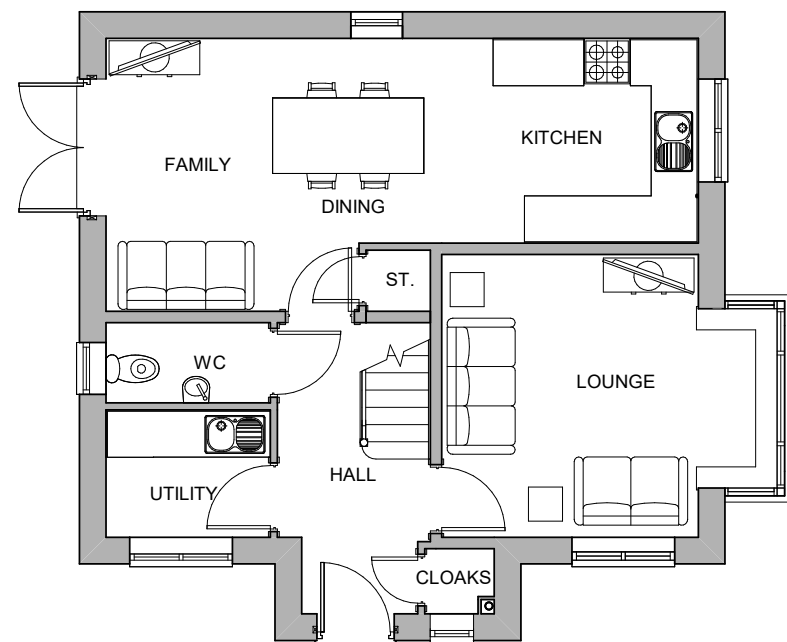
Front Elevation



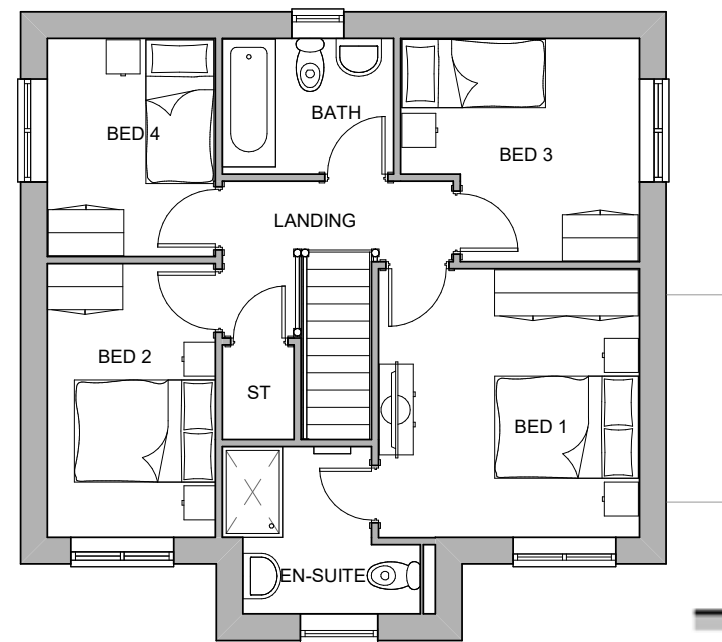
Side Elevation 1



Rear Elevation



Ground Floor Plan



First Floor Plan



Side Elevation 2

C	21/20/20	MS	Layout amended
B	30/04/20	GO	Kitchen unit amended
A	30/04/20	DH/HR	Layout amended
Rev.	Date	by	Description

Client:



Project:

Core House Types

Drawing Title:

Brooklands Alternative Bay
1201 Sqft.
Code - Br Alt B

Drawn:

DH

Checked:

SK

Scale (A3) :

1 : 100

Date:

6/3/2020

Drawing No:

BR ALT
B-001

Job No:

18-122

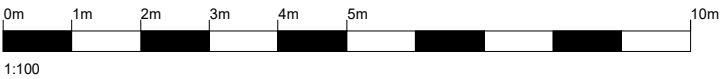
Rev:

C

PLANNING

General notes:
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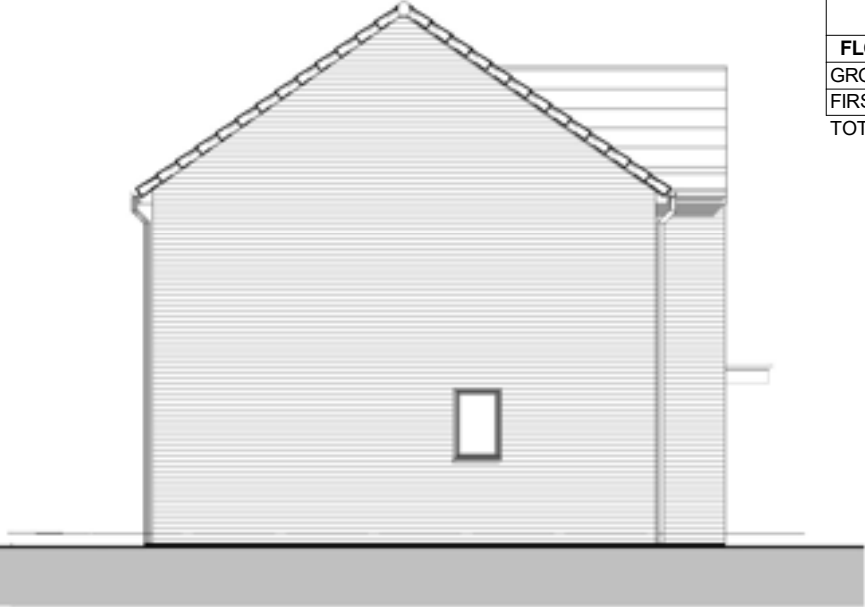
AREA SCHEDULE		
FLOOR	AREA m ²	AREA ft ²
GROUND	55 m ²	592 ft ²
FIRST	55 m ²	592 ft ²
TOTAL	110 m ²	1185 ft ²



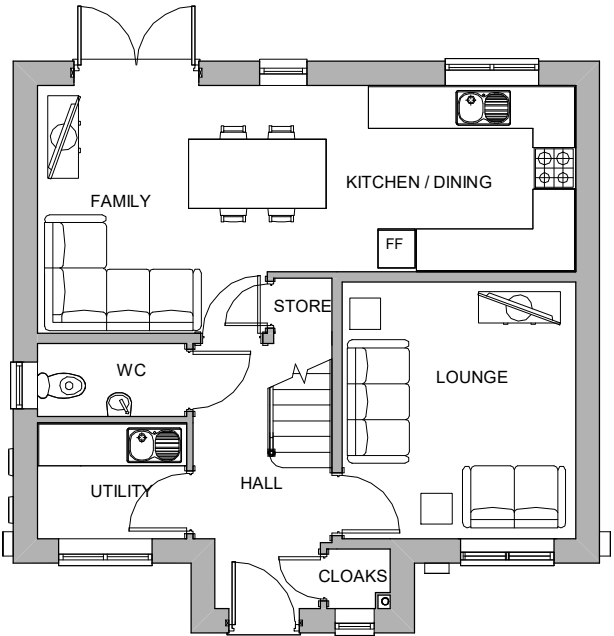
Front Elevation



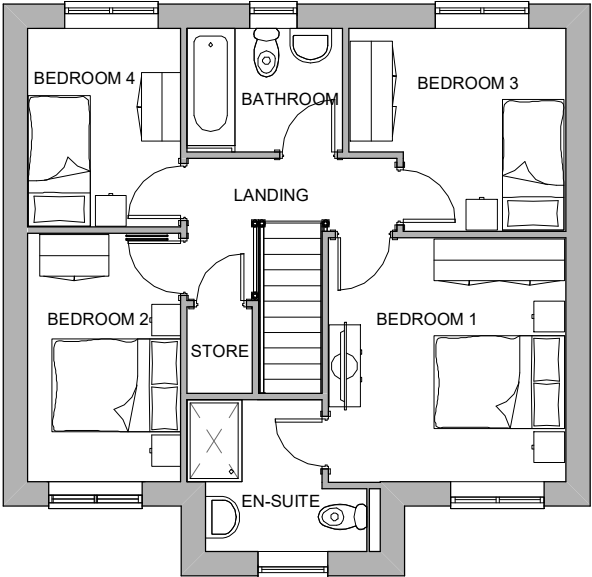
Rear Elevation



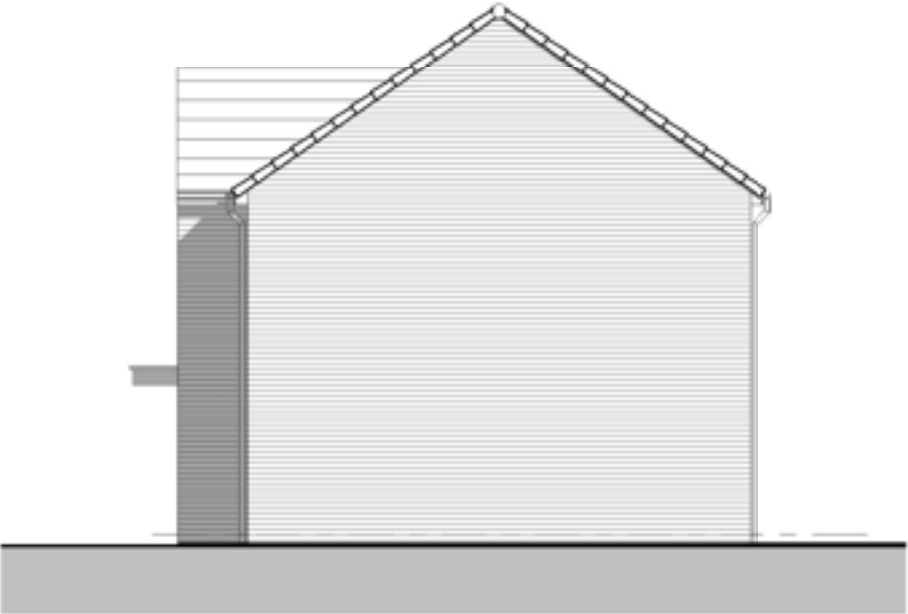
Side Elevation 1



Ground Floor



First Floor



Side Elevation 2

B	17/08/22	JS	W3 raised by 150mm
A	30/04/20	GO	Kitchen unit amended
Rev.	Date	by	Description

Client:



Project:

Core House Types

Drawing Title:

Brooklands
1185 Sqft.
Code - Br

Drawn:

DH

Checked:

SK

Scale (A3) :

1 : 100

Date:

20/06/19

Drawing No:

BR-001

Job No:

18-122

Rev:

B

CONSTRUCTION

General notes:
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Z:\Jobs\HIVE\HIVE Homes - Master Drawing Pack - March 2022 (Previously June 2021)\BO-MID - (Bowker Mid)\Bo Mid.rvt

Client:



Project:

Core House Types

Drawing Title:

Bowker Mid
837 Sqft.
Code - Bo Mid

Drawn:

DH

Checked:

SK

Scale (A3) :

1 : 100

Date:

26/11/19

Drawing No:

BO-MID-001

Job No:

18-122

Rev:

C

CONSTRUCTION

Rev.

Date

by

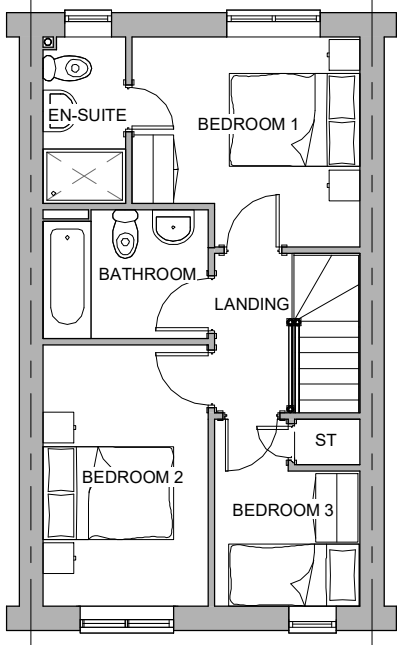
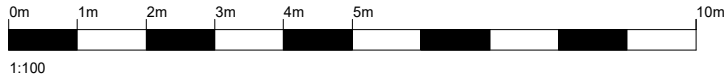
Description

C
B
A

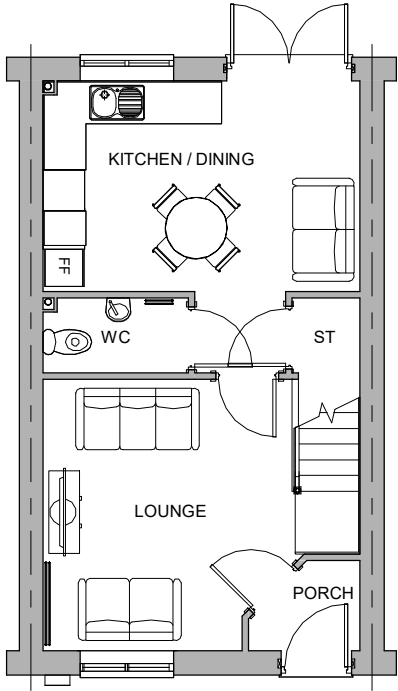
17/08/22
14/10/20
27/02/20

JS
MS
DH

W1 raised by 150mm
External lighting and tap added
Canopy altered



First Floor



Ground Floor



Front Elevation

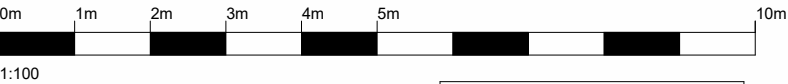


Rear Elevation

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

General notes:
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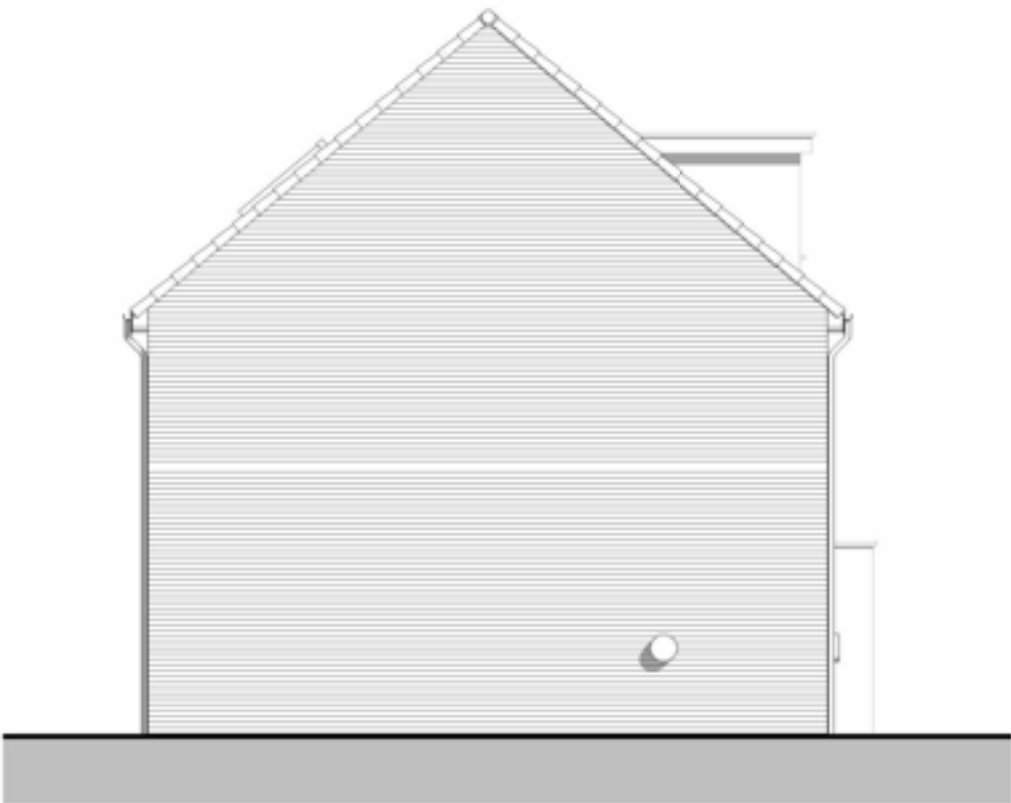
AREAS		
FLOOR	AREA m²	AREA ft²
SECOND	27.0 m²	291 ft²
GROUND	39.0 m²	420 ft²
FIRST	39.0 m²	420 ft²
TOTAL	105.0 m²	1131 ft²



Front Elevation




Rear Elevation



Side Elevation

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

Client:



Project:

Core House Types

Drawing Title:

Newbold End
1131 Sqft.
Code - Nb End

Drawn:
DH

Checked:
SK

Scale (A3) :
1 : 100

Date:
20/06/19


Drawing No:
NB-END-002

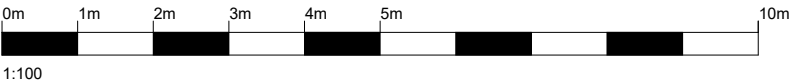
Job No:
18-122

Rev:
A

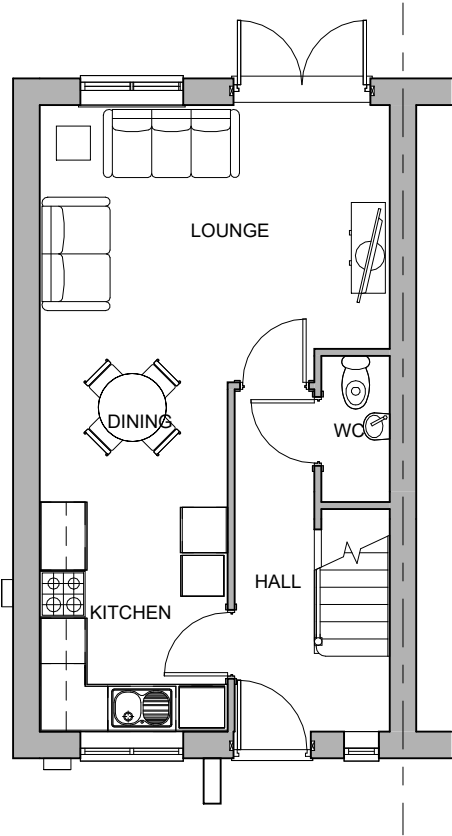
PLANNING

General notes:
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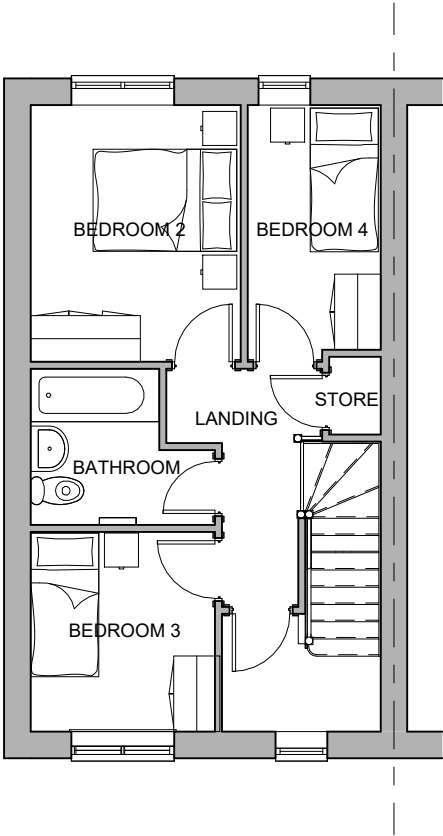




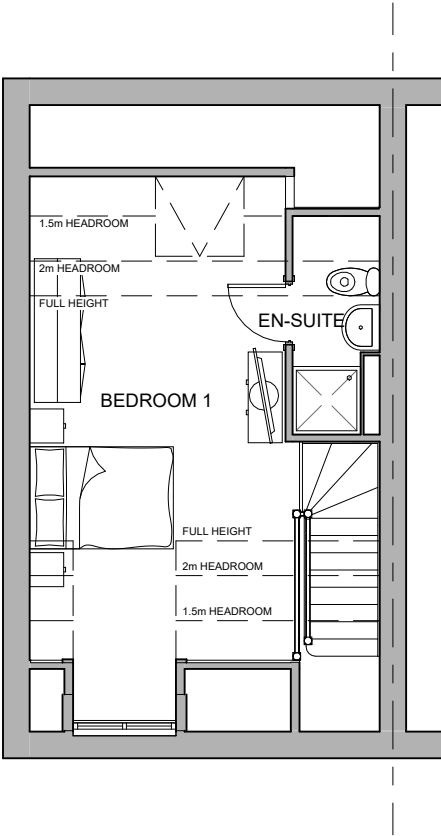
AREAS		
FLOOR	AREA m²	AREA ft²
SECOND	27.0 m²	291 ft²
GROUND	39.0 m²	420 ft²
FIRST	39.0 m²	420 ft²
TOTAL	105.0 m²	1131 ft²



Ground Floor



First Floor



Second Floor

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

Client:



Project:

Core House Types

Drawing Title:

Newbold End
1131 Sqft.
Code - Nb End

Drawn:

DH

Checked:

SK

Scale (A3) :

1 : 100

Date:

20/06/19

Drawing No:

NB-END-001

Job No:

18-122

Rev:

A

PLANNING

General notes:
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Ward: Whitefield + Unsworth - Besses

Item 04

Applicant: Venturia Limited

Location: Land at Billberry Close & Albert Road, Whitefield, M45 8BL

Proposal: Erection of 7 no. bungalows with associated works

Application Ref: 69535/Full

Target Date: 16/06/2023

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 off-site biodiversity mitigation, thereto in accordance with Section 15 of the National Planning Policy Framework. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

Description

The application site is 0.3 hectares in size and is located to the east of Albert Road. The land was landscaped as part of the residential development for applications 32152 and 32656 and there is a footpath through the middle of the land. The associated Section 106 agreement required the developer to landscape the land, pay a maintenance contribution to the Council and use the area as amenity space.

The development has complied with the legal agreement in that the site is landscaped, the maintenance contribution was paid to the Council and the site is currently in use as amenity space. The site is identified as amenity greenspace in the Bury Greenspace Audit and Strategy (2015).

There are residential properties to the north, south and east of the site. Albert Road forms the boundary to the west with school playing fields beyond.

The proposed development involves the erection of 7 bungalows. Two of the proposed bungalows would front onto Albert Road and 5 would front onto Billberry Close. The proposed bungalows would be constructed from red brick with a tile roof. One driveway would be accessed on Albert Road and 5 driveways would be accessed from Billberry Close.

Relevant Planning History

32152 - Outline - sports hall and ancillary parking at Whitefield College, Albert Road, Whitefield. Approved with conditions - 27 June 1996.

32656 - Residential development - 57 dwellings at former Whitefield College, Albert Road, Whitefield. Approved with conditions - 16 May 1997.

62684: Application to remove planning obligations under Section 106A of the Town and Country Planning Act 1990 of planning permission 32656 to cease the use of the open land as amenity space at land at Albert Road/Billberry Close, Whitefield. Refused - 6 June 2018.

Publicity

The neighbouring properties were notified by means of a letter on 21 April 2023 and site notices were posted on 26 April 2023.

A letter from Councillors Smith, Bayley and Whitby has been received and has raised the following issues:

- In June 2018 permission was refused to cease the use of the open land as amenity space. This was due to the land being well used by the local community. This is still true today and the space is used by dog-walkers, for children's ball games and by young families.
- Removing this facility will have a negative impact on the community.
- Housing need in the area is being met. Recent housing has been built along Albert Road and a new street of housing was recently erected on Elizabeth Street. Close by, a new block of flats has been built on Mersey Drive and new houses on Derwent Avenue are due to be inhabited soon while plans for new houses on the old Wheatfield site are underway.
- The land was designated as open amenity space when the houses on Bilberry Close were granted planning permission to prevent too high a density of housing in the area.
- There is no need for these bungalows to be built at this location.

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

- Family love close to the application site. The green space is used by children on the street as it provides a safe place to play.
- Traffic and parking is already an issue on this road.
- I purchased this house in 1999 and there hasn't been a day when this land has not been used by members of the community.
- The developers have described this space as a 'shortcut path'. This is entirely false. It is a well-used community space.
- Strongly object to the loss of amenity and it would have an immeasurable impact upon residents.
- The land is a community asset - children play here.
- In the summer you can watch bats flying around the field.
- The applicant's leaflet to residents was sanctimonious and vexatious.
- Concern that if the application for bungalows is granted, then a variation application would be submitted to provide houses.
- Brownfield sites should be used for this type of development.
- The greenspace is used often as a place for informal play and meets the objections AG2 in the Bury Greenspace Audit.
- The application states that there are other greenspace within 400 metres of this site. This is as the crow flies and residents would have to walk 400 metres to Thatch Leach or 850 metres to Boz Park, which would force residents back into their cars.
- Disagree with comments from GMEU that states that the trees are not mature enough to support a roost. I have seen bats on the green and there are bats each night at dusk. As there are bats in the area, shouldn't a bat survey be required.
- I have met people on the land, which I would not have met if it wasn't for this space.
- The site does have relevant planning history - 62684, which was refused in February 2018.
- Parking is already an issue for visitors to this estate.
- This land is covered by planning obligations under Section 106A to maintain use of the open land as recreation provision for the residents of Billberry Close and Edwards Drive. This obligation cannot be removed as the applicants are unable to provide new information that the obligation no longer serves a useful purpose.
- It is the only useable green space in the local area, being a safe area, flat and drained.
- Objections are identical to those raised in 2018 and this application should be rejected.
- There is a culvert that passes under the land. I am concerned that any building could cause flooding to the surrounding area including Brook Drive and Regal Close.
- Whilst I understand the need for new housing, a brownfield site should be used.
- One of my children has mobility issues and the loss of this green space would impact upon their independence.
- The other parks are not safe, especially after dusk due to anti-social behaviour.
- Emergence vehicle access would be hampered by the proposed development.

- The building work would be very disruptive and invasive for family life.
- Wildlife, such as squirrels and foxes have been seen on the land.
- Impact upon access to and from the estate.
- The appearance of bungalows would be a departure from the aesthetic of the area.
- The negative impact upon the community far outweighs any potential benefits from the proposed development.
- Increased noise, air and light pollution
- The area has a covenant on it and it should not be lifted.
- The proposed development does not increase biodiversity at this location.
- There is no demonstrable urgent need for housing.

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 access works, footpath diversion, construction traffic management plan, car parking and bin storage.

Drainage Section - No response.

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

Environmental Health - Air Quality - No objections, subject to the inclusion of a condition relating to electric vehicle charging points.

Waste Management - No response.

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

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to nesting birds, reasonable avoidance measures concerning bats japanese knotweed and landscaping/biodiversity net gain.

There is no reason to doubt that bats regularly forage and or commute along the line of shrubs and trees along the boundary with the houses. Bats can also roost in trees, the silver birch because of the ivy being higher risk than the other trees on this site. Reasonable avoidance measures would be applicable in relation to the birch tree.

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

Unitary Development Plan and Policies

H1/1	Housing Land Allocations
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
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
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/2	Recreation Provision in New Housing Development

HT2/4	Car Parking and New Development
HT4	New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle - Recreation

The application site was last used as amenity space and as such, is designated as protected recreation land.

UDP Policy RT1/1 relates to protected recreation in the urban area. In basic terms, the policy states that development will not be allowed on recreation space unless it meets specific criteria.

Whilst similar, the approach in RT1/1 has now been superseded by Paragraph 99 of the NPPF which states that "existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- (a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- (b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- (c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use".

The whole site is allocated as protected recreation provision, as identified within the Bury Greenspace Audit and Strategy 2015, falling within the Whitefield and Unsworth area of the Borough. The proposal can only be supported if it complies with the exception criteria listed above.

The submission includes an Local Open Space Assessment, which notes that the quality of the site is rated as good, but that there is an excess of good quality amenity greenspace provision in the area, equating to the equivalent of 0.89 hectares per 1,000 population, (which is considerably greater than the standard of 0.50 hectares per 1,000 population).

Natural greenspace and children's play provision are also sufficient against the standards. However, deficiencies are noted in young people play provision and parks. The Assessment finds that the site at Albert Road/Bilberry Close is not considered suitable for young people play provision, allotments or as a park due to its limited size, configuration being adjacent to existing housing and roads and the underground services which cross the site limiting its usage.

An excess of amenity greenspace provision in the area has been clearly demonstrated, and whilst there is a deficiency in the area in allotments, outdoor sport and parks and gardens, the site would be unsuitable for such alternative provision for the reasons given above. Remaining amenity greenspace in the area would still exceed the quantitative and qualitative standards.

On this basis, it is considered exception 3 of the policy has been satisfied.

It is acknowledged that 62684: Application to remove planning obligations under Section 106A of the Town and Country Planning Act 1990 of planning permission 32656 to cease the use of the open land as amenity space was refused. However, that application was not supported by a robust Open Space Assessment, as in the current case.

Principle - Residential - The National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

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 7 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 and there are residential properties to all boundaries. 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 in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout - The proposed development would provide 7 bungalows, which would consist of 1 detached and 6 semi-detached properties. The proposed bungalows would be constructed from red brick with a tiled roof. The use of headers, cills and pike details would

add visual interest. As such, the proposed development would not be a prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - All of the proposed dwellings would have a rear garden, which would provide an adequate level of private amenity space. There would be space within the rear gardens for bin storage. The proposed boundary treatments are indicated as 1.8m high timber fencing, but specific details are not provided. This would match the existing fences in the locality and could be agreed by condition. Therefore, 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.

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

There would be 12.8 metres between the gable of plot 1 and the blank gable of No. 38 Albert Road, which would be acceptable.

There would be 19.9 metres between the rear of plots 3 and 4 and the blank gable of No. 8 Regal Close, which would be in excess of the 13 metre aspect standard.

There would be over 28 metres between the rear elevations of plots 5 – 7 and the rear elevations of the properties fronting onto Regal Close. There would be over 25 metres between the front elevation of plots 3 – 7 and Nos 8 – 14 Billberry Close. Both of these distances would be in excess of the aspect standard of 20 metres.

At the closest point, there would be 16.2 metres between the front of No. 19 Billberry Close and the gable elevation of plot 7, which would be in excess of the 6.5 metre aspect standard.

As the proposed development would comply with or exceed the aspect standards set out in SPD6, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would be in accordance with Policies EN1/2 and H2/1 of the Bury Unitary Development Plan.

Ecology

The main issues associated with this application are nesting birds, Japanese Knotweed and landscaping/biodiversity net gain.

Protected Species - An ecological assessment has been submitted with the application, which found no evidence of any protected species on the site. GM Ecology Unit agrees with this assessment and as such, no further information or measures are required. It has been advised that reasonable avoidance measures are employed in relation to the removal of a specific tree given that a bat was observed exiting the Ivy covering.

Nesting Birds - The proposed development would result in the loss of trees and shrubs, which provide potential bird nesting habitat. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to nesting birds.

Further, house sparrow has been found on site, which is a UK Biodiversity Priority Species. As such, it is recommended that a house sparrow terrace is mounted on each dwelling on either an easterly or westerly elevation, which would be secured by condition.

Japanese Knotweed - Japanese Knotweed is present on the site, which is a species listed under Schedule 9, Part 2 of the Wildlife & Countryside Act 1981. GM Ecology Unit has no objections, subject to the inclusion of a condition requiring the Japanese Knotweed to be dealt with.

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 will result in the loss of amenity grassland and some of the scrub and trees associated with the site.

A Biodiversity Net Gain summary has been provided which has calculated a 0.74 biodiversity unit loss at the site (due to the loss of urban trees). GM Ecology Unit has assessed the report and agrees that some form of additional mitigation or compensation is required. GM Ecology Unit also agrees that it would not be possible to provide this mitigation on site and have agreed that it would be appropriate that an off-site contribution is directed to Fusiliers Meadow, around 150m to the south-west. The applicant has agreed to a contribution of £18,840.

Therefore, the proposed development would provide a betterment in terms of biodiversity net gain and would not harm any protected species. The proposed development would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development would be accessed from Albert Road and Billberry Close. The driveways to the proposed dwellings have been sited so as to ensure there would be no adverse impact upon visibility at the junction of Albert Road and Billberry Close. The Traffic Section has no objections, subject to the inclusion of conditions relating to access works, footpath diversion, construction traffic management plan, car parking and bin storage. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum parking standards is 1.5 spaces per 2 bedroom unit, which equates to 11 spaces.

The proposed development would provide 14 spaces. Whilst this would be over the maximum parking provision, it would ensure parking is provided for any visitors to the site. As such, the level of parking provision would be acceptable in this case and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Planning obligations

Off-site biodiversity mitigation - As noted above, the proposal generates a requirement to replace 0.74 biodiversity units, translating into a contribution of £18,840, which would be allocated to Fusiliers Meadow, in accordance with paragraph 174 of the NPPF.

This would be secured through a Section 106 agreement.

Observation on representations received

The points raised in the representations, where material, have been addressed in the above analysis and/or recommended conditions.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be in accordance with the plan, unless material considerations indicate otherwise.

The Open Space Assessment undertaken demonstrates clearly that the identified open space is surplus to requirements and that its redevelopment would not lead to a quantitative or qualitative deficiency in the host geographical analysis area. Furthermore, the 'titled balance' applies and the NPPF therefore requires that planning permission should be granted 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.

The principle of the development is therefore acceptable. The proposal would deliver much

needed residential development on a site within the urban area that is considered to be in a sustainable location.

The above assessment indicates that the proposed development would assimilate appropriately in the suburban context of the site and would not unacceptably undermine residential amenity, highway safety or ecological interests. Furthermore, it would provide contributions for biodiversity mitigation and off-site highway design works.

On this basis, the scheme, along with the legal agreement to secure the above noted contribution, the development would comply with the Unitary Development Plan and the NPPF when considered as a whole.

As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with 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 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: 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. This decision relates to drawings numbered Location plan, P01 C, P02, P03, TCP/4749/Y/100, BF.TS.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. No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
4. Following the provisions of Condition 3 of this planning permission, where

remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

5. No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, and all boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

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.

6. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

7. Any trees to be removed that have been assessed as low risk in the Preliminary Ecological Appraisal by UES (Ref. UES03928/02), shall be removed using soft felling techniques, unless otherwise agreed in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

8. Prior to any earthworks, a method statement detailing control measures for Japanese knotweed should be supplied to and agreed in writing with the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full. Should a delay of more than one year occur between the date of approval of the method statement and either the date of the development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

9. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the erection of any external walls of the development hereby approved. The contents of the plan should include details of tree protection measures for retained trees, as identified in the submitted Arboricultural Implication Study by ACS Consulting, that shall be in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction", native tree and shrub planting and the provision of bat bricks/tubes and house sparrow

terraces within the new development. The approved scheme shall thereafter be implemented not later than 12 months from the date of the occupation of the first dwelling 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.

10. 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:

- (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 first dwellinghouse, 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.

11. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority and approved in writing:

- Formation of the replacement footway on the northerly side of Billberry Close to a scope and specification to be agreed, incorporating a minimum footway width of 2.0m, provision of footway crossings serving Plots 2 - 7, demarcation of the limits the adopted highway, relocation/replacement of the affected street lighting column, street nameplate at the back of the new footway in positions to be agreed, relocation/replacement of the affected dog waste bin in a position to be agreed, tactile paved crossing point at the Billberry Close/Albert Road junction, all associated highway and highway drainage remedial works and any alterations required to existing traffic calming features that may be required as a direct result of the proposed development;
- Formation of the proposed footway crossing serving Plot 1 onto Albert Road to a scope and specification to be agreed, incorporating all necessary accommodation works at/extension of the existing crossing serving No. 38

Albert Road and demarcation of the limits the adopted highway all associated highway and highway drainage remedial works and any alterations required to existing traffic calming features that may be required as a direct result of the proposed development.

The details subsequently approved shall be implemented to an agreed phasing plan of both the highway works and housing element of the proposed development and to the satisfaction of the Local Planning Authority.

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 the following Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

12. The development hereby approved shall not be commenced unless and until the required stopping-up/footpath diversion order has been secured and a programme of implementation for the replacement footway on Billberry Close has been agreed with the Local Planning Authority.

The phasing plan shall incorporate the implementation of the replacement facility to basecourse level prior to the existing footpath route being affected by the construction of the development, with the facility fully implemented prior to first occupation of the development hereby approved.

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 the following Policies EN1/2 - Townscape and Built Design, H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

13. 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 undertakers connection to, the development;
- Access route for vehicles from the Key Route Network;
- Access point(s) to the site, including all temporary works and measures required to protect highway users and facilitate vehicular access;
- Hours of operation and number of vehicle movements;
- Proposed site hoarding/gate positions clear of appropriate visibility splays onto the adopted highway;
- A scheme of appropriate warning/speed limit signage in the vicinity of the construction site access(es);
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the ground work 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.

14. The car parking indicated on the approved plans, incorporating minimum hardstanding lengths of 5.5m minimum (11.0m at tandem driveways) and measures to prevent the discharge of surface water onto the adopted highway, 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 provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

15. 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', before first occupation of the respective dwelling.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

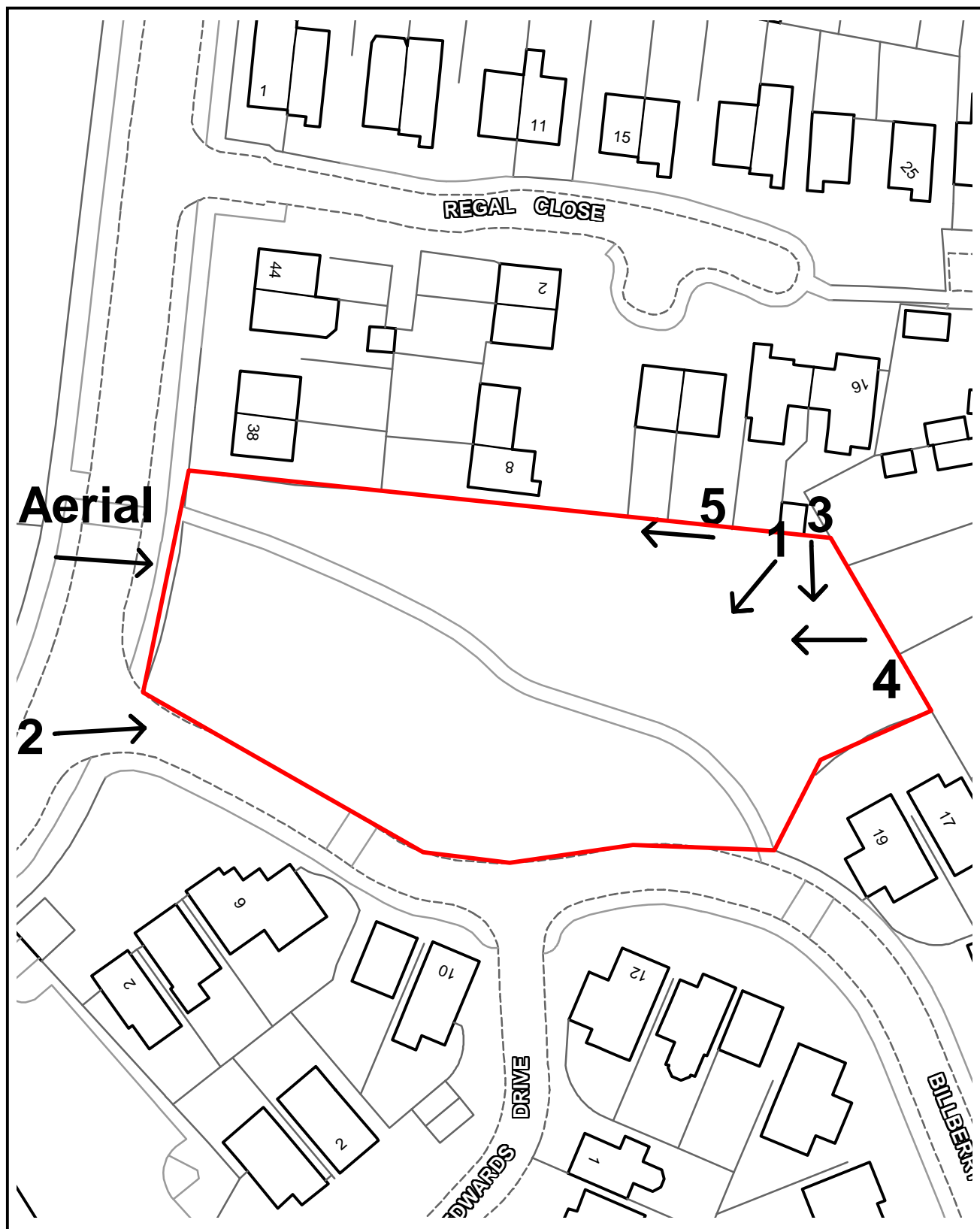
16. Each dwelling hereby approved shall be provided with 1 electric vehicle (EV) charge point (minimum 7kW*) prior to its occupation.

*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 Section 9 of the National Planning Policy Framework.

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

Viewpoints 69535



PLANNING APPLICATION LOCATION PLAN

APP. NO 69535

ADDRESS: Land at Billberry Close & Albert Road
Whitefield



Planning, Environmental and Regulatory Services

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69535

Aerial view from west



Photo 1 Panorama from northern boundary of the site



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Photo 2 - Site from junction into Billberry Close



Photo 3 - South-east from the northern boundary



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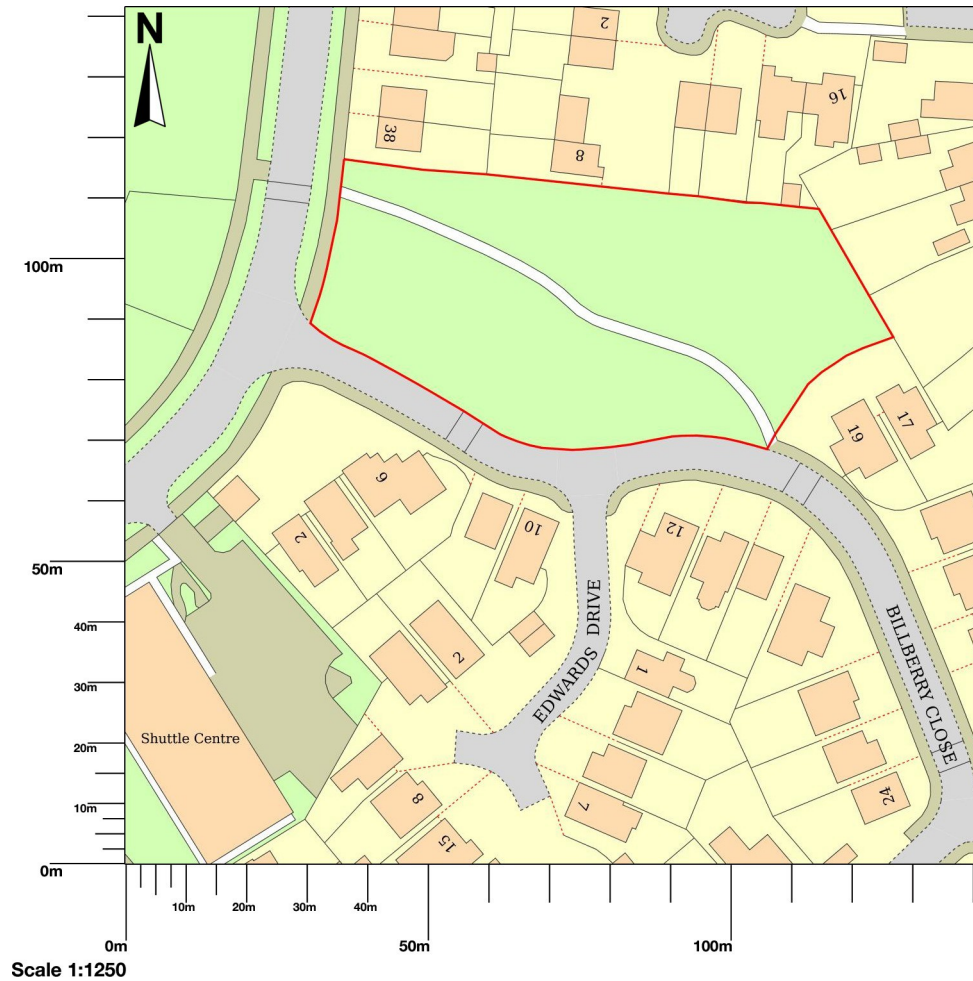
Photo 4 - Panning south-west

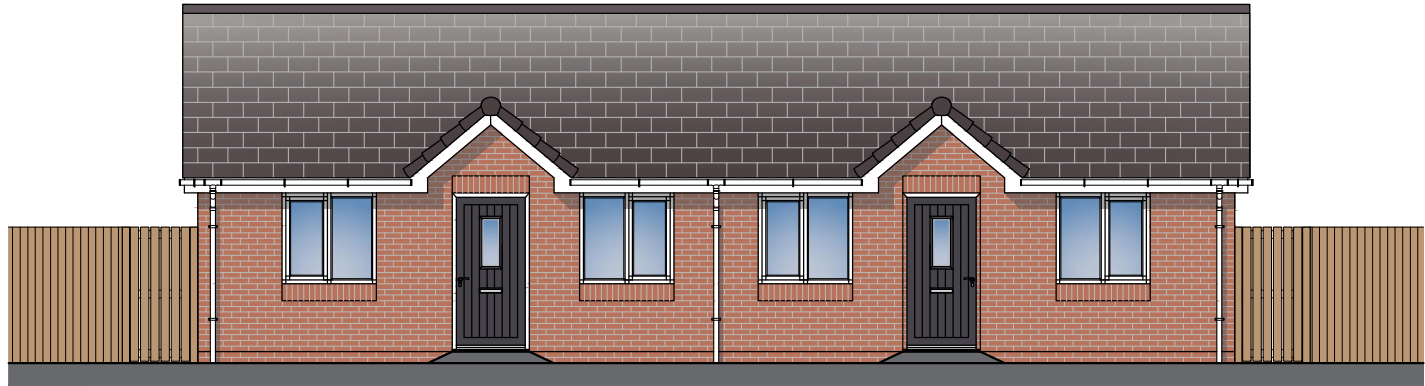


Photo 5 - Along eastern boundary

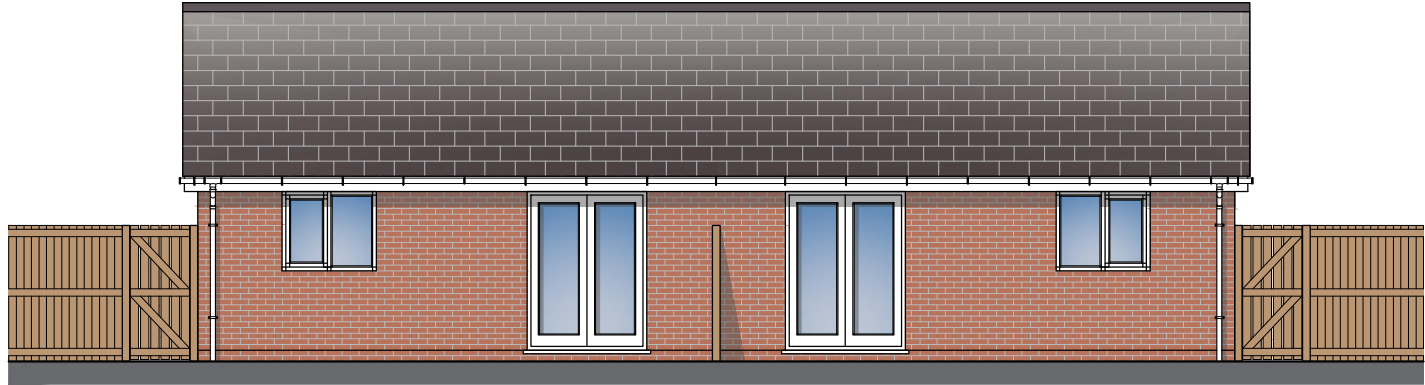


Billberry Close, Whitefield

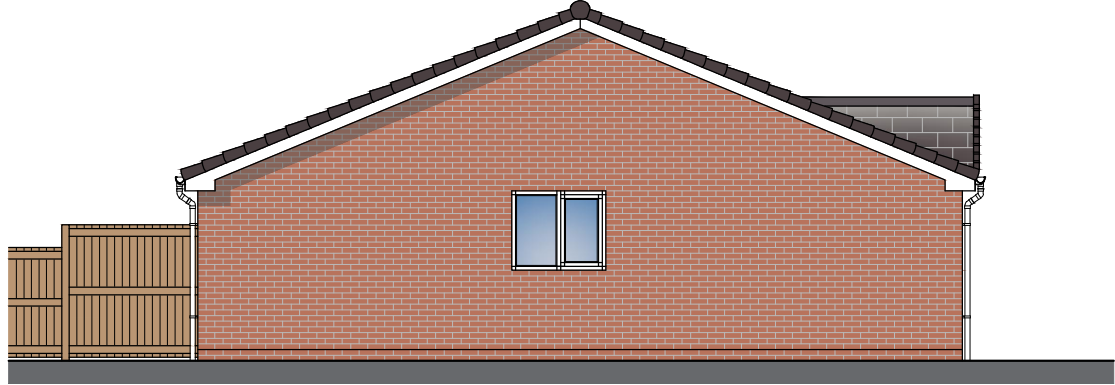




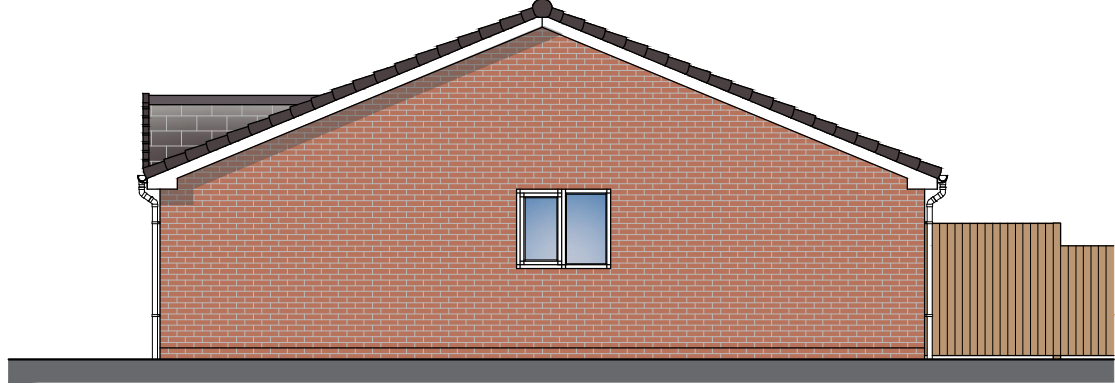
Front Elevation - Plot No's 1&2, 4&5, 6&7



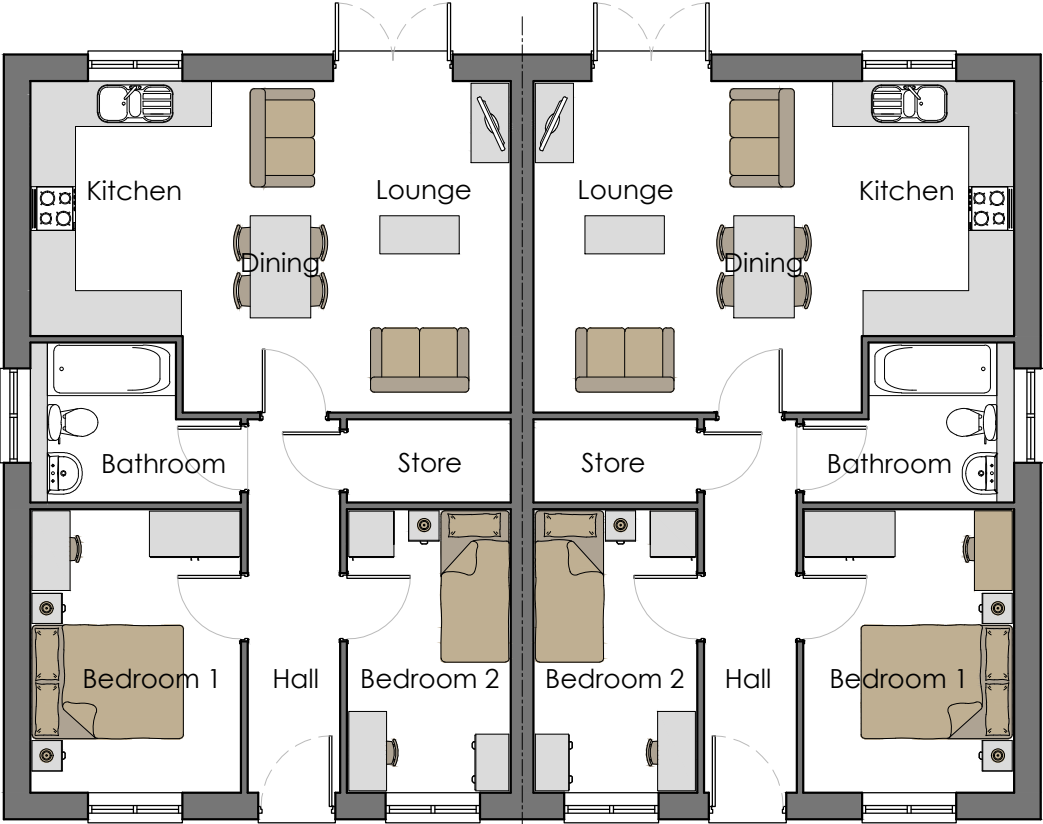
Rear Elevation - Plot No's 1&2, 4&5, 6&7



Side Elevation - Plot No's 1&2, 4&5, 6&7



Side Elevation - Plot No's 1&2, 4&5, 6&7



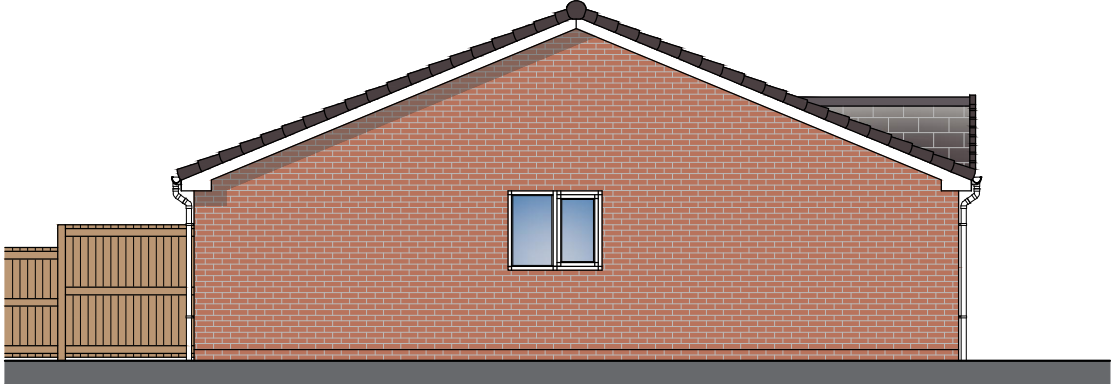
Floor Plans - Plot No's 1&2, 4&5, 6&7
60sq.m



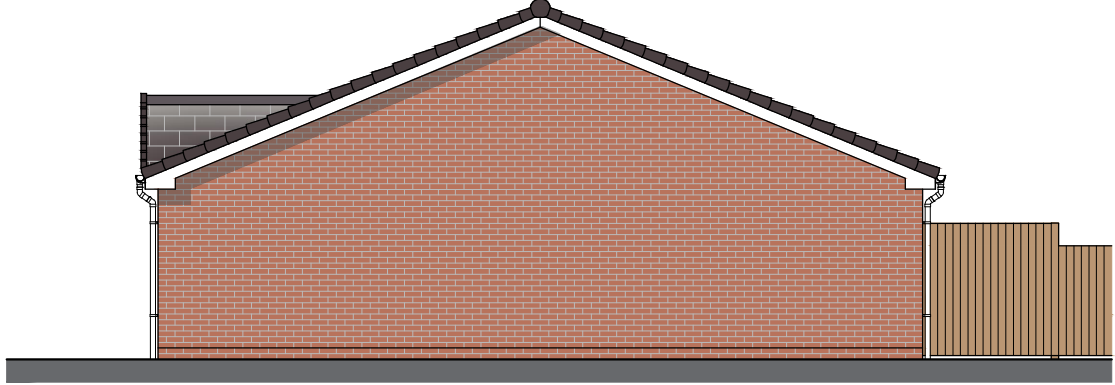
Front Elevation - Plot No. 03



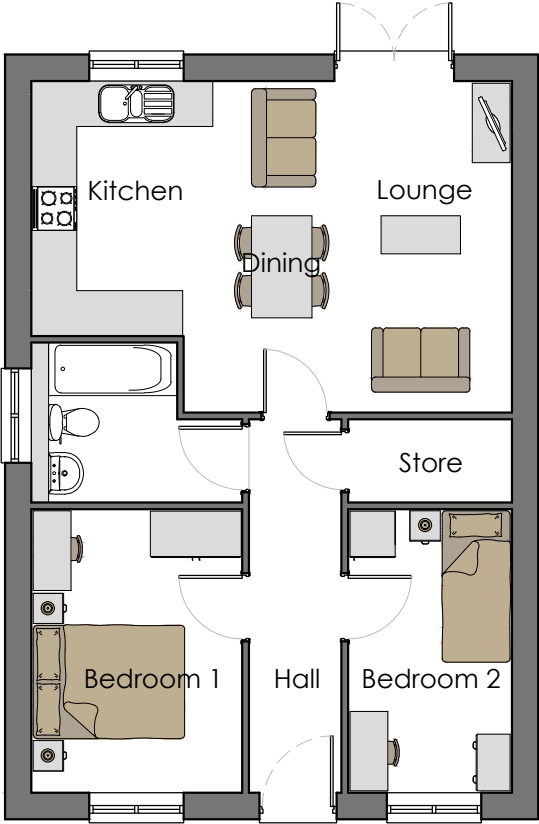
Rear Elevation - Plot No. 03



Side Elevation - Plot No. 03



Side Elevation - Plot No. 03



Floor Plan - Plot No. 03
60sq.m

REV	DATE	DESCRIPTION
-	-	-
PROPOSED BUNGALOWS		
ALBERT ROAD / BILBERRY CLOSE, WHITEFIELD		
1:100 @ A2	ALBERT ROAD - P02	-

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Ward: Bury East

Item 05

Applicant: Bury Council

Location: Land & buildings at Murray Road/2-10 Princess Parade/47-51 Market Street & Bury Market, Bury, BL9 0BJ

Proposal: 1. Demolition of buildings and erection of flexible events hall with associated servicing, parking and landscaping;
2. New canopy structure to cover existing outdoor market;
3. Temporary permission sought for area of Bury Market car park to be utilised for site cabins for the duration of the build

Application Ref: 69580/Full

Target Date: 08/08/2023

Recommendation: Approve with Conditions

Description

The flexi hall/market application site is 1.31 hectares in size and includes the outdoor section of Bury market and buildings at 1 Murray Road, 47 - 51 Market Street and 2 - 10 Princess Parade. The buildings at Princess Parade and Market Street contain commercial and retail units and are two storeys in height. The building on Murray Road contains the market offices and is single storey.

Currently, the site is accessed from Angouleme Way via Murray Road and Hilton Road. There are a small number of parking spaces accessed from Hilton Road and a coach drop off on Murray Road, which connects to Angouleme Way.

There are commercial units to the north and west. Bury interchange is located to the east of the site and Angouleme Way forms the boundary to the south.

The proposed development involves:

- the demolition of the existing buildings (1 Murray Road, 47 - 51 Market Street and 2 - 10 Princess Parade);
- the erection of a new flexible events hall;
- the erection of a new canopy structure to cover the existing outdoor market;
- temporary permission for a construction compound on the Bury Market car park.

Flexible events hall - The proposed flexi hall would be located in the western part of the site and would contain two floors and would be three storeys in height. The proposed building would be constructed from brick and timber and would be accessed from Murray Road. The proposed flexi hall would be used for a variety of uses as follows:

- conferences, meetings and training;
- AGMs, business to business networking;
- banquets, awards dinners, drinks receptions;
- small trade exhibitions, public exhibitions
- weddings, private parties, christmas parties
- community use including support groups, hobby groups, indoor sports, well being and public information exhibitions;
- gigs, tribute nights, dance, boxing matches;
- festivals, pop up trading.
- offices for use by the market staff

New canopy structure - The proposed development involves the erection of a canopy above

the external market. The proposed canopy would be constructed from a membrane with polycarbonate panels and would consist of a canopy with a series of pitched roofs, which would be set above the existing market stalls.

Temporary construction compound - The proposed construction compound would be erected in the south eastern corner of the market car park, which is on the south side of Angouleme Way. The proposed compound would be in place for a temporary period of 21 months and would measure 54 metres by 34 metres. It would contain the market office (temporarily), Contractor offices and welfare facilities, storage containers, security point and staff parking. The proposed compound would have solid hoardings (3 metres in height) on the perimeter with gates for access. The proposed development would be accessed from Spring Street. The cabins would be double stacked and would be two storeys in height.

The vehicular access would be from Angouleme Way and a car park containing 6 disabled parking bays would be provided. The existing coach drop off point and access to the external market would be retained.

Relevant Planning History

Pre-application enquiry

02759/E - Demolition of existing building and creation of new flexi hall, market canopy and associated external works, parking and servicing at Bury Market, 1 Murray Road, Bury> Enquiry completed - 17 October 2022.

Planning applications

47600 - Provision of two new market stalls at Bury Market, Market Square, Bury. Approved with conditions - 29 March 2007

48058 - Provision of security gates and railings to existing outdoor market (resubmission) at Bury Market, off Market Square, Bury. Approved with conditions - 13 June 2007.

56476 - Demolition of disused toilet block and modification to interchange structure to create a bus-only access onto Angouleme Way and associated works at Bury Interchange, Haymarket Street, Bury. Approved with conditions - 14 August 2013.

57862 - Change of use of land from vacant former PFS site to a temporary coach drop-off facility for Bury Markets, including a new access to the site from Murray Road and a new exit onto Angouleme Way. Surfacing works to create a uniform surface for coach passengers to alight/board at site of former fuel station, junction of Angouleme Way/Murray Road, Bury. Approved with conditions - 9 October 2014.

63318 - Change of use from bank (Class A2) to restaurant (Class A3) with ancillary children's play area on first floor and exterior alterations including 2 no. flues at rear at 51 Market Street, Bury. Approved with conditions - 4 December 2018

64288 - Addition of new curved roof section to the Edward Stall block 'A' at Bury Market, Angouleme Way, Bury. Approved with conditions - 5 September 2019.

69323 - Prior approval for proposed demolition of 3 no. existing buildings and removal of market canopies (enabling works for proposed new Flexi hall and market canopy and associated landscaping and servicing) at Bury Market, Murray Road, Bury. Prior approval required and granted - 2 March 2023.

Publicity

The neighbouring properties were notified by means of a letter on 11 May 2023 and a press notice was published in the Bury Times on 18 May 2023. Site notices were posted on 18 May 2023.

1 letter has been received, which has raised the following issues:

- Millgate Management have not been very clear with what the plans are and many

retailers in the area are extremely concerned and worried by the uncertainty. Many retailers have been given different or contradicting information resulting in uncertainty such as extending lease agreements or making business forecasts. Though we appreciate they can only tell so much, a clearer and more transparent approach by The Millgate Shopping Centre and Bury council would be appreciated.

- Talks of town centre changes and funding have been going on since around 2021, therefore, for the Millgate to sign retailers up for leases or long term leases at least, is unfair. Retailers spend a lot of time, effort and finance to set up.
- With many areas and buildings being knocked down including much of princess parade, we are concerned that this will make bury town centre an inaccessible place. Visitors are reliant on certain routes and particular modes of transport to enter the parade. Knocking down part of Princess Parade and work in the surrounding area, will make this area inaccessible by foot or by bus.
- Concern that footfall floor to the area resulting in a massive downfall of customers, thus resulting in massive loss of trading. Less shops on the parade mean less customers interested in the area.
- We would expect for retailers on the parade to be compensated for loss of earnings whether that be while work is taking place or after as foot floor will be reduced.
- Business rates are paid to Bury Council, however, with the planned disruption, we would expect for retailers to be refunded or made exempt.
- When will a feasibility study be conducted for the works? As seen in many town centres that have been through similar changes, there are empty spaces and units as trading in todays world is difficult and expensive with rates, bills, etc. Is it all going to be prove a waste?
- How long is the work expected to take bearing in mind delays, etc?

The objector has been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objections in principle. Conditions will be reported in the Supplementary Report.

Drainage Section - No objections, subject to the inclusion of a condition relating to surfacet water drainage.

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 a condition relating to dust measures.

Environmental Health - Pollution Control - No comments.

Environmental Health - Commercial Section - No response.

Public Rights of Way Officer - No objections.

Conservation Officer - No objections.

Waste Management - No response.

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

G M Archaeological Advisory Service - No objections.

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

The Coal Authority - No objections, subject to the inclusion of informatives relating to coal.

Transport for GM - No objections.

Environment Agency - No objections.

Cadent Gas Ltd - No objections, subject to the inclusion of informative relating to gas infrastructure.

Designforsecurity - No response.

Pre-start Conditions - Awaiting confirmation that Applicant/Agent agrees with pre-start conditions.

Unitary Development Plan and Policies

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
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
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
RT3/4	Recreational Routes
RT4/1	Tourism Development
S1/1	Shopping in Bury Town Centre
S2/4	Control of Non-Retail Uses in All Other Areas
S2/6	Food and Drink
S3/4	Markets
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
TC1/1	Open Space in Town Centres
TC1/2	Pedestrian/Vehicular Conflict in Town Centres
TC2/2	Mixed Use Development
Area	Central Shopping Area
BY6	
SPD3	DC Policy Guidance Note 3: Planning Out Crime
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 - Community facilities - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- impact on residential amenity and the local environment;
- traffic generation and car parking provision;
- the scale and size of the development;
- where applicable, access to shops and other services;
- if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- accessibility by public and private transport;

- the needs and requirements of the disabled.

The proposed development includes the provision of a flexi hall for use in conjunction with the market and to enable the market to host events. The proposed development would have good access to shops and other services and would serve the catchment area of the market well. The site has good access to public transport and there are several car parks nearby. As such, the proposed use would be a community facility and would be in accordance with Policy CF1/1 of the Bury Unitary Development Plan.

Principle - Town centre - Paragraph 81 of the NPPF states that 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 approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

The proposed development was successful in securing funding for this project from the Levelling Up fund to support improvements at Bury Market, the development of a new flexi hall and enhanced public realm improvements. This scheme forms part of wider plans to transform and regenerate the town centre, which include a new transport interchange and a redeveloped Mill Gate centre. It is recognised that the market plays a vital role for local customers and traders, while also drawing visitors from afar.

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.

Policy S2/4 states that when considering proposals for a non-retail use, the following factors will be taken into account:

- that the proposal is appropriate in scale and character to the requirements of the area and necessary to serve the local needs which would not otherwise be met;
- that the new non-retail use would not result in an over concentration or grouping of uses which could result in a long term loss of trade from a centre compared with a continued Class A1 use;
- whether or not the locality is adequately served by alternative local shopping facilities within reasonable walking distance;
- that a display window is retained or provided, where appropriate;
- that access is provided for the mobility impaired, where appropriate;

- that adequate provision is made for car parking and servicing.

Policy S3/4 states that the Council will encourage and support proposals which seek to consolidate and enhance existing market facilities in Bury, Ramsbottom and Radcliffe town centres through environmental and physical improvements.

The proposed flexi hall would provide a flexible space, which would help to diversify the uses within the town centre and allow the town centre to provide a adaptable space. The proposed development would bring footfall into the town centre, which would be of benefit to the market and existing retailers. Overall, the proposed development would have a positive impact upon the vitality and viability of the town centre and would be in accordance with paragraphs 81 and 86 of the NPPF.

The proposed development would provide a flexible civic space for use in conjunction with the market and a canopy to the existing outdoor stalls on the market. The proposed flexi hall would contain a multi functional space for events, pop up trading, live performance and community events, a cafe, offices for the market and toilets and storage etc. While the proposed development would not be a retail use (Class E), it would complement the market and the surrounding retail units by increasing footfall. through diversification. As such, the proposed development would not harm the existing retail offer and would enhance the market facilities. Therefore, the proposed development would be in accordance with Policies S2/4 and S3/4 of the Bury Unitary Development Plan.

Heritage - The application site is outside Bury Town Centre Conservation Area but the tip of the north west boundary of the site is adjacent to the south east tip of the conservation area boundary. There are some designated and non-designated heritage assets in proximity to the application site, in particular the Grade II listed Kay Monument and Bury College Woodbury Centre, which is a Non-Designated Heritage Asset.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 199 of the National Planning Policy Framework (NPPF) states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 202 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy EN2/3 states that the Council will actively safeguard the character and setting of

Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained.

This application is part of the wider Bury Town Centre Master Plan for regeneration which includes further re-development of Princess Parade and a new bus station, both of which by virtue of their 1960s and 80's design / materials represent negative features within the setting of the conservation area and other designated and non-designated assets. Opposite Princess Parade is a 19th century Mill Gate building of red brick with stone dressings that elegantly curves around the corner. This forms the southern edge of the Bury Town Centre Conservation Area. It has modern casement windows, 21st century shopfronts and a ground floor metal canopy, as the canopy continues along the modern shopping centre adjacent, it is considered to be a modern addition of no interest.

North from the application site is the Kay Monument, which is a stone structure sat on a series of steps at the centre of a triangular park. The Monument is an attractive feature and due to its prominence and setting is a focal point for the immediate area. The setting of the Grade II listed Kay Monument is intimate and defined by its curtilage constrained by the bus station to the south and Haymarket and Market Street to the west and east respectively.

Bury College Woodbury House is a Non-Designated Heritage Asset sited to the south of the application site, south of Angouleme Way.

The proposed building would not dominate the surrounding built environment being at a similar height to nearby buildings such as the Mill Gate fronting Market Street and the Woodbury Centre. Due to its strong vertical emphasis, the proposed development would represent architectural cohesion with these and other nearby buildings such as the Townside development.

The proposed building would not disrupt key viewpoints into and out of the setting of the Grade II listed Kay Monument and Garden and as such, would have a neutral impact on its setting. It is not considered the proposed building would have such an impact on the setting of the conservation area as to cause harm to its significance. As such, it would preserve the character and appearance of the conservation area.

The proposed development would not be viewed within the setting of the Woodbury Centre. The proposed replacement canopy to the outdoor market would not be visible in the conservation area.

The Conservation Officer has no objections to the proposed development.

Therefore, the proposed development would preserve the character and appearance of the Conservation Area and would have a neutral impact upon the character of the Grade II listed Kay Monument. The proposed development would be in accordance with Policies EN2/1, EN2/2 and EN2/3 of the Bury Unitary Development Plan and paragraphs 199, 200 and 202 of the NPPF.

Design and layout - The proposed scheme has been presented to Places Matter for a design review. There were no objections in principle, but the main concern was centred on a small scale space/square. The design panel did not understand the diagonal axis / importance to the outdoor market area and preferred a simplification of the external design.

The proposed scheme has responded by improving the landscaping and by working towards a longer term plan which would seek to create a larger open space/square so the flexi hall can stand as a key focal point/way finding building. The proposed flexi hall would be a focal point and has been designed to have an active frontage to all boundaries, which would provide a good relationship to the interchange and its subsequent redevelopment.

Flexi hall - The proposed flexi hall would be located so as to create a focal point and would act as a gateway feature to Bury town centre. The location of the proposed hub has been set by analysing the main pedestrian routes from Kay Gardens to the market and along Haymarket Street. The proposed building has been designed so as to create an active frontage to all sides and would be a welcoming, inclusive feature.

The proposed building would be two to three storeys in height and has been designed in two halves. The triangular section of the proposed building would be constructed from timber with three storey high glazing to create the triple height flexi hall. The proposed hall would be multi functional and would be able to accommodate market stalls, pop up trading, live events and community events. The rectangular section of the proposed building would be two storeys in height and would have a more traditional brick construction. This part of the building would contain meeting spaces and offices for the market management team, storage, toilets, staircases and a cafe/bar area.

Overall, the proposed flexi hall would be of a modern design with a strong vertical emphasis to the windows and openings. The proposed materials of brick with timber cladding would complement the nearby buildings, including those within the Conservation area in colour, whilst providing a contemporary structural element in timber. Therefore, the proposed building would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/1, EN1/2, EN2/1 and EN2/2 of the Bury Unitary Development Plan.

Canopy - The existing canopy, which is constructed from polycarbonate, covers the walkways and would be demolished. The existing market stalls would be retained. The proposed canopy would cover the two areas of the outdoor market and would be constructed from polycarbonate panels with a single ply membrane roof. The proposed canopy would have polycarbonate infill panels and timber facings/soffits on the external face, where signage could be added at a later date.

The design of the proposed canopy has evolved from a sculptural wave with curved glass elements to the current design, which involves the provision of a canopy with a series of pitched roofs. The current design combines the more sculptural form of the original canopy with a simpler geometry, incorporating translucent roof sections and fewer columns. The proposed design would ensure good light levels within the market and provide weather protection to the users.

The proposed canopy would present a traditional roof form with modern materials and would draw attention to the entrance to the market. The proposed development, including the removal of the existing canopy and the installation of the new canopy would be installed above the existing external market stalls, which would be open during the construction period.

Therefore, the proposed development would not be an unduly prominent feature in the streetscene and would be in accordance with Policies EN1/1 and EN1/2 of the Bury Unitary Development Plan.

Temporary construction compound - The proposed compound would consist of double and single height containers, which would contain offices, meeting rooms and toilet/showering facilities. A security point would be provided and there would be storage containers and a storage area provided as well as an area for staff parking.

The proposed buildings would be temporary and would be located on the eastern part of the site, which would result in the temporary loss of 116 parking spaces. A 3 metre high hoarding would be provided on the perimeter of the site, which would help to screen the proposed buildings. Given the temporary nature of the facility and its location within a commercial part of the town centre and the timber hoarding, it is considered that the proposed development would not be significantly harmful to the visual amenity of the area. Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity

Flexi hall - Aspect standards (from SPD6) are not relevant in a town centre location. The proposed flexi hall is largely replacing existing built form and outlooks from the existing residential properties would maintain oblique or onward views.

The floor layout of the proposed flexi hall is such that there would only be limited views out from the building at an elevated position and then across internal space within the proposed building. It will have a similar relationship to existing buildings with only a marginal overlooking relationship. However, this is expected in town centre locations. Despite this, the overlooking is considered not to be of any significant concern.

Canopy - The proposed market canopy would be between 4.4 and 5.9 metres in height and the residential properties are at first floor level. By providing a minimum of 9.1 metres between the proposed canopy and the residential dwellings, (which for reference would exceed the aspect standard of 6.5 metres), the proposed canopy would not have a significant adverse impact upon the amenity of the neighbouring properties.

Noise - A noise survey was submitted with the application. The report concludes that the background noise levels for the day, evening and night are 53dB, 48dB and 38dB respectively. The plant for the proposed building would be located on a rectangular area of the roof, which would have a full storey of the rectangular roof space between the plant and the existing dwellings. As such, any noise would be directed towards the interchange and the town centre. The report recommends that any plant should be 5dB below the background noise level, which would be conditioned.

The proposed flexi hall would be used as a venue for events, which may include the use of amplified music. A noise report has been submitted, which has assessed the background noise levels. Technical guidance states that the 'entertainment noise should be controlled to 10dB below the background noise level without the entertainment noise present, in each octave band at the nearest noise sensitive location.' The nearest noise sensitive locations would be the residential properties above Princess Parade.

The report concludes that the criteria for internal sound levels can be achieved in the residential properties, subject to mitigation measures. The mitigation measures would include double glazed window units, cladded walls, ventilators and a sound level monitor or noise limiter within the flexi hall building and a noise management plan, which could include permitted operational hours for amplified music, sound level limits for amplified music and a clear noise complaints and monitoring procedure. All of the mitigation measures would be conditioned. Therefore, the proposed development would not have a significantly adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Ecology - An ecological survey was submitted with the application and the main issues relate to bats, nesting birds and biodiversity mitigation.

Bats - Bat surveys were provided for the prior approval application for demolition, which confirmed that there were no bats found within the buildings. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to bats. Therefore, the proposed development would not have an adverse impact upon a protected species.

Nesting birds - Two breeds of birds (feral pigeon and pied wagtail) were suspected of nesting across 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. It should be noted that pigeons are capable of breeding throughout the year and whilst protected on the nest like any birds, they are also listed as a pest species and a 'general license' can be applied for from Natural England to allow work to proceed that would damage pigeon's nests, if present. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to nesting birds.

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 existing site is primarily hardstanding with a few young mature trees to the north and south and a small area of amenity grassland. The trees to the south would be lost as part of the proposed development and 1 tree to the north would be removed. The five trees lost would be replaced with around 20 small and medium sized trees, with an increase overall of vegetated land. Given the increase in the number of trees on site and the increased vegetation, the proposed development would be able to enhance the local environment. GM Ecology Unit have no objections, subject to the inclusion of condition relating to landscaping, which would include provision for nesting birds.

Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Drainage/Flood risk - The existing site consists of predominantly hardstanding and buildings and is located within flood zone 1, which is at low risk of flooding. The proposed redevelopment would include the use of sustainable urban drainage systems. These would include the use of an attenuation tank and rain gardens, which would be landscaped areas. Both of which would contain water and slowly feed it back into the drainage system. The Drainage Officer has no objections, subject to the inclusion of conditions relating to surface water drainage and the location of the columns. As such, the proposed development would not have an adverse impact upon the drainage system and would not increase flood risk to the site or downstream. Therefore, the proposed development would be in accordance with Policy EN5/1 and EN7/5 of the Bury Unitary Development Plan.

Air quality - A air quality assessment was submitted with the application and the impacts to air quality would be from the construction and operational phases.

During the construction phase, the potential impacts to air quality would be from dust emissions. The report states that the use of good practice control measures would mitigate the impacts and reduce air quality impacts to an acceptable level.

During the operational phase, there is the potential for negative air quality impacts as a result of traffic exhaust emissions associated with vehicles driving to and from the site. However, there would be a relatively low number of vehicle trips and the existing provision of electric vehicle charging points on the market car park would ensure that there would not be a significant impact.

Environmental Health - Air Quality have no objections, subject to the inclusion of conditions relating to dust measures.

Therefore, the proposed development would not have a significant adverse impact upon air quality and would be in accordance with Policy EN7/1 of the Bury Unitary Development Plan.

Highways issues - The proposed development would be accessed from Murray Road via the existing vehicular access and there would be acceptable levels of inter visibility. The proposed development would provide a turning area adjacent to 6 disabled parking bays and would maintain access to the existing coach drop off point.

Pedestrian access along the adopted highway would be maintained along Princess Parade, Haymarket Street and Murray Road and pedestrian access would be maintained under the proposed canopy. Revised plans have been provided, which would ensure that the materials used would be pavements which would match the existing town centre. The Traffic Section has no objections in principle and conditions will be reported in the Supplementary

Report.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, HT4 and HT6/2 of the Bury Unitary Development Plan.

Parking/Construction compound

Flexi hall - With regard to parking provision, there is no maximum standard within SPD 11.

The current use of the site includes retail units and the market offices, which is served by town centre parking with 5 disabled parking bays located off Murray Road.

The proposed development would provide 6 disabled parking bays adjacent to the proposed flexi hall, which would be 1 more than the current provision. The proposed development would be located next to the interchange and would be accessible for any bus and tram users. In addition, there are public car parks (Trinity Street & Bury Market car parks) on the opposite side of Angouleme Way, which are within walking distance of the proposed development. As such, given the very sustainable location, the level of parking provision would be acceptable in this instance and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan.

Construction compound - The proposed construction compound would be located on 116 spaces within the Bury market car park for a period of 21 months.

A parking strategy was undertaken in November 2022 by Bury Council and states that the car park near the market is 'extremely underutilised on non-market days.' As such, there would be sufficient parking available on non-market days (Sunday - Tuesday and Thursday).

On market days (Wednesday, Friday and Saturday), the market car park is utilised and is almost at capacity. However, the car parks on George Street and Trinity Street and all within walking distance of the market/town centre and would be able to accommodate any parking displaced from the market car park. Therefore, the proposed construction compound would not have an adverse impact upon the level of parking available in the town centre.

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

Community consultation - A series of consultations took place including face to face 'drop in' sessions, meetings with various stakeholders and a webpage where people were able to comment on the proposals prior to the submission of the planning application.

Various meetings have been held with the Bury market Traders Association and discussions have been held with the stakeholders involved in the schemes relating to the adjacent interchange and the Millgate centre.

From Monday 9 January 2023 to Sunday 29 January, a comprehensive public consultation took place, which incorporated an array of approaches, including 'drop in' sessions and online engagement. Presentations were provided at the Bury Town Centre Advisory Board and at the Bury East Community Groups in January.

55 survey responses were received from after the public consultation.

The feedback from the public consultation and meetings has resulted in several changes to the scheme.

The Council have adopted a town centre masterplan recognising the importance of large stakeholders and their significant land holdings in the town centre working/knitting together. Each stakeholder will, has or is undertaking further consultation. More consultation will

ensue, but the part for the flexi hall has now reached application stage and requires determination.

The interface between the proposed flexi hall, interchange scheme by Transport for GM and the Millgate proposals has been key and a fundamental part of the proposals, which have evolved collaboratively.

Conclusion

A significant regeneration proposal that has been formulated to work in with wider regeneration proposals will further enhance the town centre viability and vitality and would be an additional functional contribution to the longevity of the outdoor market.

Bold and contemporary in design, the building would replace existing poor buildings within the town centre and would be the first part of major proposals coming forward in due course.

The development would be compliant with planning policy and relationships to pre-existing but limited residential uses would be appropriately maintained.

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 BURMAR-JHA-V6-XX-DR-A-0145 Rev P02, BURMAR-JHA-00-XX-DR-A-0001 Rev P06, BURMAR-JHA-V6-XX-DR-A-0003 Rev P23, BURMAR-JHA-V6-XX-DR-A-0112 Rev P11, BURMAR-JHA-V5-02-XX-A-0017 Rev P01, BURMAR-JHA-XX-02-DR-A-0015 Rev P14, BURMAR-JHA-V2-02-DR-A-0102 Rev P06, BURMAR-JHA-V2-ZZ-DR-A-0009 Rev P12, BURMAR-JHA-XX-DR-A-0035 Rev P07, BURMAR-JHA-V2-ZZ-DR-A-0029 REV P09, BURMAR-JHA-V2-ZZ-DR-A-0038 Rev P08, BURMAR-JHA-XX-02-DR-A-0034 Rev P10, BURMAR-JHA-XX-02-DR-A-0063 Rev P09, BURMAR-JHA-V2-ZZ-DR-A-0007 Rev P12, BURMAR-JHA-V2-ZZ-DR-A-0008 Rev P12, BURMAR-JHA-V2-ZZ-DR-A-0009 Rev P13, BURMAR-JHA-V2-ZZ-DR-A-0010 Rev P11, BURMAR-JHA-V2-ZZ-DR-A-0042 Rev P11, BURMAR-JHA-V2-ZZ-DR-A-0111 Rev P03, BURMAR-JHA-VS-XX-DR-A-0136 REV P04, BURMAR-JHA-V5-02-DR-A-0013 Rev P11, BURMAR-JHA-V5-XX-DR-A-0162 Rev P01, BURMAR-JHA-V6-ZZ-DR-A-0154 Rev P01, BURMAR-CWC-V2-04-DR-M-5701 P05, BURMAR-CWC-V2-00-DR-M-5701 P4, BURMAR-CWC-V2-ZZ-DR-E-6301 P2, BURMAR-CWC-V2-01-DR-M-5701 P4, BURMAR-JHA-XX-DR-A-0064 Rev P06, BURMAR-JHA-V2-ZZ-DR-A-0023 Rev P08, BURMAR-JHA-XX-DR-A-0016 Rev P13, BURMAR-JHA-V5-02-XX-A-0017 Rev P20, BURMAR-JHA-V5-XX-DR-A-0036 Rev P11, BURMAR-JHA-V5-XX-DR-A-0151

Rev P01, BURMAR-JHA-V5-XX-DR-A-0152 Rev P01, BURMAR-JHA-V6-ZZ-DR-A-0153 Rev P01, BURMAR-JHA-V2-02-DR-A-0004 Rev P22, BURMAR-JHA-V2-02-DR-A-0005 Rev P25, BURMAR-JHA-V2-02-DR-A-0006 Rev P13, BURMAR-JHA-V2-ZZ-DR-A-0042 Rev P10, BURMAR-GLL-V6-00-DR-L-0100 08, BURMAR-GLL-V6-00-DR-L-0102 05, BURMAR-GLL-V6-00-DR-L-0103 05, BURMAR-GLL-V6-00-DR-L-0104 05, BURMAR-GLL-V6-00-DR-L-0105 05, BURMAR-GLL-V6-00-DR-L-0106 05, BURMAR-GLL-V6-00-DR-L-0107 05, BURMAR-GLL-V6-00-DR-L-0108 06, BURMAR-GLL-V6-00-DR-L-0109 04, BURMAR-GLL-V6-00-DR-L-0110 03, BURMAR-GLL-V6-00-DR-L-0112 03, BURMAR-GLL-V6-00-DR-L-0113 03, BURMAR-GLL-V6-00-DR-L-0114 03, BURMAR-GLL-V6-00-DR-L-0115 03, BURMAR-GLL-V6-00-DR-L-0116 04, BURMAR-GLL-V6-00-DR-L-0117 04, BURMAR-GLL-V6-00-DR-L-0300 02, BURMAR-GLL-V6-00-DR-L-0302 03, BURMAR-GLL-V6-00-DR-L-0303 01, BURMAR-GLL-V6-00-DR-L-0304 01, BURMAR-GLL-V6-00-DR-L-0305 01, BURMAR-GLL-V6-00-DR-L-0401 02, BURMAR-GLL-V6-00-DR-L-0402 02, BURMAR-GLL-V6-00-DR-L-0403 00, BURMAR-GLL-V6-00-DR-L-0404 00, BURMAR-AJP-V2-ZZ-DR-C-0001 P04, Proposed site office and welfare compound, 70092924-TP-009 P01, 57968/1, 57968/2, 57968/3 and the development shall not be carried out except in accordance with the drawings hereby approved.

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

3. No development other than demolition, shall commence unless or until details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, have been submitted to and approved in writing by the Local Planning Authority. Only the approved materials/bricks shall be used for the construction of the development.
Reason. 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.
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. 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. The scheme shall include details of all dust [and odour] control measures and the methods to monitor emissions of dust [and odour] 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.
7. If the demolitions hereby approved does not commence before 30th April 2025, the building must be reassessed for bat roosting potential and the finding supplied to and approved in writing by the Local Planning Authority prior to demolition works commencing.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
8. No demolition shall occur unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to demolition and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority, unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
9. No development, other than demolition, shall commence unless or until a landscaping scheme of soft and hard landscaping, planting, materials and maintenance has been submitted to, and approved in writing by the Local Planning Authority. 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.
10. No development, other than demolition, shall commence unless or until details of the final design of surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme shall 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) and in line with the principles outlined on submitted drawing ref BURMAR-GLL-V6-00-DR-L-0108. Final design details shall include:
 1. Appropriate calculations, up to 1:100 year storm event with 40% addition for

- Climate change;
 - 2. Test results to support the chosen solution;
 - 3. The design and location of attenuation tanks;
 - 4. Details of proposed maintenance arrangements;
 - 5. 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);
- Only the approved details 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.

11. No development other than demolition shall commence unless or until a scheme of noise mitigation measures, including a noise management plan has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the building hereby approved and the noise management plan shall be adhered to while the building is in use.

Reason. To reduce nuisance from noise to the occupiers of the nearby dwelling pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

12. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
 1. Hours of operation and number of vehicle movements;
 2. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 3. Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
 4. Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

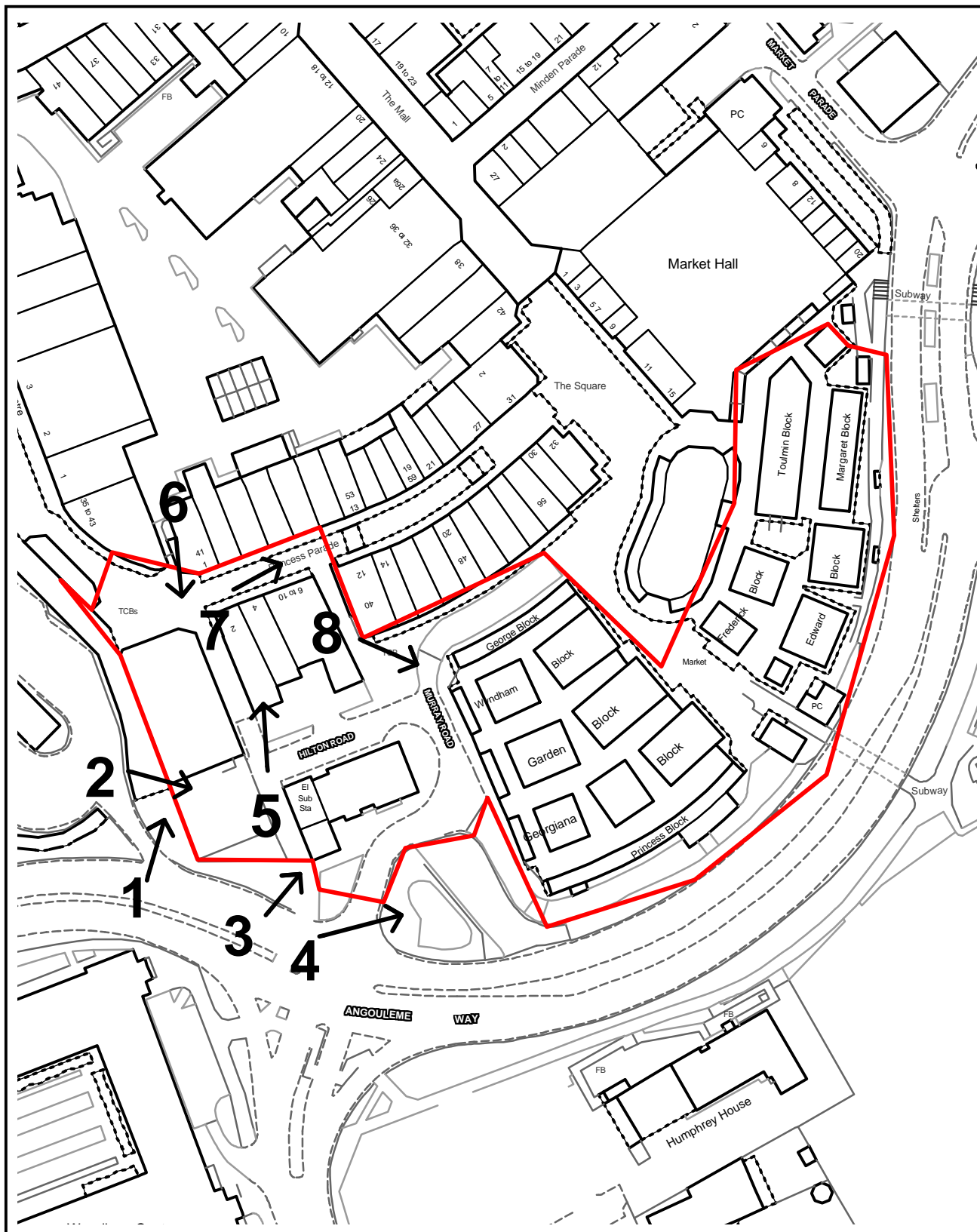
The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the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

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.

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

Viewpoints - 69580



PLANNING APPLICATION LOCATION PLAN

APP. NO 69580

ADDRESS: Land & buildings at Murray Road/
2-10 Princess Parade/47-51 Market
Street & Bury Market

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

69580

Photo 1



Photo 2



69580

Photo 3



Photo 4



69580

Photo 5



Photo 6



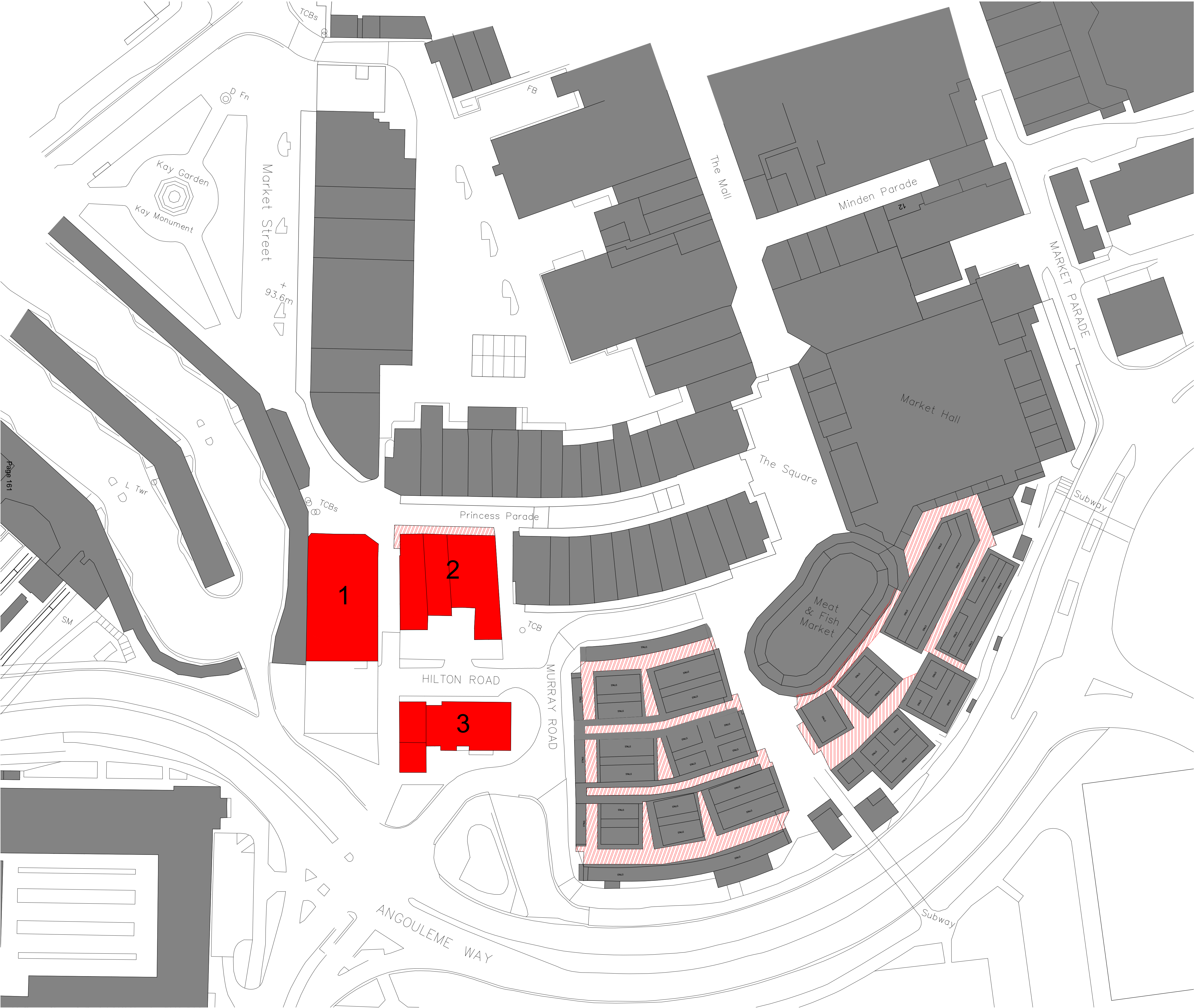
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Photo 7



Photo 8





Do not scale off this drawing. All dimensions to be checked on site prior to manufacture and construction. This drawing is the property of Just-H Architects and should not be reproduced without permission. All discrepancies to be brought to the attention of the architect immediately. This drawing to be read in conjunction with the specification / bill of quantities and related drawings.

REVISION			
P01	FIRST ISSUE	24.05.21	RCO
P02	Revised to suit hybrid scheme	28.05.21	RCO
P03	Revised to show sub station demolished and alterations around eastern subway entrance.	14.09.22	RCO
P04	Market stall retained covered walkways added	21.09.22	CT
P05	Margaret Block shown as retained	22.09.22	CT
P06	Existing building materials added	09.01.23	CT
P07	Extent of market canopies to be removed updated	12.01.23	CT
P08	Updated to show Margaret block being retained	24.01.23	CT
P09	Existing Buildings 4 to be retained	25.01.23	CT
P10	Section of existing roof canopy between Meat Market, Market Hall and market stalls retained	13.03.20	CT
P11	PLANNING ISSUE	21.04.23	CT

DEMOLITION KEY PLAN

Building to be demolished

Canopy to be demolished

EXISTING MATERIALS OF BUILDINGS TO BE DEMOLISHED.

EXISTING BUILDING 1:
Existing two storey building with brick façades incorporating timber framed glazed shop fronts at ground floor and small timber frame windows to first floor, with metal security roller shutters. Building has existing flat roof with brick parapets at roof edges and a partial slate pitched roof to the north end.

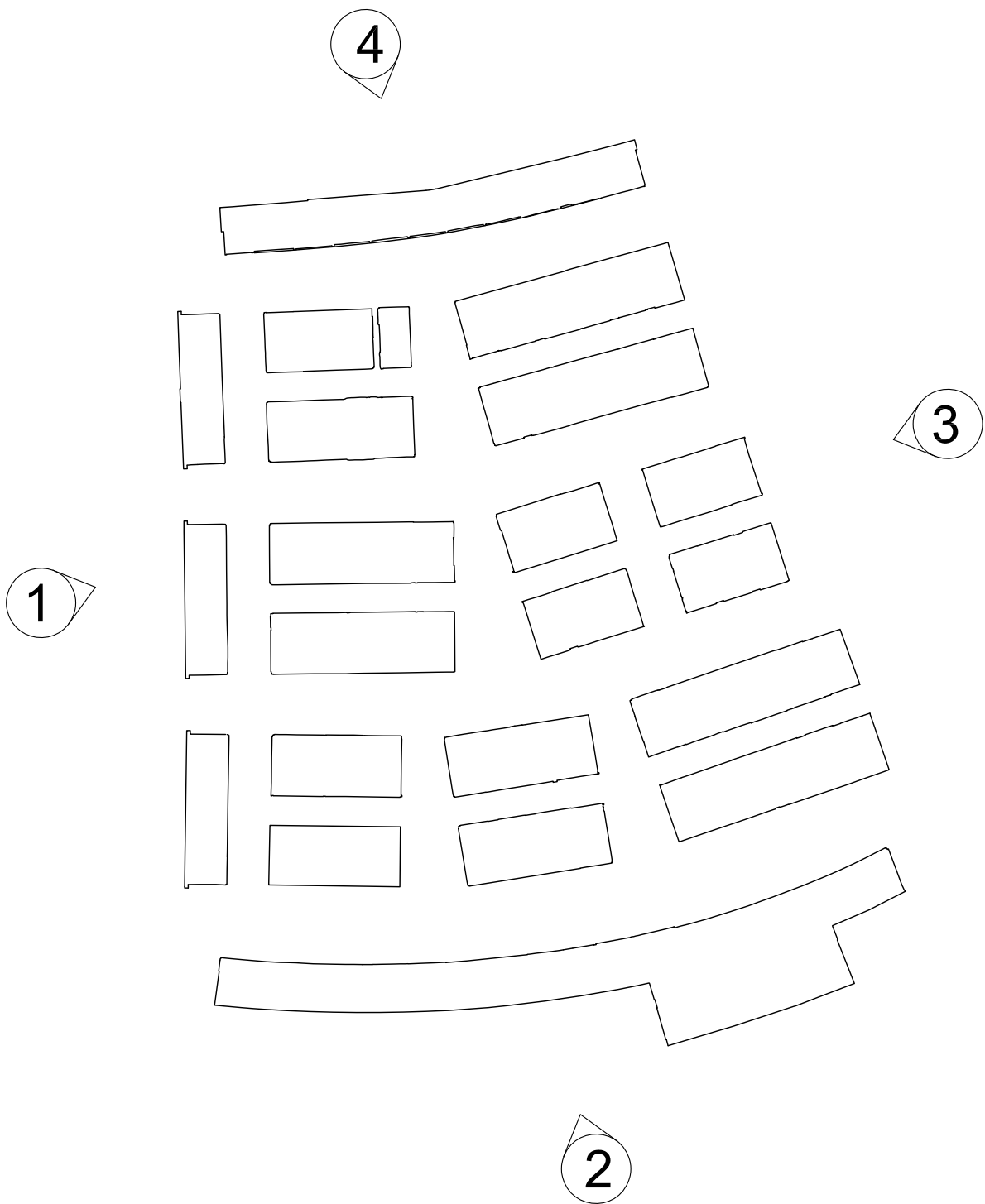
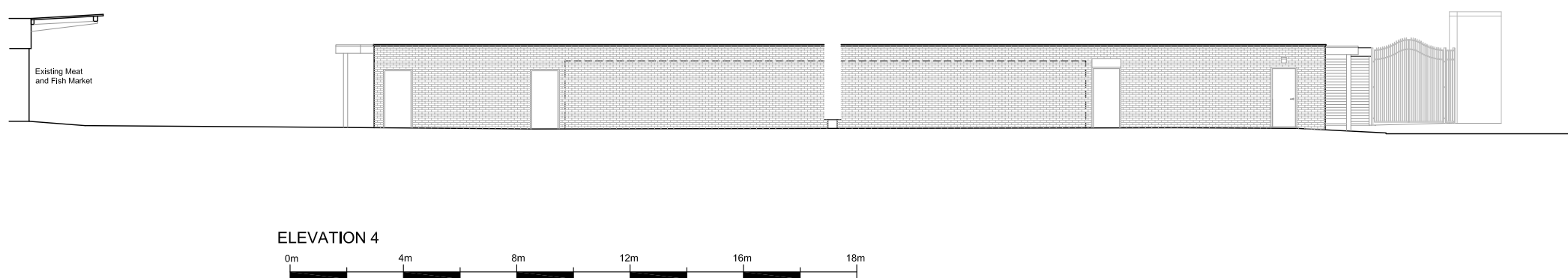
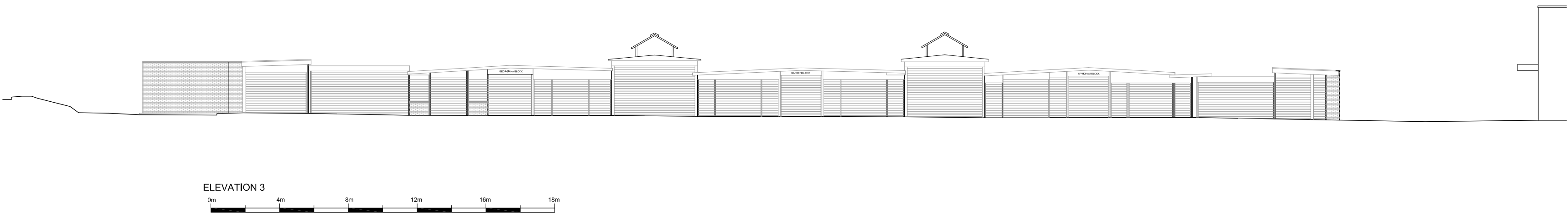
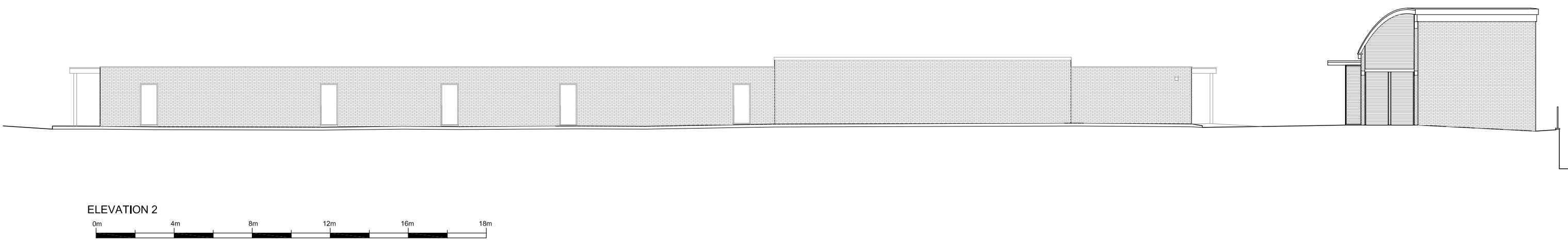
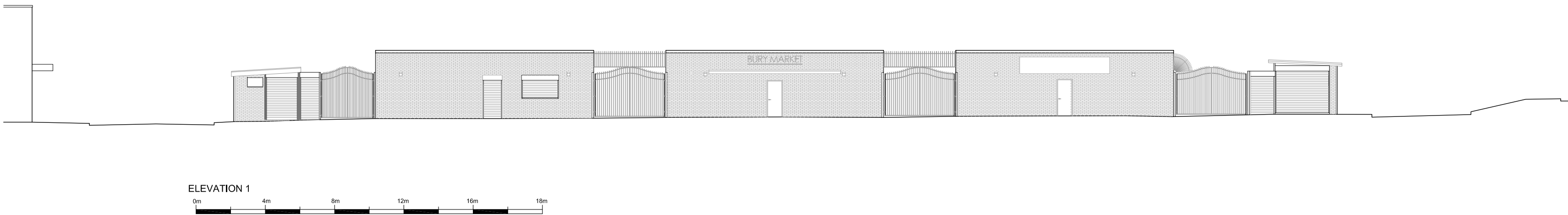
EXISTING BUILDING 2:
Existing two storey building with brick façades and a pebble dash render mid band to the side elevations and parapet band detail to all elevations. Metal framed glazed shop fronts at ground floor to north elevation with metal security roller shutters and metal frame windows to first floor. Projecting panel clad canopy over shopfronts on north elevation. Building has existing flat roof with parapet upstand at roof edges.

EXISTING BUILDING 3:
Existing single storey building with brick façades and part rendered façade with signage to south elevation above windows. UPVC framed full height windows to three elevations with metal security roller shutters. Building has existing flat roof and brick parapets at roof edges.

EXISTING MARKET CANOPIES:
Existing secondary pitched canopy roofs spanning between existing market stall buildings made up of lightweight clear polycarbonate panels supported on metal frames, metal ridge beams and steel tie rods.

PLANNING ISSUE

BURY COUNCIL	client	<div><div></div><div>Just H Architects</div><div>107 Timber Wharf 32 Worsley Street Castlefield, Manchester M15 4NX 0161 237 5500 info@justharchitects.co.uk</div></div>
BURY MARKET MASTERPLAN	project	
PROPOSED DEMOLITION PLAN	title	
BCO1	job No.	
BURMAR-JHA-V6-XX-DR-A-0112 Rev P11	dwg No.	
1:500 @ A1	scale	
RCO	drawn	



PLANNING ISSUE

BURY COUNCIL	client
BURY MARKET MASTERPLAN	project
EXISTING MARKET CANOPY ELEVATIONS - SHEET 1	title
BCO1	job No.
BURMAR-JHA-V5-XX-DR-A-0151 Rev P01	dwg No.
1:200 @ A1	scale
RCO	drawn

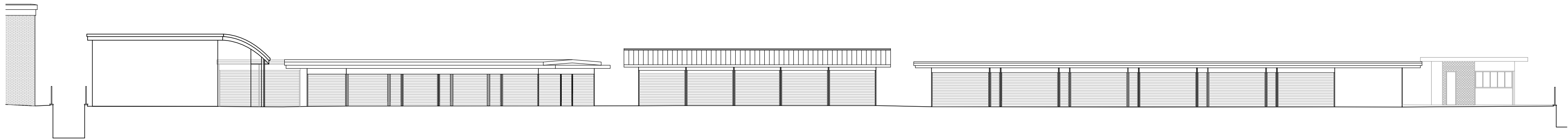


Just H
Architects
107 Timber Wharf
32 Worsley Street
Castlefield, Manchester
M15 4NX
0161 237 5500
info@justharchitects.co.uk

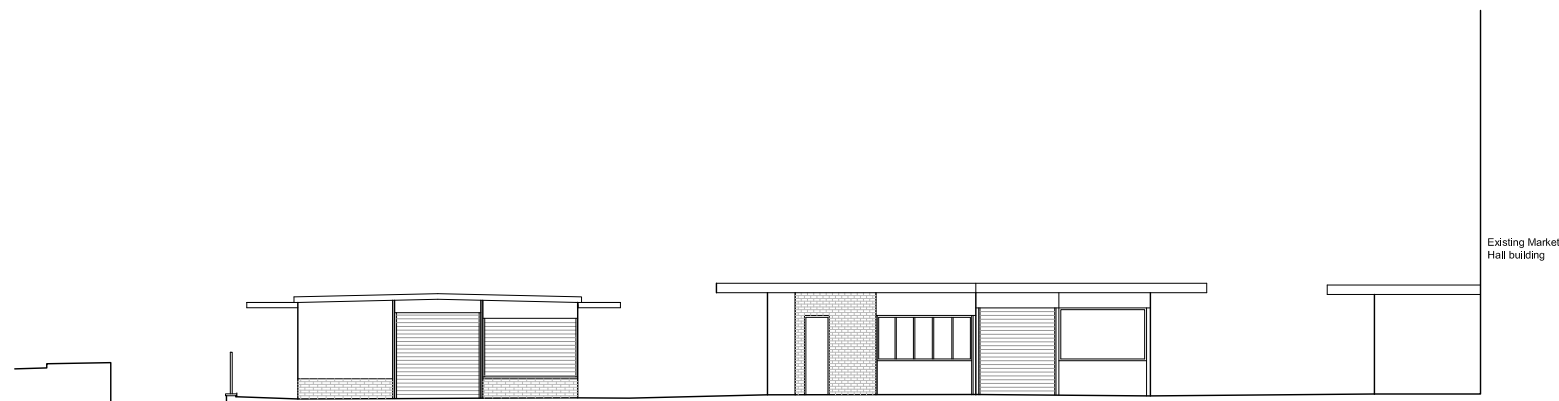
REVISION		
P01	FIRST ISSUE	02.05.23 RCO



ELEVATION 5
0m 4m 8m 12m 16m 18m



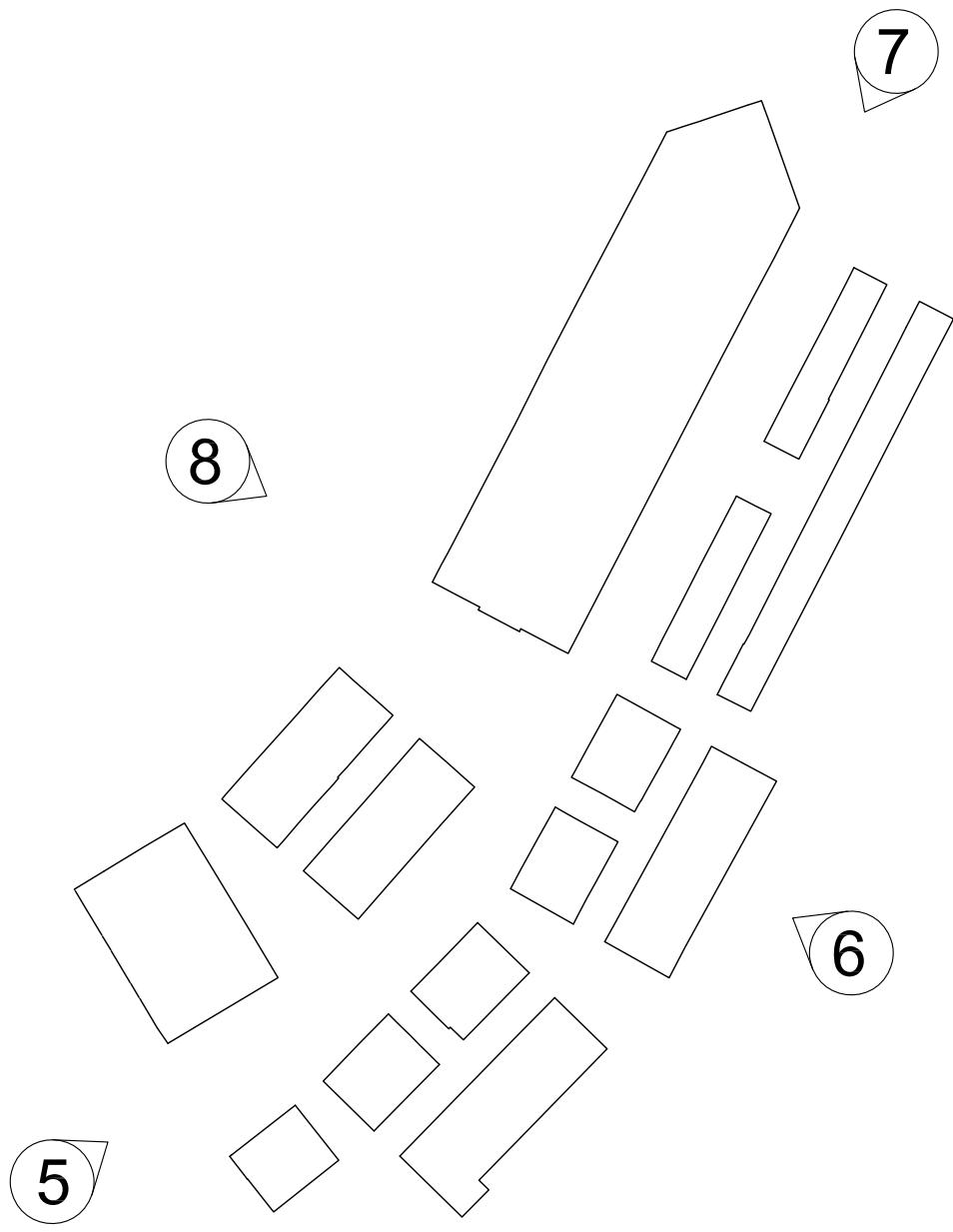
ELEVATION 6
0m 4m 8m 12m 16m 18m



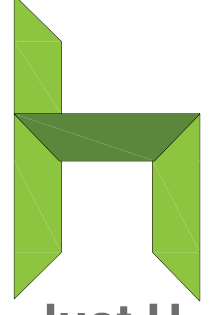
ELEVATION 7
0m 4m 8m 12m 16m 18m





ELEVATION 8
0m 4m 8m 12m 16m 18m



PLANNING ISSUE

BURY COUNCIL	client	 Just H Architects 107 Timber Wharf 32 Worsley Street Castlefield, Manchester M15 4NX 0161 237 5500 info@justharchitects.co.uk
BURY MARKET MASTERPLAN	project	
EXISTING MARKET CANOPY ELEVATIONS - SHEET 2	title	
BCO1	job No.	
BURMAR-JHA-V5-XX-DR-A-0152 Rev P01	dwg No.	
1:200 @ A1	scale	
RCO	drawn	

ROOF AREAS:		
CANOPY ROOF 1:		
Roof 1 Area= 329.273 sqm	Single Ply Membrane Roof	
Roof 2 Area= 382.677 sqm	Translucent Panel Roof	
Roof 3 Area= 497.199 sqm	Single Ply Membrane Roof	
Roof 4 Area= 407.939 sqm	Translucent Panel Roof	
Roof 5 Area= 547.657 sqm	Single Ply Membrane Roof	
Roof 6 Area= 369.644 sqm	Translucent Panel Roof	
Roof 7 Area= 706.077 sqm	Single Ply Membrane Roof	
Roof 8 Area= 335.240 sqm	Translucent Panel Roof	
Roof 9 Area= 451.377 sqm	Single Ply Membrane Roof	
Canopy 1 Total Single Ply Membrane Roof Area= 2531.583 sqm		
Canopy 1 Total Translucent Panel Roof Area= 1495.5 sqm		
Canopy 1 Total Area= 4027.083 sqm		
CANOPY ROOF 2:		
Roof 1 Area= 347.816 sqm	Single Ply Membrane Roof	
Roof 2 Area= 217.749 sqm	Translucent Panel Roof	
Roof 3 Area= 153.429 sqm	Single Ply Membrane Roof	
Roof 4 Area= 162.700 sqm	Translucent Panel Roof	
Roof 6 Area= 280.302 sqm	Single Ply Membrane Roof	
Roof 7 Area= 236.252 sqm	Translucent Panel Roof	
Roof 8 Area= 207.513 sqm	Single Ply Membrane Roof	
Roof 9 Area= 159.454 sqm	Translucent Panel Roof	
Roof 10 Area= 111.710 sqm	Single Ply Membrane Roof	
Roof 11 Area= 123.376 sqm	Translucent Panel Roof	
Roof 12 Area= 307.627 sqm	Single Ply Membrane Roof	
Roof 13 Area= 168.166 sqm	Translucent Panel Roof	
Canopy 2 Total Translucent Panel Roof Area= 1067.697 sqm		
Canopy 2 Total Single Ply Membrane Roof Area= 1,408.397 sqm		
Canopy 2 Total Area= 2476.094 sqm		

ROOF TYPES:	
	TRANSLUCENT POLYCARBONATE PANEL ROOF
	SINGLE PLY MEMBRANE ROOF

DRAINAGE:
Rainwater Goods Capacity: To comply with Building Regulations Approved Document H3 Rainwater & Drainage Section 1.

Rainfall intensity rate - Bury, Manchester CAT 2 0.051 litres/sec per m² of roof area.

GUTTER: 600mm wide x 170mm (150mm minimum) deep metal valley gutter channel, designed and installed as manufacturers details.

SIPHONIC DRAINAGE SYSTEM:
2no. Fullflow Primaflow 09 stainless steel outlets, or similar approved, per gutter run connected to Fullflow collection main pipe below, designed and installed in accordance with manufacturers details and specifications.

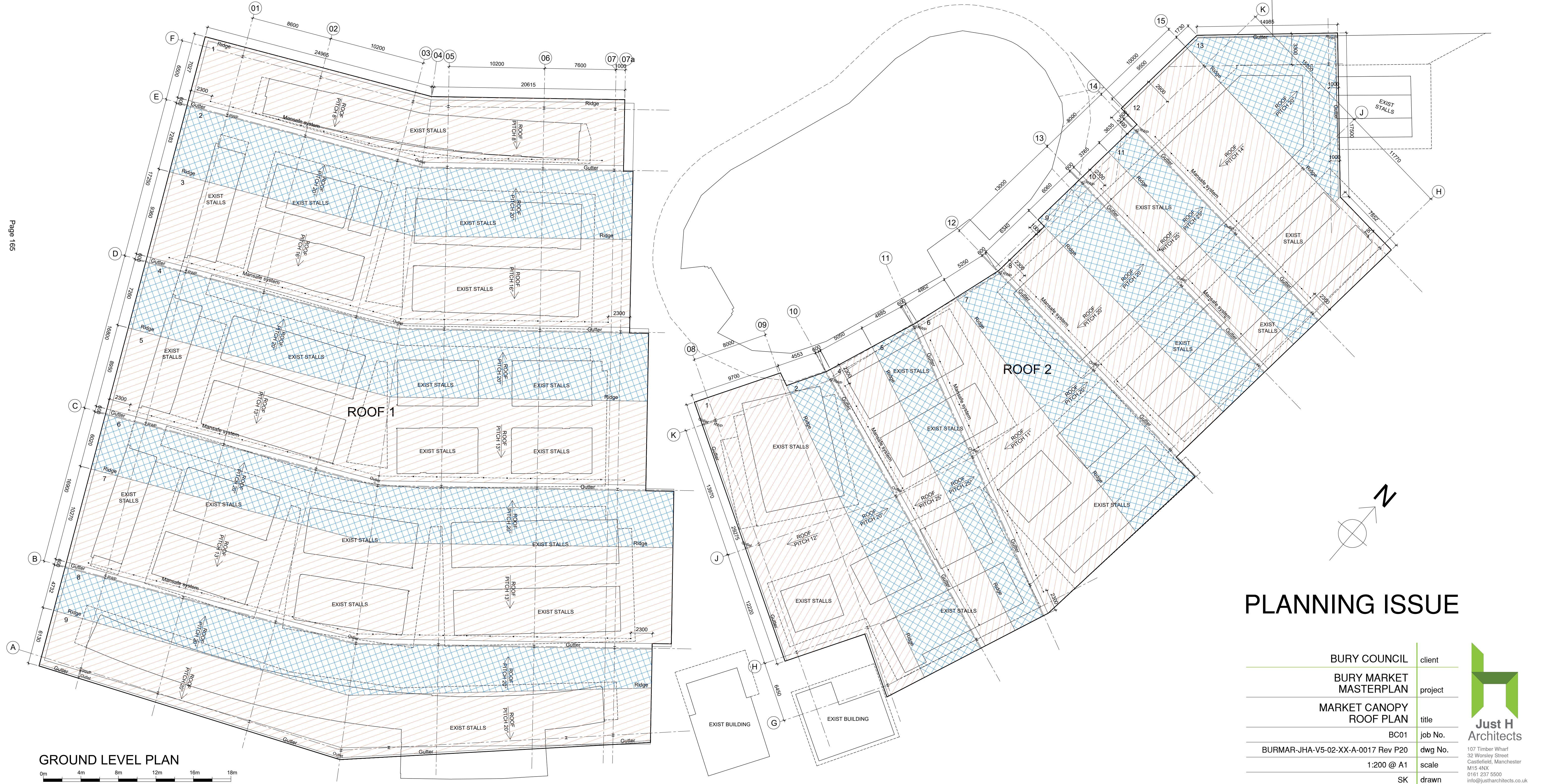
1no. Fullflow aluminium downpipe, or similar approved, at one end of each gutter run, designed and installed in accordance with manufacturers details and specifications.

ROOF ACCESS & PROTECTION:
Access onto roof canopy 1 & 2 is to be via cherry picker or MEWP (mobile elevating work platform) positioned on the surrounding road or hard-standing landscaped areas.

A man-safe system is to be provided along each valley gutter line in the form of MSA Latchways Mansafe Constant Force Horizontal Lifeline system for Samafil roofing membrane, or similar approved. Constant force posts top fixed to roof structural using four toggle bolts per post. Latchways ManSafe horizontal 7x7 316S Stainless steel cable to be fitted between posts. System to be located minimum 2.3m from the roof edge to provide safe access on roof for 2 users for maintenance and cleaning. The anchorage points must limit the load to a constant force of 10 kN in the event of a fall and absorb the energy integrally. The entire system must be CE marked and be in accordance with Class D Fall Protection systems under BS EN 795. Installation to be carried out by trained and approved contractors.

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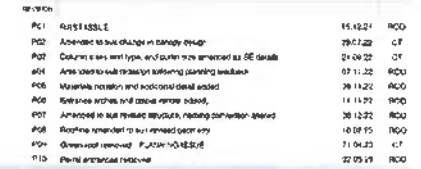
REVISION			
P07	Rainwater calculations updated as Alumasc details and RWP numbers and positions altered to suit.	22.08.22	CT
P08	Grid line references amended as SE details, rooflight sizes amended to suit SE purlins at 1500mm centres	21.09.22	CT
P09	Canopy design amended	02.11.22	CT
P10	Roof types and areas added	09.11.22	CT
P11	Roof type amended and roof pitches and dimensions added	23.11.22	CT
P12	Canopy Roof 2 geometry amended. Column positions amended following design review.	30.11.22	CT
P13	Roof type locations amended on Roof 2 and rainwater calculations updated	30.11.22	CT
P14	Roof pitches amended as Kalfwall comments, Roof 1 Grid lines C & D altered to suit retained existing canopy and opening	10.01.23	CT
P15	Dimensions updated to suit chages	13.01.23	CT
P16	Roof 1 GL B position amended to suit existing canopy overhangs. Roof 2 Margaret block retained, roof layout altered and column positions amended.	02.02.23	CT
P17	Roof 2 at GL 14-15/K-J amended to cover existing walkway. Roof drainage amended to Fullflow siphonic drainage system, RWP numbers and positions amended to suit.	03.02.23	CT
P18	Roof type areas updated and mansafe system added	14.02.23	CT
P19	Roof types amended	21.02.23	CT
P20	Green roof areas removed - PLANNING ISSUE	21.04.23	CT



PLANNING ISSUE

BURY COUNCIL	client
BURY MARKET MASTERPLAN	project
MARKET CANOPY ROOF PLAN	title
BC01	job No.
BURMAR-JHA-V5-02-XX-A-0017 Rev P20	dwg No.
1:200 @ A1	scale
SK	drawn

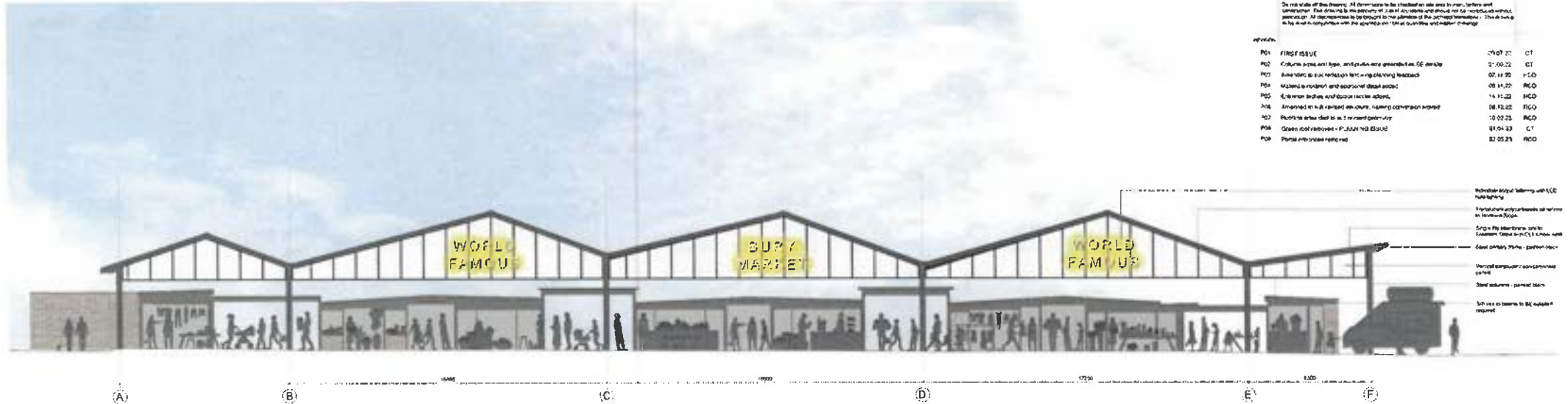
revision			
P01	Added table	15.12.21	NOQ
P02	Added to bus change in energy device	19.07.22	C*
P03	Columns are unit type, and column for the amount as SE details	21.04.22	NO
P04	Area value and column defining planning boundary	07.11.22	NOQ
P05	Maximum number and additional detail added	15.12.22	NOQ
P06	Area and column and column added	11.11.21	NOQ
P07	Added to the table, defining planning boundary	16.12.22	NOQ
P08	Area value and column for the amount added	10.08.21	NOQ
P09	Column removed - Area value added	21.04.22	C*
P10	Initial structural revision	22.05.21	NO



revision			
P01	Added table	15.12.21	NOQ
P02	Added to bus change in energy device	19.07.22	C*
P03	Columns are unit type, and column for the amount as SE details	21.04.22	NO
P04	Area value and column defining planning boundary	07.11.22	NOQ
P05	Maximum number and additional detail added	15.12.22	NOQ
P06	Area and column and column added	11.11.21	NOQ
P07	Added to the table, defining planning boundary	16.12.22	NOQ
P08	Area value and column for the amount added	10.08.21	NOQ
P09	Column removed - Area value added	21.04.22	C*
P10	Initial structural revision	22.05.21	NO

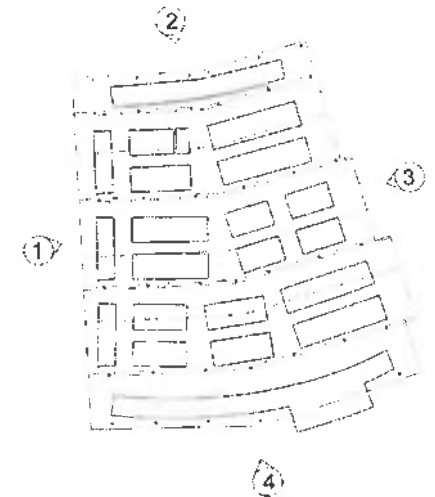
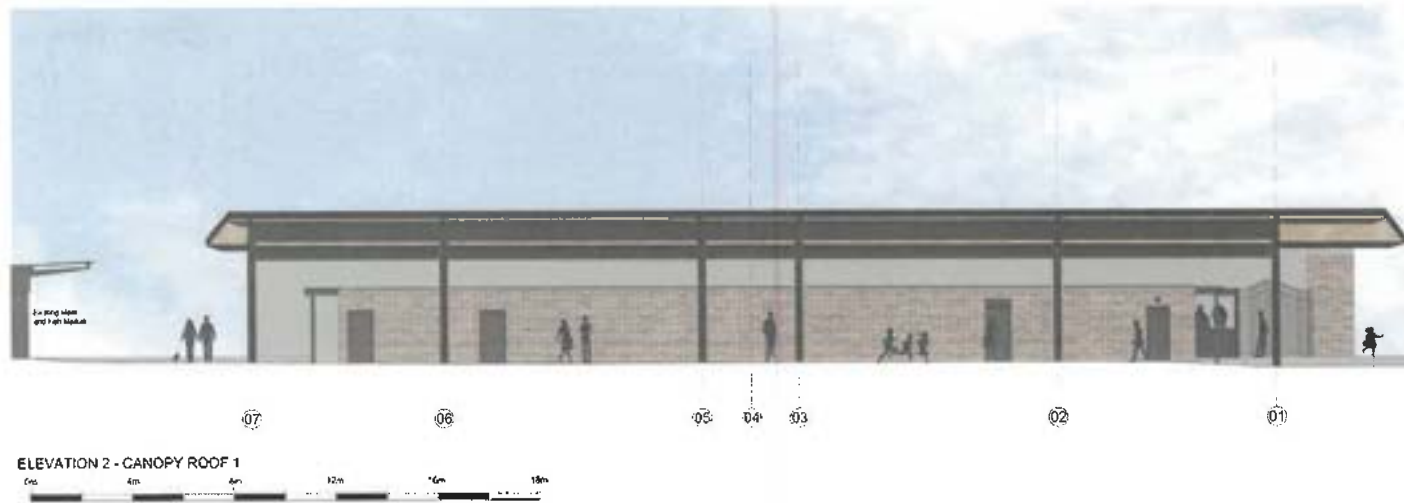
revision			
P01	Added table	15.12.21	NOQ
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P03	Columns are unit type, and column for the amount as SE details	21.04.22	NO
P04	Area value and column defining planning boundary	07.11.22	NOQ
P05	Maximum number and additional detail added	15.12.22	NOQ
P06	Area and column and column added	11.11.21	NOQ
P07	Added to the table, defining planning boundary	16.12.22	NOQ
P08	Area value and column for the amount added	10.08.21	NOQ
P09	Column removed - Area value added	21.04.22	C*
P10	Initial structural revision	22.05.21	NO





On the whole of this drawing, all dimensions to be checked on site and in plan, section and elevation. The drawing is the property of Just H Architects and should not be reproduced without permission. All dimensions to be checked on the printed version. This drawing is to be used in conjunction with the approved plan, section and elevation drawings.

ref.	description	date	by
P01	First issue	20/07/21	CT
P02	Columns, spans and type, and profile were generated as 3D model	21/07/21	CT
P03	Architectural style and materials were generated as 3D model	21/07/21	CT
P04	Columns, spans and type, and profile were generated as 3D model	21/07/21	CT
P05	Architectural style and materials were generated as 3D model	21/07/21	CT
P06	Architectural style and materials were generated as 3D model	21/07/21	CT
P07	Architectural style and materials were generated as 3D model	21/07/21	CT
P08	Architectural style and materials were generated as 3D model	21/07/21	CT
P09	Architectural style and materials were generated as 3D model	21/07/21	CT
P10	Architectural style and materials were generated as 3D model	21/07/21	CT



PLANNING ISSUE

BURY COUNCIL	client	 Just H Architects 11-13 High Street Bury, Greater Manchester M9 1PU 0161 257 7900 www.justh.co.uk
BURY MARKET	project	
MASTERPLAN	phase	
PROPOSED MARKET CANOPY	job No.	
ROOF 1 ELEVATIONS SHEET 2	draw No.	
BURMAR-PIA-XX-02-01-A-0003 Rev 000	scale	CT
1:100 @ A1	scale	CT

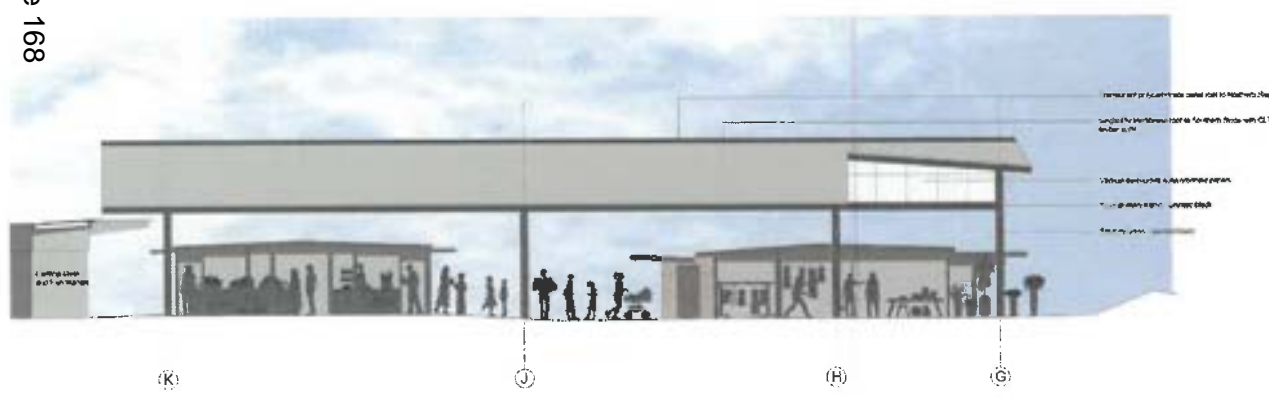
On the basis of the drawing, all other work to be detailed in relation to the structure and materials. The drawings are the property of Just H Architects and shall be used for the purpose of the project only. All other work to be detailed in relation to the structure and materials. The drawings are the property of Just H Architects and shall be used for the purpose of the project only.

REV	DESCRIPTION	DATE	BY
R01	Client approval	15.10.21	RDO
R02	Approved for planning application	12.09.21	CH
R03	Client approval and final design package completed at 100% detail, including final 3D models and final design	14.09.21	CH
R04	Client approval for planning application	08.11.21	CH
R05	Approved for planning application, including final design	08.11.21	CH
R06	Approved for planning application, including final design	10.12.21	CH
R07	Client approval - PLANNING ISSUE	21.04.22	CH

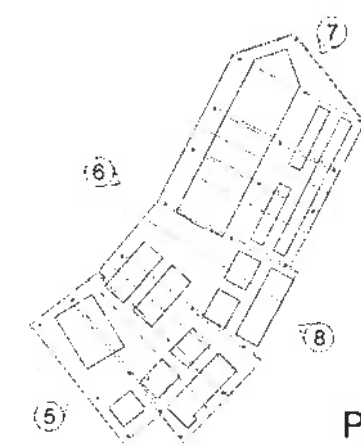


ELEVATION 8 - CANOPY ROOF 2

Page 168

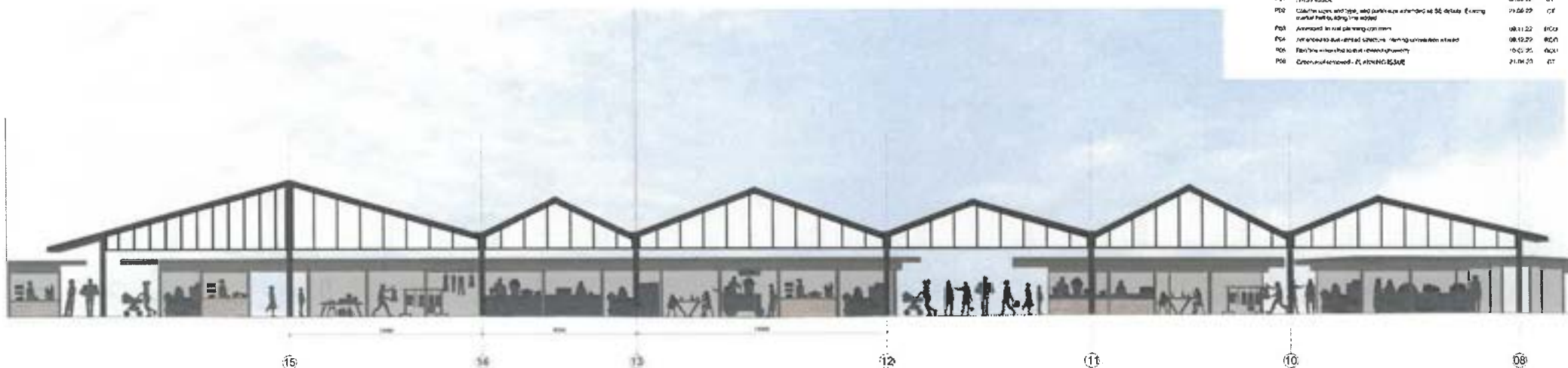


ELEVATION 5 - CANOPY ROOF 2



PLANNING ISSUE

BURY COUNCIL, BURY MARKET MASTERPLAN	client	 Just H Architects
PROPOSED MARKET CANOPY ROOF 2 ELEVATIONS - SHEET 1	project	
BC01	site	
BURMAR-JHA-MX-DR-A-0035 Rev P07	job no.	
1:250 @ A3	drawn	
SK	drawn	11.10.21 1:250 @ A3 1:250 @ A3 1:250 @ A3 1:250 @ A3

[illegible]

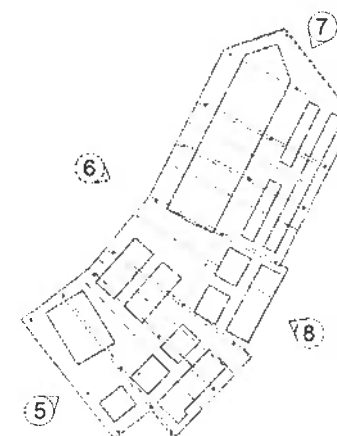
ELEVATION 6 - CANOPY ROOF 2



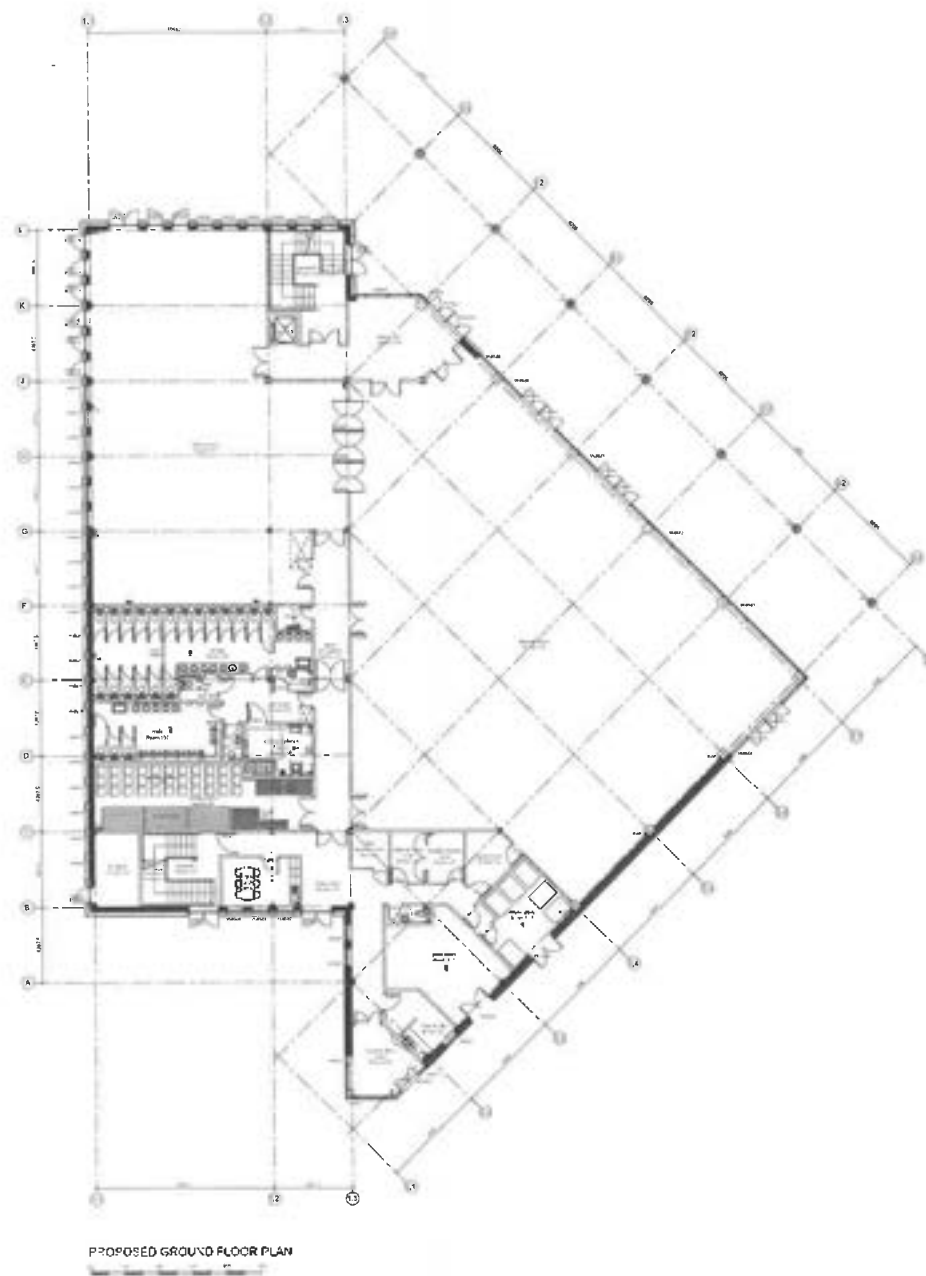
Page 169



ELEVATION 7 - CANOPY ROOF 2



PLANNING ISSUE

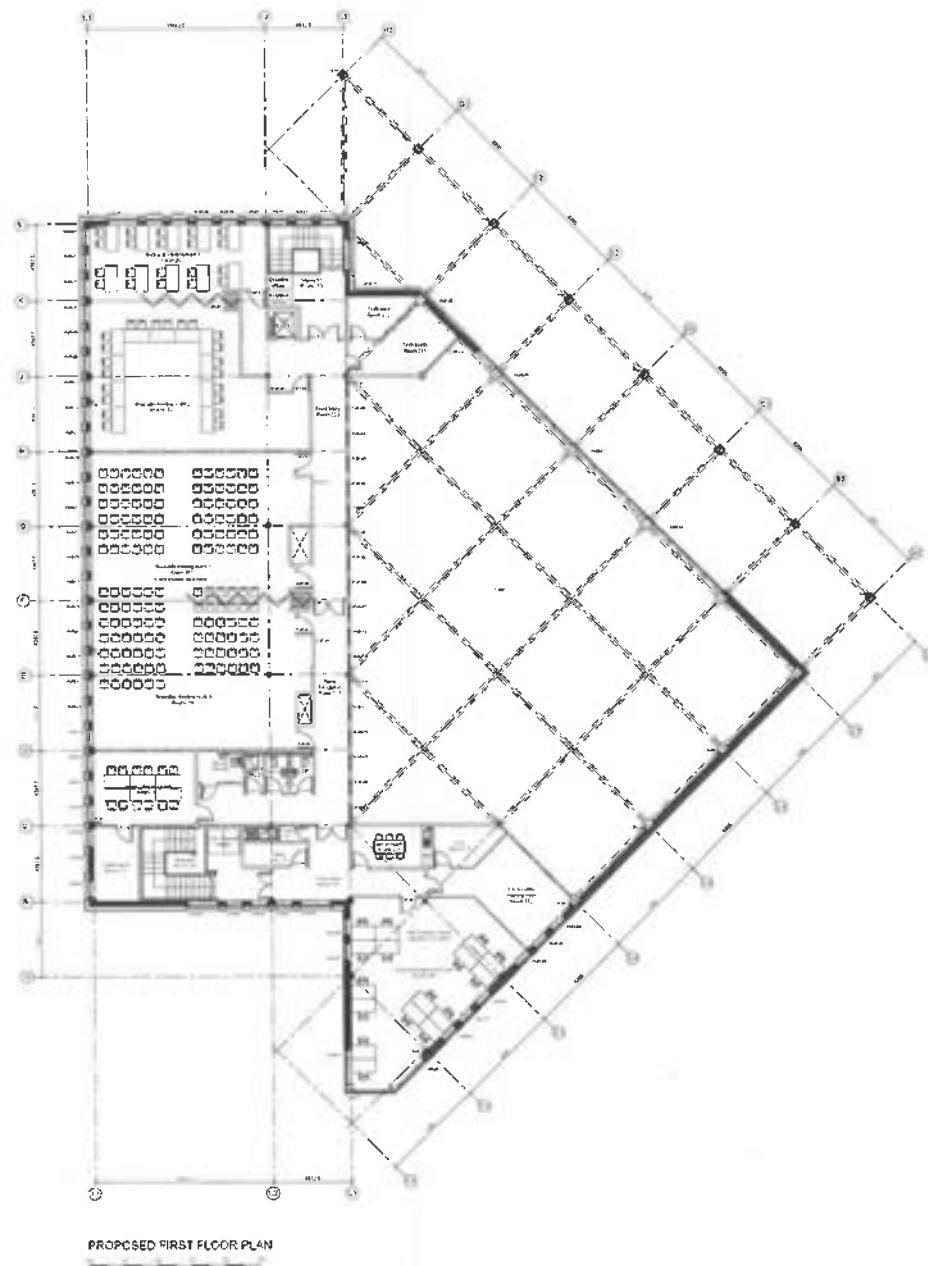


Of any walls or doors shown, all dimensions to be checked on site prior to construction and any variations to the drawing to be reported to the project manager. All dimensions shall be in millimetres unless otherwise stated. All dimensions shall be in millimetres unless otherwise stated. All dimensions shall be in millimetres unless otherwise stated.

REF	DESCRIPTION	AREA	UNIT
P1	EXIST. FLOOR	12.41.31	ACD
P2	Existing Floor: N1: subsoil	20.13.31	ACD
P3	Existing Floor: N2: subsoil	19.14.31	ACD
P4	Existing Floor: N3: subsoil	21.14.31	ACD
P5	Existing Floor: N4: subsoil	22.14.31	ACD
P6	Existing Floor: N5: subsoil	23.14.31	ACD
P7	Existing Floor: N6: subsoil	24.14.31	ACD
P8	Existing Floor: N7: subsoil	25.14.31	ACD
P9	Existing Floor: N8: subsoil	26.14.31	ACD
P10	Existing Floor: N9: subsoil	27.14.31	ACD
P11	Existing Floor: N10: subsoil	28.14.31	ACD
P12	Existing Floor: N11: subsoil	29.14.31	ACD
P13	Existing Floor: N12: subsoil	30.14.31	ACD
P14	Existing Floor: N13: subsoil	31.14.31	ACD
P15	Existing Floor: N14: subsoil	32.14.31	ACD
P16	Existing Floor: N15: subsoil	33.14.31	ACD
P17	Existing Floor: N16: subsoil	34.14.31	ACD
P18	Existing Floor: N17: subsoil	35.14.31	ACD
P19	Existing Floor: N18: subsoil	36.14.31	ACD
P20	Existing Floor: N19: subsoil	37.14.31	ACD
P21	Existing Floor: N20: subsoil	38.14.31	ACD
P22	Existing Floor: N21: subsoil	39.14.31	ACD

PLANNING ISSUE

BURY COUNCIL	client	
BURY MARKET MASTERPLAN	project	
FLEXIHALL GROUND FLOOR PLAN	title	
DCO1	job No.	
BURY MARKET: U2-09-01-A-0004 floor P22	draw No.	
1:150 @ A1	scale	...
RCD	drawn	...



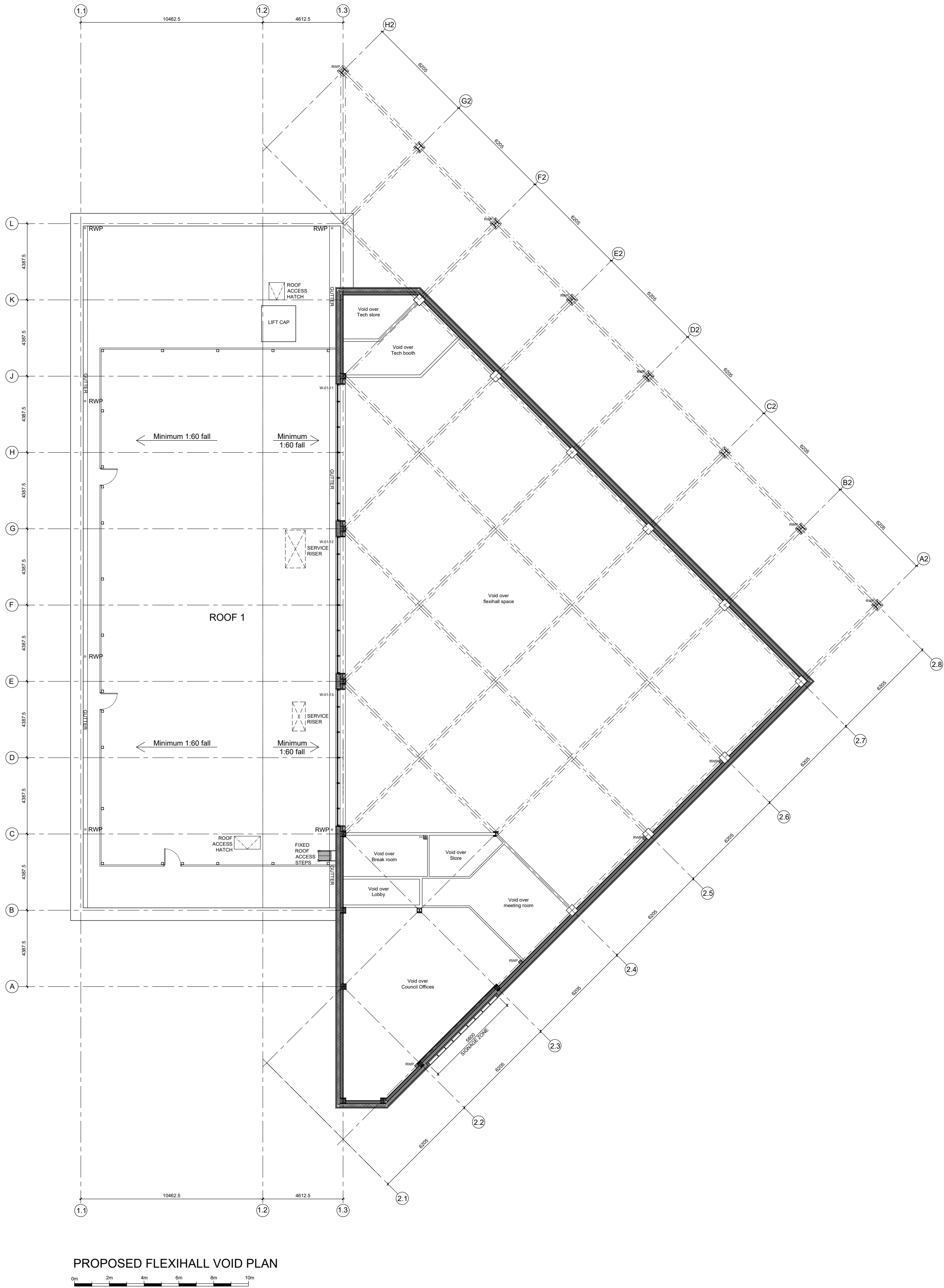
Notes			
P01	BASELINE	12.10.21	BOC
P02	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P03	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P04	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P05	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P06	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P07	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P08	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P09	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P10	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P11	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P12	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P13	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P14	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P15	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P16	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P17	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P18	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P19	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P20	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P21	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P22	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P23	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P24	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC
P25	Technical drawing, including rooms and spaces, to be used for the design of the building.	20.10.21	BOC

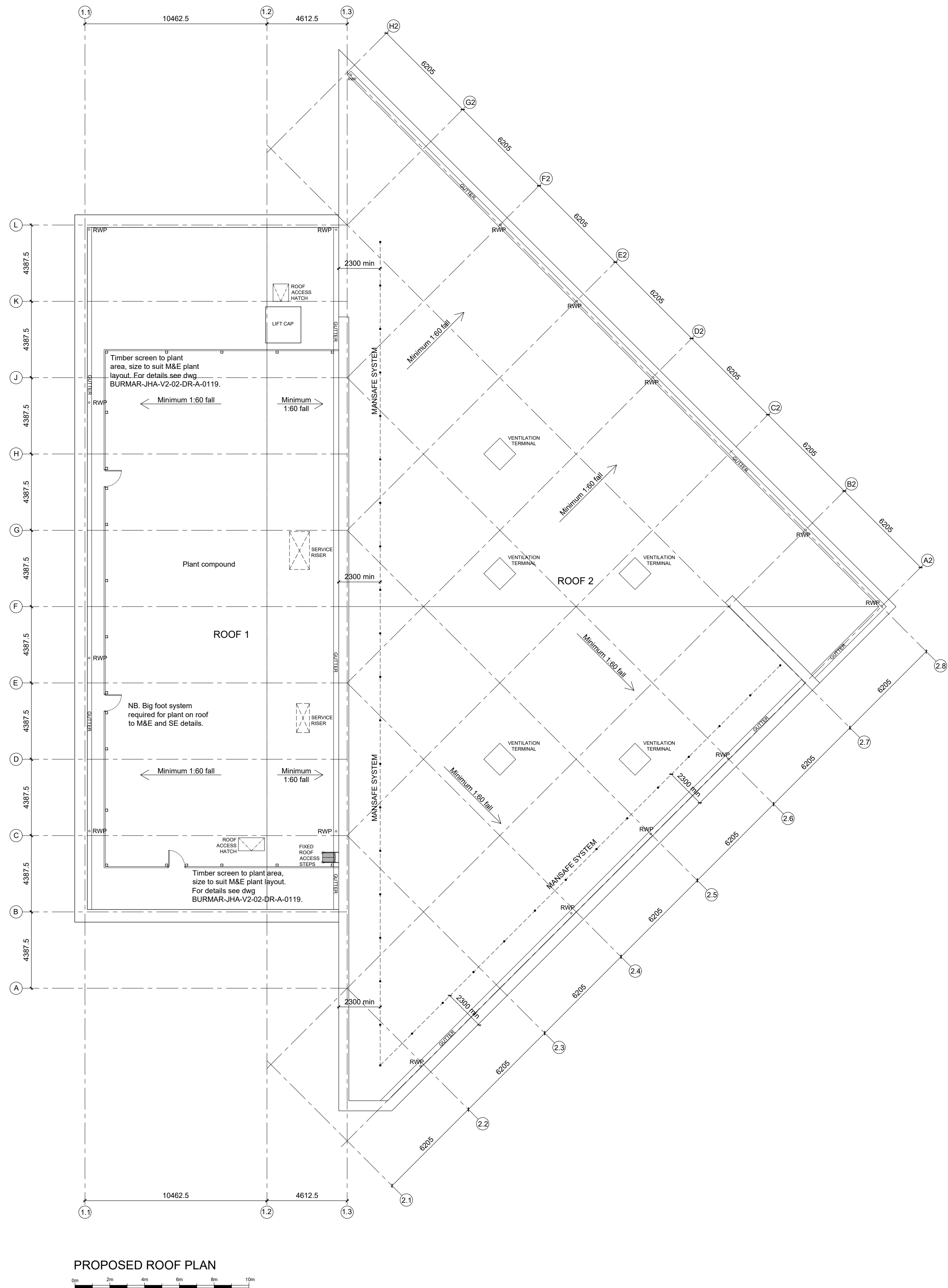
PLANNING ISSUE

BURY COUNCIL	client	 Just H Architects
BURY MARKET MASTERPLAN	project	
FLEXIHALL FIRST FLOOR PLAN	title	
BC01	sub No.	
BURMAR-01A-02-01-03-A-0035 Rev P25	draw No.	
1:50 @ A1	scale	
BOC	drawn	

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REVISION			
P01	FIRST ISSUE	06.09.22	CT
P02	Cantilever area noted as in abeyance	30.09.22	RCO
P03	Plant room added over council offices	28.11.22	RCO
P04	Plant room removed and void over rooms below reinstated. External wall at grid lines K1.3 - F2 updated to suit first floor alterations and void over tech booth added. Cantilever area at grid lines 1.3/2.1 removed.	06.01.23	CT
P05	Wall amended at GL A2/2.2-2.3 to include signage zone	08.02.23	CT
P06	PLANNING ISSUE	20.04.23	CT






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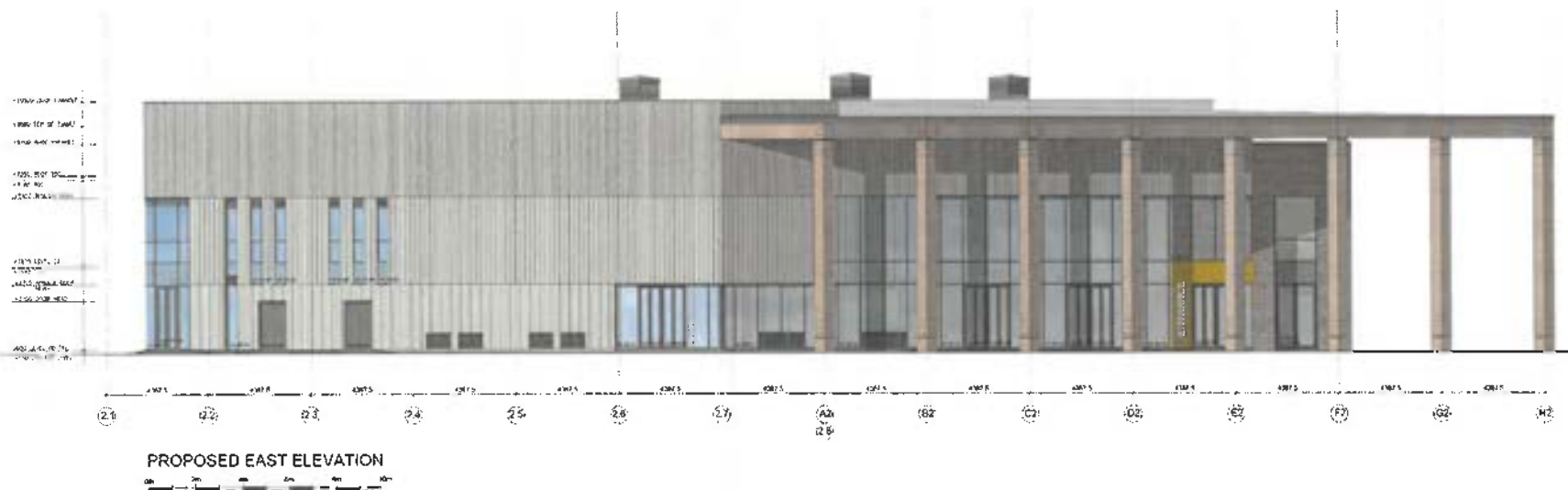
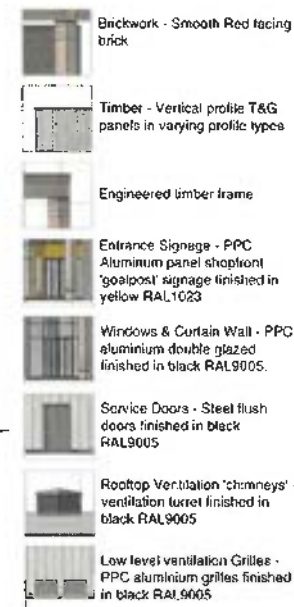
REVISION			
P01	FIRST ISSUE	12.10.21	RCO
P02	Amended to suit revised parapet heights	02.12.21	CT
P03	Amended following client briefing regarding market operation. Structural grid amended and building layout altered to suit. Service riser and M&E plant equipment positions added.	01.06.22	CT
P04	Roof access hatch & AOV removed to staircase 1 and staircase 2 amended to access hatch only as fire officers comments.	23.06.22	CT
P05	RWP locations updated to suit floor plans. Roof edge protection notes added	20.07.22	CT
P06	Roof access hatch position and size amended to suit access steps below. Access steps between lower roof and Flexihall roof added	25.08.22	CT
P07	Roof access hatch position amended as M&E comments. Plant enclosure added	06.09.22	CT
P08	Cantilever area noted as in abeyance	30.09.22	RCO
P09	50sqm meters of PV panels added to roof over council offices. Cantilever area at grid lines 1.3/2.1 removed.	06.01.23	CT
P10	Roof Access hatch location amended due to services as M&E engineers comments	08.02.23	CT
P11	Possible additional PV panel locations and areas added to achieve a total of 170 sqm as M&E engineers report.	23.02.23	CT
P12	Lower Roof 1 plant equipment added as M&E details and walkway positions added and plant enclosure screen amended to suit.	23.03.23	CT
P13	PLANNING ISSUE	20.04.23	CT

PLANNING ISSUE

BURY COUNCIL	client	 Just H Architects 107 Timber Wharf 32 Worsley Street Castlefield, Manchester M15 4NX 0161 237 5500 info@justharchitects.co.uk
BURY MARKET MASTERPLAN	project	
FLEXIHALL ROOF PLAN	title	
BCO1	job No.	
BURMAR-JHA-V2-02-DR-A-0006 Rev P13	dwg No.	
1:150 @ A1	scale	
RCO	drawn	

[illegible]

Key



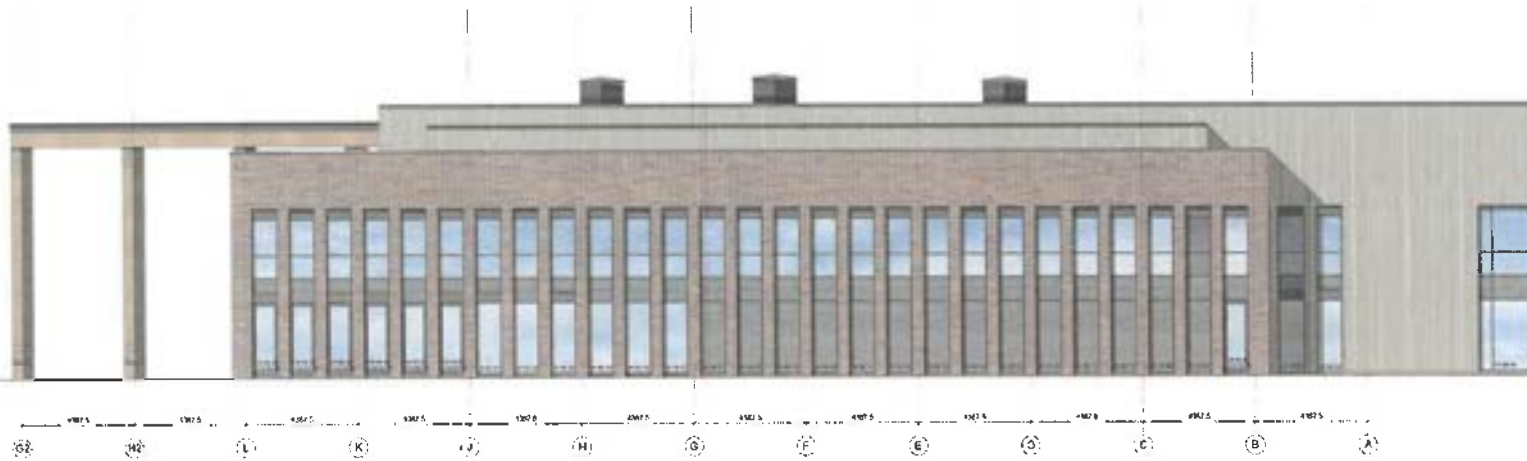
On no part of this drawing. All dimensions are checked on site prior to construction and construction. This drawing is the property of Just H Architects and should not be reproduced without permission. All drawings are to be checked on site prior to construction. This drawing is to be used for construction only. The contractor is to be responsible for all dimensions and details.

REV	DESCRIPTION	DATE	BY
P01	Final P01	12.10.21	RCO
P02	Approved to build (structural details)	10.11.21	CT
P03	Approved to build (structural details)	17.05.22	RCO
P04	Approved to build (structural details)	01.08.22	RCO
P05	Approved to build (structural details)	20.08.22	RCO
P06	Approved to build (structural details)	20.07.22	RCO
P07	Approved to build (structural details)	08.08.22	RCO
P08	Approved to build (structural details)	12.09.22	RCO
P09	Approved to build (structural details)	16.08.22	RCO
P10	Approved to build (structural details)	21.02.23	RCO
P11	PLANNING ISSUE	24.07.23	CT
P12	Planned height supported at ceiling	20.08.23	CT

Key

- Brickwork - Smooth Red facing brick
- Timber - Vertical profile T&G panels in varying profile types
- Rooftop plant screen - Vertical timber T&G panels
- Engineered timber frame
- Windows & Curtain Wall - PPC aluminium double glazed finished in black RAL9005.
- Rooftop Ventilation 'chimneys' - ventilation turret finished in black RAL9005

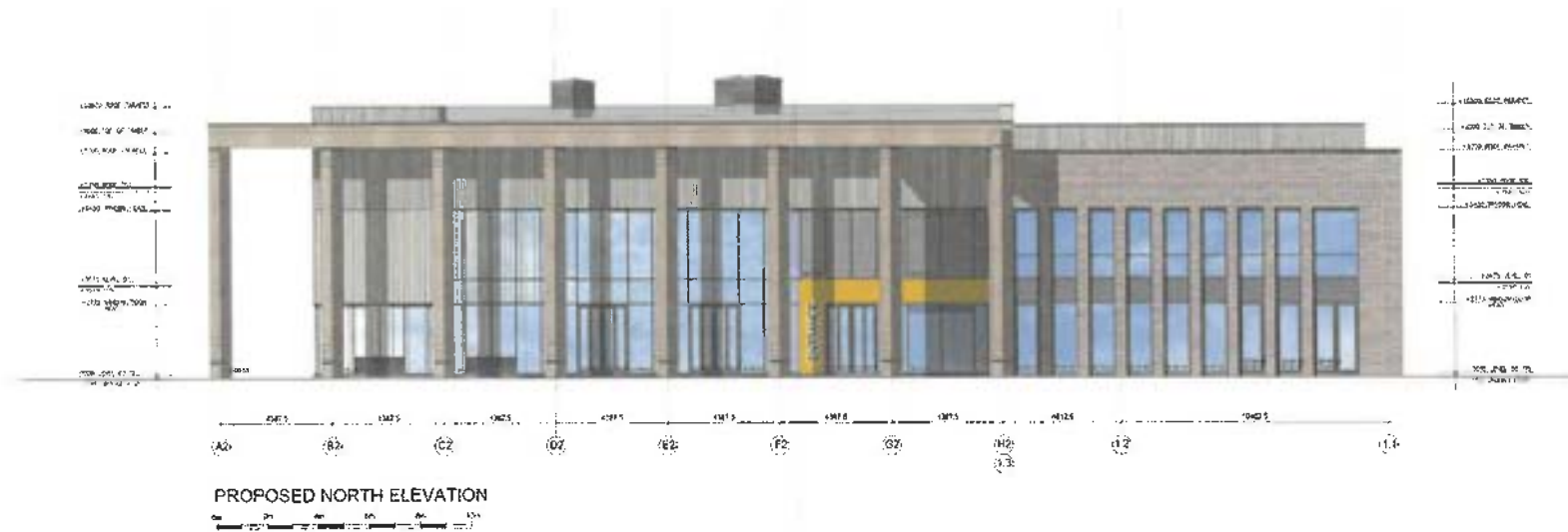
Page 175



PROPOSED WEST ELEVATION











BURY COUNCIL	client	 <p>Just H Architects</p>
BURY MARKET MASTERPLAN	project	
FLEXIHALL WEST ELEVATION	date	
0001	rev No.	
BURMAR-PLAN-022-OR-A-0007 Rev P12	drawn by	Just H Architects
1:100 @ A1	scale	Just H Architects
RCO	drawn by	Just H Architects



Go over some of the drawing. An agreement to be obtained on the part of the architect and the client. The drawing is the property of the architect and cannot be used for any other purpose without permission. It is not to be used in any way for the purpose of the architect's liability. The drawing is to be used in conjunction with the architect's contract and the architect's liability.

REVISION			
P01	INITIAL ISSUE	12.10.21	RCO
P02	Amendments for revised building details	13.11.21	GT
P03	Amendments for revised building details	17.01.22	RCO
P04	Amendments for revised building details	17.01.22	RCO
P05	Amendments for revised building details	17.01.22	RCO
P06	Amendments for revised building details	17.01.22	RCO
P07	Amendments for revised building details	17.01.22	RCO
P08	Amendments for revised building details	17.01.22	RCO
P09	Amendments for revised building details	17.01.22	RCO
P10	Amendments for revised building details	17.01.22	RCO
P11	Amendments for revised building details	17.01.22	RCO
P12	Amendments for revised building details	17.01.22	RCO
P13	Amendments for revised building details	17.01.22	RCO

Key

-  Brickwork - Smooth Red facing brick
-  Timber - Vertical profile T&G panels in varying profile types
-  Engineered timber frame
-  Rooftop plant screen - Vertical profile T&G panels
-  Windows & Curtain Wall - PPC aluminium double glazed finished in black RAL9005
-  Entrance Signage - PPC Aluminium panel shopfront 'goalpost' signage finished in yellow RAL1023
-  Rooftop Ventilation 'chimneys' - ventilation turret finished in black RAL9005
-  Low level ventilation Grilles - PPC aluminium grilles finished in black RAL9005

BURY COUNCIL	client:	
BURY MARKET MASTERPLAN	project:	
FLEXIHALL NORTH ELEVATION	info:	
8001	job No.	
BURMAR-JHA-V2-ZZ-DR-A-0003 Rev P13	draw No.	Just H Architects
1:100 @ A1	scale:	100% (1:100)
RCO	drawn:	100% (1:100)


Do not scale off this drawing. All dimensions to be checked on site prior to construction and
 government. The drawings to be supplied to the contractor should be updated with
 government. All dimensions to be brought to the attention of the architect immediately. The drawing
 to be used in conjunction with the specification and the contract documents.

REV	DATE	DESCRIPTION	BY	CHKD
R01	14.10.21	ADOPTED	RCO	
R02	30.11.21	Amended to add new roof detail	RCO	
R03	17.05.22	Amended to add additional Stage 2 drawing	RCO	
R04	21.05.22	Amended to add additional Stage 2 drawing	RCO	
R05	21.05.22	Minor amendments	RCO	
R06	18.07.22	Amended to add additional detail	RCO	
R07	26.08.22	Amended to add additional detail	RCO	
R08	18.09.22	Minor amendments	RCO	
R09	05.12.22	Minor amendments	RCO	
R10	24.02.23	Minor amendments	RCO	
R11	20.04.23	Minor amendments	RCO	

Key

- Brickwork - Smooth Red facing brick
- Timber - Vertical profile T&G panels in varying profile types
- Engineered timber frame
- Rooftop plant screen - Vertical profile T&G panels
- Windows & Curtain Wall - PPC aluminium double glazed finished in black RAL9005.
- Service Doors - Steel flush doors finished in black RAL9005
- Rooftop Ventilation 'chimneys' - ventilation turret finished in black RAL9005
- Low level ventilation Grilles - PPC aluminium grilles finished in black RAL9005



BURY COUNCIL	client	 Just H Architects <small>Just H Architects Ltd</small> <small>100-102, The Quadrant, Bury, Greater Manchester, M9 1UG</small> <small>0161 254 1111</small> <small>www.justh.co.uk</small>
BURY MARKET MASTERPLAN	project	
FLEXIHALL SOUTH ELEVATION	drawn	
BURWAR-BM-V2-ZZ-08-A-0010 Rev P11	drawn	
1:100 A1	drawn	
RCO	drawn	

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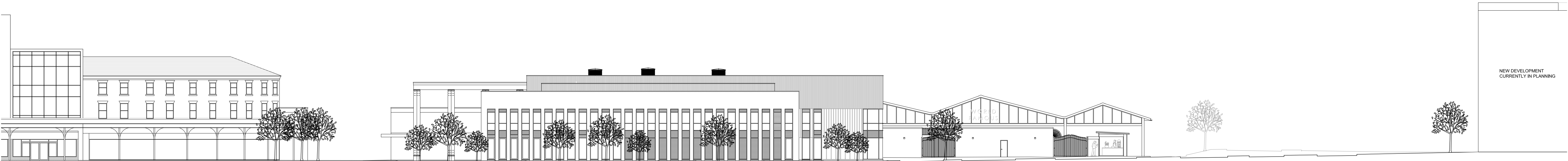
REVISION

P01

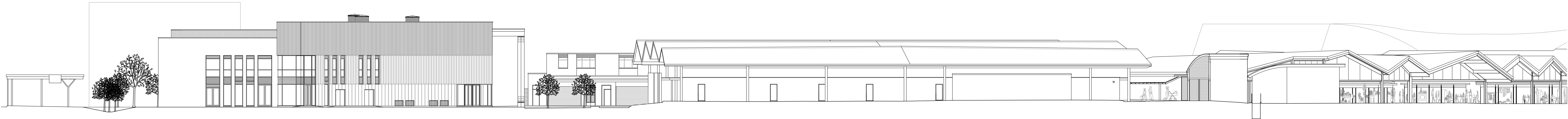
FIRST ISSUE

05.05.23

RCO



STREET ELEVATION AT WESTERN EDGE OF SITE



STREET ELEVATION AT SOUTHERN EDGE OF SITE



PLANNING ISSUE

BURY COUNCIL

client

BURY MARKET
MASTERPLAN

project

SITE
ELEVATIONS

title

BCO1

job No.

BURMAR-JHA-V6-ZZ-DR-A-0153 Rev P01

dwg No.

1:250 @ A1

scale

RCO

drawn





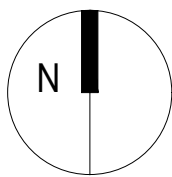
SEE JUST-H
ARCHITECTS PLANS
FOR CANOPY
PROPOSAL

- KEY**
- BOUNDARIES**
- CONTRACT BOUNDARY
- HARDWORKS**
- REFER TO DRAWING BURMAR-GLL-V6-00-DR-L-0112
SURFACE MATERIALS PLAN FOR FURTHER DETAILS
- P1 PAVING (NON ADOPTABLE)
 - P2 PAVING (ADOPTABLE)
 - P3 PAVING (LINK PAVING)
 - P4 GRANITE SETTS (RECLAIMED)
 - P5 TACTILE PAVING
 - P6 ASPHALT CONCRETE (PEDESTRIAN)
 - P7 ASPHALT CONCRETE (VEHICULAR)
- STREET FURNITURE**
- REFER TO DRAWING BURMAR-GLL-V6-00-DR-L-0115
FURNITURE PLAN FOR FURTHER DETAILS
- F01 BESPOKE MODULAR SEATING
 - F02 STANDARD SEATING
 - F03 LITTER BINS
 - F04 CYCLE STANDS
 - F05 FINGERPOSTS
 - F06 DOOR BARRIER
 - F07 BALLUSTRADE
 - F08 STONE BOLLARDS
- LIGHTING & CCTV**
- REFER TO DRAWING BURMAR-GLL-V6-00-DR-L-0116
LIGHTING AND CCTV PLAN FOR FURTHER DETAILS.
NOTE: ALL DETAIL DESIGN BY OTHERS
- L1 - LIGHTING COLUMNS L2 - SOFFIT LIGHTING
 - L3 - BUILDING MOUNTED
 - L4 FESTOON LIGHTING
 - CCTV
 - PROPOSED TELECOM BOX RELOCATION
- SOFTWORKS**
- REFER TO DRAWING BURMAR-GLL-V6-00-DR-L-0117
SOFTWORKS PLAN FOR FURTHER DETAILS
- PLANTING MIX 01 RANGARDEN
 - PLANTING MIX 02 PERENNIAL
 - PROPOSED TREES
 - EXISTING TREES RETAINED

rev	details	by	date	rev	details	by	date
00	PRELIMINARY	ED	30.01.2023	08	STAGE 4	AN	30.06.2023
01	RED LINE BOUNDARY UPDATED	ED	31.01.2023				
02	DRAFT 3+ ISSUE	CB	06.02.2023				
03	DESIGN RESOLUTION	ED	10.02.2023				
04	DESIGN RESOLUTION	ED	17.02.2023				
05	TRAFFIC ISLAND REMOVAL	ED	14.04.2023				
06	PLANNING	ED	18.04.2023				
07	STAGE 4 DRAFT	AN	22.06.2023				

Notes

- Do not scale from drawing, use figured dimensions only
- All dimensions to be checked onsite
- This drawing to be read in conjunction with all other Gillespies drawings and specifications



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Project title
**BURY MARKET AND FLEXI HALL
STAGE 4**

Drawing title
**LANDSCAPE GENERAL
ARRANGEMENT PLAN**

Drawing number
BURMAR-GLL-V6-00-DR-L-0100

Drawing Status	Revision		
STAGE 4	08		
Date	Scale	Drawn	Checked
30.01.2023	1:200 @ A1	ED	AG

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







Client
Vinci Construction

GILLESPIES

5th Floor, Phoenix House, 3 South Parade, Leeds, LS1 5DX
P: 0113 247 0550 F: 0113 247 0550 E: design.team@gillespies.co.uk



LEGEND:

-  Market Office (single stack)
-  VINCI Office & Welfare (double stack)
-  Subcontractor Office/Stores (double stack)
-  Storage Containers (single stack)
-  Security Point
-  Pedestrian Route
-  Vehicle Route
-  VINCI Compound
Approx 54 x 34m
Loss of 116 spaces
Solid Hoardings with Gates

Project: Bury Market
 Title: Proposed Site Office & Welfare Compound
 Date: **March 23**



REPORT FOR NOTING

Agenda Item 5

Bury
COUNCIL

**Agenda
Item**

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	29 August 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 17/07/2023 and 20/08/2023



Ward: **Bury East**

Application No.: 69366 **App. Type:** FUL 21/07/2023 Refused

Location: Woolfield House, Wash Lane, Bury, BL9 6BJ

Proposal: Erection of two storey building comprising of 4 no. flats

Application No.: 69700 **App. Type:** LDCP 25/07/2023 Lawful Development

Location: 35 Lea Mount Drive, Bury, BL9 7RR

Proposal: Lawful development certificate for proposed single storey flat roofed house extension attached to rear of semi-detached dwelling

Application No.: 69714 **App. Type:** P3JPA 27/07/2023 Prior Approval Required and Granted

Location: 7 Broad Street, Bury, BL9 0DA

Proposal: Prior approval for proposed change of use from commercial (Class E) to 4 no. apartments (Class C3)

Application No.: 69738 **App. Type:** FUL 10/08/2023 Approve with Conditions

Location: 40 Hurst Street, Bury, BL9 7ES

Proposal: Single storey rear extension

Application No.: 69880 **App. Type:** DEM 04/08/2023 Prior Approval Required and Granted

Location: Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

Proposal: Prior approval for proposed demolition of existing two storey residential accommodation blocks nos. 54, 55, 56 and 57

Ward: **Bury East - Redvales**

Application No.: 69708 **App. Type:** FUL 04/08/2023 Approve with Conditions

Location: 88 Valley Mill Lane, Bury, BL9 9BY

Proposal: Two storey rear extension; First floor side extension; Conversion of existing garage to living accommodation

Application No.: 69730 **App. Type:** FUL 31/07/2023 Approve with Conditions

Location: 11 Parkhills Close, Bury, BL9 9HB

Proposal: Two storey rear and first floor side extension

Application No.: 69779 **App. Type:** FUL 27/07/2023 Approve with Conditions

Location: 11 Brocklehurst Avenue, Bury, BL9 9AQ

Proposal: Single storey pitch roof rear extension

Application No.: 69785 **App. Type:** FUL 03/08/2023 Approve with Conditions
Location: 147 Radcliffe Road, Bury, BL9 9LN
Proposal: Single storey rear extension

Application No.: 69822 **App. Type:** FUL 08/08/2023 Approve with Conditions
Location: 19 Hampshire Close, Bury, BL9 9EZ
Proposal: Erection of canopy with pillars to front elevation

Ward: **Bury West - Elton**

Application No.: 69660 **App. Type:** FUL 24/07/2023 Approve with Conditions
Location: 1 Holbeach Close, Bury, BL8 1XA
Proposal: Two storey extension at side, single storey extension at side/rear and pitched roof on garage

Application No.: 69696 **App. Type:** LDGP 10/08/2023 Lawful Development
Location: 67 Hunstanton Drive, Bury, BL8 1XH
Proposal: Lawful development certificate for proposed change of use from four-bedroom house (Class C3) to residential children's home for three children with up to two staff working on a rota basis (Class C2)

Application No.: 69706 **App. Type:** FUL 26/07/2023 Refused
Location: The Gatehouse, Woodhill Road, Bury, BL8 1BN
Proposal: Partial demolition and replacement of 1 no. dwelling

Ward: **Bury West - West**

Application No.: 69518 **App. Type:** FUL 04/08/2023 Approve with Conditions
Location: 32 Grange Road, Bury, BL8 2PE
Proposal: First floor extension at side

Application No.: 69656 **App. Type:** FUL 21/07/2023 Refused
Location: Land at Kingston Close, Bury, BL8 2EJ
Proposal: Erection of 4 no. dwellings and community facilities/recreation area with associated parking and landscaping

Application No.: 69674 **App. Type:** FUL 04/08/2023 Approve with Conditions
Location: 29 Bolton Road, Bury, BL8 2AB
Proposal: Change of use of former shop/ living accommodation (Use Class E) to 2 no. flats including building up of shop front and formation of new window openings.

Application No.: 69709 **App. Type:** FUL 25/07/2023 Approve with Conditions
Location: 2 Chatton Close, Bury, BL8 2UE
Proposal: Single storey rear extension

Ward: **North Manor**

Application No.: 69666 **App. Type:** FUL 04/08/2023 Approve with Conditions
Location: Summerseat Methodist Primary School, Rowlands Road, Summerseat, Ramsbottom, Bury, BL9 5NF
Proposal: Single storey rear extension with ramp access

Application No.: 69760 **App. Type:** FUL 27/07/2023 Approve with Conditions
Location: 5 Hillstone Close, Tottington, Bury, BL8 4EZ
Proposal: Front porch; single/two storey extension at rear; first floor extension at front; raising height of roof; dormer extension at front and 1 no. loft window to front/side elevations and external alterations including white render to all elevations

Application No.: 69762 **App. Type:** FUL 03/08/2023 Approve with Conditions
Location: 5 Beech Grove, Tottington, Bury, BL8 4DY
Proposal: Roof/first floor extension to existing bungalow to form two storey dwelling; Single storey extensions at front and side; Render to external elevations; Formation of parking area at front and new vehicular access

Application No.: 69764 **App. Type:** FUL 14/08/2023 Approve with Conditions
Location: 669 Walmersley Road, Bury, BL9 5JD
Proposal: Single storey rear extension

Application No.: 69838 **App. Type:** FUL 15/08/2023 Approve with Conditions
Location: 242 Holcombe Road, Tottington, Bury, BL8 4BD
Proposal: Erection of detached outbuilding at rear

Ward: **Prestwich - Holyrood**

Application No.: 69640 **App. Type:** FUL 19/07/2023 Refused
Location: 2 Mount Pleasant, Prestwich, Manchester, M25 2SD
Proposal: Single storey side extension and first floor balcony with glass balustrade; Extension of existing loft conversion with dormers at front and rear; Front porch

Application No.: 69664 **App. Type:** P3JPA 08/08/2023 Prior Approval Required and Granted
Location: 76 Bury Old Road, Whitefield, Manchester, M45 6TL
Proposal: Prior approval for proposed change of use of first floor from commercial (Class E) to 1 no. flat (Class C3)

Application No.: 69849 **App. Type:** GPDE 16/08/2023 Prior Approval Not Required - Extension
Location: 61 Polefield Hall Road, Prestwich, Manchester, M25 2WW
Proposal: Prior approval for proposed single storey rear extension

Ward: **Prestwich - Sedgley**

Application No.: 69533 **App. Type:** FUL 25/07/2023 Approve with Conditions
Location: 109 Park Road, Prestwich, Manchester, M25 0DX
Proposal: Two storey side extension; Single storey rear extension; Front porch; Bay window to front elevation; Associated roof alterations including dormer to the rear and extend parking area to the front (access point to remain as existing)

Application No.:	69559	App. Type:	FUL	16/08/2023	Refused
Location:	Land to the rear of Manchester Mesivta High School on Thorndyke Walk, between 3 Thorndyke Walk and the rear boundary of Park View Primary School, Prestwich,				
Proposal:	Erection of two single-storey classrooms and associated recreational facilities (a Multi-Use Games Area)				
Application No.:	69652	App. Type:	FUL	17/07/2023	Approve with Conditions
Location:	Manchester Mesivta High School, Charlton Avenue, Prestwich, Manchester, M25 0PH				
Proposal:	Single storey infill extension at first floor for additional classrooms				
Application No.:	69675	App. Type:	FUL	02/08/2023	Approve with Conditions
Location:	2 Deyne Avenue, Prestwich, Manchester, M25 1EJ				
Proposal:	Installation of velux roof lights, alterations to windows & doors and new raised patio / terrace to the south-west elevation				
Application No.:	69679	App. Type:	FUL	18/07/2023	Approve with Conditions
Location:	29 The Crescent, Prestwich, Manchester, M25 1FL				
Proposal:	Single storey rear extension and decking area at rear				
Application No.:	69701	App. Type:	FUL	03/08/2023	Approve with Conditions
Location:	110 Park Road, Prestwich, Manchester, M25 0DU				
Proposal:	Retrospective application for the part retention of ground floor lounge extension of a two storey front extension together with alterations to the first floor bay window from an arched bay to a squared bay.				
Application No.:	69707	App. Type:	FUL	03/08/2023	Approve with Conditions
Location:	14 Ravens Close, Prestwich, Manchester, M25 0FU				
Proposal:	Part First floor / two storey side and rear extension and a single storey rear extension				
Application No.:	69712	App. Type:	FUL	18/07/2023	Approve with Conditions
Location:	27 Parksway, Prestwich, Manchester, M25 0JB				
Proposal:	Front porch with stepped access; Part single/Part two storey side/rear extension; Single storey rear extension				
Application No.:	69718	App. Type:	FUL	14/08/2023	Approve with Conditions
Location:	7 Sheepfoot Lane, Prestwich, Manchester, M25 0BL				
Proposal:	Two/single storey extension at side/rear; Loft conversion with hip to gable roof extension and dormers at front and rear; Front porch; Erection of detached outbuilding at rear				
Application No.:	69727	App. Type:	FUL	03/08/2023	Approve with Conditions
Location:	117 Bury Old Road, Prestwich, Manchester, M25 0EQ				
Proposal:	Single storey rear extension and alterations to front entrance, addition of obscure glazed side windows				
Application No.:	69740	App. Type:	FUL	28/07/2023	Approve with Conditions
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 and Friday-Saturday 10:00-02:00 (As Approved) to Sunday-Thursdays 10:00-00:30 (extended) and Friday-Saturday 10:00-02:00 hrs (as approved)).				

Application No.: 69776 **App. Type:** FUL 27/07/2023 Approve with Conditions
Location: 38 Albert Avenue, Prestwich, Manchester, M25 0LX
Proposal: Single storey rear extension with partial lower level.

Application No.: 69780 **App. Type:** FUL 15/08/2023 Refused
Location: 15 Woodthorpe Grange, Prestwich, Manchester, M25 0GU
Proposal: Two storey rear extension and loft conversion with 2 no. side dormers

Application No.: 69784 **App. Type:** FUL 15/08/2023 Approve with Conditions
Location: 7 Fairway, Prestwich, Manchester, M25 0JF
Proposal: Two storey side extension; single storey rear extension and front porch

Ward: **Prestwich - St Mary's**

Application No.: 69499 **App. Type:** FUL 31/07/2023 Approve with Conditions
Location: 101 St Anns Road, Prestwich, Manchester, M25 9GE
Proposal: Single storey side extension

Application No.: 69565 **App. Type:** FUL 26/07/2023 Approve with Conditions
Location: Shrewsbury House, Lowther Road, Prestwich, Manchester, M25 9QG
Proposal: Replacement of steps to lower ground garden incorporating a mid-step landing, steps from front of property to rear garden and the erection of noise insulation boundary fencing

Application No.: 69583 **App. Type:** FUL 25/07/2023 Refused
Location: 106 Butterstile Lane, Prestwich, Manchester, M25 9PP
Proposal: Raising of roof ridge height and new rear dormer with juliet balcony

Application No.: 69619 **App. Type:** FUL 20/07/2023 Refused
Location: 76 Highfield Road, Prestwich, Manchester, M25 3AQ
Proposal: First floor extension at side and single storey extension at side/rear; Front porch

Application No.: 69671 **App. Type:** FUL 25/07/2023 Approve with Conditions
Location: 84 Clifton Road, Prestwich, Manchester, M25 3HR
Proposal: Replacement of existing conservatory at side with single storey side extension.

Application No.: 69676 **App. Type:** FUL 15/08/2023 Approve with Conditions
Location: 3 Hamilton Road, Prestwich, Manchester, M25 9GG
Proposal: Installation of Solar PV array on flat roof of dwelling

Application No.: 69756 **App. Type:** FUL 25/07/2023 Approve with Conditions
Location: 61 Prestwich Hills, Prestwich, Manchester, M25 9PY
Proposal: Single storey side/rear extension with roof lantern; new retaining wall and steps

Application No.: 69757 **App. Type:** FUL 27/07/2023 Approve with Conditions
Location: 5 Hollyedge Drive, Prestwich, Manchester, M25 9RG
Proposal: Single storey extension at front, side and rear; Widening of existing driveway/vehicular access

Application No.: 69783 **App. Type:** LDCP 08/08/2023 Lawful Development
Location: 22 Brookfield, Prestwich, Manchester, M25 1EL
Proposal: Lawful development certificate for proposed demolition of existing store and erection of single storey side extension

Application No.: 69789 **App. Type:** FUL 18/08/2023 Approve with Conditions
Location: 21 Sandy Lane, Prestwich, Manchester, M25 9RD
Proposal: Single storey front extension, conversion of garage, alterations to the existing vehicular access and extended dropped kerb

Ward: **Radcliffe - East**

Application No.: 69721 **App. Type:** TEL 25/07/2023 Prior Approval Required and Granted
Location: Land within Fragrance Oils site, off Eton Way South, Radcliffe, Manchester, M26 2FR
Proposal: Prior approval for proposed telecommunications installation comprising of a 25.0m High Swann CS55 Lattice tower on proposed 6.0mx 6.0m concrete base, together with 6No. Antennas, 1No GPS Module, 1No. 300mm Dish, 1No. 600mm Dish, 3No. Cabinets, 1No. Meter Cabinet and associated ancillary works.

Application No.: 69855 **App. Type:** SCR 28/07/2023 EIA not required
Location: Star Academy, Spring Lane, Radcliffe, Manchester, M26 2SZ
Proposal: EIA Screening Opinion' under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) for proposed secondary school (Class F1) with associated sports facilities, access, car parking and landscaping

Ward: **Radcliffe - North and Ainsworth**

Application No.: 69624 **App. Type:** FUL 02/08/2023 Approve with Conditions
Location: 62 Starling Road, Radcliffe, Manchester, M26 4LN
Proposal: Erection of replacement dwelling

Application No.: 69698 **App. Type:** FUL 28/07/2023 Approve with Conditions
Location: 66 Turks Road, Radcliffe, Manchester, M26 4QB
Proposal: Two storey rear extension and front porch extension following the demolition of existing along with the erection of new outbuilding

Application No.: 69713 **App. Type:** FUL 03/08/2023 Approve with Conditions
Location: The Bungalow, 7 Knowsley View, Knowsley Road, Ainsworth, Bolton, BL2 5PT
Proposal: First floor side/rear extension

Application No.: 69723 **App. Type:** LDCP 28/07/2023 Lawful Development
Location: 74 Higher Ainsworth Road, Radcliffe, Manchester, M26 4JF
Proposal: Lawful development certificate for proposed single storey rear extension to a domestic dwelling within permitted development rights

Application No.: 69790 **App. Type:** FUL 18/08/2023 Approve with Conditions
Location: Titus Barn, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR
Proposal: Variation of condition no. 2 (approved plans) and no.14 (materials) on p/p 68002 (conversion of existing building to 1 no. dwelling including dormer on the rear): Change of approved materials - roof, dormer and walls to be Kingspan colour black.

Application No.: 69840 **App. Type:** AG 26/07/2023 Prior Approval Not Required
Location: Arthur Lane Nurseries, 1 Arthur Lane, Radcliffe, Bolton, BL2 5PW
Proposal: Agricultural Notification for proposed agricultural building

Ward: **Radcliffe - West**

Application No.: 69667 **App. Type:** LDCP 19/07/2023 Lawful Development
Location: 255 Stand Lane, Radcliffe, Manchester, M26 1JA
Proposal: Lawful development certificate for proposed single storey rear extension

Ward: **Ramsbottom + Tottington - Tottington**

Application No.: 69685 **App. Type:** FUL 14/08/2023 Approve with Conditions
Location: Tottington St Johns Sports Club, Beryl Avenue, Tottington, Bury, BL8 3NF
Proposal: Single storey extensions at front and rear

Application No.: 69691 **App. Type:** LDCP 17/07/2023 Lawful Development
Location: Lynton, Watling Street, Tottington, Bury, BL8 3QW
Proposal: Lawful development certificate for proposed garage conversion which will include a small open lounge and kitchenette and separate WC which is to be used ancillary to the main house

Application No.: 69743 **App. Type:** FUL 27/07/2023 Approve with Conditions
Location: 76 Neston Road, Tottington, Bury, BL8 3DB
Proposal: Replacement of existing flat roof dormers with pitched roof and extension of both side walls to front and rear up to the ridge; Single storey side extension and front porch

Ward: **Ramsbottom and Tottington - Ramsbottom**

Application No.: 68772 **App. Type:** FUL 31/07/2023 Refused
Location: Higher Ash Barn, 12 Hawkshaw Lane, Tottington, Bury, BL8 4LD
Proposal: Erection of two storey garage/garden outbuilding

Application No.: 69509 **App. Type:** PMBPA 20/07/2023 Prior Approval Required and Granted
Location: Abbotts Hall, Woodhey Road, Ramsbottom, Bury, BL0 9RD
Proposal: Prior approval of proposed change of use of agricultural building to 3 no. dwellinghouses (Use Class C3)

Application No.: 69614 **App. Type:** FUL 25/07/2023 Refused
Location: 39 Bye Road, Shuttleworth, Ramsbottom, Bury, BL0 0HH
Proposal: Single storey side extension; Front porch extension; Roof dormer extension; Boundary fence; Decking in garden and change of use of recreation area to domestic curtilage

Application No.: 69628 **App. Type:** FUL 04/08/2023 Refused
Location: 44 Bridge Street, Ramsbottom, Bury, BL0 9AQ
Proposal: Replacement of existing timber shop front with new aluminium shop front and stone stall riser

Application No.: 69646 **App. Type:** FUL 03/08/2023 Approve with Conditions
Location: Harcles Hill Farm, Moor Road, Ramsbottom, Bury, BL8 4NT
Proposal: Demolition of existing buildings and erection of replacement agricultural building

Application No.: 69672 **App. Type:** FUL 27/07/2023 Approve with Conditions
Location: 174 Whittingham Drive, Ramsbottom, Bury, BL0 9NY
Proposal: Raise roof ridge height by 500mm with loft conversion and rear dormer; Two storey front extension

Application No.: 69673 **App. Type:** FUL 02/08/2023 Approve with Conditions
Location: St John Shuttleworth, Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0EF
Proposal: Variation of conditon no. 2 (approved plans) of planning permission 67711 (conversion of existing church into single dwelling): Amendments to internal layout, amended door with glazed roof above on east elevation and change of material to dormer roof

Application No.: 69736 **App. Type:** FUL 27/07/2023 Approve with Conditions
Location: Norcot, Moorbottom Road, Ramsbottom, Bury, BL8 4NS
Proposal: Variation of condition no. 2 (approved plans) 68084 - Single storey side extension
Change approved aluminium curtain wall glazing to aluminium glazed roof windows set into grey slate and formation of raised garden area at patio level with steps

Application No.: 69781 **App. Type:** CON 25/07/2023 Raise No Objection
Location: Land west of Market Street, Edenfield
Proposal: Article 18 consultation from Rossendale Council (ref: 2022/0451): Revised masterplan and design codes associated with full application for the erection of 238 no. residential dwellings and all associated works, including new access, landscaping and public open space within housing allocation H66 of the adopted Rossendale local plan.

Ward: **Whitefield + Unsworth - Pilkington Park**

Application No.: 69302 **App. Type:** FUL 28/07/2023 Refused
Location: 46 Sergeants Lane, Whitefield, Manchester, M45 7TS
Proposal: Single and two storey extension to front/side; addition of first and second floors to bungalow.

Application No.: 69592 **App. Type:** FUL 31/07/2023 Approve with Conditions
Location: 41 Radcliffe New Road, Whitefield, Manchester, M45 7QZ
Proposal: Creation of new vehicular crossing

Application No.: 69626 **App. Type:** FUL 24/07/2023 Approve with Conditions
Location: 8 Lime Avenue, Whitefield, Manchester, M45 7FW
Proposal: Two storey side extension

Application No.: 69643 **App. Type:** FUL 28/07/2023 Approve with Conditions
Location: 66 Radcliffe New Road, Whitefield, Manchester, M45 7GY
Proposal: Raise height of front boundary wall with fencing/sliding gates and formation of additional vehicular access

Application No.: 69703 **App. Type:** FUL 28/07/2023 Approve with Conditions
Location: 115 Park Lane, Whitefield, Manchester, M45 7GT
Proposal: 1 no. new dwelling in side garden of no. 115 Park Lane

Application No.: 69725 **App. Type:** FUL 03/08/2023 Refused
Location: Land adjacent to 73 Higher Lane, Whitefield, Manchester, M45 7EZ
Proposal: Erection of one detached house to be accessed from Higher Lane

Application No.: 69788 **App. Type:** FUL 03/08/2023 Approve with Conditions
Location: 55 Hampstead Drive, Whitefield, Manchester, M45 7YA
Proposal: Porch extension at front

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 69704 **App. Type:** FUL 18/08/2023 Approve with Conditions
Location: 4 Woburn Drive, Bury, BL9 8DA
Proposal: Two storey side extension, single storey front

Application No.: 69741 **App. Type:** ADV 18/07/2023 Approve with Conditions
Location: Starbucks Drive Thru, Asda Stores Ltd, Park 66, Bury, BL9 8RS
Proposal: 1 No. internally illuminated 9m pylon sign (item 3); 1 No. internally illuminated drive thru directional sign (item 4); 1 No. height restrictor with internally illuminated letters (item 5); 1 No. pre-menu board (item 6); 1 No. order canopy with letters (item 7); 1 No. triple menu board (item 8); 1 No. internally illuminated thank you/no entry sign (item 9); 2 No. internally illuminated shop front & rear elevation 'Drive Thru' text (item 10); 1 No. internally illuminated shop front elevation 'Starbucks' text (item 11); 2 No. internally illuminated side elevations siren logo signs (item 12); 1 No. internally illuminated left side elevation 'Starbucks' text (item 13); 13 No. window manifestations (item 14)

Total Number of Applications Decided: 79

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REPORT FOR NOTING

Agenda Item 6

Bury
COUNCIL

**Agenda
Item**

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	29 August 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 17/07/2023 and 20/08/2023**



Application No.: 69178/FUL

Appeal lodged: 14/08/2023

Decision level: DEL

Appeal Type:

Recommended Decision: Refuse

Applicant: Mr Mark Jagger

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

Total Number of Appeals Lodged: 1

<p align="center">Planning Appeals Decided between 17/07/2023 and 20/08/2023</p>



Application No.: 67658/FUL	Appeal Decision: Allowed
Decision level: COM	Date: 17/07/2023
Recommended Decision: Approve with Conditions	Appeal type: Written Representations
Applicant: Westchurch Homes Limited & Wyresdale Amateur Football Club	
Location: Land to west of Radcliffe Moor Road/Bury New Road, Radcliffe	
Proposal: Change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage and associated works.	
Application No.: 68881/FUL	Appeal Decision: Dismissed
Decision level: DEL	Date: 26/07/2023
Recommended Decision: Refuse	Appeal type: Written Representations
Applicant: K-Outlet	
Location: 6-9 Park Hill, Bury Old Road, Prestwich, Manchester, M25 0FX	
Proposal: Retention of five shipping containers	

Appeal Decision

Site visit made on 3 May 2023

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th July 2023

Appeal Ref: APP/T4210/W/22/3308871

Land to the west of Radcliffe Moor Road at the junction with Bury New Road.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Paul Sinclair (Westchurch Homes Ltd & Wyresdale Amateur Football Club) against Bury Metropolitan Borough Council.
 - The application Ref 67658/Full, is dated 8 October 2021.
 - The development proposed is change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage, and associated works.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use of the land for use as outdoor sports pitches including engineering operations to form 4 pitches, the construction of a clubhouse, ancillary storage structures, creation of access from Radcliffe Moor Road, parking, landscaping, drainage, and associated works at Land to the west of Radcliffe Moor Road at the junction with Bury New Road in accordance with the terms of the application Ref 67658/Full, dated 8 October 2021, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matter

2. The appellant has raised a concern that the planning committee was not impartial when it resolved to defer making the decision on the original planning application when it was before them. However, based on the evidence, there is no reason for me to suppose that the Council made this decision other than in accordance with its democratic procedures. Therefore, while I note that this decision was against officer advice (and a disappointment to the appellant) this is something that the Council's Planning Committee has a right to do provided there is sufficient evidence to substantiate the decision.

Main Issues

3. The main issues are:
 - whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant Development Plan policies; and

- if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

4. The appeal site is situated within open fields next to Radcliffe Moor Road and Bury New Road. It is also located adjacent to Starmount Lodges fishery and several angling lakes which together form part of a Site of Special Biological Interest (SBI).

Whether inappropriate development

5. The *National Planning Policy Framework* (the Framework) at paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
6. The construction of new buildings is regarded as inappropriate development in the Green Belt save for several specified exceptions under paragraphs 149 of the Framework. One such exception is the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport or outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
7. Paragraph 150 e) of the Framework states that material changes in the use of land (such as changes for outdoor sport or recreation) are not inappropriate forms of development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
8. Paragraph 150 b) of the Framework states that engineering operations are also not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
9. As set out in the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open as set out in Paragraph 137.
10. Policies OL1/2 and OL1/5 of the adopted Bury Unitary Development Plan (UDP) state that the construction of new buildings and other development is inappropriate development in the Green Belt save for several exceptions including essential facilities for outdoor sport and outdoor recreation. Consequently, I consider policies OL1/2 and OL1/5 to be broadly consistent with the Framework and I afford them full weight.
11. As well as the creation of four football pitches the proposal would also create a new vehicular access, car park, cycle store, bin store, maintenance building and clubhouse. It would be located within an open agricultural field where there is currently no development. In simple spatial terms, this would have a clear and demonstrable effect on the openness of the Green Belt by introducing development to land which is presently permanently open.
12. The construction of a vehicular access, car park, cycle store, bin store, maintenance building and clubhouse on the appeal site would therefore bring about development where there is presently none. Accordingly, these elements of the proposal would also represent an encroachment of development into the countryside and would also therefore have a clear spatial and visual impact on the openness of the Green Belt.

13. That said, given the overall size of the appeal site, the proposed landscaping scheme and the location, size, scale and massing of the proposed vehicular access, car park, cycle store, bin store, maintenance building and clubhouse in comparison, I consider that the spatial and visual impact of the proposal on the openness of the Green Belt to be moderate. Furthermore, given their open nature I also consider that the proposed football pitches would preserve the openness of the Green Belt and that they would therefore not conflict with the purposes of including land within it.
14. However, for the above reasons, I find that overall, the proposal would not preserve the openness of the Green Belt or safeguard the countryside from encroachment. The proposed development would therefore fall outside the exceptions set out in paragraphs 149 and 150 of the Framework and should be considered inappropriate development in the Green Belt. The proposal would therefore conflict with policies OL1/2 and OL1/5 of the UDP which aim to prevent inappropriate development in the Green Belt.

Other considerations

15. In support of the proposal the appellant has stated that it would meet an identified need for youth sports football pitches in Bury for which there is currently a shortage, something which the Council has not contested. Indeed, as highlighted by the Playing Pitch and Outdoor Sports Strategy (PPOSS), there is a clearly identified need for such football pitches in the Borough at this moment in time. Consequently, I afford this consideration significant weight.

Other Matters

16. Interested parties have raised concerns relating to several matters including: highway safety; the potential for housing on the appeal site; noise pollution; anti-social behaviour; pollution; contamination; and land subsidence. However, I have no substantive evidence before me to suggest that the proposal would cause unacceptable harm in relation to highway safety, contamination, pollution, noise pollution, anti-social behaviour or land subsidence.
17. Indeed, the respective consultees including the Coal Authority, the Highway Authority, Transport for Greater Manchester, Cadent Gas North West, and the Council's Environmental Protection Officer have raised no concerns in relation to the proposal subject to the imposition of suitably worded conditions. I also have no substantive evidence before me to suggest that housing or a social club would be brought forward on the appeal site, or that anti-social behaviour would be a potential issue. Consequently, I afford these matters little weight.
18. In relation to any potential impact on biodiversity (including ecology and loss of wildlife corridors) I note that the appeal site is adjacent to Bradley Fold Grade C SBI and that the Lancashire Wildlife Trust (LWT) did raise some initial concerns relating to potential increased fertiliser run-off into the lodge habitats. However, the LWT did not object to the proposal but recommended that a habitat management plan be provided and that the SBI be protected from potential pollution and fertiliser run-off. It also suggested that the Council consult the Greater Manchester Ecology Unit (GMEU).
19. When consulted, the GMEU raised no objection to the proposal subject to the inclusion of conditions relating to nesting birds, invasive species, the submission of a method statement, the disposal of surface water and landscaping. Therefore, based on the submitted evidence, including the submitted Ecological Survey and Assessment report, I am satisfied that any potential impact in this regard could be

adequately mitigated via the imposition of suitably worded conditions and as a result afford this matter little weight.

20. The evidence also highlights that the original officer report contained a recommendation to the local planning authority's planning committee to '*approve with conditions*' but that the decision was deferred by the committee pending the submission of additional information relating to drainage and ecology. The Council's submitted statement provides an update on these matters in that following further advice and explanation from the Drainage Officer, the committee members are now satisfied that any potential adverse impacts could be adequately controlled via the imposition of suitably worded conditions. The officer report also highlights that the Council's drainage section had no objection to the proposal. I am therefore also satisfied that these matters can be adequately addressed via the imposition of suitably worded conditions and consequently afford them little weight.

Conditions

21. A set of suggested conditions was submitted by the Council which the appellant agrees with, and I have used these as the basis for those I have imposed on the appeal scheme.
22. I have imposed conditions as set out in the attached schedule in light of the use of planning conditions set out in the *National Planning Policy Framework* (the Framework) and *Planning Practice Guidance* (the Guidance). Consequently, in the interests of precision and clarity I have undertaken some minor editing and rationalisation of the conditions suggested by the Council.
23. In addition to the standard implementation condition, I have imposed a necessary condition to define the plans with which the scheme should accord in the interest of precision. I have also imposed a necessary condition specifying that the proposal be constructed of materials in accordance with samples submitted to and approved by the local planning authority in the interests of the character and appearance of the area.
24. In the interest of minimising risks from potentially contaminated land I have also imposed conditions requiring an assessment of the risks posed by any contamination to have been submitted to and approved in writing by the local planning authority before the commencement of any works; and if contaminated land is identified as part of the risk assessment that no work should begin until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority.
25. I have imposed a necessary condition requiring the submission and approval of a management and maintenance scheme for the approved facilities in the interests of ensuring they are fit for purpose, minimising flood risk and protecting the natural environment.
26. In the interest of protecting bird species and other wildlife, I have imposed necessary conditions prohibiting works to trees, hedgerows, shrubs, and earthworks until a detailed bird nest survey and a landscaping scheme, including the provision of bat bricks/tubes and bat/bird boxes, are submitted to, and approved by the local planning authority.
27. I have also imposed a condition that prevents the commencement of development until a scheme to eradicate invasive plant species such as Japanese Knotweed and Himalayan Balsam has been submitted to and approved by the local planning authority. This is in the interest of protecting native plant species. Similarly, I have also imposed a condition which requires the submission and approval of a method

statement to protect the ponds at Bradley Fold and the Blackshaw Brook from accidental spillages, dust, and debris, also in the interest of the natural environment.

28. In the interest of highway safety, I have imposed necessary conditions requiring the provision of turning facilities and car/cycle parking spaces, the implementation of adequate bin storage facilities clear of the adopted highway, the submission of details, such as swept path analyses, on a topographical based survey of the site and adjacent adopted highways and a Construction Traffic Management Plan, to the local planning authority for approval.
29. In the interest of minimising flood risk, I have imposed necessary conditions requiring the submission to and approval by the local planning authority of a detailed drainage design and a scheme of intrusive site drainage investigations and preliminary engineering works to investigate ground water flows feeding Starmount reservoir and springs in the vicinity of the proposed swale, including the timing of such works.
30. The Council suggested a condition requiring the provision of one dual head fast capability electric vehicle (EV) charging point. However, as Part S of the Building Regulations is now in effect this condition is not necessary and I have therefore not imposed it.

Planning Balance and Conclusion

31. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations. Consequently, other considerations weighing in favour of the development must clearly outweigh any harm.
32. In terms of the harm, the proposal would reduce the openness of the Green Belt, both spatially and visually to a moderate degree. It would also encroach into the countryside to a moderate degree. Consequently, it would conflict with the adopted development plan and national policy in these regards.
33. In terms of the benefits, the proposal would provide sports and recreation facilities to meet a clearly identified need to which I attach great weight. The proposal would also not conflict with the four other purposes of including land within the Green Belt.
34. Consequently, given the proposal's moderate harm to the openness of the Green Belt and encroachment into the countryside, I find that the other considerations in this case clearly outweigh this identified harm. Accordingly, looking at the case as a whole, I consider that very special circumstances exist which justify the proposed development. Therefore, for the reasons set out above I conclude that the appeal should be allowed.

C Coyne

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Drawing No. 2102-GTA-00-00-DR-A-1000; Topographical Survey Drawing No. 2102-GTA-00-00-DR-A-1001 Rev A; Site Layout Plan Drawing No. 2102-GTA-00-00-DR-A-1002 Rev C; Proposed Car Park Layout Drawing No. 2102-GTA-00-00-DR-A-1003 Rev C; Proposed GA Plan Drawing No. 2102-GTA-00-00-DR-A-1004 Rev C; Proposed GA Plan (Phase 1) Drawing No. 2102-GTA-00-00-DR-A-1005 Rev A; Proposed Site Access onto Radcliffe Moor Road Drawing No. B026883 TTE 00 XX PL D 001 Rev P01; Cross-Section: A – AA Existing & Proposed Contour Profile Dated September 2021; Cross-Section: B – BB Existing & Proposed Contour Profile Dated September 2021; Cross-Section: C – CC Existing & Proposed Contour Profile Dated September 2021; Cross-Section: D – DD Existing & Proposed Contour Profile Dated September 2021; Cross-Section: E – EE Existing & Proposed Contour Profile Dated September 2021; Landscape Proposal Drawing No. 6685.01 Rev A; Maintenance Building Specification – Ref. MBS-01; Preliminary Drainage Strategy Ref. HYD633.633.BET.1 Rev A; Offsets from CA Feature Drawing No. CA/001
- 3) No development shall take place until details / samples of the materials to be used in the construction of the external surfaces of the clubhouse and the ancillary storage structures hereby permitted have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details / samples.
- 4) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:
 - i) a survey of the extent, scale and nature of contamination;
 - ii) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground gas;
 - landfill gas;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.
- 5) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives

and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is occupied.

- 6) Before the drainage system associated with the club house, playing pitches and car park is brought into use, a Management and Maintenance Scheme for the playing pitches and other facilities hereby approved including management and maintenance responsibilities, a maintenance schedule, a monitoring regime (after first establishing a baseline for quantity and quality) including the monitoring of water quantity and quantity discharged from the proposed reed bed, and a mechanism for review, shall be submitted to and approved in writing by the local planning authority.

The scheme shall include details of any fertiliser to be used on the site, including its type, chemical composition, method, and density of application, as well as the timing of application.

The Management and Maintenance of the site including the playing surfaces, swale and reed bed shall thereafter be strictly in accordance with the approved scheme.

No fertiliser, pesticides, conditioning agents, or other chemicals shall be used on the site other than that expressly identified in the Maintenance and Management Scheme.

Should the monitoring and maintenance regime not be followed then use of the facility (pitches, clubhouse, and car park) must cease immediately until the breach is investigated and rectified.

No fertiliser, pesticides, conditioning agents, or other chemicals shall be applied until the swale and reed bed are established and functioning as intended.

- 7) No works to trees, shrubs or hedgerow occur or earthworks commence between 1 March and 31 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.
- 8) No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the local planning authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the local planning authority.
- 9) No earth moving shall take place or material or machinery brought on site until a method statement to protect the ponds at Bradley Fold and the Blackshaw Brook from accidental spillages, dust and debris has been supplied to and agreed by the local planning authority. All measures will be

implemented and maintained for the duration of the construction period in accordance with the approved details.

- 10) No development shall take place until it can be demonstrated that there will be no negative impacts on the ecological potential of the ponds at Bradley Fold and Blackshaw Brook resulting from the disposal of surface water post-development submitted to and approved in writing by the local planning authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the local planning authority.
- 11) A landscaping scheme shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. The contents of the landscaping scheme should include wildflower grassland, hawthorn hedges, 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 clubhouse 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.
- 12) Notwithstanding the details indicated in different forms on approved plan references B026883 TTE 00 XX PL D 001 Revision P01 & 2102-GTA-00-00-DR-A-1003 Revision C, 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 for approval:
 - i) Provision of a swept path analysis of the proposed junction onto Radcliffe Moor Road to determine adequate access road width and kerb radii;
 - ii) Provision of a swept path analysis of the proposed refuse collection/site servicing arrangements;
 - iii) Formation of the site access onto Radcliffe Moor Road, incorporating the provision of adequate arrangements at the interface with the adopted highway to form a maximum 1 in 20 plateau, 2.0m wide (minimum) footways tying into existing footways at positions to be agreed, provision of visibility splays at the junction of the site access with Radcliffe Moor Road for an appropriate design speed based on speed surveys to be undertaken on the classified road, alterations to the adjacent site boundaries in order to ensure that there will be no obstructions within the splays above a height of 0.6m, demarcation of the limits of the adopted highway, tactile paved crossing points in positions to be agreed including, if necessary, of revised limits of adoption required to ensure that the crossing point is located on the adopted highway, give-way markings and alterations to the existing road markings on Radcliffe Moor Road to provide a right turn pocket into the development, and all associated highway and highway drainage remedial works;
 - iv) Measures to prevent the discharge of surface water from the proposed car park hardstanding areas and site access onto the adjacent adopted highway;

- v) Provision of a street lighting assessment to a scope and specification to be agreed for the junction of the site access with Radcliffe Moor Road and, where necessary, a scheme of improvements;
- vi) Proposals for the introduction of waiting restrictions at the junction of the site access with Radcliffe Moor Road, including all necessary road markings and signage.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the local planning authority.

- 13) 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:
- i) Photographic dilapidation survey of the footways and carriageways leading to and abutting the site access in the event that subsequent remedial works are required following construction of and statutory undertakers connections to the development;
 - ii) Access route for vehicles from the highway network;
 - iii) Access point(s) to the site for each phase of the development, including any temporary works and measures required to protect highway users and facilitate vehicular access;
 - iv) Hours of operation and number of vehicle movements;
 - v) Proposed site hoarding/gate positions clear of appropriate visibility splays onto Radcliffe Moor Road;
 - vi) A scheme of appropriate warning/speed limit signage in the vicinity of the construction site access(es);
 - vii) Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - viii) Parking on site of operatives' and construction vehicles together with storage on site of construction materials;
 - ix) 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.

- 14) The turning facilities indicated on the approved plans (or as required to satisfy a separate condition) shall be provided before the development hereby approved is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
- 15) The car and cycle parking spaces indicated on the approved plans shall be surfaced/implemented and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
- 16) The bin storage facilities indicated on the approved plans shall be implemented to the satisfaction of the local planning authority prior to the

development hereby approved being brought into use and maintained thereafter.

- 17) Prior to the commencement of development, a detailed drainage design, broadly in accordance with the principles established in the Hydrological Assessment (July 2022) (ref. HYD633) and Preliminary Drainage Strategy (ref. HYD633.633.BET.1 Rev. A) shall be submitted to and approved in writing by the local planning authority.

The detailed scheme shall include the detailed design and construction of the swale (to include the detailed design of the reed bed, wet and dry portions of the swale, as well as the flow control mechanisms to deliver the required attenuation and flows to ensure the integrity and functionality of the reed bed as well as the provision of facilities to allow the monitoring off water quality from the reed bed) as well as all other proposed drainage features on the site. The detailed design calculations shall be submitted for the approved scheme, including attenuation design to accommodate a 1 in 100 year storm event, plus a minimum allowance of 75% for climate change.

The drainage scheme shall be implemented strictly in accordance with the approved details in its entirety prior to the pitches hereby approved being brought into use and shall thereafter be retained and managed and maintained in accordance with the Management and Maintenance Scheme required by condition no. 6 above.

- 18) Prior to the commencement of development, a scheme of intrusive site drainage investigations and preliminary engineering works to investigate ground water flows feeding Starmount reservoir and springs in the vicinity of the proposed swale, including the timing of such works, shall be submitted to and approved in writing by the local planning authority. A report of the findings of such investigations shall be submitted to the local planning authority.

Any such report should include where appropriate any additional drainage works that are necessary to safeguard the functionality of the swale and the water quality and ground water flows into the adjacent existing waterbodies. Including detailed design that demonstrates that the proposed works will safeguard the structural integrity of Starmount reservoir and the quantity and quality of the water feeding the reservoir.

Any such additional works shall be approved in writing by the local planning authority and shall thereafter be implemented prior to the completion of the drainage works to which they relate. The additional works shall be implemented in full in accordance with the approved details prior to the pitches hereby approved being brought into use and shall thereafter be retained and managed and maintained in accordance with the Management and Maintenance Scheme required by condition no. 6 above.

End of Schedule



Appeal Decision

Site visit made on 17 July 2023

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2023

Appeal Ref: APP/T4210/W/23/3317199

6-9 Park Hill, Bury Old Road, Manchester M25 0FX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by K-Outlet against the decision of Bury Metropolitan Borough Council.
 - The application Ref 68881, dated 12 September 2022, was refused by notice dated 19 December 2022.
 - The development proposed is the retention of five shipping containers.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The shipping containers are already sited on the land. Therefore, I am considering this appeal retrospectively.

Main Issues

3. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the surrounding area;
 - b) the living conditions of the occupiers of neighbouring properties, with particular reference to outlook; and
 - c) highway safety.

Reasons

Character and Appearance

4. Fronting onto Bury Old Road is a terraced shopping parade that includes retail units to the ground floor and residential flats above. A road to either end of the terrace provides access to the rear which, amongst other things, is used for the parking of vehicles and the servicing of the units. The area to the rear of the shopping parade contains a number of brick built, single storey outbuildings and there are also two shipping containers located adjacent to the access road. Mature trees and shrubs are planted beyond the parking/servicing area.
5. Five shipping containers have been sited within the appeal site: three on the ground with two stacked on top. They are sited centrally to the rear of the terraced shopping parade, separated from the associated retail unit by the access road. Consequently, they are not readily visible from Bury Old Road. The trees and vegetation together with the existing outbuildings and other shipping containers to the rear of the shopping parade, reduce their

prominence in views from the west. Views of the shipping containers are therefore limited to the immediate vicinity.

6. The exterior of the containers vary in colour, with former logos emblazoned on their sides. At the time of my site visit, the containers showed signs of rust and peeling paint and contrast starkly with the appearance of the two other shipping containers that were well maintained. While the exterior appearance of the shipping containers detract from the character and appearance of the surrounding area, the appellant has suggested that this could be overcome by a condition requiring the containers to be painted in a colour to be agreed with the Council.
7. I acknowledge that painting the exterior of the containers would likely improve their overall appearance and reduce their effect on the area's character and appearance. However, the overall height and bulk of the containers significantly exceed that of the other outbuildings and containers located within the land to the rear of the terraced shopping parade, and the height of the stacked containers exceeds the eaves height of the adjacent shopping parade terrace. Therefore, the height and bulk of the containers appears incongruous and prominent within the surrounding area.
8. In reference to the first main issue, the development detracts from the character and appearance of the surrounding area. It would be contrary to Policies EN1/2 and EC4/1 of the Bury Unitary Development Plan, adopted 1997 (UDP) which, amongst other things, seek to give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements, and to only accept proposals for small businesses when the scale of the development is appropriate to the surrounding area in which it is located.

Living Conditions of the Occupiers of Neighbouring Properties

9. Above the convenience store there appear to be two residential flats that are accessed via external staircases to the rear of the building. Each flat is served by a first floor window that is positioned within an outrigger that overlooks the shipping containers. From the information before me, these windows appear to serve rooms that would be frequently used by occupiers. The window in the northernmost flat directly faces the shipping containers, while the window in the southernmost flat has an oblique view of them.
10. The shipping containers have a maximum height of 5.8m and extend above the eaves of the adjacent two-storey shopping parade building. The information before me suggests that the shipping containers that are stacked one on top of the other are sited approximately 12 metres from the windows of the adjacent flats. Consequently, the overall height of the containers together with their proximity to these windows would be overbearing and result in a substandard outlook to the occupiers of these flats.
11. In reference to the second main issue, the development would adversely affect the living conditions of the occupiers of neighbouring properties, with particular reference to outlook. It would be contrary to Policy EC4/1 of the UDP that seeks to only accept proposals for small businesses when the scale of the development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is located.

Highway Safety

12. Four parking bays have been provided adjacent to the containers and a sign has been erected that states that the spaces are for customers of the convenience store. However, the appellant's Appeal Statement states these spaces are for the parking of employees, with customer parking located to the front of the store on Bury Old Road.
13. Information regarding deliveries is limited, with the appellant's Appeal Statement outlining that the space used for employee vehicle parking would also be used by 3.5 tonne delivery vans. From the information before me, I am uncertain whether the land could be used for both employee parking and deliveries without causing conflict between different users of the land and the access road. Furthermore, no information has been provided regarding how the upper two containers are accessed and therefore I am unsure how the loading/unloading of goods to and from these containers could be undertaken without impacting upon the parking/servicing areas.
14. The appellant has suggested that a condition could be imposed to secure details of an Operational Management Plan for the parking and servicing of the convenience store. However, I am unclear whether the combined uses could be accommodated within the area without conflict to each other or other users of the access road and therefore, such a condition may not be reasonable or enforceable.
15. In reference to the third main issue, insufficient evidence has been provided to demonstrate that the development would not adversely affect highway safety. It would conflict with Policies EN1/2, HT2/4 and HT6/2 of the UDP which, amongst other things, seek to reduce pedestrian/vehicular conflict, and to make adequate provision for car parking and servicing requirements.

Other Matters

16. The shipping containers are said to provide essential storage for a community focused commercial unit that meets the day-to-day needs of residents within a commercial local parade. However, limited information has been provided regarding the shop's storage requirements, or why the five shipping containers are essential.

Conclusion

17. For the reasons given above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

A Berry

INSPECTOR

**Details of New Enforcement Appeals Lodged
between 17/07/2023 and 20/08/2023**



Case Ref: 23/0039

Date of Appeal: 06/23/2023
Appeal Type: REP

Location: 35 Bankside Avenue, Radcliffe, Manchester, M26 2QH

Issue: Erection of decking

Case Ref: 23/0054

Date of Appeal: 06/28/2023
Appeal Type: REP

Location: 22 Cockey Moor Road, Bury BL8 2HB

Issue: Planning application 69189 refused

Total Number of Appeal Cases: 02

REPORT FOR DECISION

Agenda Item 7

Bury
COUNCIL

**Agenda
Item**

7

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	29 August 2023
SUBJECT:	CONFIRMATION OF TREE PRESERVATION ORDER
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:	This report sets out the issues relating upon the current temporary tree preservation order Tree Preservation Order (No.361) at Land adjacent to 78 Countess Lane, Radcliffe, M26 3NH
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:	Page 211 N/A

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TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

1.0 BACKGROUND

This report sets out the issues relating upon the current temporary tree preservation order Tree Preservation Order (No. 361) at Land adjacent to 78 Countess Lane, Radcliffe, M26 3NH

2.0 CONCLUSION

That the current temporary preservation order issued on the trees within the curtilage of the site as identified in Appendix 1 & 2 is confirmed.

The decision to confirm an Order may be challenged in the High Court within six weeks.

List of Background Papers:-

Appendix 1 - Temporary Tree Preservation Order 361 dated 20 April 2023
(The Town and Country Planning (Tree Preservation) (England) Regulations 2012);
Appendix 2 - TPO OS map

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

Introduction

This report sets out the issues relating upon the current temporary tree preservation order Tree Preservation Order (No. 361) at Land adjacent to 78 Countess Lane, Radcliffe, M26 3NH

Discussion

Planning application 69215 was submitted for erection of 1 no. dwelling. This application would have required the removal of 2no. Ash trees within the site, and 1no. Ash tree located on the adopted highway/footpath to the front of the site.

The planning application was refused.

On 20th April 2023 the Council imposed a temporary Tree Preservation Order, concerned that the trees in question were under threat due to the submitted planning application and that its loss would have a significantly detrimental impact on the character of the locality. In total the TPO covers 4no. Ash trees, indicated on the plan attached as Appendix 1 to this report.

The Order prohibits the felling, lopping, topping, uprooting or otherwise wilful damaging of trees without the permission of the Council.

The Council has six months in which to confirm this Order. If the TPO is not confirmed within six months, the Order will lapse, the tree will no longer be protected and could be removed. If the Order is confirmed, it will take effect on a permanent basis and the tree will continue to be protected.

The Council cannot confirm an Order unless it have first considered any duly made objections or other representations.

Issues

Subject to Regulation 6 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012, objections and representations that are made in writing must be appropriately considered.

Letters of notification were issued to the landowner and as a result, a representation was received from the land owner dated 30th May 2023.

Summary of representations.

- As being the landowner, this is having a detriment effect on any future planning of the land.
- The area highlighted consist of 4 tress, 1 which is main public footpath, 2 which are located within the boundary of the land nearest to the main road (countess lane) and third at the back of the land. The trees which are located inside the boundary closest to countess lane, although they are formed, they are not as old as the other 2 trees and would therefore have no impact on the area if they are removed. The 2 trees are located at a short distance to the houses which in future as they grow can potentially lean in to their gardens or cause future damage
- There are no habitable wildlife on the land or on the land which may have an impact.

- According to my knowledge, there wasn't or has been a preservation order in place
- The land itself where the trees are located is a private owned and therefore not open to the public
- Neither of the trees are protected
- I would also like to state in regards to the preservation order, I am willing to work with the local authority and ensure the tree located on the footpath and the back of the land to be preserved with a view the remaining 2 trees closest to the countess lane inside the boundary to be removed.

Breach of Temporary Order

The council was notified on the 7th June 2023 that one of the trees covered by the Order had been felled. No consent had been sought or granted in relation to these works.

LPA Response

In addition to the Town and Country Planning Act legislation set out above, UDP Policies EN8, EN8/1 and EN8/2 seek to support the retention of trees, woods, copses and hedgerows to encourage natural regeneration and new and replacement tree planting.

Following the submission of planning application 69215 an assessment of the trees has been conducted by the Planning Officer and the Council's Trees and Woodland's Officer who deemed the trees worthy of a TPO. As such the 4 no. Ash trees have been protected by means of Tree Preservation Order No.361.

The 3no. Ash trees to the front of the site, including the Council street tree, and the Ash tree to the rear of the site were noted as being very prominent within the street scene as the site is not currently enclosed. As such the trees were assessed at the time of the planning application to contribute to the visual amenity of the area. The trees are visible from Countess Lane, Westminster Avenue and Ashcombe Drive. Government guidance states that Orders should be used to protect selected trees if their removal would have a significant negative impact on the local environment and its enjoyment by the public. The amenity of the trees was under threat due to the proposed development and it is considered removal of the trees would have a negative impact on the local environment by removal of a significant element of soft landscaping. There are other trees within the street that also contribute to it's amenity and it is noted that these other trees within the locality are not TPO'd however, these trees are not under threat.

An arboricultural statement was submitted with the planning application, this recommended the removal of the three trees to the front of the site to allow for the construction of the proposed dwelling and access. It should be noted however that his document was produced prior to the TPO being sealed and as such the author has not had the benefit of including this within their assessment. This survey categorises the trees to be removed as grade B1 (Moderate) to C2 (Low quality) and considered that T3 may have signs of Ash dieback. This was not noted by the Trees and Woodlands Officer who undertook the assessment on behalf of the Council. They consider the trees to be of a reasonable condition but did note that the trees should be checked periodically for dieback due to the species.

It should also be noted that the submitted arboricultural survey was undertaken in February when the tree would not have been in leaf, and whilst it would be possible to see if there were buds at the ends of the branches the author would not have been unable to make a full assessment in relation to canopy loss through potential ash dieback. Ash trees are also notorious for deadwood, and this is therefore not necessarily a sign of ash die back. A point to also remember is that infected trees can recover over subsequent years. A survey mid-summer for change in density foliage, with a further inspection late summer for any signs of fungal growth would be beneficial for T3.

Anyone who contravenes an Order by damaging or carrying out work on a tree protected by an Order without getting permission from the local planning authority is guilty of an offence and may be fined. The removal of one of the trees, contrary to the temporary Order should not prevent the Order being confirmed.

A landowner has a duty to replace a tree which is removed in contravention of an Order. By confirming the Order the Council will have powers to enforce tree replacement on this site.

Recommendation

That the current temporary preservation order issued on the trees as identified in Appendix 1 is confirmed so that the Order takes effect on a permanent basis.

List of Background Papers:-

Temporary Tree Preservation Order dated 20th April 2023

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

TREE PRESERVATION ORDER
Town and Country Planning Act 1990

The Metropolitan Borough of Bury
(Land adjacent to 78 Countess Lane, Radcliffe M26 3NH)
Tree Preservation Order (No. 361) 2023

The Metropolitan Borough of Bury (Bury Council) in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as the Metropolitan Borough of Bury (Land adjacent to 78 Countess Lane, Radcliffe M26 3NH) Tree Preservation Order (No.361) 2023

Interpretation

2.—(1) In this Order “the authority” means Bury Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3.—(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,


any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given 20th subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 20th day of April 2023.

The Common Seal of the Metropolitan Borough of Bury
was affixed to this Order in the presence of—


Andy Carille 20 Apr 2023 11:23:16 BST (UTC +1)

Authorised by the Council to sign in that behalf



Seal ID: 22974

CONFIRMATION OF ORDER

This Order was confirmed by the Metropolitan Borough of Bury without modification on the
day of 20

OR

This Order was confirmed by the Metropolitan Borough of Bury, subject to the modifications
indicated by , on the day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by the Metropolitan Borough of Bury on the
day of 20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Metropolitan Borough of Bury on the day of
20 by a variation order under reference number a copy of which is
attached

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Metropolitan Borough of Bury on the day of
20

Signed on behalf of the Metropolitan Borough of Bury

.....
Authorised by the Council to sign in that behalf

SCHEDULE**SPECIFICATION OF TREES****Trees specified individually**
(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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None.

Trees specified by reference to an area
(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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None.

Groups of Trees
(within a broken black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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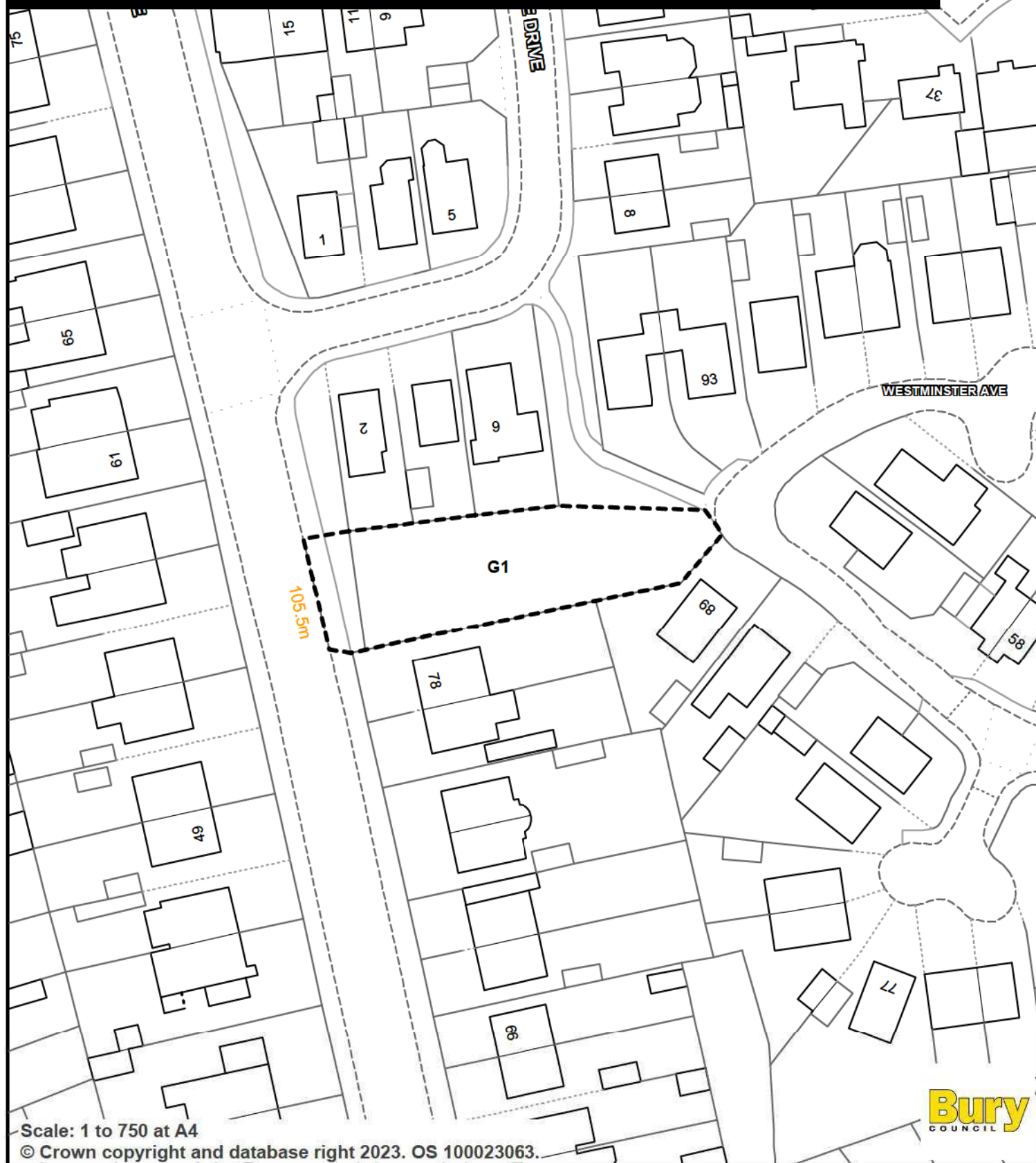
G1	4 Ash trees.	Land adjacent to 78 Countess Lane, Radcliffe M26 3NH.
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Woodlands
(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
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None.

Map referred to in the Metropolitan Borough of Bury (Land adjacent to 78 Countess Lane) Tree Preservation Order (No. 361) 2023



THE COMMON SEAL of THE
METROPOLITAN BOROUGH OF BURY
was hereunto affixed on the
20th day of April 2023
in the presence of:-

A. N. GILL
.....
Council Solicitor



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