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AGENDA FOR

PLANNING CONTROL COMMITTEE



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To: All Members of Planning Control Committee

Councillors : G McGill (Chair), S Arif, C Boles, D Duncalfe,
U Farooq, J Harris, M Hayes, B Ibrahim, D Quinn,
G Staples-Jones 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, 23 July 2024
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.

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 9TH JULY 2024 *(Pages 3 - 4)*

The Minutes of the meeting held on Tuesday the 9th July 2024 are attached.

4 PLANNING APPLICATIONS *(Pages 5 - 140)*

Reports attached.

5 DELEGATED DECISIONS *(Pages 141 - 148)*

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 149 - 166)*

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

7 URGENT BUSINESS

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

Minutes of: **PLANNING CONTROL COMMITTEE**

Date of Meeting: 9th July 2024

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

Public Attendance: 8 members of the public were present at the meeting.

PCC.1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillor U Farooq.
There was no substitute representative for Councillor Farooq.

PCC.2 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

PCC.3 MINUTES OF THE MEETING HELD ON THE 28TH MAY 2024

Delegated decision:

That the Minutes of the meeting held on the 28th May 2024 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 number 70015, 70222 and 70644.

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

Delegated decisions:

1. That the Committee be **Minded to Approve** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted with an added condition to include swift bricks and subject to all other conditions included: -

Kemp Heaton Avenue, situated between Bury Cemetery to the north and Peachment Place Extra Care apartments to the south.

Erection of 18 no. supported living apartments (Class C2) and 25 no. dwellings (Class C3), construction of a new vehicle access point and associated parking and landscaping.

2. That the Committee be **Minded to Approve** the following application in accordance with the reasons put forward by the Development Manager in the report and any supplementary information submitted with an added condition to include bird boxes and subject to all other conditions included: -

Former Mondi/Holcombe Mill, Bridge Street, Ramsbottom, Bury, BL0 0BS

Erection of 57 no. dwellings, the retention of a chimney and the demolition of 3 existing buildings, together with engineering operations to create a development platform, public car park, substation, public open space, landscaping, drainage, the layout of internal estate roads and footways and other associated works.

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 all other conditions included: -

Land adjacent 4 Holcombe Grove, Radcliffe, Manchester, M26 1SE

Erection of detached double garage with solar panels

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 subject to all other conditions included: -

Radcliffe Public Library, Stand Lane, Radcliffe, Manchester, M26 1WR

Change of use of existing library (Use Class F1) to Enterprise Centre (offices/workspace) (Use Class E(g)(i)) by internally remodelling the building

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 G MCGILL
Chair

(Note: The meeting started at 7.00pm and ended at 8.10pm)

Title	Planning Applications
To:	Planning Control Committee
On:	23 July 2024
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:	Prestwich - St Mary's	App No.	70449
	Location:	Longfield Shopping Centre/Car Park, Fairfax Road Car Park and adjoining land at Bury New Road, Rectory Lane and Fairfax Road, Prestwich		
	Proposal:	Hybrid Planning Application constituting EIA Development comprising: Full application for demolition of existing buildings/structures and erection of phased mixed use development including Community Hub with flexible uses of library, offices, medical/health services (Classes F1 (a-f), F2(b), E(c), E(e), E(g)) & retail uses (Classes E(a), E(b) F2(a)) & Sui Generis (hot food takeaway & bar), new Market Hall (Classes E(a), E(b) & Sui Generis (hot food takeaway and bar)), Commercial Building with flexible uses including retail, offices, gymnasium (Classes E(a), E(b), E(c), E(d), E(g), F2(a), Travel Hub with car parking & cycle parking (Sui Generis), public square & realm, associated landscaping, car parking provision, cycle storage & associated works; and, Part Outline application (all matters reserved) - mixed use development of residential (Class C3), flexible commercial, business, service, local community & learning uses (Classes E, F) & Sui Generis (hot food takeaway & bar), engineering works to Rectory Lane, new public realm, associated landscaping, car parking provision, cycle storage & associated works		
	Recommendation:	Minded to Approve	Site Visit:	N

02	Township Forum - Ward:	Prestwich - Sedgley	App No.	70484
	Location:	Fairways Lodge Hotel, George Street, Prestwich, Manchester, M25 9WS		
	Proposal:	Demolition of existing hotel building and erection of a block of 52 no. retirement living apartments including communal facilities, landscaping and car parking provision		
	Recommendation:	Minded to Approve	Site Visit:	N

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Ward: Prestwich - St Mary's

Item 01

Applicant: The Prestwich Regeneration LLP

Location: Longfield Shopping Centre/Car Park, Fairfax Road Car Park and adjoining land at Bury New Road, Rectory Lane and Fairfax Road, Prestwich

Proposal: Hybrid Planning Application constituting EIA Development comprising:

Full application for demolition of existing buildings/structures and erection of phased mixed use development including Community Hub with flexible uses of library, offices, medical/health services (Classes F1 (a-f), F2(b), E(c), E(e), E(g)) & retail uses (Classes E(a), E(b) F2(a)) & Sui Generis (hot food takeaway & bar), new Market Hall (Classes E(a), E(b) & Sui Generis (hot food takeaway and bar)), Commercial Building with flexible uses including retail, offices, gymnasium (Classes E(a), E(b), E(c), E(d), E(g), F2(a), Travel Hub with car parking & cycle parking (Sui Generis), public square & realm, associated landscaping, car parking provision, cycle storage & associated works; and,

Part Outline application (all matters reserved) - mixed use development of residential (Class C3), flexible commercial, business, service, local community & learning uses (Classes E, F) & Sui Generis (hot food takeaway & bar), engineering works to Rectory Lane, new public realm, associated landscaping, car parking provision, cycle storage & associated works

Application Ref: 70449/Full

Target Date: 07/05/2024

Recommendation: Minded to Approve

It is recommended that this application is Minded to Approve subject to the recommended planning conditions and the signing and completion of a Section 111 agreement to secure improvements to the access and lighting to and from the Prestwich Metrolink Station, and to secure satisfactory monitoring of any displaced car parking resulting from the development, and, where deemed necessary, to carry out the work involved in the consultation process and development of any residents parking zones, including the implementation thereof.

If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application.

Site Visit: A site visit will be scheduled for committee members to take place in advance of the committee meeting.

Description

The application is submitted as a hybrid planning application (part full/ part outline) constituting EIA development, and is seeking to deliver the comprehensive redevelopment of the Longfield Centre complex, the Longfield Centre public car park and the public car park on Fairfax Road that is located between Our Lady of Grace Parish Hall and Church, and the Metrolink line. The proposals also include improvement works to Rectory Lane.

Due to the size and nature of the development it is considered likely to have significant effects on the environment and an EIA is required. Accordingly, the application is supported by an Environmental Statement (ES). The ES assesses the topics requested in the Council's Scoping Opinion.

This ES has been examined by officers at the Council. It is considered that the ES submitted adequately addresses the topics scoped in and as agreed through the EIA Scoping process. The content of the ES is discussed in the relevant sections of this report, with reference to the assessment of likely significant effects.

The hybrid planning application proposals comprises the following elements:

- **Full Planning Permission** proposing the demolition of the existing Longfield Centre buildings and structures, and the erection of a mixed-use development (Plots A, B, C and G) comprising community, retail and commercial uses, including a new village square, and a travel hub on the Fairfax Road Public Car Park.
- **Outline Planning Permission** proposing the erection of a residential led development of up to 210 apartments with ground floor retail and community commercial uses within 3 buildings/ apartment blocks - Plots D, E and F.

The key building blocks of the new 'Prestwich Village' include:

- A Modern Community Hub – Plot A - a new four storey Community Hub is to include a new library alongside flexible community space that can be used for events, clubs and arts and culture at ground floor. The upper floors would comprise flexible space which could be occupied for office or medical use, which will enable the relocation of NHS / GP to occupy the building, subject to commercial discussions. Retail floor space is also proposed in a single storey projection. The Community Hub is to become a focal point of the village and intended to be a significant community asset with useable space for local people. The uses proposed within the proposed Community Hub are as follows:
 - F1 (a-f) - Learning and non-residential institutions, which includes Libraries, Public Halls, exhibition halls, public reading rooms, provision of education and public worship.
 - E(a) - Retail;
 - E(b) - Sale of food and drink for consumption (mostly) on the premises);
 - E(c) - financial, professional and commercial services;
 - E(e) - Provision of medical or health services; and,
 - E(g) - Uses which can be carried out in a residential area without detriment to its amenity:
 - E(g)(i) Offices to carry out any operational or administrative functions
 - E(g)(ii) Research and development of products or processes
 - E(g)(iii) Industrial processes
 - Sui Generis 'Hot Food Takeaway'
 - Sui Generis 'Drinking Establishment'
- Flexible Retail and Commercial Space – Plot B - two storey flexible retail and commercial space is proposed that can cater for the requirements of local and independent traders, including both existing and new businesses. The uses proposed within the proposed building would include retail (Class E(a), restaurants (Class E(b), financial and commercial uses (Class E(c), Indoor sport, recreation or fitness (Class E(d), uses which can be carried out in a residential area (Class E(g)), and uses falling within Use Class F2(a): Provision of Education.
- A Market Hall - Plot C - a single storey, double height, Market Hall is proposed which would provide a ground floor seating area and bar, and spaces for food/retail operators, as well as customer amenities and back of house facilities including a wash room, barrel store, bin store and staff facilities. A mezzanine level is also proposed for staff welfare facilities including a staff room, store rooms and toilets. The Use Classes proposed are: Class E(a) - Retail, Class E(b) - Food and Drink, and Drinking Establishments and Hot Food Takeaway (Sui Generis).
- The Village Square – a new Village Square and new public realm would create family social places for the community to use. The Village Square can be used flexibly for pop-up events such as markets, food festivals, art exhibitions and live performances to be a focus of activity and interaction.

- Landscaping and Biodiversity - the proposals include significant landscaping, tree planting, green roofs and publicly accessible spaces. Extensive planting and new green infrastructure is to support a significant increase in biodiversity when compared to the current village centre.
- An Active Travel Hub – Plot G - the proposal seeks to be two storeys high to provide replacement car parking and to provide secure parking provision for bicycles. It would extend the length of the Fairfax Road Car Park and would be approximately 10.4m high at the front of the Travel Hub decreasing in height to approximately 8.6m at its rear. It would provide 301 car parking spaces and 76 cycle parking spaces on the ground and first floor levels and also at roof level.
- Residential - Plots D, E and F - the proposal seeks up to 210 new homes (Use Class C3) across three plots within buildings that would be between 6 and 7 storeys in height, with Plant proposed on the roofs, which would encompass affordable homes and homes for first-time buyers, growing families and downsizers. The details of the new housing would be agreed at reserved matters stage but could include town houses and apartments with active ground floor uses such as retail (Class E), commercial uses (Class F), including drinking establishment use(s) and hot food takeaway (Sui-Generis) uses.
- Low and Net Zero Carbon by design - sustainability and carbon reduction proposes to be fundamental to the proposals. Proposed measures include new energy and water efficient buildings to minimise carbon in operation, the use of sustainable building materials to reduce upfront embodied carbon, photovoltaic panels and air source heat pumps.

It is proposed that the proposal would be developed in two distinct phases with sub-phases therein to be identified in a Phasing Plan to be approved. The first phase would include erection of the Travel Hub, the demolition of the Longfield Centre, and the building of the replacement retail/ commercial buildings, the Market Hall, the Community Building and the associated village square area. The second phase would involve erecting the proposed residential apartments, along with the associated public realm works.

Given the scale of the proposed development and constrained nature of the site it is recommended that the timeframe for submission of a reserved matters application is to be 7 years, which would then allow the Applicant a further 3 years in which to make a start on the outline phase.

Relevant Planning History

The majority of the Planning History associated with the Site has consisted of minor applications for advertisement consent, change of use and minor alterations as part of the Longfield Centre.

However, the redevelopment and regeneration of Prestwich Village Centre has been proposed since the early 1990s in various formats. Two significant regeneration schemes have previously been approved by the Council.

Hollins Murray Group Applications (2009 - Applications references 51465 & 54978)

Application reference 51465 - The Outline Application

"Demolition of existing buildings and construction of a town centre mixed use development comprising uses with floor areas of up to: Food retail (6040sqm), non-food retail (2218sqm) restaurant (385sqm), library (1287sqm), offices (3360sqm), residential (3 units), hotel (70 bed), new Longfield Suite entrance (540sqm), plant areas (421sqm), parking spaces (384) and highway infrastructure works and extension of Rectory Lane."

Approved in September 2009, with the permission extended in 2012, under reference 54978 in 2012 for another 5 years. These proposals were never implemented, and the planning permission has now lapsed.

1990s Applications

Capital Holdings Ltd proposed the refurbishment of the Longfield Centre in 1991 and 1992. In May 1991 the following planning permission was granted (reference 25292):

"Refurbishment of the Longfield Centre including new shops, re-roofing and servicing arrangements".

A revised application was approved in December 1991 (reference 26636), with a further revision refused in August 1992 (reference 27452). The proposals were not implemented and the planning permission has lapsed.

Publicity

The application constitutes Major Development with an Environmental Statement.

The application was publicised in accordance with planning requirements and the requirements for the Environmental Impact Assessment (EIA) requirements as the application was submitted with an Environmental Statement. The publicity comprised:

Press Notices: 13/02/2024

Site Notices: 07/02/2024

Direct letters to 409 surrounding properties on 07/02/2024

Revised plans letter issued: 22/05/2024

Revised Plans Press Notice: 30/05/2024

Revised Plans Site Notices: 24/05/2024

In total, 156 representations were received comprising:

Comments – 19

In favour - 23

Against - 113

Petition x 2 – 31 & 152 signatures - The petitions were received from the residents of Highfield Road and Highfield Place and from Our Lady of Grace Parish Church and Hall.

All representations can be found on the public file. The below is a summation of main relevant planning points made:

Buildings

- Concerns raised about height, size, appearance and not in keeping with the surrounding context, impacts on natural light from high rise, impact upon the residential amenity of radius residents and Highfield Roads houses and gardens.
- Proximity to church on Fairfax Road, development too close and obscures it.
- Will block light and generate overlooking and impact upon privacy – residential and car park.
- No light assessment done.
- Disagreement with the architecture chosen given surrounding context.

Scale and Layout

- More appropriate to a city location – overdevelopment.
- Distance to walk from car park to shops.
- Walkways would be too narrow.
- Cramming too much in / inappropriate mix of residential against retail.
- Shops are ok, rest of development isn't providing sufficient uses for all age ranges.
- Car park too close and impacts negatively on Highfield Roads houses.
- Metrolink and bus stops not integrated and too far apart to be a walking route.
- Apartments heavily skewed towards more city centre size rather than suburban town centre.
- Consultation meetings residents preferred lower buildings than the Radius;

disappointing that the scheme includes up to seven storeys.

- Disappointing arrival from Metrolink.
- Insufficient provision for servicing and waste refuse storage.
- The car park is in the wrong place – distance from centre and relationship to OLOG.
- What will happen if the health centre does not move?

Parking and servicing

- More disabled parking and drop-off required.
- Parking likely to overflow on to surrounding residential streets.
- Servicing can only take place on surrounding roads which will cause obstructions and shares pedestrian space, causing a safety risk.
- Isn't adequate space for waste and collection of the waste.
- Needs more parking to be commensurate with all the development proposed on the site than shown (following rev plans)
- Needs less parking to disincentivise car usage and clarity on how overall car parking reduction pro rata will be managed.
- Such a large car park isn't needed – charges will deter people from using it.
- The parking survey excludes weekdays in its conclusions, including only Fri-Sun in June and risks misrepresenting as it shows most stays are under 3 hours. Also done during a school holiday. Had weekday data been used, findings would have reflected longer stay commuter usage.
- Build the car park in stages to enable monitoring of demand.
- The added spaces found in the car park will exacerbate Fairfax Road and is based on flawed data.
- Design prohibits bus linking to the Metrolink and development of new bus routes/stops.
- Introduction of parking charges detrimental to local residents.
- Insufficient parking levels for new residents.

Highways

- The road reduction works should extend past the school and there's currently no safe place for children to cross the road, which is a concern when school crossing patrol staff are on holiday and there's no cover.
- Congestion is likely to be chaotic on Fairfax Road and Bury New Road junction.
- The traffic survey does not consider commuter parking.
- Active travel proposals are unambitious and not designed to Greater Manchester Streets for All design guide.
- Basic errors in the Transport Assessment e.g. number of trams per hour and it does not provide an insight of impact from the development.
- Should re-design Fairfax Road junction with Bury New Road and Poppythorne Lane; junctions will become blocked and unusable.
- Negligible investment in cycling and walking infrastructure.
- Close Rectory Lane to traffic and reroute bus/walking/cycle routes to improved bus terminus at Metrolink.
- Don't narrow Rectory Lane
- In their letter entitled 'TFGM Comments', TFGM point out (again) that the traffic modelling used in the planning application contains significant flaws:
 - "Using town centre sites is not representative of the future development location and leads to the determination of trip rates that are lower than what would be anticipated for such a location."
 - "... TFGM maintain their previous comment namely that traffic growth should be applied to the assessments".
 - "...TFGM cannot consider the traffic flow diagrams valid as they do not include appropriate traffic growth".
 - "The LINSIG modelling needs corrected (sic) before it is able to show correctly the impact of the development: the lane structure for Bury New Road North heading south shows two full lanes (Arm 1) feeding into two full

lanes (Arm 2) - in reality southbound traffic from the junction is a merge from two lanes down to one lane - as such the modelling is over-estimating the capacity of Bury New Road Southbound - this should be correctly modelled".

- "The stages are not modelled correctly - stage two is Fairfax Road and stage three is Chester Street".

Land Use

- Noise arising from car park use and users.
- Limited space for businesses to grow within the development.
- Flats are not needed; houses and gardens are.
- Reduces amount of available community space e.g. library. Type of dwellings per acre instead of per hectare
- How will the redevelopment be managed and keep activity going?
- Approximately half of the borough's housing delivery will come from this scheme – why all in Prestwich?
- The food court will be noisy.
- How much bigger/ smaller is the proposed Public Square than the existing Public Square

Other comments

- What is the overall BNG from the development?
- Health risk to local residents. Currently air quality stands at the 83rd percentile nationally (where 100 is highest) with PM2.5 (a key carcinogen) at 11.51mcg/m3 over double the WHO limit of 5mcg/m3 (addresspollution.org), thus a worsening of air quality.
- Three petitions received containing one hundred and thirty-five signatures against the development.
- Build the residential and shops first, then this will determine levels of parking needed.
- Gym space needs to be bigger.
- Increased demands upon local services, NHS and GPs who can't cope currently.
- Oppose any new bars, cafes, and restaurants as there are too many already.
- Disappointing climate and environment perspectives.
- Re-introduce rooftop garden to the community hub.
- Retail and community space should not be reduced.
- What services will be available during construction in terms of phasing?
- Rents not discussed and Insufficient engagement with businesses.
- The rolls of honour to war dead should be retained and given a new pride of place.
- Safety of pedestrians and concerns about crime and disorder from using the multi-storey car park.
- Ensure swift bricks are incorporated.
- Details are lacking between ideas and aims and actuals of the scheme in the masterplan.
- Ensure that affordable housing is provided.

Support

- Existing centre is an eyesore. The new development can't come soon enough and greatly supported.
- Ensure existing traders are looked after – space and business support.
- Keep the Retreat
- Increasing population in Prestwich, and the development and new homes are much needed.
- Support new library, event space, hall, greener space, better environment, health club.
- Visually appealing arrival point.
- Hopefully better nighttime economy generator.
- Appropriate to move the car parking out of the centre and appropriate phasing.

- Strong improvements to building standards, electric PV, planting, and SuDS.
- Positive socio-economic outcomes.
- Makes sense to reduce commuter demand by charging.
- Net tree gain is good – relocate the existing trees.
- Supports higher density residential accommodation, SuDs and need for more car club spaces than shown.
- Use of PV and heat pumps

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

Statutory/Non-Statutory Consultations

G M Archaeological Advisory Service - No objections, subject to condition securing the implementation of a programme of archaeological works.

Active Travel England - Generally supportive of the initial proposals but raised the following areas of concern:

Pedestrian and cycle access

- The indicative pedestrian crossing points, at the junction of Bury New Road with Fairfax Road - these crossings do not have call buttons or pedestrian crossing phases and so priority given to pedestrians is limited. Active Travel England recommends improvements to this junction as part of this development.
- Comment that there is a lack of any form of provision for cyclists on the A56 and Fairfax Road, their junctions, or indeed other nearby highways that would likely be used for cycling trips to or from the site and have reasonable traffic flows (Rectory Lane, Heys Road or Heywood Road, for example) which would result in poor provision of access for cyclists and only the most confident cyclists are likely to travel to and from the site. They recommend that the local authority should consider what improvements might result in more people feeling comfortable travelling to the site by active travel modes and there would be merit in the applicant assessing the highways and junctions in the immediate vicinity of the site to guide these improvements.

Cycle Parking

Active Travel England recommend a greater number of cycle parking spaces are proposed.

Outline application

Active Travel England advise that the cycle parking provision proposed is based on the Council's Parking Standards SPD that they state is now out-of-date and that the residential proposals should be conditioned to provide to accord with LTN 1/20.

Drainage Section - No objections, subject to a surface water management condition and a condition requiring details of the proposed Sustainable Urban Drainage Scheme (SuDs) and how it will be phased/ developed.

Environment Agency - No observations or recommendations received.

Health & Safety Executive (hazard pipelines/sites) - This application does not fall within any HSE consultation zones. They have advised there was therefore no need to consult the HSE Land Use Planning (LUP) team on this planning application and confirm that the HSE LUP team has no comment to make.

Historic England - No comments to make.

GM Fire Service - No comments or observations received.

Design for security - No objections, subject to updated Crime Impact Statements being secured at Reserved Matters stage.

GM Ecology Unit (GMEU) - No objections, subject to conditions securing mitigation for the

loss of bird nests present on the Longfield Centre buildings (due to be demolished), securing details of an updated Biodiversity Net Gain at reserved matters stage and a planting, management and maintenance plan for the proposed green roof on the single storey element of the proposed Community Building are secured by planning condition(s).

Conservation Officer - Raises objections to the proposals due to the impact of the proposed Transport Hub on views of Our Lady of Grace Roman Catholic Church (OLOG), its former Presbytery and Church Hall and loss of views of the tower of St Mary's Grade 1 listed Church from Prestwich Tram Stop by virtue of one of the apartments blocks removing the view of it. This is discussed in the Heritage Assets section of the report.

Environmental Health - Contaminated Land - No objections, subject to conditions requiring intrusive site investigations and any necessary mitigation and verification.

Environmental Health - Pollution Control - No objections, subject to conditions requiring separate planning permission to be sought for any necessary external extraction, in the interests of design, visual amenity and the amenity of nearby residents, as existing and as proposed. They also recommend a condition be imposed requiring mechanical ventilation.

National Highways - No objections.

Prestwich Village Neighbourhood Forum - Raises the following concerns:

Residential part of the proposals

- Concerns about the height and density of the residential part would be more akin to a city centre location rather than the suburban town centre of Prestwich.
- They query who the apartments are aimed at, stating this type of residential is unlikely to be attractive to those who wish to establish roots in the area or wish to relocate within the existing area.

Transport, parking and accessibility

- Concern about the scheme having less than the current parking spaces across both public car parks, query how the proposed decrease in public parking would be managed, particularly regarding its impact on the surrounding roads.
- They query whether the proposed Transport Hub will charge people to park and question what form this would take.
- They assert that the Travel Hub is a Multi-Storey Car Park and state its location, particularly, its northern end, is divorced from other forms of public transport - i.e. the bus stops on Bury New Road and the Metrolink station and query whether the proposal would deliver integrated and sustainable transport around and to the Centre.
- They query the assumptions made by the developer and raise concern that the current transport and parking proposals will not work.

Retail and community buildings

- Raise concerns that if the NHS does not occupy the Community Building, the proposed office uses may not be appropriate and asserts that the relocation of the existing health centre into the Community hub should be an essential part of this development.
- Asserts there is a significant loss of community space compared to the amount of community space in the Longfield Centre and existing library.
- Queries how the Market Hall would be operated and who by and also how it will be serviced.
- States that there is no information about how traders will be able to continue to trade during construction. The independent traders are the strength of Prestwich Village and we believe it is imperative that they are supported to sustain their businesses successfully during the transitional phases of the redevelopment.

Public Realm

Query how the 'open space' area will be developed to offer opportunities for residents and shoppers to rest, relax, meet up, nor is there any evidence what will be provided in the open space for children so as they become engaged with the village and play and enjoy the

space.

The Gardens Trust (Historic Amenities Societies) - No objections.

Traffic Section – No objections – See Highway Safety and Transportation Section of the Report for information.

Transport for GM – Initially raised concerns on the impact of the proposal on the the Fairfax Road/ Bury New Road junction, the safety of pedestrian access to the site and the Traffic Modelling used – see Highway Safety and Transportation Section of the Report for details.

Transport for GM - Metrolink - No objections, subject to either planning contributions or an agreement with the applicant for improvements to the access and lighting to and from the Metrolink station.

Tree and Woodland Management Officer - No observations or comments received.

United Utilities - Initially raised objections to the proposed development due to the proximity of proposed development to United Utilities assets and apparatus and due to there being insufficient information on infiltration testing. UU have recommended planning condition accordingly. On receipt of amendments, United Utilities are satisfied with the amended Drainage Strategy and therefore have no objections subject to conditions being imposed relating to their assets being protected and the drainage for the development being carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 2772-CIV-XX-XX-D-C-30003 Rev P 06 - Dated 19.09.23.

Pre-start Conditions - Awaiting confirmation from the agent that recommended pre-commencement conditions are acceptable.

Unitary Development Plan and Policies

Area	The Longfield Centre/Bury New Road
PR1	
S1/2	Shopping in Other Town Centres
S2/2	Prime Shopping Areas and Frontages
S3/3	Improvement and Enhancement (All Centres)
EN1/7	Throughroutes and Gateways
EN6/4	Wildlife Links and Corridors
HT2/1	The Strategic Route Network
S2/3	Secondary Shopping Areas and Frontages
H1/2	Further Housing Development
H2	Housing Environment and Design
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H3	Incompatible Uses in Residential Areas
S3/1	New Retail Dev Opportunities Within or Adj Town Centres
JP-Strat6	Northern Areas
JP-C8	Transport Requirements of New Development
JP-C3	Our Public Transport
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
H4	Housing Need
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN2/1	Character of Conservation Areas
CF1	Proposals for New and Improved Community Facilities
CF1/1	Location of New Community Facilities
CF4	Healthcare Facilities

EC4/1	Small Businesses
EC4	Small and Growing Businesses
EC5/2	Other Centres and Preferred Office Locations
EC6/1	New Business, Industrial and Commercial
EN1/4	Street Furniture
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN1/8	Shop Fronts
EN10	Environmental Improvement
EN4	Energy Conservation
EN4/1	Renewable Energy
EN4/2	Energy Efficiency
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/4	Groundwater Protection
HT2	Highway Network
HT2/1	The Strategic Route Network
HT2/3	Improvements to Other Roads
HT2/2	Improvements to the Strategic Route Network
HT2/5	Public Car Parks
HT2/4	Car Parking and New Development
HT3	Public Transport
HT3/1	Schemes to Assist Bus Movement
HT3/3	Design of Roads for Bus Routes
HT3/4	Schemes to Assist Metrolink
HT5	Accessibility For Those With Special Needs
HT6	Pedestrians and Cyclists
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
HT6/3	Cycle Routes
OL3	Urban Open Space
RT2/2	Recreation Provision in New Housing Development
H4/1	Affordable Housing
RT2/3	Education Recreation Facilities
S1/5	Neighbourhood Centres and Local Shops
S2	Control of New Retail and Non-Retail Development
S2/6	Food and Drink
S3	New Retail Dev and Env Improvements
TC1	Town Centres
TC2/1	Upper Floors
TC2/2	Mixed Use Development

Environmental Impact Assessment (EIA)

The EIA Regulations require that for certain projects, an EIA must be undertaken. Schedule 1 of the 2017 Regulations lists developments that always require EIA. Schedule 2 of the EIA Regulations lists developments that may require EIA if it is considered that they are likely to give rise to significant environmental effects (whether beneficial or adverse).

The proposed development is a Schedule 2, Class 10(b) 'Infrastructure Projects' - 'Urban development projects' scheme, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.

The EIA Regulations identify thresholds for Schedule 2 projects to assist with establishing whether an EIA is required. For 10(b) Urban Development Projects an EIA may be

required if:

- i. The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
- ii. the development includes more than 150 dwellings; or
- iii. the overall area of the development exceeds 5 hectares”.

The EIA Regulations require that any development project falling within the description of a ‘Schedule 2 Development’, must be subject to an EIA where such development is likely to have ‘significant’ effects on the environment by virtue of factors such as its nature, size or location.

Given the nature and scale of the proposed development, the Applicant has submitted an Environmental Statement (“ES”) in support of the planning application, the scope of which was agreed with the Council under a Scoping Opinion, issued on the 28th November 2023.

The agreed scope with the council to be assessed within the ES is as follows:

- Townscape and Visual Effects;
- Transport;
- Air Quality;
- Noise and Vibration;
- Socio-economics; and,
- Climate Change

The ES predicts what the significance of each environmental effect would be, which is determined by two factors:

- The sensitivity, importance, or value of the environment (such as people or wildlife); and
- The actual change taking place to the environment (i.e. the size or severity of change taking place).

Most environmental disciplines classify effects as negligible, adverse or beneficial, where effects are minor, moderate or major.

During the assessment of likely significant effects, the EIA (in line with requirements of the EIA Regulations) has considered measures to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects - 'mitigations'. Finally, each chapter determines whether the level of effect reported is 'significant' or not. This determination is based on professional judgment and best practice.

Taking the chapters separately there follows a summary of the predicted significant effects:

Townscape and Visual Effects

Construction phase - Short term adverse effects on local townscape character and views are unavoidable and are likely to take the form of the use of cranes and construction activity on and around the site. Effects on surrounding receptors are expected to range from Negligible to Moderate Adverse. The construction process would be subject to a Construction Environmental Management Plan (CEMP), which would help control and minimise these effects. A condition securing a Construction Management Plan is therefore recommended.

Operational phase: Townscape Effects - The baseline assessment identified that at present the application site adversely influences local townscape character, for example through the general low quality of the Longfield Centre buildings and public realm, the surface level car parks, the poor relationship with the tramline and its failure to optimise this highly accessible location. The proposal would introduce high quality, highly sustainable, landmark buildings into the site and improve the public realm. Effects on the local townscape character areas are expected to range from Minor to Moderate Beneficial.

Operational Phase: Visual Effects – The proposal would introduce high quality, highly sustainable, landmark buildings into the site and improve the public realm with soft landscaping and improve pedestrian routes through the site from Bury New Road towards the Metrolink, re-establishing historic streets. The visual effects are therefore expected to be Minor Beneficial - Not significant.

The ES concludes that although it is acknowledged that the proposals do result in some significant adverse effects on a small number of visual receptors and townscape receptors during the enabling, demolition and construction works. These receptors are limited to a small geographical area, immediately adjoining the site, and are temporary in nature. Overall, it has been established that townscape character effects are beneficial once the Proposed Development is completed and operational with effects being Significant on a number of identified townscape receptors relating to local townscape character, urban grain, land use, building heights and site character. Once completed the Proposed Development will completely transform the site to a high-quality retail, community, and residential hub, that reflects the urban grain, with new local level facilities, street frontages and with an enhanced public realm.

Officers agree with the conclusions and recommendations of this Chapter of the ES. The proposal therefore accords with the Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

Transport

Chapter 8 of the Environmental Statement details an assessment of the effects of the Proposed Development on Transport. In particular it identifies and assesses the likely significant effects resulting from the Proposed Development on traffic and transport during both the demolition, enabling works, construction and operational phases of the Proposed Development on the road network within 200m of the site, and the M60 located to 600m to the north of the site, was chosen as the study area.

The road network within and immediately surrounding the site area comprises Fairfax Road, Rectory Lane and the A56 Bury New Road.

The A56 Bury New Road is a busy main road and often experiences congestion and delay, particularly if there is an incident on the motorway. Bury New Road is part of the A56 which is a key arterial route linking Manchester City Centre with the orbital M60 Motorway and Bury to the north of Prestwich. In the vicinity of the site, Bury New Road comprises a single carriageway with one lane in each direction, with additional traffic lanes developing locally at junctions to aid turning movements. Bus stops are located on Bury New Road towards the south-western corner of the site, just south of Warwick Road.

Fairfax Road and Rectory Lane are both single carriageway roads with one lane in each direction. These roads provide local access to the town centre and include connections into the town's two main car parking areas. Pedestrian crossing points are located at key positions, linking the car parks to the town's facilities, and linking with the Metrolink Tram Stop adjacent to Rectory Lane where bus stops are also located. Additional bus stops are located towards the eastern end of Fairfax Road and on Bury New Road.

The site and surrounding area score a 5 on the Greater Manchester Accessibility Level (GMAL) scale. A GMAL of 1 is 'very low' and 8 is 'very high', a score of 5 indicates the area is reasonably accessible by public transport - the Bus and Tram network.

The capacity and operation of the local highway network, in the study area, in the base year of 2023 is assessed in the Transport Assessment and is used in the ES assessment to show junctions which are sensitive to driver delay. The ES also assesses the change in delay and queue length during the peak hour(s) is used to provide a qualitative assessment of driver delay, noting that the peak hours are the hours in which the impact will be most significant, from a transport perspective.

Potential effects include additional large vehicles on the network associated with construction, as well as private vehicles from construction workers. It is acknowledged that there will also be ancillary related trips from contractor staff, imports of other construction material etc., however this cannot be quantified at this stage. During the course of the enabling works and construction period, Light Goods Vehicles (LGVs), Heavy Goods Vehicles (HGVs) and potential Abnormal Load Vehicles (ALVs) will be used. Construction vehicles will access the application site via Rectory Lane and Fairfax Road during this period. The ES notes Abnormal Load Vehicles are not allowed restricted from travel in Greater Manchester from 6:30am to 9:30am and 3:30pm and 6:30pm Monday to Fridays, to ensure that traffic can flow on Greater Manchester roads, which includes the A56 Bury New Road.

Construction vehicles would access the application site via Rectory Lane and Fairfax Road during this period. The anticipated core construction working hours are stated to be as follows:

- 07:30 – 18:30 hours on weekdays;
- 07:30 – 13:30 hours on Saturdays; and
- No working on Sundays or Bank / Public Holidays.

The impact of temporary additional traffic during each phase of enabling, demolition and construction works on the possible impacts of the Proposed Development on delay, amenity, fear and intimidation, road users and pedestrian safety is assessed as Negligible which is Not Significant.

The assessment takes account of the scale and programme of the work and together with measures to be contained in a Construction Environmental Management Plan) (CEMP) and Construction Logistics Plan which can be controlled by condition. Indeed, the Local Highway Authority and the Council's Environmental Health Officers have recommended these conditions be imposed and thus they are duly recommended.

The impact of the temporary additional traffic during each phase of enabling, demolition and construction works on the possible impacts of the proposed development on delay, amenity, fear and intimidation, road users and pedestrian safety is assessed as Negligible which is Not Significant.

Examining the anticipated changes in traffic flows associated with the Proposed Development once operational all links would be subject to an increase in traffic flows that would be Not Significant in terms of the thresholds suggested by the Institute of Environmental Management and Assessment (IEMA) guidelines as all roads on the local network would be subject to an increase in traffic flows of less than 10% with the Proposed Development in place.

Driver/ Passenger Delay

IEMA Guidelines note that driver delay may occur at several points on the network, but the effects are only likely to be significant when the traffic on the highway network is predicted to be at, or close to, the capacity of the system.

The junction model for A56 Bury New Road/Fairfax Road indicates that in the PM peak hour the Fairfax Road arm is approaching practical capacity on the Fairfax Road arm in the 2023 Base scenario. With the addition of Proposed Development traffic, the average delay per vehicle at the junction will increase by 1.99 seconds in the busiest hour (weekday PM peak hour). The average queue will increase by 2 vehicles on this arm.

This effect is not considered significant, especially as it is noted that the junction operates with SCOOT2 which can be optimised to make use of the spare capacity in the junction, which will make it work more efficiently. SCOOT is a real-time adaptive traffic control system for the coordination and control of traffic signals across an urban road network. It

is used extensively throughout the UK and is already in use at the A56 Bury New Road/Fairfax Road junction.

Taking account of receptor sensitivity, the overall effect of the Proposed Development on driver delay across the study area is assessed to be of Negligible significance on the majority of receptors and therefore Not Significant. The effect of the Proposed Development on Fairfax Road is considered to be Minor Adverse significance and therefore Not Significant.

Non-motorised User Amenity

The Proposed Development incorporates new pedestrian and cycle connections through the site and increases permeability through the area by non-motorised modes. This effectively creates new opportunities for existing residents and visitors to travel by sustainable modes and represents a clear wider benefit to the accessibility of the area.

Given the above, and the overall improvement of pedestrian and cycling facilities that would be introduced, the overall effect of the Proposed Development on pedestrian amenity on the road network is assessed to be of Moderate Beneficial significance and therefore considered to be Significant.

Fear and Intimidation

There is no formal guidance on the thresholds for the assessment of fear and intimidation experienced by pedestrians and cyclists. The measure of fear and intimidation is based on traffic volumes, traffic flow composition and the provision of wider footways or guardrails. Therefore, traffic flows of utilising the 30%, 60% and 90% threshold has been used taking into account traffic composition and site specific characteristics.

All roads would be subject to an increase in traffic flows of less than 10% and no discernible change in composition. Consequently, the effect of the Proposed Development on fear and intimidation is assessed to be Negligible on these sensitive receptors. With reference to the Fairfax Road junction with the Travel Hub traffic flows would not exceed a 30% change. It is acknowledged that there would be change in composition with an increase in Heavy Duty Vehicle flows. However, this is still below 30% and would not have a significant impact on fear and intimidation.

Furthermore, public realm improvements are proposed at this junction which will improve the pedestrian and cyclist space for users. On this basis, the effect of the Proposed Development on Fear and Intimidation at this junction is assessed to be Minor Adverse effect which is Not Significant.

Road User and Pedestrian Safety

An assessment of road traffic collision data for the latest five-year period has been undertaken. The data shows that across the study area the level of reported collisions is not abnormally high for the characteristics of the road network, although noting the number of collisions suggests an accident cluster at the A56 Bury New Road/Clifton Road/Poppythorn Lane junction. With reference to the increase in traffic flows along Bury New Road, this link does not experience an increase in traffic flows of more than 10%. On this basis the likely effect of the Proposed Development on road traffic collisions and safety is assessed to be of Negligible at all locations and Not Significant.

Mitigations

Notwithstanding that the effects of the enabling, demolition and construction phases are considered to be Negligible and temporary nature, measures will be undertaken during the enabling and construction phase to minimise disruption and manage the effects of the Proposed Development during both phases of construction. Such mitigation measures will be secured by planning condition in the form of a Construction Environmental Management Plan (CEMP) and Construction Logistic Plan. Suitably worded planning conditions are therefore recommended.

In summary, the following mitigation measures are recommended as part of the proposed development in connection with both the construction and operational phases:

- Adoption of a CEMP to minimise disruption and manage the effects on the local highway network to be secured by a suitably worded planning condition.
- Adoption of a Construction Logistics Plan to manage enabling works / construction traffic routing on the local highway network to be secured by a suitably worded planning condition.
- Adoption of a Framework Travel Plan to be secured by a suitably worded planning condition.
- Adoption of a Travel Hub Parking Management Strategy to be secured by a suitably worded planning condition.
- Implementation of a Traffic Regulation Order (TRO) on local roads if required, to be secured by a S106 Obligation.

To conclude, taking account of the identified mitigation measures, traffic associated with the Proposed Development would be satisfactorily accommodated and will not give rise to any significant adverse effects. In addition, a Moderate Beneficial effect has been identified in terms of the amenity of non-motorised users.

National Highways, the Local Highway Authority and Transport for Greater Manchester(TfGM) (Highways and Metrolink) raise no objections to the contents and conclusion of this Chapter of the ES. Accordingly, the proposals accord with the key principles within policies within the 'Connected Places' section of the Greater Manchester Places for Everyone Joint Development Plan.

Air Quality

Chapter 10 of the Environmental Statement has assessed the effects if the proposed development upon air quality. In particular it identifies and assesses the likely significant effects resulting from the Proposed Development on air quality during enabling, construction and operational phases.

The south-western edge of the site is located within the Bury Air Quality Management Area (AQMA) which covers large portions of the main roads within the borough, including the Bury New Road (A56) located to the immediate west of the Proposed Development site. Bury Council declared the AQMA in 2002 for exceedances of the annual mean NO₂ objective and 24-hour mean PM₁₀ objective. It was amended in 2007 to only include annual mean NO₂.

The main pollutants of concern have been identified as being dust soiling and health effects resulting from construction vehicle trackout. The term 'trackout' refers to the movement of dust and dirt from a construction/demolition site onto the public road network, where it may be deposited and then re-suspended by vehicles using the network.

Dust Soiling

The surrounding area has a significant density of human receptors, which are potentially sensitive to dust soiling and health effects. The overall risk of unmitigated impacts is high for demolition, earthworks, construction and trackout. In accordance with the IAQM guidance, the 'site specific mitigation' are discussed in Annex I of Appendix 10.1 and the 'Further Mitigation' section of Chapter 10. These mitigation measures will need to be outlined in an Air Quality and Dust Management Plan (AQDMP) (forming part of a Construction Environmental Management Plan (CEMP)/ Construction Logistics Plan) and approved by Bury Council prior to the commencement of any on-site works. With the implementation of these mitigation measures, the impacts from construction activities are expected to be Not Significant. The Council's Environmental Health Officers consider subject to a separate dust management plan being secured by condition that the impact of dust can be minimised to a degree where dust pollution would not significant.

Effects from construction traffic trackout

Measures to control emissions during the construction phase are proposed in a Construction Environmental Management Plan (CEMP), and within Appendix 4.3 for a Framework CEMP. These mitigation measures would be implemented for both phases of the Proposed Development. A CEMP and a Construction Logistics Plan to minimise the effects of both dust and construction vehicle trackout can be secured for each phase via planning condition. Officers agree that such conditions would ensure the effects of dust and construction traffic trackout can be minimised by securing such conditions and these are therefore recommended to ensure the impact from dust during construction of the development is minimised as much as possible.

To conclude, there is no objection from Environmental Health - Pollution Control and subject to the recommended condition(s) being secured. the LPA has no reason to disagree with the conclusion of the ES. The proposal is considered to accord with Policy PF-C5: Clean Air of the Greater Manchester Places for Everyone Joint Development Plan.

Noise and Vibration

Chapter 9 of the ES assesses the effects of the proposed development on Noise and Vibration. It identifies and assesses the likely significant effects resulting from the potential noise and vibration impacts during enabling, construction and operational phases from the proposed development and whether any mitigations would be necessary.

The identified noise and vibration sensitive receptors in proximity to the site taken into account in the assessment include residential properties on Highfield Road and Highfield Place, Poppythorn Lane, the Radius Building (including the ground floor uses), Heys Road, The Heys, and Rectory Green, and commercial/ other properties; Our Lady of Grace Church, Hall and Prestbury, 458-466 Bury New Road, Prestwich Job Centre, and St Mary's C of E Primary School.

Enabling, Demolition and Construction Phase

Noise - The impact of noise during the enabling, demolition and construction of the Proposed Development has been predicted and assessed in accordance with BS:5228 guidance. Impacts from demolition and construction activities are predicted at the closest noise sensitive receptors, with temporary negligible to major adverse effects anticipated to arise, prior to mitigation.

Taking into account the implementation of Best Practicable Means (BPM) to be secured by a detailed Construction Environmental Management Plan (CEMP) condition and the temporary nature of the works, the resulting residual effect is considered to range from Negligible to Moderate-minor, which is not significant. Construction traffic noise effects are considered not significant; hence, no mitigation measures to control this impact were required.

Officers consider, that subject to a detailed CEMP condition being secured by condition there is no reason to disagree with the conclusion made in Chapter 9 of the Environmental Statement.

Vibration - Demolition and construction activities that produce vibration may impact adjacent buildings. The Framework Construction Environmental Management Plan (CEMP) accompanying the ES has highlighted a number of Best Practicable Means (BPM) to minimise the noise and vibration impact on nearby noise sensitive properties. These indicate that subject to a detailed CEMP being secured by condition that the impact on residents from noise and vibration can be minimised. The Council's Environmental Health Officers agree with this conclusion and have thus recommended a condition securing a both a CEMP and a piling condition.

The Completed and Operational Phase

During the operation of the Proposed Development, complying with plant noise limits in line with guidance provided in BS: 4142 is assessed as Negligible effect on the nearest noise-sensitive receptors and therefore not significant.

Based on predicted traffic flows, the magnitude of impact for all receptors is assessed as negligible in terms of both short and long term traffic changes. This would result in a Negligible effect for all receptors and is therefore not significant.

Turning to traffic noise, a noise model has been used to predict traffic and tram noise levels at the façade of the proposed development. Internal noise levels would adhere to BS 8233 (internal noise levels) through selection of appropriate façade design mitigation, such as acoustic glazing. As such, the residual effect is assessed as Negligible and therefore not significant.

For the operational phase, all residual effects have considered the potential effects in conjunction with compliance with policy and guidance and complying with these through design such as suitable glazing specification. For the outline element of the application, it is recommended that an Acoustic Design Statement at the detailed design stage, which is a recommended planning condition. The ES concludes no significant residual effects. It is considered that there would also be no significant noise effects during construction or operation. Subject to the recommended planning conditions, Officers agree with the conclusion.

Overall, there is no objection from Environmental Health and it is considered that there would also be no significant noise effects during construction or operation. Subject to the recommended planning conditions, Officers agree with the conclusions within Chapter 9 of the ES and accordingly consider the proposed development would occur with Policy EN1/7 - Noise Pollution, of the Bury Unitary Development Plan.

Socio-economics

This Chapter of the ES considers the potential effects of the proposed development on a defined local "Area of Impact" (as defined by the applied methodology) and on the district (Bury) socio-economic receptors. The socio-economic effects assessment has been conducted based on guidance issued by Homes England (previously the Homes and Communities Agency), including the Additionality Guide (2014) and Employment Densities Guide, 3rd Edition (2015). It also, describes the methods used to assess the likely significant effects, the baseline conditions currently existing at the site and surroundings, the potential direct, indirect, and cumulative effects of the proposed development, and the mitigation measures required to prevent, reduce, or offset any identified significant effects and the residual effects.

Qualitative and quantitative assessments have been undertaken having regard to assessment methodologies from published guidance. The economic impact of the proposed development is considered relative to the core catchment area of Prestwich as identified by the June 2023 Place Informatics and Civic Engineers report, which has utilised GPS data. This analysis identifies a primary catchment area for Prestwich town centre. This core catchment area is considered the principal labour market for the proposed employment uses and the main community catchment for any proposed social infrastructure. Therefore, this catchment area is defined as the local 'Area of Impact' where relevant within the assessment. Based on the analysis, the 'Area of Impact' (AoI) is made up of the M25 and M45 Postcode population in Bury and the M7 Postcode population in Salford.

The following receptors have been identified and assessed within the ES:

- The economy in the local Area of Impact (as defined above) and Bury Local Authority area;
- Construction workforce in the local Area of Impact;
- The workforce in the local Area of Impact, across all industries;
- The housing market in the Bury Local Authority area; and
- The capacity of social infrastructure (schools and healthcare facilities).

It is anticipated that the Proposed Development will result in a range of potentially

significant socio-economic effects during both the Construction and Operational Phases. These effects may occur as a direct result of the Proposed Development or through indirect effects (supply chain linkages as a result of on-site businesses) and induced effects (employees spending in the local economy) in line with HCA guidance.

Enabling, Demolition and Construction Phase

To deliver the Proposed Development, it is expected there will be construction expenditure over an approximately seven-year construction programme up to 2031 (relating to the delivery of Phases 1 and 2). Therefore, this effect is considered to be a long-term temporary effect during this phase.

Overall, it is estimated that the redevelopment proposals would create 516 net additional person years of construction employment (52 FTE net additional jobs) over 7 years. The overall enabling, demolition and construction phase effects of both Phase 1 and 2 is likely to have a minor beneficial (not significant) temporary effect in the long-term at the local level. The overall enabling, demolition and construction phase effects of both Phase 1 and 2 is likely to have a minor beneficial (not significant) temporary effect in the long-term at the local level.

The Completed and Operational Development

The proposed development would contribute to strengthening and diversifying the economic base by providing accommodation for a mix of new activities that will stimulate business activity. The ES makes the following conclusions:

- The potential effect on employment is assessed to be a minor beneficial (not significant) permanent effect at the local level for both scenarios based on the net additional employment in the context of the Area of Impact's economy.
- Once completed, the Proposed Development is expected to generate between £5.2m to £14.4 (2023 prices, undiscounted) of net additional annual GVA depending on the use of the flexible space.
- The potential effect on employment is assessed to be a minor beneficial (not significant) permanent effect at the local level based on the net additional employment that would be created by the proposed development.
- The potential effect on business rates income is assessed to be a Minor Beneficial (not significant) permanent effect at the Bury district level.
- The implementation of a range of new residential homes is assessed to have a Moderate Beneficial (significant) permanent effect at a Bury district level. The spending expected to be generated by new residents is assessed to be a Minor Beneficial (not significant) permanent effect at the local Area of Impact. The additional Council Tax income as a result of the new residential homes is assessed to be a Minor Beneficial (not significant) permanent effect at the Bury district level.
- In respect of the impact on existing Health Care Capacity an assessment based on household size and bedrooms spaces data from the 2021 Census indicates that the Proposed Development could accommodate a total of 518 people when fully occupied. If this increase was all additional, it would represent an increase of 0.6% on the current population of the Area of Impact (88,000). However, this may not be the case as the Proposed Development could accommodate new homes taken up by existing residents and demands from hidden households (for example, a young person moving out of the family home) and reflect changes in household density rather than an increase in population.

There are 15 GP Practices within the Area of Impact of the Proposed Development, with a total of 66 GPs. This analysis includes the Prestwich Health Centre, which is currently on the existing site and has 10 GPs. In total, there are 93,202 residents registered to these 15

GP practices.

The analysis indicates that there is sufficient GP capacity in the local area to deal with the additional demand generated by the Proposed Development within either scenario. However, the opportunity to re-provide space for GPs at the existing site would help to keep the ratio of patients to GPs in the Area of Impact comfortably below (i.e. better than) the target levels. For example, it should be noted that the number of patients per GP would towards the maximum recommended levels (1,800 patients per GP) if none of the existing GPs from the current health facility remain in the Area of Impact.

It should be noted that the assessment of health infrastructure was based on two scenarios, one where 4.5 FTE GPs remain from the existing health facility remain in the Area of Impact and a second where all 10 FTE GPs remain due to the re-provision of space in the proposed development. The proposed development would have a Negligible permanent effect on primary healthcare within the Area of Impact, which is considered to be Not Significant. The additional demand generated by the Proposed Development together with the potential re-provision of the existing health capacity on site is assessed to have an overall Negligible (not significant) permanent effect at a local level.

In respect of the likely effect on primary and secondary school places the increased residential population of the proposed Development would result in an increased demand for Primary school and Secondary school places. However, the additional demand on both primary and secondary school places from the proposed development is assessed to be a Negligible (not significant) permanent effect at the local level.

The assessment of socio-economic benefits has identified a Moderate Beneficial effect following completion and operation of the proposed development, particularly resulting from the proposed new homes in the local authority area, which is concluded to be Significant. In light of the above, Chapter 6 of the Environmental Statement (ES), concludes that there would be no adverse significant effects from a socio-economic perspective. All socio-economic effects from the proposed development would be positive.

Climate Change

The ES assesses the effects of the Proposed Development on Climate Change. In particular it identifies and assesses the likely significant effects resulting from and upon the Proposed Development regarding Climate Change and Greenhouse Gases (GHGs).

Enabling, Demolition and Construction Phase

The assessment demonstrates there would be no likely significant GHG effects (only minor adverse effects), further mitigation would include a detailed assessment of regulated and unregulated loads, as well as consumption sources, to identify opportunities for energy consumption reduction through operational and management strategies.

An assessment of embodied carbon has been completed for Plots A, B and C to inform design development. Should planning permission be approved, this assessment process would continue through to RIBA Stage 4 Technical Design (post planning) to reduce embodied carbon as far as practicable.

Phase 2 of the proposed development forms part of the outline element and so further mitigation would be secured through design development e.g. developing proposals that support a net zero carbon trajectory through compliance with the latest building regulations and seeking to target improved levels of performance where possible. The Outline proposals for residential development above retail and commercial development, would also be required to comply with Policy JP-S2: Carbon and Energy, of the Places for Everyone Joint Development Plan. Taking account of the embedded mitigation measures and the further mitigation / enhancement measures set out above, the residual effects of the proposed development would be Not Significant.

The release of GHG emissions from the operation of the Proposed Development (for both Phases 1 and 2) is assessed as being Negligible which is Not Significant, taking into

account of the embedded mitigation measures identified which form part of the design of the proposals.

For the Construction Phase, in accordance with the stated IEMA methodology, the project is evaluated to have a Minor Adverse effect that would be Not Significant. For the Operational Phase, the Proposed development is expected to have reduced operational emissions, compared to the baseline, of 355.75 tCO₂e/yr, thus having a similarly Negligible impact locally and nationally.

During Construction, in accordance with the stated IEMA methodology, the project is evaluated to have a Minor Adverse effect that is not significant; it is in compliance with up-to-date policy and good practice guidance reduction measures, so is deemed to be compatible with the budgeted, science-based 1.5.C trajectory (in terms of rate of emissions reduction) i.e. the UK's net zero trajectory.

As the proposed development's operational net GHG impacts would be below zero and it would cause a reduction in atmospheric GHG concentration, compared to the without-project baseline, the operational development proposed is deemed to have a beneficial effect and a positive climate impact.

The Complete and Operational Development Phase

The total anticipated emissions associated with the completed and operational stage of the proposed development (combining Phases 1 and 2), relating to the operation of the buildings across local, regional and national scales, the magnitude of effect is considered to be negligible. Therefore, the operational CO₂ emissions would be likely to have a direct, permanent, long-term, adverse effect which is considered to be Negligible, which is classed Not Significant.

To conclude, Officers have no reasons to disagree with the contents, recommendations and conclusions of Chapter 11 of the ES. The proposal therefore accords with the relevant requirements of Policies JP-S1: Sustainable Development and JP-S2: Carbon and Energy of the Greater Manchester Places for Everyone Places for Everyone Plan.

Conclusion

According to the EIA Regulations, the Local Planning Authority (LPA) should reach a reasoned conclusion on the individual and cumulative significant effects and this conclusion should be integrated into the decision as to whether planning permission should be granted. If it is to be granted, the LPA should consider whether it is appropriate to impose monitoring measures. These effects are therefore considered in the planning balance discussion later in this report.

Principle of Development

The application site comprises the Longfield Shopping Centre and Car Park, Fairfax Road Car Park and adjoining land at Bury New Road, Rectory Lane, and Fairfax Road.

Retail

Paragraph 90 of the National Planning Policy Framework 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.

Paragraph 90(a) further states that planning policies should promote the long-term vitality and viability of town centres 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.

Under Unitary Development Plan (UDP) 'Policy Area PR1', the Council will encourage and support proposals for retailing and other appropriate ancillary town centre uses within the Longfield Centre and the Bury New Road area of the Town Centre. UDP Policy S1/2 - 'Shopping in Other Town Centres', seek to maintain and strengthen the retail role of

Prestwich and support modest increases in shopping floorspace, however, the main emphasis will be on consolidation and enhancement.

Under UDP Policies S2/2 - 'Prime Shopping Areas and Frontages' and S2/3 - 'Secondary Shopping Areas and Frontages', the Council seeks to maintain retailing as the predominant use at ground floor level within Primary and Secondary Shopping Areas Under UDP Policy S3/1/29 - 'New Retail Development Opportunities Within or Adjoining Town Centres', the Council considers the small infill space within the Longfield Centre as suitable for retail purposes.

Whilst the proposal is to demolish the existing Longfield Centre, the redevelopment proposes new retail floorspace including a Market Hall and a range of different sized retail units to suit independent retailers.

The site is situated in an identified town centre location and therefore there is no need to undertake a sequential or impact test in accordance with the NPPF.

The new market building would be located in the centre of scheme and would be surrounded by the smaller units. It is proposed to locate all the retail units within the proposal at ground floor level generating more activity within the existing primary and secondary shopping area frontage(s). Given the above, it is considered that the proposals are in conformity with UDP policies PR1 - 'The Longfield Centre/ Bury New Road, S1/2 - 'Shopping in Other Town Centres', S2/2 - 'Prime Shopping Areas and Frontages', S2/3 - 'Secondary Shopping Areas and Frontages' and S3/1/29 - 'New Retail Opportunities Within or Adjoining Town Centres'.

Policy JP-Strat 6 – 'Northern Areas' of the Greater Manchester Places for Everyone Joint Development Plan places a strong focus on making as much use as possible of suitable previously developed land, through urban regeneration and enhancing the role of town centres in northern areas.

The redevelopment proposals for Prestwich town centre seek to develop the town centre as a hub for the local community, improve transport connections, diversify the retail, leisure and food and drink offer and provide new homes and commercial spaces to live and work.

The community hub would provide space for commercial uses, a library, community event space and retail spaces and there is the potential for healthcare facilities to also be co-located. It is proposed to locate the community and retail spaces at ground floor level to help provide footfall in the proposed village square.

The market hall would provide a mix of space for food retailers and smaller retail units. This would help to diversify the retail and food and drink offer and help to diversify the evening economy.

The consolidation of the two car parks into a mobility/ transport hub would unlock the existing surface level car parks for new homes which would help to retain and attract residents to Prestwich, increasing footfall and local spend.

The Public realm improvement works create public spaces which can be used for a variety of events and encourage people to the town centre. Given the above it is considered the proposals accord with the NPPF and will make a positive contribution to help support the long-term vitality and viability of Prestwich Town Centre.

The application seeks to deliver a new village centre by regenerating previously development land and buildings which will enhance Prestwich's role as a town centre within the borough.

Given the above, it is considered that the proposals are in conformity with UDP policies PR1, S1/2, S2/2, S2/3 and S3/1/29, and Policy JP-Strat 6 of the PfE Joint Development

Plan

Residential

The residential element of the application is in outline only and proposes up to 210 residential units.

The residential proposals incorporate commercial uses at ground floor level, which would be in accordance with UDP Policy S2/2, with residential apartments proposed above.

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 states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

The joint Places for Everyone Development Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

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 deliverable land 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). In addition to the housing land supply in the SHLAA, the joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is now able to demonstrate a minimum deliverable 5 year supply of housing land when assessed against the adopted PfE housing requirement.

However, 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%) 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, paragraph 11d) of the National Planning Policy Framework is relevant in the assessment of this proposal. It 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.

The site is considered to be in a sustainable location for housing within the urban area and sitting outside the Green Belt. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this part of the site in principle. The tilted balance is engaged in line with paragraph 11(d)(ii) of the NPPF which directs that planning permission should be granted.

Conclusion

It is clear from all of the above that the proposals seek to regenerate this portion of Prestwich and replace the buildings forming the Longfield Centre, as well as provide a number of new homes in a location that is considered to be highly accessible, due to its proximity to Prestwich Tram Station and the Bus Stops on Bury New Road, a main public transport route. The proposals are therefore acceptable in principle.

Affordable Housing

The residential element of the proposal is in outline and as yet, no details other than the upper limit of the number of apartments is proposed (up to 210 dwellings).

PfE Policy JP-H2 - 'Affordability of New Housing' seeks to maximize the delivery of additional affordable homes and support the provision of affordable housing as part of new developments (avoiding where possible clusters of tenure to deliver mixed communities). UDP Policy H4/1 - Affordable Housing and its associated SPG5 - Affordable Housing Provision in New Residential Developments require 25% of new housing on schemes of 25 or more units to be provided as Affordable Housing. NPPF paragraph 66 expects at least 10% of the total number of homes to be available for affordable home ownership (subject to limited exemptions). The Government's Written Ministerial Statement published on 24th May 2021 and the Council's interim First Homes Policy Position Statement require 25% of affordable housing to be provided as First Homes (subject to limited exceptions). The definition of affordable housing is set out in NPPF Annex 2.

As the residential element of the application is in outline with all matters reserved, it is not possible to ascertain the exact number and mix of housing, which would be determined at the reserved matters stage if Members are minded to approve the application. As such, it is not possible to ascertain which specific units would be affordable at this stage. A condition is recommended to be included on the decision notice to ensure that a scheme to secure the affordable housing in accordance with relevant policy is submitted at reserved matters stage.

Heritage Assets (Listed Buildings, Conservation Areas and Archaeology)

In accordance with the statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in determining the planning application it is necessary for the Local Planning Authority to have special regard to the desirability of preserving the buildings or their settings or any features of special architectural or historic interest they possess. Preservation in this context means not harming the historic interest which the building possesses, as opposed to keeping it completely unchanged. The duty under section 72(1) provides that, with respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area in decision making.

The environmental objective of the NPPF means protecting and enhancing the built and historic environment. Indeed, conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations is a core planning principle. Significance derives not only from a heritage asset's physical presence, but also from its setting. The heritage interest may be archaeological, architectural, artistic or historic.

Section 16 of the NPPF, 'Conserving and enhancing the historic environment', requires

applicants to describe the significance of any heritage assets affected by proposed development and states that *“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 ... This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”* (paragraph 199). It sets out in paragraph 205 that *“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...”* Paragraph 206 states *“Where a proposed development 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 ...”*

UDP Policy EN1/2 - 'Townscape and Built Design', EN2/1 - 'Character of Conservation Areas' and EN2/3 - 'Listed Buildings' of the UDP discuss development in relation to a heritage considerations.

The application site does not contain any statutory listed buildings nor is it within a Conservation Area, although the site is located close to the southern boundary of the Poppythorn Conservation Area, which is sited on the opposite side of the Metrolink line, approximately 300 metres from the application site. There are a number of Non-Designated Heritage Assets (NDHAs) adjacent to the site and the Grade I listed St Mary's Church is approximately 350 metres to the south-west of the site.

Paragraph 200 of the Framework states:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance”.

A Heritage Assessment accompanies this application which has been reviewed by Officers. The respective heritage assets that need to be considered as part of this assessment are discussed below.

Archaeology

The application site does not contain any designated heritage assets but is located between two conservation areas and is of some historical and archaeological interest, not least for having been a centre for the cottage-based silk handloom-weaving industry during the 17th and early 18th centuries. The earlier history of the application site is not well understood, although the projected line of the Roman road between the forts at Manchester and Ribchester is thought to follow the approximate line of Bury New Road whilst St Mary's Church, founded in 1231 and situated some 200m to the south-west of the Longfield Centre, is known to have been a focus for medieval activity in the area. Any surviving remains of the medieval and / or post-medieval landscape would be of some archaeological interest and establishing the potential for any such remains to survive warrants further investigation.

The application is supported by an archaeological desk-based assessment that sets out the historical development of the application site. The archaeological assessment identified a high potential for the application site to retain archaeological remains deriving from the 18th- and 19th-century development of the area, including workers' housing, various industrial buildings and a police station, together with a lower potential for remains deriving from the Roman and medieval periods. The report concludes that it would be appropriate to undertake further investigation of the application site in advance of construction work. Greater Manchester Archaeological Advisory Service (GMAS) concurs with this conclusion and thus a planning condition to secure an initial phase of evaluation trenching that will aim to establish whether any buried remains of archaeological interest survive intact. In the event of significant remains being uncovered in the initial trenches, a

second phase of more detailed excavation and recording is considered to be warranted, in accordance with paragraph 211 of the National Planning Policy Framework.

GMAAS accepts that any below-ground archaeological remains that do survive across the application site will not be of national importance requiring preservation in-situ, and therefore archaeological interests can be secured through a condition attached to planning consent. A suitably worded condition is therefore recommended.

Impact on non-designated heritage assets

Adjacent to the Fairfax Road car park exists a group of traditional buildings known as, Our Lady of Grace Church, Hall and Presbytery, Fairfax Road.

A number of other non-designated heritage assets exist along Bury New Road, including the Liberal Club opposite Marks and Spencer's Food, the Nat West Bank and Managers House, Bury New Road/ Clifton Road, Barclays Bank, Bury New Road, Railway and Naturalist Public House, Bury New Road, The White Horse Public House. 466 Bury New Road, and the Istanbul Restaurant (formerly the Wilton Arms Hotel) the gable of which abuts the Bury New Road boundary of the application site.

Given the proximity of the site to the identified non-designated heritage assets, paragraph 209 of the National Planning Policy Framework December 2023 (NPPF) should be considered when assessing this application. Paragraph 209 states:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. 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 Our Lady of Grace Church (OLOG), Church Hall and former Presbytery form a group value of non-designated heritage assets. It is accepted that the setting of this group has been compromised in recent years by the Radius development, but the group has retained a positive element to its setting with the openness of the adjacent car park preserving views from the car park itself, Fairfax Road, Rectory Lane and the junctions of Fairfax Road and Rectory Lane as well as filtered and kinetic views from the Metrolink Line when arriving and departing Prestwich tram stop. It is considered the views from and along Fairfax Road and from Rectory Lane are the most sensitive to changes brought about by the proposed travel hub.

The group currently retains a level of setting that is beneficial to its associative/communal and historic interest providing a tangible significance in how the building is experienced, the group of buildings have a visual experience when approached along established routes of access as in Fairfax Road, Rectory Lane and the adjacent car park. The proposed Travel Hub would harm this element of the groups' setting, reducing the ability to appreciate the building and therefore how it is experienced.

The applicant asserts that the Fairfax Road car park is a negative feature within the groups setting and that because harm may have already been caused to its setting by the Radius development further harm would be acceptable. Officers do not agree with this approach for the reasons provided above.

The applicant also asserts that the proposed Travel Hub would cause negligible harm to the setting of this group of non-designated heritage assets. Officers do not agree with the applicants reasoning. The proposed Travel Hub would obscure the majority of the east facing side elevation of this group of buildings, albeit it is proposed to be set back behind the projecting gable of the Parish Hall. Therefore, Officers consider the proposal would have a moderate, albeit a less than substantial harm on this group of buildings.

As directed by paragraph 209 of the NPPF, 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.

Poppythorn Conservation Area

The existing townscape and dense tree canopy along Poppythorn Lane provide complete screening of the proposed development. Although there is potential for increased visibility during the winter months when the trees are not in leaf, it is considered that the density of the tree cover and the raised embankment of the Metrolink is likely to retain a screening function that limits potential visual impacts. Consequently, it is considered that the character and appearance of the Conservation Area will not be impacted by the proposed development.

Impact on the setting of the Grade I listed St Mary's Church

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 special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 206 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:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) 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 208 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.

The Parish Church of St Mary the Virgin, Prestwich is Grade I Listed and as such is a building of significant national importance.

St Mary's Church tower had been visible historically in views from Prestwich tram stop but is now, at certain times of the year, screened by self-seeded, unmanaged deciduous trees which occupy a vacant site once occupied by the National School, between Rectory Lane and Bury New Road. The trees are considered to be a transient feature in that when the site is re-developed the trees would be removed restoring historic views. The proposed residential blocks, while only proposed in outline and indicated to be up to 6 or 7 storeys in height would permanently remove that view of the church in its wider setting representing harm to its significance. Within the terms of paragraph 208 of the NPPF this harm is considered to represent less than substantial harm.

The applicant has also identified that less than substantial harm would be caused to the setting of the church but has not quantified this harm within the terms of paragraph 208 of the NPPF. Nevertheless, Officers consider that the harm to the setting of St Mary's Church would be less than substantial harm.

In accordance with paragraph 208 of the NPPF, 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. This balancing exercise is undertaken towards the end of this report.

Highway Safety and Transportation

The application site is within the defined Town Centre of Prestwich, as defined by the Unitary Development Plan and is accessed on foot and by vehicle from three highways; A56 Bury New Road, Fairfax Road and Rectory Lane. The current car park located adjacent to the Metrolink line is accessed off Fairfax Road with the car park adjacent to the Longfield Centre, is accessed from Rectory Lane.

A car park for users of the Metrolink is located opposite the existing Longfield Centre Car Park.

Section 9 of the NPPF considers matters relating to 'Promoting sustainable transport'. NPPF paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy JP-Strat14: 'A Sustainable and Integrated Transport Network' of the Places for Everyone Joint Development Plan advises that higher densities will typically be appropriate in locations with good access to rapid transit connections. New development will have a significant role in delivering our future sustainable and integrated transport network to reduce car dependency and increase levels of walking, cycling and public transport.

Policy JP-C8: Transport Requirements of New Development states that new development will be required to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments.

The Prestwich Metrolink stop is immediately adjacent to the site and therefore the density of the residential development proposed reflects that, in accordance with the principles of the Places for Everyone Development Plan.

The site is located within 400m walking of the Prestwich Metrolink which provide connections to Bury, Manchester Piccadilly and Altrincham. It is an accessible station. Tram services arrive every 12 minutes so there are 8 trams per hour.

On the A56 Bury New Road, the bus stops serve routes 90, 94, 95, 97, 98, X41 and X43. The southbound bus stop additionally serves route 66. These bus stops each serve 11-13 buses per hour providing regular connections to Manchester city centre and other local centres. In the vicinity of the Site the stops have shelters and seating. There are two bus stops in Fairfax Road that serve routes 90 and 94, with 1 service each per hour. There is a bus stop on Rectory Lane (making use of the layby) next to the Park and Ride that serves route 66, which is served by 1 bus per hour.

A key principle of the proposals is to remove the existing car parking from the village centre and relocate it within the proposed Travel Hub. The quantum of car parking has been derived from parking survey data collected in 2023 and a Car Parking Management Strategy has been prepared to set out key principles. Relocating the car parking into the Travel Hub would give back the streets to pedestrians and cyclists and enhance the permeability for walking and cycling in and around the site. To support this, 95 cycle spaces would be provided across the detailed element of the masterplan, with a potential for a further 210, as a minimum, to serve the residential development which is part of the outline proposals.

In terms of the site's accessibility to the public transport network, the application site is in a highly accessible location and is a location where new housing should be located.

Due to the proposal to regenerate the Longfield Centre site and also propose up to 210 residential apartments, the application has been submitted with a Transport Assessment and Travel Plan in order to assess the impact of the proposal on the highway network.

The Transport Assessment concludes that traffic flows have been assessed for up to date levels, and whilst the location has capacity issues based on a robust view of the flows, no capacity issues are expected to arise with the adjacent junctions to the site. As such the scheme would have little or no impact on the local network. As such, National Highways have raised no objections to the proposal even though the site is only approximately 650 metres from the A56 junction with the M60.

Original Proposals

The Local Highway Authority (LHA) provided its initial comments upon the planning application and accompanying Environmental Statement (ES). Within this document, the LHA set out its initial comments and observations and had a number of concerns in relation to -

Parking – level of provision, scope of surveys, methodologies used

- The scheme rather presented a like for like replacement of parking and demands for parking were based upon an incorrect floorspace of existing available retail space.
- Compared to pre-app scheme, the submitted scheme showed a reduction in scale/height and removal of the upper deck) of the new Travel Hub, only 275 parking spaces are now proposed, incorporating 20 accessible spaces, 26 EV charging spaces and 2 spaces for the City Car Club (along with 76 secure cycle spaces).
- Only a 30% provision relates to the residential element.

Trip Generation and Traffic - Details

- TfGM are of the view that if the Bury Local Authority boundary is taken into consideration on its own, then Bury Town Centre would be the town centre location and not Prestwich. Using town centre sites is not representative of the future development location and leads to the determination of trip rates that are lower than what would be anticipated for such a location. Bury LHA will have to consider this representation.
- In terms of traffic growth, TfGM maintain their previous comment that traffic growth should be applied to the assessments. Growth including 2023 is shown by the permanent data count data located in the vicinity of the development. Bury LHA will have to consider this representation. Bury LHA agree with the stance taken by TfGM. In order for the LPA/HA to take a view on this issue, this needs to be responded to and figures/numbers/impact on queues on the Key Route Network submitted to determine whether the applicant's highway consultant's proposed approach is acceptable.
- TfGM comments on diagrams, Traffic regulation orders to be introduced, construction traffic management plan.

Active Travel

- In order to maximise the benefits of the site's location, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, including natural surveillance where possible. This should provide sufficient links to the surrounding pedestrian and cycle networks. Pedestrian access to the site is limited by the lack of any signalised pedestrian facilities at the junction of Bury New Road – Fairfax Road. These should be provided by the developer.
- Any footways less than 2.0 metres are sub-standard and not providing enough width for pedestrians and other users of the footways. This issue should be addressed as part of the development. Provision of continuous 2-metre-wide footways throughout and surrounding the development.
- From the information provide the cycle access to the site is poor – provision should be made for improving the cycle infrastructure for accessing the site.
- Cycle parking – how the short-stay cycle parking is to be kept safe and secure should be explicitly described.
- It is noted that there have been two pedestrian KSIs at this junction. Note that there are no funded plans to add signalised pedestrian facilities to the junction.
- The Local Highway Authority (LHA) agrees with these observation. Whilst (a different part of) TfGM are looking at junction improvement here, due to the close proximity of the site to this junction and pedestrian movement that this development will generate across the A56, proposals to upgrade the identified junction needs to form part of the off-site mitigation measures required of this proposal, secured through a pre-commencement condition in the event that planning consent is granted or via the S106 Agreement.

- The need for Travel Plans

General Comments

- Concerns around the 'Pedestrian Zone solution', with vehicular access in restricted hours (to be confirmed) within 'Prestwich Village', controlled by removable bollards, with the type of bollard and operational strategy to be determined via a Development Access and Management Strategy. Control can be secured by a suitably worded planning condition.

Amendments and Mitigations

On a complex scheme, none of the above is unexpected and it is commonplace for amendments and clarifications to be sought for such matters. This resulted in a number of discussions with the applicant and amendments were sought. As part of the amendments, it is considered that the nature of changes would not undermine the scope and nature of the submitted ES. The applicant did provide amended plans and reports to clarify matters and an additional highways mitigations document was submitted [dated 07 June 2024], including;

- A very up to date Transport Assessment being produced, dated 07 June 2024 considering the uplift in parking provision and other mitigations.
- A commitment (if needed) to the establishment and management of residents parking zones has been proposed.
- Parking provision has been increased and mitigation measures now proposed in the form of a Parking Management Strategy and potential RPZ. This is recognised as an important mitigation in the event of managing parking displacement that may arise as a result of elements of the scheme removing parking provision and the modal shift underachieving.
- Travel plans are proposed, including for the residential element as suggested by consultees.

Comments were raised by the LHA and others on the scope of the surveys undertaken in support of the application. It was recommended additional traffic surveys were undertaken to further inform the decision-making process. However, the increased car parking provision and mitigation measures proposed give the Highway Authority appropriate comfort that the proposal can now be supported.

It is recognised that the scale of development proposed here and the location of the development is within a highly sustainable location. This includes good access to public transport of bus services on the Key Road Network (KRN) and also the Metrolink. Moreover, there are good cycling provisions in the area and forming part of the development under consideration. In this sense, the scheme is seeking to uphold the principles of the 2040 Transport Strategy, which is an important step to encouraging modal shift.

There is also a balance required in terms of parking provision. It is considered that the scheme should provide an appropriate level of parking provision, which the travel hub now has been re-examined by the application and lifted the number of parking spaces by circa 10%. Given the scale of the development proposed, it is considered that this uplift together with a significant level of other transport/sustainable mitigation measures still provides a reasonable level of parking provision and is a rational approach to the 2040 Transport Strategy.

To encourage sustainable travel choices, a full Travel Plan with effective measures for bringing about modal shift, i.e. the use of incentives, provision of onsite and offsite infrastructure, along with a clear monitoring regime with agreed targets, is proposed. The development proposes and states the following:

- An uplifted parking provision to 341 (301 in the travel hub and 40 elsewhere within the site)

- 15 spaces in the hub to be accessible
- 89 dedicated resident spaces (63 in the hub and 26 on plots D, E and F)
- The travel hub itself to contain EV charging
- Minimum of 2 Car club spaces for residents and general public use. This will utilise access to wider networks of car clubs if the on site provision is not available. Growth of this provision to follow increased demand
- 76 Safe and secure cycle parking and store covered by CCTV
- Parcel lockers, information boards, Metrolink and bus services are to remain;
- Dedicated staff room, storage and plant room to support the hub and a management strategy
- Travel plan measures for Prestwich Village including funding for discounted/free public transport tickets for residents and employees
- Travel plan coordinator
- Embedded design principles that seek to reduce private car and encourage other modes of transport e.g. clear legibility, the hub, metrolink proximity, bus stop locations
 - Cycle and scooter principles and initiatives including :
 - Hosting of 6-monthly Dr Bike sessions, where a mechanic is on site and will fix resident and employee cycles for free (funded by the Travel Plan).
 - A fund for cycle training for residents and staff to potentially link with TfGM Bikeability scheme which is a cycle training programme aiming to build confidence in riding and fixing your bike and safety awareness.
 - To encourage sustainable travel choices, a full Travel Plan with effective measures for bringing about modal shift, i.e. the use of incentives, provision of onsite and offsite infrastructure, along with a clear monitoring regime with agreed targets, is proposed. The development proposes and states the following:
 - An uplifted parking provision to 341 (301 in the travel hub and 40 elsewhere within the site)
 - 15 spaces in the hub to be accessible
 - 89 dedicated resident spaces (63 in the hub and 26 on plots D, E and F)
 - The travel hub itself to contain EV charging
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 - Travel plan measures for Prestwich Village including funding for discounted/free public transport tickets for residents and employees
 - Travel plan coordinator
 - Embedded design principles that seek to reduce private car and encourage other modes of transport e.g. clear legibility, the hub, Metrolink proximity, bus stop locations
 - Cycle and scooter principles and initiatives including:
 - Hosting of 6-monthly Dr Bike sessions, where a mechanic is on site and will fix resident and employee cycles for free (funded by the Travel Plan).
 - A fund for cycle training for residents and staff to potentially link with TfGM Bikeability scheme which is a cycle training programme aiming to build confidence in riding and fixing your bike and safety awareness.
 - Accommodate Beryl Bike docking stations within the village, subject to ongoing discussions with TfGM and operator demand.
 - Outdoor cycle parking for cycle couriers and people visiting the development close to building entrances to encourage the use of cycles and reduce the risk of crime.

- Accommodate future e-scooter hire within the village in line with any borough wide or TfGM proposals, subject to ongoing discussion with TfGM and operator demand.
- Provide a fund to offer staff free membership/ride time on the TfGM Beryl Bikes/e-scooter hire, subject to ongoing discussions with TfGM and operator demand.
- Contribution to Metrolink to improve the Prestwich station lighting and access.
- To scope parking displacement that arises, development, funding and running alongside the Council appropriate resident parking schemes. This will be monitored throughout the development of the scheme with key triggers for potential implementation of measures determined as part of a legal planning agreement. This would include initial loss of parking within the site, loss arising through on-site site cabins and other support infrastructure; the implementation of new buildings – commercial and residential; a period of time following completion. This is to recognise that there is an invested interest in the site and its immediate neighbours.
- Off site traffic management improvements on Fairfax Road and Bury New Road/Fairfax Road junction.

LHA Response to highway related objections:

- Servicing is proposed within the curtilage of the site;
- Car parking charging is an issue outside of the planning process.
- The submitted reports indicate that the proposed parking provision accords with SPD11, which should include 'MINIMUM standards for car parking provision for those who are disabled'. Some provision is to be provided within the curtilage of the site (for example, in the converted service yard accessed off the bend on Rectory Lane and in, as yet undefined, areas of the development itself, which would be part of the reserved matters for the layout of the site.
- The proposals as set out do not intend to build the travel hub/car park in phases. The scheme is being considered on the basis of how it was submitted.
- The introduction of parking charges would be detrimental to local residents. This is not a planning matter but it does provide a degree of protection to those residents who may become affected by displaced parking should it occur.
- Design prohibits bus linking to the Metrolink and development of new bus routes/stops. This would be for TfGM/bus operators to comment on but has not been raised as problematic in the Council's consultation with them.
- Justification has been submitted for the amended levels of car parking provision for the proposed new development at Prestwich Village. This is part of the outline proposals and indicative only. Certain aspects of the design have been raised (for example use of nose-in parking close to bends, etc.) and will need to be conditioned as part of the first reserved matters application in due course.
- The traffic, including commuter occupancy parking surveys have been undertaken as part of the above Transport Assessment have not been queried by TfGM nor disagreed with by the LHA.
- Comment: Active travel proposals are unambitious and not designed to Gtr Mcr Streets for All design guide. This is not correct, the proposals are (hence some of the planning and highway reservations/concerns initially raised). It is not clear what aspects of the full application do not meet the guidance (and it is only guidance). The 'outline' highway works will be conditioned and can refer to this guidance.
- Comment: Basic errors in the Transport Assessment e.g. #of trams per hour and it does not provide an insight of impact from the development. The errors are not fatal in consideration terms and various amendments sought and provided. As such, no concerns have been raised by the LHA, TfGM or Metrolink.
- Comment: Should redesign Fairfax Road junction with Bury New Road and Poppythorn Lane; junctions will become blocked and unusable:- This is an active junction already under consideration by a wider transport CTRS scheme. The extent of any off-site improvements over and above (a) S106 contribution/ conditional requirements of any potential improvements to the Bury New Road/Fairfax Road junction and (b) highway

works around the perimeter of the site on Rectory Lane (subject to the comments above) would need to be justified and agreed between the LPA and the applicant under advice from the LHA. TfGM schemes outside of the application site would need to address any wider deficiencies regardless of any development proposals. This notwithstanding, the sustainable modal shift emphasised by the scheme would without doubt bring additional usage of the junction one way or another. As such some degree of mitigation contribution will be required from the development. This would be secured by Condition/S106 as appropriate.

- Comment: Close Rectory Lane to traffic and reroute bus/walking/cycle routes to improved bus terminus at Metrolink - This is not part of any current proposals and would affect many adjacent residents that might have a completely opposing view. Such proposals can be worked up independently of this application.
- Comment: Don't narrow Rectory Lane - The works shown are indicative only and are not part of the full application. To be conditioned as part of the outline approval where the need (or not) for any widening will be considered at later date.
- Comment: "Using town centre sites is not representative of the future development location and leads to the determination of trip rates that are lower than what would be anticipated for such a location." and in their letter entitled 'TfGM Comments', TfGM point out (again) that the traffic modelling used in the planning application contains significant flaws - TfGM are asked to make comments and recommendations. It is for the LHA to consider these as their role of statutory consultee on planning applications under consideration by the LPA. It is the consideration of the LHA that the centre of Prestwich (not Bury) is the appropriate centre for consideration in relation to transport impacts. It has excellent public transport links with Metrolink and Bus which provide a level of service compatible to a town centre.
- Comment: "....TfGM maintain their previous comment namely that traffic growth should be applied to the assessments" - The comment related to traffic growth relates to the appropriateness of considering zero growth (which is a GM 2040 strategy aim). The developer has undertaken work that shows no traffic growth over past few years, which is not doubted. The challenge is confirming that this will continue going forward. The GM 2040 strategy is designed to accommodate growth through sustainable modes. Whether this occurs or not is yet to be seen. The LHA suggested that a model run is made with 'normal' traffic growth so that the decision makers can make a fully informed decision based on zero growth (Policy on- as is 'designed to be achieved under 2040 Transport Strategy) and average growth (Policy off).

Conclusion

Planning Policies within the NPPF, PFE policies and the UDP together with the 2040 Transport Strategy have commonality across all of them, which is to secure sustainable development, whilst balancing all relevant planning considerations of growth, housing supply, retail and town centre viability, safety and movements on highways and good design.

The LHA have considered consultee responses and third-party representations and through continual discussions with the applicant's consultant for highways matters consider that an appropriate recommendation can now be made.

The key test within the NPPF is a judgement that scheme should be refused where the likely impact from traffic is likely to be severe. It is in consideration on this point, that appropriate mitigations are an absolute must to enable the development to be a leader in terms of sustainability principles and to make effective provisions to deliver real choice and ultimately a clear demonstration of modal shift.

It is considered that the scheme will through various controls through conditions and legal agreements that the scheme will bring innovation and the development of sustainable ideas to the site that will be able to cater for people in and around the development. The longevity of many of the measures are key and also the triggers at which various mitigations and studies take place to ensure that there are no spikes of impact through the construction of the development and as respective parts come on line.

It is considered that overall, with the respective measures in place, the development would represent sustainable development and that the negative impacts arising from the development would not be severe.

Taking account all of the above, and subject to the conditions recommended by the LHA being imposed on the decision notice, the proposal accords with the requirements of UDP Policies HT2/3 - Improvements to Other Roads, HT/4 - Car Parking and New Developments, HT/5 - Public Car Parks. HT2/6 - Replacement Parking, HT2/10 -Development Affecting Trunk Roads, HT6/1 - Pedestrian and Cyclist Movement and HR6/2 - Pedestrian and Vehicular Conflict and Policies JP-C1: An Integrated Network, Policy JP-C5: Streets for All, Policy JP-C6: Walking and Cycling, and Policy JP-C8: Transport Requirements of New Development, of the Greater Manchester Places for Everyone Joint Development Plan.

Design, Amenity and Landscaping

The NPPF sets out at paragraph 131 that *‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. Indeed, paragraphs 131 – 141 are concerned with ‘achieving well-designed places’.*

The Government’s National Design Guide also sets out how townscape ought to develop in reasonable ways in consideration of location, context and disposition of land uses and how these contribute to townscape development and design.

PfE Policy JP-P1: Sustainable Places requires all development to be distinctive with a clear identity; visually stimulating; socially inclusive; resilient, capable of dealing with major environmental events; adaptable, able to respond easily to varied and changing needs and technologies; durable, being built to last and using robust materials that reflect local character, weather well and are easily maintained; safe, supported by critical infrastructure; functional and convenient; incorporating inclusive design; legible; easy to move around for those of all mobility levels; well connected to other places; comfortable and inviting; incorporating high quality and well managed green infrastructure and quality public realm; and well served by local shops.

UDP Policies EN1/2, H2/1 and H2/2 set out considerations on the form and layout of new development and townscape and built design.

The following design principles have formed the basis for the proposals:

- Mending the grain - Responding to the movement framework that looks beyond the redline, the development plots are informed by a sequence of streets and spaces that flow through the masterplan.
- A people first place - Consolidate existing surface parking and reposition car parking outside of the village core into a new car park off Fairfax Road.
- Give everything back to the street - Maximise active frontages within and around the masterplan with retail, community and residential addresses.
- A sequence of streets and space - Create a sense of community place within the village centre realised through the positioning of a community space / market hall in the heart of the site.
- Appropriate scale - The existing scale and massing is relatively low scale but there is an opportunity to position a community focus in the heart of the plan providing an opportunity for strategically placed buildings of scale to draw you into the masterplan.

Full Application Proposals

Plot A: Community Building

This building would be positioned against the boundary of the application site with Rectory

Lane. It would primarily be four storeys high, at approximately 17.5m high of the roof proposed to be used for Plant, meaning part of the building would be approximately 20.5m high. This plot includes a single storey element with a roof overhang that would extend towards Bury New Riad. This would have a green roof and would be linked to the main part of the proposed Community Building.

This single storey retail element on the new pedestrian link would be fully glazed to form an inviting shop frontage. The proposed concrete columns would support the brick roof overhang that forms a continuous datum with the Hub element of the building. Decorative metal panels would help break up the elevation and be utilised for any future mechanical ventilation requirements. The proposed overhang to Bury New Road would create an architectural feature at the entrance to the rest of the proposed development.

The design of the upper floors would create a rhythm of brick piers with recessed windows, dogtooth spandrel panels between floors and brick corbelling to the top floor take direct reference from the surrounding vernacular. A mixture in window sizes, either fully glazed or with decorative vent panels would help break down the elevation further and allow for a future mix mode ventilation strategy to be implemented.

All of the above, would assist in minimising the visual scale and massing of this proposed building.

Plot B: Retail Building

This Building would be sited at the rear of the properties on Bury New Road and would be two storey with an eaves height of approximately 9.5m and a ridge height of approximately 11m. The roof of the building reflects the northern light roof profile seen on a variety of historic mills and solar panels are proposed on the west facing roof slopes. This roofing profile visually breaks up the bulk and massing of this building and integrating the building into the site.

Plot C: The Market Hall

The proposed Market Hall would be a single storey double height building approximately 7m high with a large floating roof canopy that would overhang the proposed Village Square, ensuring itself as an anchor and central space for the proposed development. The height of the Market Hall is proposed to be lower than the existing Longfield Centre element currently in this location, allowing natural light to come into the new village square and improving the relationship between the development and the existing Radius building. The layout and positioning of the Market Hall would be reflective of its central location and importance within the proposed development. The Market Hall faces onto and sits north of the proposed village square and would activate the public realm and create a bustling environment.

Plot G: Travel Hub

The Travel Hub is proposed as ground plus two storeys and also comprises surface level provision car parking that will accommodate spaces for EV charging. The front elevation of the proposed Travel Hub would be approximately 10.4m high. The Travel Hub would decrease in height to 8.4m at its rear where it would be close to properties on Highfield Place. The proposed Travel Hub has been set back from Fairfax Road slightly so that part of the gable on the side of Our Lady of Grace Parish Church and Hall to minimise the enclosing effect of placing this car park on Fairfax Road.

The proposed development has taken into account that there is a strong historic grain and consistent street frontage to Bury New Road corridor. Moving away from this corridor, the grain across the site becomes more incoherent due to the modern larger format blocks and surrounding parking areas that form large gaps in the townscape with weak frontages to key roads and movement corridors. Legibility of key pedestrian routes on the site is compromised by the hidden nature of the existing shopping centre, and poorly defined public spaces and squares. The proposals illustrate that they have designed the proposed development to address the above weaknesses; recreating historic routes,

providing a clear connecting route between Bury New Road and the Prestwich Metrolink station which would provide clear legibility through the site.

Some concerns have been raised in the representations about the heights of all buildings proposed. The development proposes a modern design approach and seeks to increase the height of buildings as the site moves away from Bury New Road, as would be expected in a Town Centre location, where they coalesce. Members should note that the proposals went to two Places Matters Reviews during the pre-application process, who raised no concerns over the heights of the development proposed.

The layout of the proposed development would focus everyone through the Village Square which is envisaged to become a key public square which would create a vibrant centre for this development, and for Prestwich itself.

The proposed village square is proposed to be 52 metres long and 28.9 metres wide and the Design and Access Statement (DAS) sets out how various events could be accommodated within it.

A drawing illustrates that the building within Phase 1, the full application, could be serviced, however, a condition is recommended to secure exact servicing and refuse storage details for all plots to ensure that the impact on the amenity of neighbouring occupants would be satisfactory and to satisfy the Local Highway Authority and the Waste Management team that the proposals could be satisfactorily serviced and would not have an adverse impact on highway safety.

Landscaping

The indicative proposals for both Phases propose soft landscaping through the site. With regard to planting across the masterplan, trees are proposed to be strategically positioned along the streets to establish a comprehensive network of green infrastructure throughout the masterplan. These trees have been carefully selected based on their shape, seasonal variation, colour, and their significant contribution to enhancing the site's biodiversity. The streetscape character is proposed to create a harmonious array of paving materials to compliment the quality of the development proposed. Planning conditions are recommended, to ensure the landscaping indicated throughout the site is secured on both phases, to ensure the proposed development accords with UDP Policy EN1/2 - Townscape and Built Design and Policy JP-P1: Sustainable Development of the Greater Manchester Places for Everyone Plan.

Outline Proposals

The Outline proposals relate to proposed Plots D, E and F and is accompanied by Parameter Plans which propose that the building heights would be up to 7 storeys, with part of Plot F seeking to be 8 storeys in height. The Parameter Plans indicate that the three plots would have Plant positioned on the roof of these apartments.

The outline proposals are submitted with all 'reserved matters' reserved. Therefore, the matters of Appearance and Layout are not for consideration at this stage. However, the indicative plans indicate that the proposed buildings would reflect the height of the Radius development.

The residential development element provides residential accommodation within a highly sustainable location and in terms of other land uses, maintains an economic rebuilding of the town centre. The parameters suggested form a similar scale to the highest structure in the area and does make the best use of a brownfield site. The height of the buildings are carefully considered, putting the height towards the rear of the site, which is then well separated from more sensitive land uses beyond the Metrolink line, which itself is an elevated structure.

Although concerns have been raised over the height of the proposed apartment blocks, the taller buildings would form a backdrop to lower scaled buildings along the Bury New Road

frontage, which itself is more modest in scale and appearance. The scheme would incorporate wide boulevards separating the structures and these would form clear markers for legibility as well as appropriately scaled streets to separate. There are no significant sensitivities in relation to 'height' from Conservation Areas or listed buildings as stated in the ES considerations above. The ethos suggested in elevation would be modern and contemporary, which is appropriate.

Representations made consider that Prestwich is a Town Centre not a suburb and it is already a densely formed centre. The existing centre does not offer a full cycle of occupation or activity 24/7 and is heavily reliant upon a presently dated layout and structure, with poor take up of land use disposition. The proposals would make the best use of land, whilst addressing other pressures on the Borough such as housing supply, opportunity, environmental improvement, and economic growth can be seen to be a significant driver from the NPPF. the balance of impacts is considered not to be so significant to warrant refusal of the scheme and indeed, would be a significant contributor to the functionality, attraction to and longevity of the Town Centre. This scheme is considered be a sustainable thread of development.

To conclude, the proposals would deliver a development which makes best of land in a sustainable location whilst still maintaining a high quality design, public realm and which would be sympathetic to the local character and history of Prestwich whilst appearing as a modern development that has designed a scheme that would increase in height from Bury New Road towards the Metrolink line which is set at a higher level than the application site. All proposed buildings would sit below the height of the Radius building. Accordingly, the proposals accord with Policy EN1 - Townscape and Built Design of the UDP.

Amenity of existing neighbouring properties

Going from the north of the site to the south of the site; neighbouring residents on Highfield Road and Highfield Place exist along the side and top of the Fairfax Road car park.

The proposed Travel Hub would be sited on the Fairfax Road Car Park. The pre-application proposals moved the building away from the residents nearest to it and removed a storey off the building to give an overall max height of 10.4m over two storeys.

It would replace the existing car park which presently occupies a significant area of land within the heart of the town centre. Representations have been made considering that the building would be better placed where the existing medical centre is located. However, the application details disagree. The choice on location moves it to the edge of the site adjoining the Metrolink line. The main considerations of this location centre upon the relationship to the residents nearest to it are from height, scale and use, as well as movements on the highways to it.

The repositioning of the car park and reduction of the number of levels has improved the relationship to these properties on Highfield Road/Place. The land use would not change from the current land use as such, the principle is already established. The additional height would maintain a minimum aspect distance of some 31m from the closest dwelling. Whilst the Council does not have any specific policy limits for such relationships, the distance would exceed the 23m set out between two storey residential development used often as a yardstick within SPD6.

Paragraph 185 of the NPPF states that new development should mitigate and reduce to a minimum potential adverse impacts resulting from noise from the new development - and avoid noise giving rise to significant adverse impacts on health and quality of life.

The structure would be designed such that there would be no undue impact from headlight movement on the upper levels by barriers and a parapet roof to either residents on Highfield Road or Highfield Place. The sides would contain noise and general movements such that there would be no significant concerns in terms of traffic movements or disturbance. The car park would be managed and maintained including the use of

CCTV so that there would be close control to prevent and discourage misuse.

Whilst there would be some impact upon these residents from the change and introduction of a new building, the height, scale, position are such that the development is considered to be reasonable, and this would be appropriate in terms of adopted policies EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development.

Radius

Residents in the neighbouring Radius building occupy a high rise building already that is largely unaffected by any surrounding development in terms of direct impact upon outlook. The siting of the proposed residential buildings and their height would have an impact on a number of residential properties located on the south easterly side. BRE assessments carried out demonstrate that there would be an availability of no less than two hours of daylight per day, which is the considered minimum under these standards.

Notwithstanding this, it is unreasonable to hold a neighbouring site ransom in terms of a 'first up best dressed' scenario. With the considerations of orientation, separation of high-rise living quarters and the fact that the existing Longfield Centre building prevents direct sunlight embracing all sides of the building, it is the change in outlook that would have the greatest impact upon the Radius from the new residential elements.

Places Matter did consider the proposals and did make commentary on proximity and whilst not objecting in principle, they did suggest that the street separation was key in acceptance, not height. The layout of the site for the residential is a reserved matter. Elevations when worked up can incorporate design solutions to ensure minimised overlooking relationships and preventative measures within the new build. This would be considered within the external appearance of the reserved matters. As this application seeks the acceptance of principle, the use of the land heights indicated are considered acceptable.

Rectory Green

Plot D, a residential apartment block, proposed in Outline, would be between 19 - 24 metres from the north-west windows in residential apartments at Rectory Green. The apartments due to their orientation do not have a direct outlook over the site. Whilst there would be some impact upon these residents from the change and introduction of a new building, the height, scale and position are such that the development is considered to be reasonable. It is also considered that the proposals could be designed to not cause any loss of privacy to habitable rooms.

Poppythorn Lane

The proposed Travel Hub, Plot G would boarder Fairfax Road Car Park. Whilst trees exist along the railway line, residents on Poppythorn Lane who back on to the Metrolink line, need to be considered. The closest property, no. 29 Poppythorn Lane, is approximately 32 metres from the application site. The proposed development is therefore sufficient distance away from the rear habitable rooms of properties on Poppythorn Lane to ensure the proposed Travel Hub would not affect their amenity.

The Metrolink Line is also located at a higher level than properties on Poppythorn Lane and is bordered by trees. Notwithstanding these trees, the proposed Travel Hub has been designed with headlight height barriers and therefore, the proposed separation distance and intervening landscape features would protect the amenity of these residents.

The Poppies and Heys Road

Plots E and F, the residential apartments, would be visible in the skyline from properties on the Poppies and Heys Road. These properties are positioned between approximately 85-170 metres from the application site and therefore the proposals would not result in direct overlooking or cause any other amenity issues.

Noise/ Nuisance/ Pollution

Paragraph 191(a) of the NPPF states that new development should mitigate and reduce to a minimum potential adverse impact resulting from noise from the new development - and

avoid noise giving rise to significant adverse impacts on health and quality of life. Policy EN7/1 - Noise Pollution of the NPPF reflects the requirements of the NPPF.

The proposal includes a mix of uses, some of which are capable of causing disturbance to residential occupiers both existing and those proposed as part of this overall development, such as drinking establishments and any uses falling within a Sui-Generis use class.

The application has been submitted with a Noise Assessment which considers that the site is acoustically suitable for the proposed development and that conditions can be imposed to minimise the impact of the proposed development on the amenity of nearby residential occupiers. Conditions are therefore recommended to control the hours of use of all commercial uses of 7am -12pm Monday - Saturday and 8am - 12pm Sundays, and requiring details of any necessary ventilation and extraction systems.

In terms of proposed residential occupiers within the Outline aspect of the proposals, an acoustic glazing and ventilation scheme condition is proposed to protect the apartments/ dwellings from noise emanating from passing road traffic, surrounding uses and uses approved under this application.

Planning conditions are also recommended to safeguard all residents during the construction period.

To conclude, in consideration of Policies EN1/2: Townscape and Built Design, HT2/3 - Improvements to Other Roads, H1/2 - Further Housing Development and H2/2 - The Layout of New Residential Development, of the Bury UDP the proposals are considered to comply. Subject to the recommended planning conditions the proposals would not cause demonstrable harm to the amenity of neighbouring residential occupiers and would therefore accord with UDP Policies EN1/2 - Townscape and Built Design and the National Planning Policy Framework.

Trees

Places for Everyone, Policy JP-G7: Trees and Woodland states that where development would result in the loss of existing trees, requiring replacement on the basis of two new trees for each tree lost, or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area, with a preference for on-site provision; and protecting trees and woodland during the construction phase of development. UDP Policy EN8/2 supports and encourage new woodland and tree planting.

A total of 60 trees are to be removed as part of the proposals, no Category A trees will be removed. 120 new trees will be planted across the masterplan. All trees will be protected during the construction period.

A total of 60no. trees are proposed for removal (27 individuals and 33situated in groups), comprising 19no. Category B tree and 41no. Category C trees. None of the trees to be removed are Category A, subject to a TPO, or of veteran status. The removals are considered unavoidable and compensatory tree planting is proposed on site. The removal will result in a temporary reduction in canopy cover. However, it is anticipated that the canopy cover and green infrastructure connectivity will be fully re-established, with improvements in overall tree quality as the replacement planting matures and provides greater multi-functional benefits.

The retention of some of the existing trees is viable, and the replacement of those removed allows for the proposed development to be set within a densely tree-populated environment. A positive balance of tree replacement planting is proposed within the soft landscaping strategy to sufficiently account for the tree losses. Specifically, 120no. new individual trees will be incorporated into the landscape internally and along the boundaries of the site, offering a net-gain in tree numbers. This ensures the development is consistent with local planning policies; UDP EN8/2: Woodland and Tree Planting and PfE Policy

JP-G7: Trees and Woodland which seeks to provide 2 for 1 replacement planting.

The protection of the retained trees during the construction stage will require a detailed Arboricultural Method Statement (AMS). This report provides recommendations for protection to demonstrate how this can be achieved. An AMS is therefore recommended to be secured by planning conditions should consent be granted.

Subject to the recommended planning conditions, the proposals accord with UDP Policy EN8/2: Trees and Woodland and PfE Policy JP-G7: Trees and Woodland.

Ecology/ Biodiversity

Paragraph 180 of the Framework states that planning policies and decisions should, amongst other things, contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 186 of the Framework states that when determining applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles.

Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan requires development proposals to follow the mitigation hierarchy, avoid fragmenting or severing connectivity between habitats; achieve a measurable net gain in biodiversity of no less than 10%.

An Ecological Impact Assessment has been prepared by Tyler Grange in support of this application which indicates an extended Phase 1/ UK Habitat Classification Survey Preliminary Bat Roost Assessment were undertaken as part of the assessment. The assessment also includes a section on Biodiversity Net Gain.

The site comprises developed land, including buildings and hardstanding, young, scattered trees that have a negligible ecological importance, and three category B mature trees.

No impacts are anticipated on any nearby Statutory and non-statutory designated sites due to the nature of the proposals.

The development would primarily affect habitats of negligible ecological importance. Loss of three trees of local ecological importance, would be compensated for by replacement tree planting which is recommended to be secured by planning conditions. With the enhancements and habitat creation proposed, including native species planting, habitats of ecological importance on site would be enhanced, providing additional opportunities for biodiversity within the site.

Bats - All buildings on site are proposed for removal and they were assessed for biodiversity value. All buildings were found to have no roosting bats and therefore no direct impacts on bats are anticipated. Although bat surveys have not recorded any roosting bats within buildings to be demolished, as bats are mobile and cryptic in their habits and due to the statutory protection surrounding them, if bats are encountered at any time during works, work must cease immediately, and advice sought from a suitably qualified person about how best to proceed.

Birds - The site contains habitats that support common and widespread nesting and foraging birds.

All birds, their nests and eggs, are protected by law and as such it is an offence to intentionally kill, injure, or take any wild bird; intentionally take, damage, or destroy the nest of any wild bird while it is in use or being built; and intentionally take or destroy the egg of any wild bird.

The Ecological Impact Assessment recommends the clearance of suitable habitat (the buildings and trees) should be timed outside the nesting bird season (generally taken as March to September inclusive, though this is not defined in law and birds may nest outside

of this time). If any clearance works to nesting habitats are required during the nesting season, then pre-removal checks for nesting birds must be carried out by a suitably experienced Ecological Clerk of Works (ECoW), no more than 48 hours prior to the works commencing. If any nesting birds are found to be present, an appropriate buffer zone will be implemented, within which works are excluded for the duration of the breeding attempt. Any active nests will need to be left in situ until a suitably experienced ecologist confirms that the chicks have fledged and the nest is no longer active.

Habitat creation such as native shrub and tree planting is expected to increase nesting opportunities on site. Additionally, two bird boxes are recommended to be incorporated within scheme, targeting species of conservation concern known to be present. These are recommended to be secured by planning condition.

Biodiversity Net Gain - The application was submitted prior to Biodiversity Net Gain becoming mandatory on the 12 February 2024. However, Policy JP-G8: 'A Net Enhancement of Biodiversity and Geodiversity' of the Greater Manchester Places for Everyone Plan requires development proposals to achieve a 10% net-gain to Biodiversity.

Species-specific enhancements recommended within this report, include provision of bat and bird boxes, would both mitigate the loss of bird nests within the site as well as enhance the site for wildlife and increase the habitat diversity on site providing a range of nesting, foraging and commuting opportunities for species such as invertebrates, bats and birds. Landscaping of the site with trees and planters, including the provision of a Green Roof on the single storey part of the proposed Community Building would increase the biodiversity value of the application site.

The proposals include a Biodiversity Net Gain of 40.78% through the delivery of rain gardens, shrubs, green roofs and tree planting. Greater Manchester Ecology Unit agree that a meaningful net gain in biodiversity could be achieved but note that the 40.78% gain in Biodiversity claimed in this proposal relies on the creation of green roofs and rain gardens. Details of these landscape features, and Landscaping in general are presented in outline only and in the form of masterplan details. Details of habitat establishment and long-term management will be secured through the production of a Landscape and Ecological Management Plan (LEMP). The LEMP would set out the prescriptions for the establishment and maintenance of the habitats on site for 30 years. A condition is recommended to secure the delivery of this, with the management and maintenance being secured through the S106 agreement.

Subject to the conditions recommended and the S111 (S106) being completed, the proposals accord with Policy JP-G8: 'A Net Enhancement of Biodiversity and Geodiversity' of the Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.

Air Quality/ Climate Change

Policy PF-C5: Clean Air of the Greater Manchester Places for Everyone Plan seeks to secure a comprehensive range of measures will be taken to support improvements in air quality, focusing particularly on locations where people live, where children learn and play, where there are impacts on the green infrastructure network and where air quality targets are not being met/

The application site is located adjacent to the Bury Air Quality Management Area (AQMA) which covers large portions of the main roads within the borough, including the A56 which borders the proposed development.

A construction dust impact assessment was undertaken in accordance with Institute of Air Quality Management (IAQM) guidance. It concluded that in the absence of any adequate mitigation, there is a high risk from the demolition, earthworks, construction and trackout dust-generating activities associated with the proposed development. However, with appropriate mitigation measures implemented, it is anticipated that the dust generation and

harmful emissions from construction site activities would not be significant.

An Air Quality and Dust Management Plan (AQDMP) which conforms to the requirements of Bury Council will need to be provided prior to the commencement of any on-site works to ensure that the mitigation measures recommended are implemented throughout the construction phase. A suitably worded condition has been recommended by the Council's Environmental Health Officers.

The Council's Environmental Health Officers also recommend that a scheme for Electric Vehicle and Electric Bike Charging within the proposed Travel Hub should also be secured by condition as well as requiring a condition securing details of any heating or cooking flues to ensure their dispersal rates have an acceptable impact on air quality.

Subject to these conditions, the recommendations made within the submitted Air Quality Assessment being secured and securing a Construction Management Plan by planning condition, the proposal is considered that to accord with Policy JP-S5: Clean Air of the Greater Manchester Places for Everyone Plan and the air quality provisions of the NPPF.

Safety and Security

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority to 'do all that it reasonably can to prevent crime and disorder in its area'. Section 8 ('Promoting healthy and safe communities') of the National Planning Policy Framework states at paragraph 96 that there should be an aim to achieve healthy, inclusive and safe places which: (b) are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Policy JP-P1: Sustainable Places of the Greater Manchester Places for Everyone Plan and the NPPF requires proposals to, amongst other things, design out crime and terrorism, to reduce opportunities for anti-social behaviour and by ensuring that developments make appropriate provision for response and evacuation in the case of an emergency or disaster.

The Greater Manchester Police Architectural Liaison Officer has been consulted on the proposal and raised no objections in principle to the proposal as originally submitted but recommended conditions requiring more detailed Crime Prevention Statement for the residential aspect of the proposals at reserved matters stage. As such, subject to the conditions recommended it is considered that no conflict is found with the requirements of criterion 8 within Policy JP-P1: Sustainable Places of the Greater Manchester Places for Everyone Joint Development Plan and paragraph 96 of the NPPF.

Drainage and Flood Risk

The site lies within Flood Zone 1 where there is the lowest risk of flooding including from fluvial, surface water and groundwater sources. Existing drainage is via private separate foul and surface water drainage systems discharging into the separate foul and surface water network.

The residential component (defined as phase 2) forms part of the outline application and as such a detailed design has not been produced for these plots, but design principles have been established which will be developed further at a later date. The detailed mixed-use component (phase 1) proposals have been developed to a sufficient level of detail to support the full planning application element of the hybrid application.

A Flood Risk Assessment and Drainage Strategy accompanies the application. It concludes that as well as the application site being within Flood Zone 1 and is within the low-risk area for reservoir, rivers and sea, groundwater, and surface water flooding.

- Rivers and Sea - Very low risk
- Reservoir - Low Risk
- Groundwater - Low risk
- Surface Water - Low risk

There are no historic borehole records located within the site boundary, however the accompanying Desk Study found the existing geology of the site is likely to consist of sandstone bedrock overlain by clays, sands, and gravels which in turn are overlain by made ground. Based on the presence of sandstone bedrock and sand and gravels, infiltration could be feasible and further investigations are underway which include infiltration testing to confirm.

There are no watercourses within the immediate vicinity of the site. The site is currently served by a combined sewer and as such the intention is to replicate the existing regime discharging to the combined sewer but at a reduced rate. The site impermeable area will be reduced with the addition of soft landscape areas.

A discharge rate of 23l/s has been proposed and approved by UU to discharge the surface water to the UU combined sewer, which also meets the LLFA requirement of a reduced discharged rate.

The proposed drainage network has been designed to accommodate run off from the 1 in 100yr + 45% climate change event.

Both the Local Lead Flood Authority (LLFA) and United Utilities (UU) have reviewed the Flood Risk Assessment and Drainage Strategy. They raise no objections and confirm that the principles set out in the submitted Foul & Surface Water Drainage Design Drawing 2772-CIV-XX-XX-D-C-30003 Rev P 06- Dated 19.09.23 are acceptable in principle. In the interests of sustainable drainage, United Utilities recommended a condition specifying the surface water for phase 1A and phase 2 must drain at the restricted rate of 20 l/s and surface water for phase 1B must drain at the restricted rate of 3 l/s. Conditions are thus recommended to secure a more detailed Foul and Surface Water Sustainable Drainage Scheme, SuDs, and an Operation and Maintenance Plan.

The proposed development would not increase flood risk to the site or increase flood risk downstream. The proposed development would not impact adversely upon the foul and surface water drainage. Therefore, the proposed development would comply with Policy EN7/5 - 'Wastewater Management' of the Bury Unitary Development Plan, Policy JP-S4: Flood Risk and the Water Environment of the Places for Everyone Joint Development Plan and Section 14 (Meeting the challenge of climate change, flooding and coastal change).

Carbon and Energy

An Energy and Sustainability Report has been prepared by Hoare Lee in support of the application. The sustainability credentials of the proposed development have been accepted by the Council's planning policy officer.

The ambition for the project goes far beyond policy requirements and aims to create an exemplar sustainable development. The proposals target BREEAM "Excellent" with an aspiration to achieve BREEAM "Outstanding". The proposals approach to sustainability has been developed in accordance with the five capitals framework which introduces the physical, social, economic, human and natural elements to sustainability.

The proposals state that new buildings would be designed in line with the Building Regulations 2021, the Future Buildings and Homes Standard 2025 and the Heating and Building Strategy 2021, and each plot will achieve an EPC Rating of A.

The Proposed Development would also be designed to be Net Zero Carbon Ready in operation. Space heating and/ or cooling and hot water would be provided by Air Source Heat Pumps, and Photovoltaic panels (PVs) would generate electrical energy. Whilst Photovoltaic panels are shown on the south facing roof slopes of Plot B; the two storey retail building, no air source heat pumps are indicated on the proposals. A planning condition is therefore recommended to secure details of these, which as well as ensuring compliance with PfE Policy JP-S2: Carbon and Energy, their location and noise output, to

ensure they would not harm the amenity of nearby residents.

For the above reasons, subject to the matters above being secured by planning condition, the proposals accord with Policy JP-S2: Carbon and Energy of the Greater Manchester Places for Everybody Joint Development Plan.

Planning Obligations

Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 (as amended) and as policy tests in the National Planning Policy Framework. It is considered that the obligations meet the tests.

At the time the planning permission will be issued the Council will still be the land owner, therefore the legal agreement being entered into will be completed under section 111 of the Local Government Act 1972. Section 111 agreements are structured so as to require the applicant to enter into a Section 106 obligation in an agreed form appended to the Section 111 agreement, as soon as the applicant acquires a land interest in the site.

A series of requirements have arisen through the consideration of the application that require them to form part of a legal agreement. These have been discussed in detail and any significant points that arise will be updated if necessary within the Supplementary Report.

To accord with the Community Infrastructure Levy Regulations 2010 (as amended), the legal agreement will cover the following:

- The Applicant recognises that there will be some patronage of the Metrolink system by residents of, and visitors to, the development, and on that basis the Applicant agrees that it is appropriate that a reasonable and proportionate contribution should be made towards improving the access and lighting for pedestrians accessing the tram stop. TfGM seek a payment of £130,000, but this is considered by the Applicant to be disproportionate to the impact and use arising from the development. However, the Applicant considers a contribution of £80,000 is appropriate and reasonable.
- Biodiversity Management - This is to become an obligation to ensure that the appropriate management as set out in the regulations (30yrs) is delivered. Monitoring and Enforcement would be easier to achieve through being a legal obligation and any variations of uplift in dealing with nature ensures appropriate compliance whilst maintaining flexibility.
- To closely monitor the need for specific resident parking zones in the event of significant parking displacement arising from aspects of the development. This would require a scheme to be submitted and to be dynamic to reflect the changing nature of implementation of different elements of the scheme as they come online. The cost of this studies behind working up any necessary Traffic Regulation Order and implementing this would be the development's cost. The obligation at this point is to submit an appropriate scheme, to be dynamic as required and costs be the development's.
- Improvement to the Fairfax Road / Bury New Road junction. The scheme's aims are to encourage greater sustainable movement. This junction is seen by the Council, Active Travel England and TfGM to be suboptimal currently. The development is expected to deliver circa a third of the likely cost of improving this junction to the amount of approximately £130,000.

The legal agreement is being finalised to secure the contributions set out. Officers are therefore satisfied that the legal agreement will adequately reflect the resolution and recommend that delegated authority be given to completing and signing the legal agreement.

Planning Balance and Conclusion

The application must be determined against the relevant statutory tests as set out in legislation cited earlier in this report. In terms of establishing the principle of development these set out that:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Paragraph 11 of the NPPF states plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date *Footnote 8*, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed *Footnote 7*;
 - or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In terms of housing delivery, the Borough has underdelivered against the local housing need, and as a result the 'tilted balance' is engaged. According to paragraph 11 of the NPPF, where the tilted balance is engaged, as is the case here, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

At a national level, the NPPF places sustainable development is at its heart and recognises that there are three dimensions of sustainable development: economic, social and environmental (Framework, Paragraph 11). These include:

- An **economic** objective - to help build a strong, responsive and competitive economy;
- A **social** objective - to support strong, vibrant and healthy communities; and
- An **environmental** objective - to contribute to protecting and enhancing the natural, built and historic environment.

These objectives are interdependent and need to be pursued in a manner which is mutually supportive.

Economic

- Construction phase would provide 128 full time equivalent jobs.
- Once operational, the proposed development would support up to 335 direct jobs (gross), which represents an additional 101 jobs to the jobs currently supported by the Longfield Centre offer.
- The proposed dwellings would provide benefits from residents spending capacity within the area.
- Provide a mix of commercial uses that would strengthen and diversify the economic base.
- Develop links with local educational facilities and look to provide apprenticeships and work experience for local people through a local labour agreement.

Social

- Up to 210 new dwellings would be provided, which would contribute to the housing supply within the borough.
- Increasing accessibility to healthcare services for the local community and

- providing a hub for health and wellbeing advice.
- Support health and wellbeing through quality in design, including indoor air quality, optimised daylight provision and thermal and acoustic comfort.
- Provide new health and fitness uses to promote physical activity and improved wellbeing.
- Provide active modes of travel to promote walking and cycling.
- Provide new public spaces where people can exercise, walk and relax.
- All the proposed buildings and spaces would be accessible for all.
- The creation of a public square and enhanced public realm to allow events to take place.
- Provision of the library within the community and retail hub.
- Provision of community space where people can learn, study and interact.

Environmental

- Proposals would deliver significant environmental benefits when compared to the existing facilities with a BREAM rating of 'Excellent' and aspirations to achieve 'outstanding'.
- The reuse, renewal and regeneration of a significant and underutilised previously developed site.
- Good connectivity and accessibility.
- Achieve a measurable net gain in biodiversity of no less than 10% as required by PfE Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity .
- Use of low and zero carbon technology, including air source heat pumps and photovoltaic array on the roofs of buildings.
- Provision of 28 electric vehicle chargers as well as car club provision and safe and secure cycle parking to reduce the reliance upon the private car.

The report has set out that the proposal as submitted can be judged to represent well planned and beneficial sustainable development as set out in the NPPF.

It has considered the ES as a whole with Chapter 12 of the ES assessing the residual effects of the proposed development in EIA terms which concludes that with the mitigations proposed, secured by condition, the effects of the proposals would not be significant. The LPA does not disagree with the conclusions within the ES and has recommended planning conditions where necessary to ensure effects from the development are minimised to a satisfactory level.

It is recognised that the proposed development of this scale would have some negative impacts, such as its impact (less than substantial) on views of, and therefore the setting of the Grade 1 St Mary's Church, the impact of placing a Travel Hub on Fairfax Road car park, in the setting of Our Lady of Grace Parish Church and Hall, the possibility of car parking being displaced onto neighbouring roads and off-road parking areas, and, the proposed uses within the proposed development potentially affecting the closest residential occupiers. However,, the development proposals have objectively identified the impacts and offers appropriate mitigation such that effects are appropriately determined and mitigated.

The harm identified to the setting/ views of the Grade 1 listed St Mary's Parish Church are clearly outweighed by the public benefits outlined above. The impact of the identified harm is assessed to be less than substantial, particularly The proposals along with as the recommended planning conditions and planning obligations are such that the effects can be reasonably controlled and that long with the mitigation and compensation proposals ensure that the impacts are would be largely temporary and acceptable in planning policy terms. Therefore, the proposed development, including the public benefits arising from the proposed development, would represent a well-planned and beneficial sustainable development and the proposed development would be transformational for this part of Prestwich. The proposals therefore accord with paragraph 208 of the NPPF.

The proposed development would deliver significant investment into the area and would also be a catalyst for growth to Bury New Road and the wider area, which would provide investor confidence and create a location for new inward investment.

The proposal is bold and contemporary in design and would replace existing poor quality, dated buildings within the town centre whilst creating a public square and improved public realm. The proposed public square would create better legibility and connectivity throughout the town centre, which is welcomed. The proposed development would offer significant environmental benefits with the proposed development having a BREAM rating of 'excellent' with aspirations to be 'outstanding' and the provision of at least 10% biodiversity net gain.

Therefore, having regard to all of the above and subject to the imposition of conditions, informatives and planning obligations set out within this report, the development would comply with the Unitary Development Plan, the Places for Everyone Joint Development Plan and the National Planning Policy Framework when considered as a whole and as such it is recommended the application be approved.

Response to objectors

Highway Safety matters

- Servicing is proposed within the curtilage of the site;
- Car parking charging is an issue outside of the planning process.
- The submitted reports indicate that the proposed parking provision accords with SPD11, which should include 'MINIMUM standards for car parking provision for those who are disabled'. Some provision is to be provided within the curtilage of the site (for example, in the converted service yard accessed off the bend on Rectory Lane and in, as yet undefined, areas of the development itself, which would be part of the reserved matters for the layout of the site.
- The proposals as set out do not intend to build the travel hub/car park in phases. The scheme is being considered on the basis of how it is submitted.
- The Introduction of parking charges would be detrimental to local residents. This is not a planning matter but it does provide a degree of protection to those residents who may become affected by displaced parking should it occur.
- Design prohibits bus linking to the Metrolink and development of new bus routes/stops. This would be for TfGM/bus operators to comment on but has not been raised as problematic in the Council's consultation with them.
- Justification has been submitted for the amended levels of car parking provision for the proposed new development at Prestwich Village. This is part of the outline proposals and indicative only. Certain aspects of the design have been raised (for example use of nose-in parking close to bends, etc.) and will need to be conditioned as part of the first reserved matters application in due course.
- The traffic, including commuter occupancy parking surveys have been undertaken as part of the above Transport Assessment have not been queried by TfGM nor disagreed with by the LHA.
- Comment: Active travel proposals are unambitious and not designed to Gtr Mcr Streets for All design guide. This is not correct, the proposals are (hence some of the planning and highway reservations/concerns initially raised). It is not clear what aspects of the full application do not meet the guidance (and it is only guidance). The 'outline' highway works will be conditioned and can refer to this guidance.
- Comment: Basic errors in the Transport Assessment e.g. #of trams per hour and it does not provide an insight of impact from the development. *The errors are not fatal in consideration terms and various amendments have been sought and provided. As such, no concerns have been raised by the LHA, TfGM or Metrolink.*
- Comment: Should redesign Fairfax Road junction with Bury New Road and Poppythorn Lane; junctions will become blocked and unusable:- *This is an active junction already under consideration by a wider transport CTRS scheme. The extent of any off-site improvements over and above (a) S106 contribution/ conditional requirements of any potential improvements to the Bury New Road/Fair fax Road*

junction and (b) highway works around the perimeter of the site on Rectory Lane (subject to the comments above) would need to be justified and agreed between the LPA and the applicant under advice from the LHA. TfGM schemes outside of the application site would need to address any wider deficiencies regardless of any development proposals. This notwithstanding, the sustainable modal shift emphasised by the scheme would without doubt bring additional usage of the junction one way or another. As such some degree of mitigation contribution will be required from the development. This would be secured by Condition/S106 as appropriate.

- *Comment: Close Rectory Lane to traffic and reroute bus/walking/cycle routes to improved bus terminus at Metrolink - This is not part of any current proposals and would affect many adjacent residents that might have a completely opposing view. Such proposals can be worked up independently of this application.*
- *Comment: Don't narrow Rectory Lane - The proposals shown are included within Phase 2, the Outline proposals and are not part of the full application and are thus shown as being indicative and are therefore to be conditioned as part of the outline approval where the need (or not) for any widening will be considered at later date.*
- *Comment: "Using town centre sites is not representative of the future development location and leads to the determination of trip rates that are lower than what would be anticipated for such a location." and in their letter entitled 'TfGM Comments', TfGM point out (again) that the traffic modelling used in the planning application contains significant flaws - TfGM are asked to make comments and recommendations. It is for the LHA to consider these as their role of statutory consultee on planning applications under consideration by the LPA. It is the consideration of the LHA that the centre of Prestwich (not Bury) is the appropriate centre for consideration in relation to transport impacts. It has excellent public transport links with Metrolink and Bus which provide a level of service compatible to a town centre.*
- *Comment: "....TfGM maintain their previous comment namely that traffic growth should be applied to the assessments" - The comment related to traffic growth relates to the appropriateness of considering zero growth (which is a GM 2040 strategy aim). The developer has undertaken work that shows no traffic growth over the past few years, which is not doubted. The challenge is confirming that this will continue going forward. The GM 2040 strategy is designed to accommodate growth through sustainable modes. Whether this occurs or not is yet to be seen. The LHA suggested that a model run is made with 'normal' traffic growth so that the decision makers can make a fully informed decision based on zero growth (Policy on- as is 'designed to be achieved under 2040 Transport Strategy) and average growth (Policy off).*

Buildings

- *Concerns about height, size, appearance and not in keeping with the surrounding context; impacts on natural light from high rise, impact upon the residential amenity of Radius residents and Highfield Road houses and gardens. - These matters have been addressed in the report at 'Amenity of existing neighbouring residents'.*
- *Proximity to church on Fairfax Road, development too close and obscures it - This matter is addressed in the report at 'Impact on non-designated heritage assets'*
- *Will block light and generate overlooking and impact upon privacy – residential and car park - These matters have been addressed in the report at 'Amenity of existing neighbouring residents'*
- *No light assessment done - A 'Daylight, Sunlight & Overshadowing (Impact Upon Neighbours Letter Report)' by has been undertaken by GIA. This is referred to in the report at 'Amenity of existing neighbouring residents'.*
- *Disagreement with the architecture chosen given surrounding context - This matter is addressed in the report at 'Design, Amenity and Landscaping'.*

Land Use

- Noise arising from car park use and users - *This matter is addressed in the report above under 'Amenity of existing neighbouring properties'.*
- Limited space for businesses to grow within the development - *The proposals represent the ability for businesses over and above the current facilities. Businesses are only part of the consideration of any regeneration scheme and the Planning Balance looks at all aspects of the development. See also comments under the response relating to 'Retail space should not be reduced'.*
- Flats are not needed houses and gardens are - *This is addressed in the report at the 'Principle of Development' and 'Affordable Housing Sections' of the report. It should be noted that the residential element of the proposal is in outline, with all matters reserved (acknowledging that this would likely be in the form of 1, 2 and 3 bedroom apartments).*
- Reduces amount of available community space e.g. library. This is not a planning consideration.
- Type of dwellings p/acre instead of hectare - *The density of the development would exceed the minimum requirements laid out within PfE Policy JP-H4 - Density of New Housing. The exact mix of housing will be determined as part of future reserved matters application(s) but indicatively will include a mix of 1, 2 and 3 bed properties. PfE Policy JP-H 4 Density of New Housing seeks to deliver densities of new residential development at a minimum of 120 dwellings per hectare on sites that are within 400m of Metrolink Stops.*
- How will the redevelopment be managed and still keep activity going - *This would be a management concern and is not a planning consideration. However, Phase 1A (Travel Hub) will be constructed first to ensure that there remains some level of parking provision whilst the remainder of Phase 1 i.e. Phase 1B (community hub, market hall, retail units/leisure provision and public realm) is delivered.*

The Council is in the process of looking for an alternative location for a temporary library to ensure that this provision remains within the area, as well as looking at potential options for temporary retail units for the businesses that wish to remain in the centre and continue to trade during the construction phase.

The NHS building will remain open until completion of the community hub. These services will then move to the new community hub building.

- Approximately half of the borough's housing delivery will come from this scheme – why all in Prestwich? - *The residential proposals are in Outline only, with all matters reserved seeking three apartment blocks in Phase 2 of the proposed development. No timeframe has been given as to how the three apartment blocks would be developed within Phase 2, however, Members will note that the timeframe for submission of a reserved matters application is recommended to be 7 years due to the scale of the development proposed and constrained nature of the site by highways, which would then allow a developer a further 3 years in which to make a start on the apartments, never mind complete them. Accordingly, up to 210 homes would not be built within year one and would subsequently be phased over at least the next decade.*
- The food court will be noisy - *This matter is addressed in the report at 'Amenity of existing neighbouring residents'.*

Scale and layout

- More appropriate to a city location – overdevelopment
- Distance to walk from car park to shops
- Walkways would be too narrow
- Cramming too much in / inappropriate mix of residential against retail

- Shops are ok, rest of development isn't providing sufficient uses for all age ranges
- Car park too close and impacts negatively on Highfield Road houses
- Metrolink and bus stops not integrated and too far apart to be a walking route
- Apartments heavily skewed towards more city centre size rather than suburban town centre.
- Consultation meetings residents preferred lower buildings than the Radius; disappointing that the scheme includes up to 7 storeys
- Disappointing arrival from Metrolink
- Insufficient provision for servicing and waste refuse storage
- The car park is in the wrong place – distance from centre and relationship to OLOG
- What will happen if the health centre does not move?

The above matters are addressed in the report at the 'Design, Amenity and Landscaping' and 'Highway Safety and Transportation' sections.

Other comments

- What is the overall BNG from the development? - *This is addressed in the report at 'Ecology/Biodiversity' and Biodiversity Net Gain (BNG) is recommended to be secured by planning condition.*
- Health risk to local residents. Currently air quality stands at the 83rd percentile nationally (where 100 is highest) with PM2.5 (a key carcinogen) at 11.51mcg/m3 over double the WHO limit of 5mcg/m3 (addresspollution.org), a worsening of air quality. - *This is addressed in the report at 'Air Quality/Climate Change'.*
- 2 x Petitions received containing 135 signatures against the development - *These Petitions are reported within the 'Publicity' section of the report.*
- Build the residential and shops first, then this will determine levels of parking needed - *These matters are addressed in the report at 'Highway Safety and Transportation'.*
- Gym space needs to be bigger - *There is no ability to increase the size of the indoor leisure space. However, there is currently no leisure provision in the centre of Prestwich Village, so this is a welcomed added benefit that should attract a local operator, alongside the overall design of the scheme that is also encouraging green active travel outdoors i.e. cycling and walking that will also be a health benefit to local people.*
- Increased demands upon local services, NHS and GPs who can't cope currently - *This has been discussed under the Socio-economics section of the 'Environmental Impact Assessment' section of the report.*
- Oppose any new bars, cafes and restaurants as there are too many already - *The proposal includes main town centre uses and relates to a town centre site. The report includes a section on 'Safety and Security'.*
- Disappointing climate and environment perspectives - *Sustainability and carbon reduction is fundamental to the proposals. Proposed measures include new energy and water efficient buildings to minimise carbon in operation, the use of sustainable building materials to reduce upfront embodied carbon, photovoltaic panels and air source heat pumps.*
- Re-introduce rooftop garden to the community hub - *A green roof is proposed on the community hub in order to maximise opportunities for high quality landscaping and biodiversity. A condition relating to maintenance of the green roof has been suggested.*
- Retail and community space should not be reduced - *The existing retail offer measures approximately 3,500sqm. However, it only has an occupancy rate of 65% and is set within a dilapidated environment. The proposals include up to 2,940 sqm of modern, flexible retail floorspace to include a range of unit sizes, with an emphasis on providing space for independent and local retailers. This new space has been designed to ensure the vibrancy of the retail offer so that it continues to grow in line with the vision for the*

future of Prestwich Village. *Community space: The proposed development will deliver 475 sqm of new community space including a library. The existing space in the current library is not all regularly used. The new space has been designed to be flexible, including being useable out of hours for many groups to access.*

- *What services will be available during construction in terms of phasing? - The likely significant effects of the construction phases have been assessed in the Environmental Statement. A condition requiring the submission of a phasing plan has been suggested. As such, it is not possible to say which services will remain available during construction at this stage until greater detail is provided on the phasing in line with this condition.*
- *Rents not discussed and Insufficient engagement with businesses - Not a material planning consideration.*
- *The rolls of honour to war dead should be retained and given a new pride of place - Consideration will be given to where best to display these existing and important framed rolls of honour that are currently displayed in the existing library.*
- *Safety of pedestrians and concerns about crime and disorder from using the multi storey car park - The Travel Hub has been designed to 'secure by design' principles and there will be the expectation that the operator will actively manage the building. The existing pedestrian crossing will remain in place. Muse and the Council (the joint applicants) will consider enhancements to the crossing as part of the scheme, subject to further discussions. Furthermore, Greater Manchester Police have also not objected to the proposal (see 'Safety and Security').*
- *Ensure swift bricks are incorporated - See Ecology/ Biodiversity section of report - Ecological mitigation is recommended to be secured by condition, which would include provision for nesting birds.*
- *Details are lacking between ideas and aims and actuals of the scheme in the masterplan - The proposal is a Hybrid Planning Application and is therefore part outline and part full application.*
- *Ensure that affordable housing is provided -This matter is addressed in the report at 'Affordable Housing' and a condition is recommended to secure a satisfactory amount of Affordable Housing.*

Recommendation: Minded to Approve

Conditions/ Reasons

1. In this permission, the following definitions are applicable:
Relevant Phase: to include Phase 1 (full detail) and Phase 2 (outline with all matters reserved)
 - Sub-Phase: to include the construction of individual plots or buildings, hard and soft landscaping, public realm, highway improvement works or other associated works of the development within the respective phases
2. **CONDITIONS RELATING TO THE OUTLINE APPLICATION - conditions**
3. Application for approval of reserved matters must be made not later than the expiration of seven years from the date of this permission and the development must be begun not later than: (i) the expiration of seven years from the date of this permission; or (ii) two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country

4. Any application for reserved matters for any relevant phase or sub-phase relating to means of access, layout, scale and external appearance of the buildings and landscaping shall be sought from the Local Planning Authority and be in accordance with the principles and parameters set out in the approved plans, in particular:

P1 - Land Use Parameter Plan 207-JMA-MP-XX-DR-A-001601 P01

P2 - Max Site Heights Parameter Plan 207-JMA-MP-XX-DR-A-001602 P01

P3 - Access & Movement Parameter Plan 207-JMA-MP-XX-DR-A-001603 P01

P4 - Plots & Public Realm Parameter Plan 207-JMA-MP-XX-DR-A-001604 P01

P5 - Site Levels Parameter Plan 207-JMA-MP-XX-DR-A-001605 P01

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

5. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 3 of this permission shall include a scheme which demonstrates compliance with the landscaping strategy indicated on drawing nos Landscape Masterplan Phase 1 & Outline Area 3107-PLA-XX-XX-DR-L-0002 P13 and Landscape Masterplan - Phase 1 3107-PLA-XX-XX-DR-L-0006 P05. The scheme shall include, but not be limited to, the following details:

- (i) all trees, hedgerows and any other vegetation on/overhanging the site to be retained;
- (ii) compensatory planting to replace any trees or hedgerows to be removed as part of the development;
- (iii) the strengthening and/or introduction of landscaping buffers along the boundaries of the site with Rectory Lane;
- (iv) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) to (iii);
- (v) the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season after each phase of the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the introduction of appropriate biodiversity rich landscaping as part of the development in accordance with the requirements of chapter 15 of the National Planning Policy Framework.

6. Prior to any above-ground works for any relevant phase or sub-phase pursuant to condition 4, of this permission an acoustic glazing and ventilation scheme to protect the apartments/ dwellings from noise emanating from passing road traffic, surrounding uses and uses approved under this application shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify the location of each plot/ apartment where noise attenuation measures are

required; and include specific details of the noise attenuation measures to be introduced for each plot/ apartment. Where windows need to remain shut in order to achieve these levels other means of ventilation shall be provided. The development shall thereafter be implemented in accordance with the duly approved scheme.

Reason: To ensure the implementation of appropriate noise attenuation measures for the dwellings in order to achieve satisfactory living conditions for future occupiers of the development in accordance with the requirements of Policy EN7/2 of the Bury Unitary Development Plan, and the National Planning Policy Framework.

Any relevant phase or sub-phase of the development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing an Affordable Housing Scheme for the provision of affordable housing in that relevant phase or sub-phase of the development. The Scheme shall be submitted as part of the relevant reserved matters application and shall include: (if relevant justified) a viability review to determine the amount of affordable housing to be provided in that phase; the number, location and tenures of the affordable housing to be provided in that phase, and a mechanism for phasing, delivery and management of the affordable homes, in accordance with Policy H4/1 - Affordable Housing and its associated SPG5 - Affordable Housing Provision in New Residential Developments, the First Homes Policy Position Statement and the National Planning Policy Framework. The development shall be delivered in full accordance with the relevant approved Affordable Housing Scheme.

Reason: To ensure that the development would contribute to satisfying the need for affordable housing provision pursuant to Bury Unitary Development Plan Policy H4/1 - Affordable Housing, the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision in New Residential Developments, First Homes Policy Position Statement and National Planning Policy Framework.

7.

8. As part of any reserved matters application for Appearance and Layout for any relevant phase or sub-phase the use of the development hereby approved shall not commence until a Crime Impact Statement, detailing measures that will be incorporated into the development to prevent the opportunity for crime, disorder, and anti-social behaviour has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter operate in accordance with the approved strategy.

Reason: To encourage the inclusion of Secured by Design principles and reduce the fear and risk of crime and anti-social behaviour, in accordance with the National Planning Policy Framework.

9. Within 6 months of occupancy of each relevant phase or sub-phase hereby approved, a Full Travel Plan (FTP) shall be submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase. The Travel Plan shall provide details of the objectives, targets and measures to promote and facilitate public transport, walking, cycling and car sharing to reduce the need to travel and to reduce single occupancy car use. For the avoidance of doubt, the FTP shall include:

- a.) Travel to work survey results for residents;
- b.) Management of the Travel Plan with a nominated Travel Plan Coordinator;

- c.) Clearly defined targets based on the survey results for mode share;
- d.) Appropriate measures taken to improve and encourage sustainable travel;
- e.) An action plan including a timetable for implementation of each element; and,
- f.) Annual reinforcement of the Travel Plan by monitoring and review mechanisms.

The annual monitoring report which assesses the effectiveness of the measures introduced by the FTP shall be submitted to and approved in writing by the Local Planning Authority annually for the first five years following the implementation of the FTP on occupation of any phase or sub phase of the development. The initiatives contained within the approved Travel Plan shall be implemented thereafter together with any additional measures that, after review, are found to be necessary to deliver the Travel Plan objectives.

Reason: To promote alternatives means of transport and active travel pursuant to the principles of the National Planning Policy Framework.

10. No work shall take place in respect to the provision of cycle parking within any relevant phase or sub-phase until details of proposals to provide secure cycle parking facilities for the approved dwellings have been submitted to and approved in writing by the local planning authority. Each dwelling within that phase or sub-phase shall not be occupied until the cycle parking facility for that dwelling has been provided in accordance with the approved details. The cycle parking facilities shall then be retained and shall remain available for use at all times thereafter.

Reason. To ensure the satisfactory provision of cycle storage facilities are provided to support the scale of the development pursuant to Policy JP-C8 of the Greater Manchester Places for Everyone Plan and the principles of the National Planning Policy Framework.

11. Notwithstanding the proposed phasing of the future residential aspects of the development and the details shown indicatively on the submitted plans and supporting information, full details of the following shall be submitted at the reserved matters stage for any relevant phase or sub-phase to a scope and specification to be agreed on (where appropriate), a topographical survey of the site and adjacent adopted highways:
 - Access arrangements/proposed junctions onto the adopted highway incorporating adequate visibility splays in accordance with the standards in Manual for Streets;
 - 1. Retention of adequate levels of forward visibility at the bend in Rectory Lane in accordance with the standards in Manual for Streets;
 - 2. Proposed internal road/street layout incorporating adequate tracked servicing arrangements for the proposed mix of uses proposed ;
 - 3. A scheme of highway works/ traffic calming works to the adopted highways that abut the site, encompassing limits of Fairfax Road, Rectory Lane and Poppythorne Lane to be agreed, in accordance with the 'Streets for All' guidance.
 - 4. Details that demonstrate the delivery of additional parking provision necessary as described within the application documents that will be provided for:
 - (a) In curtilage to the residential elements;
 - (b) Servicing and drop-off facilities.

The highway works subsequently approved for that phase or sub-phase shall be implemented to a programme to be agreed with the Local Planning Authority prior to the implementation of the development hereby approved.

Reason. To secure the satisfactory development of the site and to ensure good highway design in the interests of highway safety pursuant to Policies EN1/2 of the Unitary Development Plan and Policies, JP-C5 and JP-C6 of the Greater Manchester Places for Everyone Joint Development Plan.

12. As part of the reserved matters for 'Layout', for any relevant phase or sub-phase the development of the site, a 'Parking Management Strategy' shall be submitted to and approved in by the Local Planning Authority for that phase or sub-phase. The approved scheme only shall be implemented.

Reason. To ensure adequate and appropriate levels of car parking are incorporated into the development pursuant to Policies JP-C5 and JP-C6 of the Greater Manchester Places for Everyone Joint Development Plan..

13. As part of the reserved matters for 'Layout', a scheme of car parking spaces and arrangements shall be submitted to and approved by the Local Planning Authority in respect of that part of the site. No part of the development shall be occupied until car parking spaces and arrangements in respect of that part of the site have been completed and made available for use in accordance with the approved details.

Reason. To ensure adequate and appropriate levels of car parking are incorporated into the development pursuant to Policies JP-C5 and JP-C6 of the Greater Manchester Places for Everyone Plan.

14. **CONDITIONS RELATING TO THE FULL ASPECTS OF THE PROPOSALS - Conditions**

15. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification), except for the portion of retail (Class E(a))space shown on Drawing number: 207-JMA-A-00-DR-A-022400 Rev. P00, the Community Building - Plot A shall only be used for uses within Classes E(c), E(e), E(g), F1(a-f) and F2(b) and for no other purpose including any other purpose in Classes E or F of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class/ those Classes in any statutory instrument amending, revoking and/or re-enacting that Order with or without modification.

Reason: In order to define the permission and to ensure that satisfactory community facilities are provided for with the development pursuant to the principles of the National Planning Policy Framework.

17. Notwithstanding any details shown on the approved plans, within three months of development first taking place a landscaping scheme for the site which demonstrates compliance with the landscaping strategy indicated on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a scheme which demonstrates compliance

with the landscaping strategy indicated on drawing nos. Landscape Masterplan Phase 1 & Outline Area 3107-PLA-XX-XX-DR-L-0002 P13 and Landscape Masterplan - Phase 1 3107-PLA-XX-XX-DR-L-0006 P05. The scheme shall include, but not be limited to, the following details:

5. all trees, hedgerows and any other vegetation on/overhanging the site to be retained;
1. compensatory planting to replace any trees or hedgerows to be removed as part of the development;
2. the strengthening and/or introduction of landscaping buffers along the boundary with Rectory Lane;
3. the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) to (iii);
4. the type, size, species, siting, planting distances and the programme of planting of hedges, trees and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season after each phase of the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Policies EN1/2 and EN8/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

18. Prior to any above-ground works on any relevant phase or sub-phase unless and until, a scheme providing the positions, types and heights nesting/roosting provisions to be made for birds nesting within that phase or sub-phase, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved scheme and no dwelling within that phase or sub-phase shall be occupied until the scheme has been implemented in its entirety.

Reason. In order to minimise the developments impacts on local wildlife populations pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity, 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

19. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the Travel Hub hereby permitted shall not be brought into first use unless and until a car park management plan has been submitted to and approved in writing by the local planning authority.

The car park management plan must be implemented in full accordance with the details approved under this condition before the development is first occupied or brought into first use and shall be maintained and operated in accordance with the approved plan in perpetuity.

Reason: To ensure that adequate car parking arrangements are provided to serve the development in accordance with Policy JP-C8: Transport Requirements of New Development of the Greater Manchester Places for Everyone Joint

20. Prior to the first use of the development hereby approved, a scheme detailing the electric vehicle charging points in the Travel Hub shall be submitted to and agreed in writing by the local planning authority. The Travel Hub shall be provided with the approved electric vehicle charging points, which shall be retained for that purpose thereafter.

Reason: In the interests of air quality and to promote modal shift and increased use of sustainable methods of travel in accordance with Policies JP-S5: Clean Air and Policy JP-C4: The Strategic Road Network of the Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.

21. The green roof hereby approved on the Community Building, Plot A, shall be maintained and any plants, grass and flowers, dead, dying severely damaged or diseased must be replaced during the lifetime of the development.

Reason: In the interests of the design and appearance of the building, visual amenity and securing biodiversity net gain, in accordance with the principles of the National Planning Policy Framework.

22. Prior to any above-ground works of any relevant phase or sub-phase a scheme for (any relevant) highway improvement works shall be submitted and approved in writing by the LPA. The development shall commence in a relevant phase or sub-phase unless and until a scheme for the siting, layout, design, construction and drainage of the following highway improvement works has been submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase:

5. All external alterations to the adopted highway within and around the perimeter of the site and implementation of an adopted hard and soft landscaping scheme to a scope and specification to be agreed, incorporating the provision/retention of adequate footway widths to be agreed at all locations, demarcation of the limits the adopted highway, demarcation of all landscaped areas for the blind and partially sighted pedestrians, relocation/replacement of all affected street lighting columns and street furniture in positions to be agreed, scheme of bollards to enable maintenance access/restrict unauthorised vehicular access to the pedestrianised areas and all associated highway and highway drainage remedial works;
1. Improvements to/relocation of the existing pedestrian crossing on Fairfax Road and all associated works to form the junction table proposed at the Rectory Lane/Fairfax Road junction, including the need to incorporate the improvements/traffic calming measures within a wider traffic calming and carriageway resurfacing scheme;
2. Confirmation of retained emergency access arrangements and route through the development on Poppythorn Lane, clear of the proposed hard/soft landscaping works, taking into consideration fire appliance access requirements to the existing and new buildings and the need for/type and operation of any access control bollards;
3. Formation of all temporary highway works between the proposed full and outline phases of the development;
4. Foundation/private hardstanding details for the proposed buildings to ensure compliance with the Highways Act 1980 and that no foundation encroachment under the adjacent adopted highway will occur;
5. Any proposed surface water attenuation measures located under the adopted highway, in a position(s) and to a scope and specification to be agreed;

6. Review of affected traffic regulation orders required as a direct result of the proposed development, including details of the revocations required and new measures/orders proposed, all necessary modifications to road markings and signage and a timetable for implementation;
7. Review of affected traffic regulation orders required as a direct result of the proposed development, including details of the revocations required and new measures/orders proposed, all necessary modifications to road markings and signage and a timetable for implementation;
8. Submission of staged Road Safety Audits in accordance with national guidance .

The details subsequently approved shall be implemented to a programme to be agreed with the Local Planning Authority prior to the development in that phase hereby approved being brought into use.

Reason. To secure improvements to the highway network in order to ensure safe and convenient access for pedestrian and vehicle traffic in the interests of road safety, and to promote modal shift and increased use of sustainable methods of travel pursuant to Policies JP- S1 Sustainable Development, JP-C5 - Streets for All JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan and the principles of the National Policy Framework.

23. No development shall commence unless and until a photographic dilapidation survey of the footways and carriageways leading to and abutting the sites in the event that subsequent remedial works are required following demolition and construction of, and statutory undertakers connection to, the proposed development, has been submitted to and agreed in writing with the Local Planning Authority. All highway remedial works identified as a result of the dilapidation survey shall be implemented to a programme to be agreed with the Local Planning Authority prior to the commencement of the development hereby approved.

Reason. To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan.

24. No development shall commence on any relevant phase or sub-phase unless and until a Demolition Management Plan has been submitted to and approved by the Local Planning Authority for that phase or sub-phase, where relevant. The approved plan only shall thereafter be implemented.

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 pursuant to Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan.

25. No development of any relevant phase or sub-phase shall take place, including any works of demolition, until a 'Construction Logistics Plan' for that phase or sub-phase has been submitted to, and approved in writing by the local planning authority. The Construction Logistics Plan shall include details of vehicular routing, parking arrangements and be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. Construction of the relevant Phase shall be carried out only in accordance with the approved details for the duration of the demolition and construction periods.

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 pursuant to Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan.

26. Other than those works associated with the demolition of existing buildings on the site, no development shall take place on a relevant phase or sub-phase until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase. The CMP shall include:
9. Formation of all temporary highway works between the proposed full and outline phases of the development;
 1. Access route for all demolition/construction vehicles to the site from the Key Route Network;
 2. Access point/arrangements for demolition/construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to Bury Market and 'Market' car park, and all temporary works required to facilitate access for demolition/construction vehicles;
 3. Hours of work for site preparation, delivery of materials and construction and number of vehicle movements;
 4. Arrangements for the parking of vehicles for site operatives and visitors on land within the applicant's control, together with storage on site or on land within the applicant's control of demolition/construction materials;
 5. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres including details of areas designated for the loading, unloading and storage of plant and materials;
 6. Details of the siting, height and maintenance of security hoarding;
 7. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
 8. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its accesses;
 9. Arrangements for the provision of wheel washing facilities for vehicles accessing the site;
 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 control the emission of noise, dust and dirt during construction;
 11. a scheme for recycling/disposing of waste resulting from construction works; and
 12. a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

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. Information not submitted at application stage. 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

pursuant to Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan.

27. The use of the development on any relevant phase or sub-phase hereby approved shall not commence until an 'Access and Servicing Management Plan' has been submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase. The management plan shall contain, as a minimum:

13. Travel to work survey results for staff and employees;

1. All external the location of the height barrier (to prevent coaches and larger vehicles accessing the site;
2. The location and details of any advance signage warning of the height restriction;
3. How access by scheduled larger vehicles (such as waste vehicles) will be managed; and
4. How unexpected access by larger vehicles will be managed.

The development shall thereafter operate in accordance with the approved management plan.

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 pursuant to Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan.

28. Prior to the occupation of any relevant phase or sub-phase of development, a Travel Plan will be submitted to and approved by the Local Planning Authority for that phase or sub-phase. The approved Travel Plan (based on the submitted Framework Travel Plan) shall be implemented as approved, monitoring and maintenance requirements outlined within that document.

Reason: To promote alternatives means of transport, active travel, promote modal shift and increased use of sustainable methods of travel pursuant to Policies JP-S1 Sustainable Development, JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan and the principles of the National Planning Policy Framework.

29. Prior to any above-ground works within any relevant phase or sub-phase of development, vehicle turning areas within that phase or sub-phase shall be provided, surfaced and ready for use. The nature and duration of any temporary car and cycle parking arrangements that may be required due to phasing and construction logistics shall be first agreed in writing by the Local Planning Authority. Any parking areas, whether permanent or temporary, shall not be used for anything other than their designated purpose. The duly approved details shall be implemented for the duration of the construction period of any phase, or sub phase of the development.

Reason. In order to secure the satisfactory development of the application site in the interests of highway safety and to minimise the standing and turning movements of vehicles on the highway in the interests of highway safety pursuant to Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

31. Any relevant phase or sub-phase of the development shall not be first occupied or brought into first use unless and until full details of the car parking (including accessible and Electric Vehicle charging point provision with 10% of all spaces to be provided with active charging points and the remainder of all spaces served by passive provision, (subject to an update in local policy standards which may exceed these requirements ahead of Reserved Matters approval), motor cycle, delivery and drop off space, and covered and secured cycle storage facilities to serve that phase of development hereby approved have been submitted to and approved in writing by the local planning authority.

The respective buildings within any relevant phase or sub-phase shall not be first occupied or brought into first use unless and until the on-site car parking spaces for the respective buildings within any phase, have been provided and made available for use in full accordance with the drawings, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans for that phase.

The approved parking spaces shall be provided and made available for use and the accessible parking bays shall be clearly marked with a British Standard disabled symbol prior to the occupation of that part of the development and shall be maintained thereafter solely for the parking of occupiers of, visitors to and users of the development.

Details of the provision of the car club parking spaces and electric vehicle charging points within a relevant phase or sub-phase shall be provided including number and location.

Reason. To ensure that adequate car parking is provided and retained to serve the development and to ensure that adequate cycle parking is provided and retained to serve both the commercial and residential development pursuant to Policies JP- S1 Sustainable Development, JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

32. Prior to any above-ground works of any relevant phase or sub-phase, a scheme of off-highway bin storage facilities shall be submitted to and approved in writing with the Local Planning Authority for that phase or sub-phase. The approved arrangements shall be implemented prior to each relevant phase or sub-phase of the development hereby approved being brought into use and/or being first occupied.

Reason: To ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to Policies EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan, Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

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

34. No development, including demolition, shall commence on any relevant phase or sub-phase unless and until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority as outlined in Annex I (Mitigation Measures for Construction - Tables I-1 to I-9) and Air Quality Assessment, Prestwich Village, Cundall, Reference: 1039026-CDL-XX-XX-RP-AQ-40201 Revision P07, 17 January 2024 for that phase or sub-phase. The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the

approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason: The information is required to reduce the impacts of dust disturbance from the site on the local environment, pursuant to Policy JP-S5: Clean Air of the Greater Manchester Places for Everyone Joint Development Plan and Chapter 11 of the National Planning Policy Framework - Conserving and enhancing the natural environment.

35. No development works (excluding demolition) of any relevant phase or sub-phase of the development hereby approved shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works for that phase or sub-phase. The works are to be undertaken in accordance with a Project Design submitted to and approved in writing by Bury Planning Authority. The Project Design shall cover the following:
5. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
 - an archaeological evaluation through trial trenching;
 - dependent on the above, targeted open-area excavation and recording (subject to a separate Project Design).
 1. A programme for post-investigation assessment to include:
 - production of a final report on the significance of the below-ground archaeological interest.
 2. Deposition of the final report with the Greater Manchester Historic Environment Record.
 3. Dissemination of the results of the archaeological investigations commensurate with their significance.
 4. Provision for archive deposition of the report and records of the site investigation.
 5. Nomination of a competent person or persons / organisation to undertake the works set out within the approved Project Design.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, in accordance with the requirements of the National Planning Policy Framework.

36. Prior to the first use/occupation of any relevant phase or sub-phase of the development hereby approved, full details of all equipment to be installed for heating and ventilation of the building, the extraction and control of fumes and odours, including details of how noise and vibration will be attenuated together with a maintenance schedule for the future operation of that equipment have been submitted to and approved in writing by the local planning authority for that phase or sub-phase and implemented in accordance with the approved details. The scheme shall also be in accordance with current guidance from DEFRA and the Heating and Ventilating Contractors' Association (HVCA) For Kitchen Ventilation Systems. The use hereby permitted shall not take place other than in accordance with these approved details. Noise from ventilation and extraction shall be limited to 10 dB(A) below the background noise level measured and expressed as a LA90,15minutes at the boundary of the nearest residential property. This shall include penalties for noise characteristics such as tone, intermittency, etc.

Background noise levels shall be established for the following periods:

- " Daytime 0700 to 1900
- " Evening 1900 to 2300
- " Night 2300 to 0700

In order to establish background noise level a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 at the boundary of the nearest residential properties. This shall be undertaken by a suitably competent person.

Prior to operation of any relevant phase or sub-phase post completion noise surveys must be undertaken by a suitably qualified acoustic person, and a report submitted to and approved in writing by the Local Planning Authority for that phase. Method statements should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority. If the noise levels set out in the Report are exceeded, additional noise mitigation measures, (where necessary to ensure the appropriate noise levels can be met), shall be submitted to an approved in writing by the Local Authority and implemented in accordance with the approved details in full prior to operation.

All noise mitigation schemes as approved shall be retained as such thereafter.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Policy EN7/2 - Noise Pollution and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and the National Planning Policy Framework.

37. No development of any relevant phase or sub-phase shall commence until a Construction Environmental Management Plan (CEMP Noise) for the control of construction site noise for that phase has been submitted to and approved in writing by the Local Planning Authority for that phase.
The approved CEMP (Noise) shall be operated and retained throughout the site preparation and/or construction period and shall include:

6. The location of nearest sensitive receptors;
 1. A review of the plant and equipment to be used on site, including a consideration of the type of vehicle reversing alarms, and any other precautions that are proposed to minimise the noise from such equipment (acoustic enclosures/screens and non-metallic dollies for piling operations etc.);
 2. The proposed location of any fixed plant, buildings and storage yards;
 3. Details of a community engagement plan, to include a named individual chosen to liaise with the public upon receipt of complaints;
 4. Proposals for the hours of operation, including during which piling operations will be undertaken referenced to the location of noise sensitive premises;
 5. Details of the information that all those operating on site will be given regarding the control of noise;
 6. Any other measures proposed to control construction noise.

Reason: A pre commencement condition is required to ensure that noise from the site construction operation can be mitigated by use of the appointed contractors through an appropriate noise management plan. The condition will protect the amenity of occupiers of adjacent properties from noise in accordance with Policy EN7/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

38. Before any construction works on any relevant phase or sub-phase of the development hereby approved a Biodiversity Net Gain Plan and Habitat Management and Monitoring Plan (HMMP) detailing, in full, measures to protect

existing habitat during construction works and the formation of new habitat to secure a measurable net gain in biodiversity of at least 10% across the entire scheme, shall be submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase. Within the Biodiversity Net Gain Plan and the HMMP document the following information shall be provided:

7. Details of both species composition and abundance where planting is to occur;
- Proposed management prescriptions for all habitats for a period of no less than 30 years;
- Assurances of achievability;
- Timetable of delivery for all new and enhanced habitats; and
- A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and thereafter maintained in accordance with the approved Net Gain Plan and the Habitat Management and Monitoring Plan.

Reason: To ensure the satisfactory development of the site in relation to the protection of and mitigation for ecological habitats pursuant to Policy JP-G8 of the Places for Everyone Joint Development Plan and the principles of the National Planning Policy Framework.

39. No development of any relevant phase or sub-phase 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 in that phase or sub-phase 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 for that phase or sub-phase;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority for that phase or sub-phase.

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.

40. Notwithstanding the submitted Environmental Statement, prior to any piling work taking place within any relevant phase or sub-phase of the development, the following shall occur in consecutive order for that phase or sub-phase:

- An assessment shall be undertaken to determine the levels of ground borne vibration associated with the piling works within the development which shall identify all affected receptors and detail how impacts can be mitigated and / or reduced.
- 1. A scheme based upon the findings in part (1) shall be submitted to and approved in writing by the Local Planning Authority outlining the type of piling,

its location, noise/vibration levels and details of mitigation measures to ensure that the impact of the piling works on the receptors identified in (1) are mitigated/reduced.

2. The development shall be carried out in strict accordance with the approved scheme for that phase.

Reason: To ensure impacts on amenity from are acceptable and to accord with the requirements of Policy EN1/2(b) of the Bury Unitary Development Framework, and the National Planning Policy Framework

41. No above-ground works shall take place on any relevant phase or sub-phase of development hereby permitted until the following information on the proposed low/zero carbon energy sources (photovoltaics and air source heat pumps) has been submitted to and approved by the Local Planning Authority for that phase or sub-phase where relevant:

- a) System description, supported by site plans
- b) Installed capacity and estimated output
- c) Site specific design requirements
- d) Detailed plan showing where the technology would be installed
- e) Relevant operational considerations, for example, fuel storage and delivery arrangements, avoidance of nuisance and air quality issues, and arrangements for maintenance.
- f) Noise Output of air source heat pumps compared to site specific background levels.

The development of that relevant phase or sub-phase shall be implemented in accordance with the respective approved details prior to occupation and shall thereafter be maintained.

Reason: To secure low/ zero carbon energy generation and in the interests of the amenity of nearby residents, in accordance with Policy JP-S2: Carbon and Energy of the Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.

42. Following the provisions of Condition 39 of this planning permission, where remediation is required on any relevant phase or sub-phase, the approved Remediation Strategy must shall be carried out to the satisfaction of the Local Planning Authority within agreed timescales for that phase or sub-phase; 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.

43. Development shall not commence on any relevant phase or sub-phase until final details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority for that phase or sub-phase. The scheme shall be in accordance with the principles set out in the submitted Flood Risk Assessment and Drainage Strategy document and final detailed design 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 (SuDs) (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 operation and maintenance arrangements for all SuDS features should also be provided.

The detailed design of the proposed surface water drainage system shall be appropriately phased to ensure that the benefits of SuDS delivered under this development are appropriate to the needs of this phase of the development of the site.

Each phase or sub phase of the scheme shall be implemented in accordance with the duly approved details before any of the buildings or dwellings hereby approved are first occupied or brought into use, and maintained as such thereafter.

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 Policy JP-S4: Flood Risk and the Water Environment of the Places for Everyone Joint Development Plan and Chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the National Planning Policy Framework

44. Any commercial and retail uses hereby approved shall only take place between the hours of 7am -11pm Monday - Thursday, 7am-12am Friday-Saturday and 8am - 11pm Sundays.

Reason: In order to define the permission and safeguard the amenities of occupiers of premises/dwellings in the vicinity, in accordance with Policy EN1/2 and EN7/2: Noise Pollution of the Bury Unitary Development Plan and the National Planning Policy Framework.

45. No relevant phase or sub-phase of development shall be occupied until a detailed lighting scheme for that phase of development has been submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase.

The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate, site plans showing horizontal and vertical overspill to include light trespass and source intensity, affecting surrounding residential premises and details of the lighting fittings including: colour, watts and periods of illumination.

For the avoidance of doubt, the scheme shall include lighting to be placed along the edge of the site close to neighbouring residential properties.

All lighting works shall be implemented in accordance with the approved details and shall be completed prior to the occupation of any part of the development and shall thereafter be retained and maintained.

Reason: To ensure a high quality of external environment, to complement the development proposals, to protect and reinforce local character, and to protect the amenity of nearby residents from any light pollution pursuant to the principles of the National Planning Policy Framework.

46. Prior to the commencement of the landscaping works for any relevant phase or sub-phase hereby approved a Landscape and Ecological Management Plan (LEMP) shall be submitted for that phase or sub-phase to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the

following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason. To 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, JP-G8 and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

47. Notwithstanding the submitted details, no development of any relevant phase or sub-phase shall take place until a phasing plan for the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include a programme of works for the provision of:- each of the proposed land uses within the site; any highway infrastructure associated with those uses; and the area(s) of recreational open space and any other areas of amenity open space.

The development shall thereafter be carried out in accordance with the duly approved phasing plan(s).

Reason: To ensure that any phased development of the site takes place in an appropriate order and within an acceptable timescale, to ensure adequate provision of infrastructure to serve each phase given the scale of development proposed.

48. Notwithstanding the submitted details, no development of any relevant phase or sub-phase shall take place (including ground works, vegetation clearance) on that phase or sub-phase hereby approved until:
 3. A detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), in accordance with British Standards BS 5837:2012 have been submitted to and approved in writing by the Local Planning Authority;
 1. Tree protection fencing has been erected in accordance with the details shown on the approved TPP, and;
 2. The Local Planning Authority has been notified in writing of the erection of the Tree Protection Fencing and its full implementation in accordance with the approved TPP.

The tree protection provisions set out in the AMS shall be fully implemented and the tree protection fencing shall be retained, in the locations and to the standard shown on the TPP, for the duration of the construction period and no works shall take place and nothing shall be stored within the area enclosed by the Tree Protection Fencing until demolition and construction works have ceased.

Reason. A pre-commencement condition is required to ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence, in the interests of visual amenity and to safeguard the ecological value provided by the trees on the site in accordance with the requirements of Policy EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan, Policy JP-G8 of the Places for Everyone Plan and the National Planning Policy Framework.

49. Prior to the occupation of any relevant phase or sub-phase a scheme of hard and soft landscape works for each phase that phase or sub-phase of development shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved.

These details shall include:

- 1) A scaled plan at 1:100 or 1:200 showing all existing vegetation and landscape features to be retained; and where used, locations of individually planted trees, areas of woodland, shrubs, hedges, herbaceous planting, bulbs, and areas of grass.
- 2) Within ornamental planting areas, plans should be sufficiently detailed to show the locations of different single species groups in relation to one another, and the locations of any individual specimen shrubs.
- 3) Planting schedules noting species, plant sizes and proposed numbers/densities, and details of the proposed planting implementation programme.
- 4) Location, type and design of materials to be used for hard landscaping, including ground surfacing, paving, kerbs, edges, steps and furniture.
- 5) Specifications, where applicable for the following:
 - a) permeable paving;
 - b) tree pit design - indicating root available soil volumes and matched to species demands at mature size;
 - c) underground modular systems;
 - d) sustainable urban drainage integration;
 - e) surfacing within tree Root Protection Areas (RPAs);
 - f) Green Roof and Rain Gardens
- 6) Specifications for operations associated with plant establishment and maintenance that are compliant with best practice.
- 7) Retaining structures, noting their height, design and facing materials.
- 8) Minor artefacts and structures.
- 9) Proposed and existing functional services above and below ground.

All hard and soft landscape works shall be implemented in accordance with the approved details.

The works shall be implemented prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority and thereafter maintained.

Any trees or shrubs which, within a period of two five years from the completion

of the phase of development, die, are removed or become seriously diseased or damaged, shall be replaced in the next planting season with others of similar size and species.

Reason: In order to secure the satisfactory development of the application site, ensure a high quality of external environment and reinforce local landscape character and to secure net gains to biodiversity in accordance with Policy JP-G8: Biodiversity and Geodiversity of the Greater Manchester Places for Everyone Joints Development Plan and the National Planning Policy Framework.

50. Prior to the commencement of any relevant phase or sub-phase of the development, details of a Local Labour and Training Proposal for that phase, in order to demonstrate commitment to recruit local labour for the duration of the relevant phase of the development, shall be submitted for approval in writing by the Local Planning Authority. The approved document shall be implemented as part of the relevant phase or sub-phase of the development.

In this condition a Local Labour and Training Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Labour Proposal
- iii) measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within one month prior to construction work being completed for any relevant phase or sub-phase of the development, a detailed report for that phase or sub-phase which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the Local Planning Authority.

Reason: To provide local economic benefits to the local labour force pursuant to Policy JP-J1: Supporting Long-Term Economic Growth, of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

51. If within a period of 5 (five) years from the date of planting, any retained and provided tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted, with the same type and of a heavy standard within the first planting season or at such time as may be specified in writing by the local planning authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In the interests of the character and appearance of the area and to ensure that the development complies with Policy EN8/2: Trees and Woodland of the Bury Unitary Development Plan and Policy JP-G7: Trees and Woodland of the Greater Manchester Places for Everyone Plan.

52. The drainage for any relevant phase or sub-phase of development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 2772-CIV-XX-XX-D-C-30003 Rev P 06- Dated 19.09.23 which was prepared by Civic Engineers, for that phase or sub-phase. For the avoidance of doubt surface water for phase 1A and phase 2 must drain at the restricted rate of 20 l/s and surface water for phase 1B must drain at the restricted rate of 3 l/s. Prior to occupation of the proposed development with any relevant phase or sub-phase,

the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of that phase or sub-phase of 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, in accordance with the requirements of the National Planning Policy Framework and the National Planning Practice Guidance.

53. Prior to the installation of any external finishing materials within a relevant phase or sub-phase samples of the materials to be used in the construction of the external surfaces of that phase or sub-phase hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be implemented in accordance with the duly approved materials.

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 EN1/2 - Townscape and Built Design and the National Planning Policy Framework.

54. No construction shall commence (including demolition, site clearance and any earthworks) on plots A, B and C until details of the means of ensuring the water mains that are laid within the site boundary are protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing.

These details shall include the following:

- i. Evidence that diversion works for the water main(s) have been agreed with the relevant statutory undertaker and that the approved works have been undertaken; and,
- ii. Details of the means of ensuring the water main(s) is protected from damage as a result of the development. These details shall include the potential impacts on the water main(s) from construction activities and the impacts post completion of the development, including landscaping, on the water main(s) infrastructure, and identify mitigation measures, to protect and prevent any damage to the water main(s) both during construction and post completion of the development.

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

Reason: In the interest of public health and to ensure protection of the public water supply pursuant to the principles of the National Planning Policy Framework.

55. No relevant phase or sub-phase of the development shall commence which requires the stopping-up or diversion of a public highway unless and until the required stopping-up order has been secured.

Reason. To secure the satisfactory development of the site in terms of the legal stopping-up of all affected highways and in order to maintain the integrity of the adopted highway network in the vicinity of the site pursuant to Policies JP-C5 - Streets for All and JP-C6 Walking and Cycling of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

56. No above-ground works may be commenced on a Phase, or sub phase, unless and until the land interests in that Phase are bound by the planning obligations set out in the draft Section 106 Agreement appended to the Agreement under Section 111 of the Local Government Act 1972 dated [XXX] or the obligations are secured by other means to the satisfaction of the Local Planning Authority
57. This decision relates to the following drawings:

Drawing no. 207-JMA-MP-XX-DR-A-001601 Rev. P01: P1: Land Use Parameter Plan

Drawing no. 207-JMA-MP-XX-DR-A-001602 Rev. P01: P2: Max Site Heights Parameter Plan

Drawing no. 207-JMA-MP-XX-DR-A-001603 Rev. P01: P3 - Access & Movement Parameter Plan

Drawing no. 207-JMA-MP-XX-DR-A-001604 Rev. P01: P4 - Plots & Public Relam Parameter Plan

Drawing no. 207-JMA-MP-XX-DR-A-001605 Rev. P01: P5: Site Levels Parameter Plan

Site location plan 207-JMA-MP-XX-DR-A-000400 P00

Second Floor (third and fourth similar) Proposed site plan 207-JMA-MP-02-DR-A-001402 P01

Site Plans

Ground floor Proposed site plan 207-JMA-MP-00-DR-A-001400 P01

First floor Proposed site plan 207-JMA-MP-01-DR-A-001401 P01

Roof Proposed site plan 207-JMA-MP-RF-DR-A-001410 P01

Demolition Plans

Longfield Centre	Demolition	Existing	Context	Elevation
207-JMA-MP-XX-DR-A-041500 P00				
Fairfax Road A	Demolition	Existing	Context	Elevation
207-JMA-MP-XX-DR-A-041501 P00				
Fairfax Road B	Demolition	Existing	Context	Elevation
207-JMA-MP-XX-DR-A-041502 P00				
Poppythorn Lane A	Demolition	Existing	Context	Elevation
207-JMA-MP-XX-DR-A-041503 P00				
Poppythorn Lane B	Demolition	Existing	Context	Elevation
207-JMA-MP-XX-DR-A-041504 P00				
Poppy thorn Lane C	Demolition	Existing	Context	Elevation
207-JMA-MP-XX-DR-A-41505 P00				
Bury New Road	Demolition	Existing	Context	Elevation
207-JMA-MP-XX-DR-A-041506 P00				

Streetscene Elevations

Clayton Street A Proposed Context Elevation 207-JMA-MP-XX-DR-A-042400 P01

Clayton Street B Proposed Context Elevation 207-JMA-MP-XX-DR-A-042401 P01

Poppythorn Lane Proposed Context Elevation 207-JMA-MP-XX-DR-A-042402 P01

Rectory Lane Proposed Context Elevation 207-JMA-MP-XX-DR-A-042403 P01

Village Square Proposed Context Elevation 207-JMA-MP-XX-DR-A-042404 P01

Fairfax Road Proposed Context Elevation 207-JMA-MP-XX-DR-A-042405 P01

Section Plans

Highfield Road to Tramline Proposed Section 207-JMA-MP-XX-DR-A-051400 P01

Rectory Lane to Bury New Road Proposed Section
207-JMA-MP-XX-DR-A-051401 P01
Fairfax Road to Rectory Lane Proposed Section 207-JMA-MP-XX-DR-A-051402
P01
Rectory Lane to Highfield Place Proposed Section 207-JMA-MP-XX-DR-A-051403
P01

Plot A: Community Hub

Ground Floor GA Plan - 207-JMA-A-00-DR-A-022400
1st Floor GA Plan - 207-JMA-A-01-DR-A-022401
Roof GA Plan - 207-JMA-A-RF-DR-A-022410 Village Square GA Elevation
207-JMA-A-XX-DR-A-042400
Calyton Street GA Elevation - 207-JMA-A-XX-DR-A-042401
Poppythorn Lane GA Elevation - 207-JMA-A-XX-DR-A-042402
Service yard GA elevation - 207-JMA-A-XX-DR-A-042403
Section A - JMA-A-XX-DR-A-052400
Section B JMA-A-XX-DR-A-052401
Study Bay 1 207-JMA-A-XX-DR-A-104401 P00
Study Bay 2 207-JMA-A-XX-DR-A-104402 P00
Study Bay 3 207-JMA-A-XX-DR-A-104403 P00

Plot B - Retail and Commercial Hub

Ground Floor GA plan 207-JMA-C-00-DR-A-022400 P01
First Floor GA plan 207-JMA-C-01-DR-A-022401 P01
Roof GA plan 207-JMA-C-RF-DR-A-022410 P00
Village Square elevation 207-JMA-B-XX-DR-A-042400 P00
Clayton Street elevation 207-JMA-B-XX-DR-A-042401 P00
Poppythorn Lane elevation 207-JMA-B-XX-DR-A-042402 P00
Service Yard elevation 207-JMA-B-XX-DR-A-042403 P00
Section A 207-JMA-B-XX-DR-A-052400 P00
Section B 207-JMA-B-XX-DR-A-052401 P00
Section C 207-JMA-B-XX-DR-A-052402 P00
Study Bay 1 207-JMA-B-XX-DR-A-104401 P00
Study Bay 2 07-JMA-B-XX-DR-A-104402
Study Bay 3 207-JMA-B-XX-DR-A-104403 P00

Plot C: Market Hall

Village Square GA elevation 207-JMA-C-XX-DR-A-042400 P00
Village Square GA elevation 207-JMA-C-XX-DR-A-042401 P00
Village Square GA elevation 207-JMA-C-XX-DR-A-042402 P00
Village Square GA elevation 207-JMA-C-XX-DR-A-042403 P00
Section A GA section 207-JMA-C-XX-DR-A-052400 P01
Section B GA section 207-JMA-C-XX-DR-A-052401 P01
Study bay 1 Village Square elevation 207-JMA-C-XX-DR-A-104401 P00
Study bay 2 Retail front elevation 207-JMA-C-XX-DR-A-104402 P00

Plot G: Travel Hub

Ground floor GA plan 207-JMA-G-00-DR-A-022400 P01
Typical ramp floor GA plan 207-JMA-G-01-DR-A-022401 P01
Roof GA plan 207-JMA-G-RF-DR-A-022410 P01
GA elevations and GA sections 207-JMA-G-XX-DR-A-042401 P01
Fairfax Road /Highfield Place GA elevations 207-JMA-G-XX-DR-A-042400 P01
Highfield Road Railway Elevation GA elevations & GA section
207-JMA-G-XX-DR-A-42401 P01
Study Bay 1 207-JMA-G-XX-DR-A-104401 P01
Study Bay 2 207-JMA-G-XX-DR-A-104402 P01

Landscape Plans

Landscape Masterplan Phase 1 & Outline Area 3107-PLA-XX-XX-DR-L-0002 P13

Supporting documents

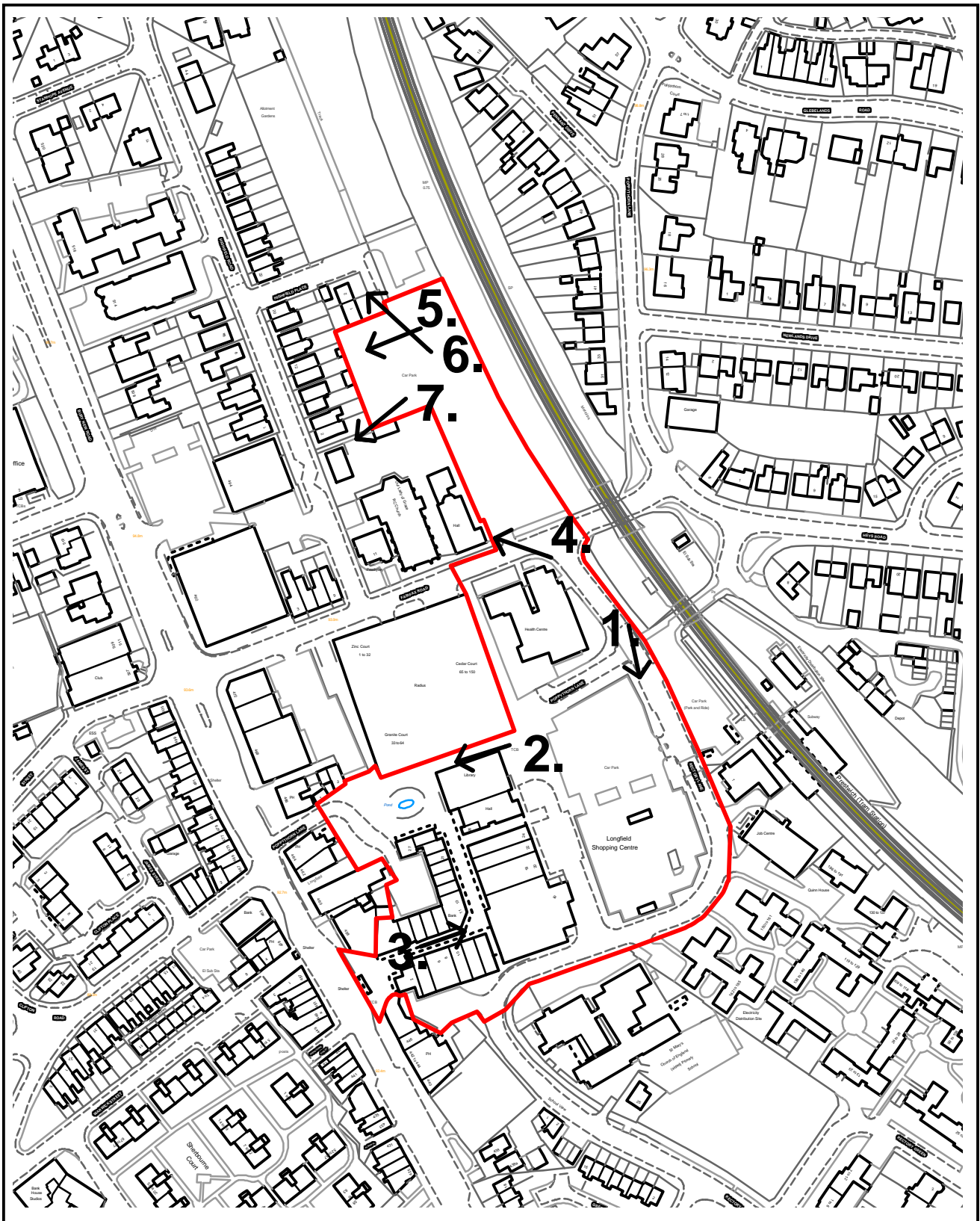
Arboricultural Impact Assessment Rev C prepared by Tyler Grange;
Building for Life Assessment prepared by PlanIT;
Ecological Impact Assessment (including Bat and Protected Species Survey);
prepared by Tyler Grange;
Environmental Statement prepared by Asteer Planning, including:
3. Chapter 6: Socio-Economics
• Chapter 7: Townscape and Visual Impact Assessment prepared by PlanIT;
• Chapter 8: Transport Assessment, Framework Travel Plan and Parking Data
and Parking Management Strategy prepared by Civic Engineers;
• Chapter 9: Noise and Vibration assessment prepared by Cundall;
• Chapter 10: Air Quality assessment prepared by Cundall;
• Chapter 11: Climate Change prepared by Hoare Lea
Flood Risk and Drainage Strategy prepared by Civic Engineers;
Health Impact Assessment prepared by AMION;
Sustainability and Energy Statement prepared by Hoare Lea;
Topographical Assessment by Greenhatch Group;
Highways and Car Parking Update Note Rev E prepared Civic Engineers
Amended Framework Travel Plan v1.6 prepared by Civic Engineers

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
development in accordance with the policies contained within the Bury Unitary
Development Plan, the Greater Manchester Places for Everyone Joint
Development Plan and the National Planning Policy Framework.

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

70449 - Viewpoints



APP. NO 70449

ADDRESS: Longfield Shopping Centre/Car Park,
Fairfax Road Car Park and adjoining
land at Bury New Road, Rectory Lane
and Fairfax Road, Prestwich



Bury
Council

Planning, Environmental and Regulatory Services

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70449

Photo 1: Longfield Centre Car Park



Photo 2: Photo showing part of the Longfield Centre complex



70449

Photo 3: Part of Longfield Shopping area



Photo 4: View of Fairfax Road Car Park and Our Lady of Grace Church buildings



70449

Photo 5: Photo from Fairfax Road Car Park of properties on Highfield Road



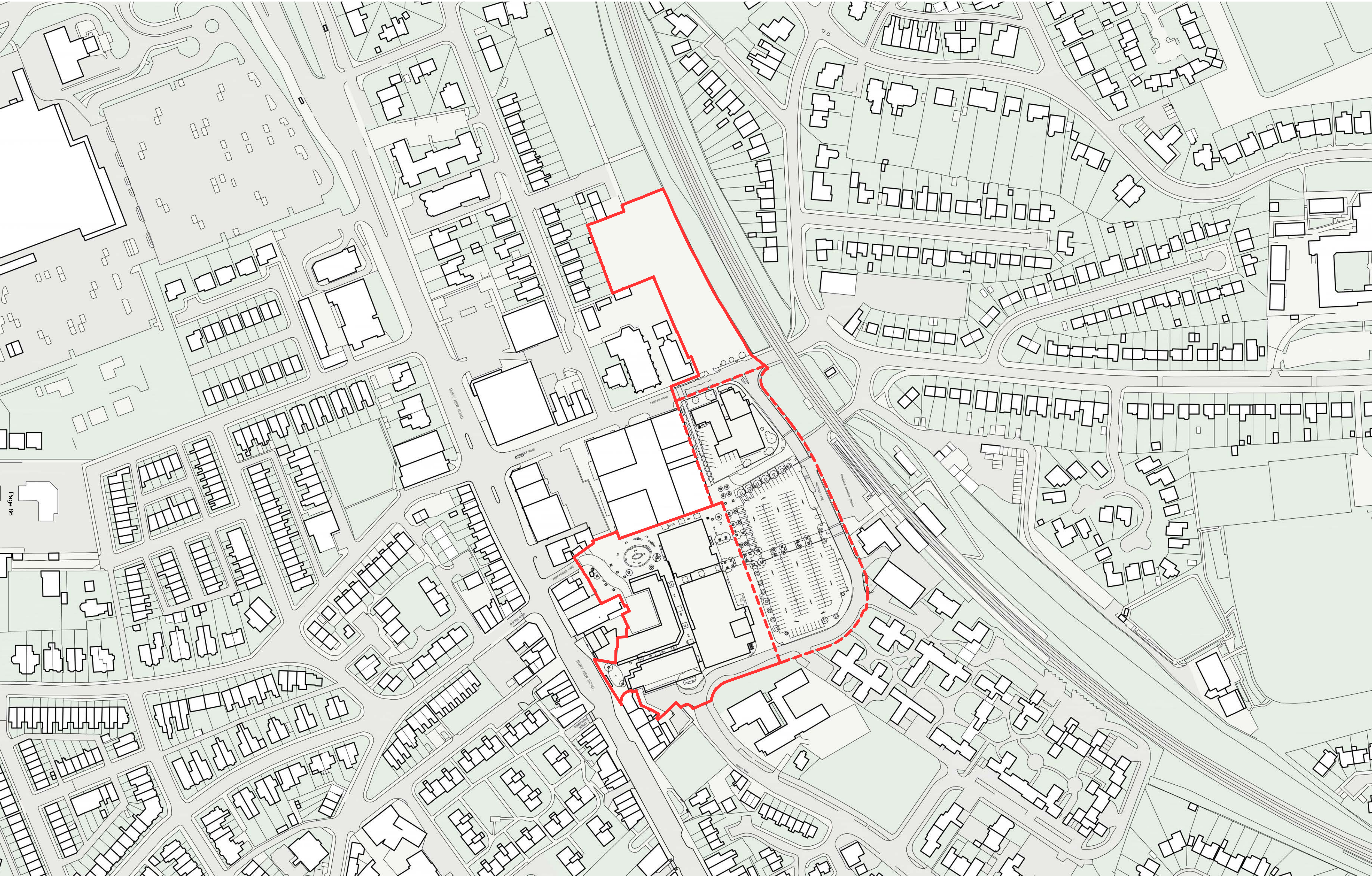
Photo 6: View of nos. 1 and 2 Highfield Place and dwellings on Highfield Road



70449

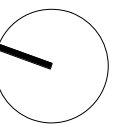
Photo 7: View from Fairfax Road Car Park of the rear of Our Lady of Grace Church buildings

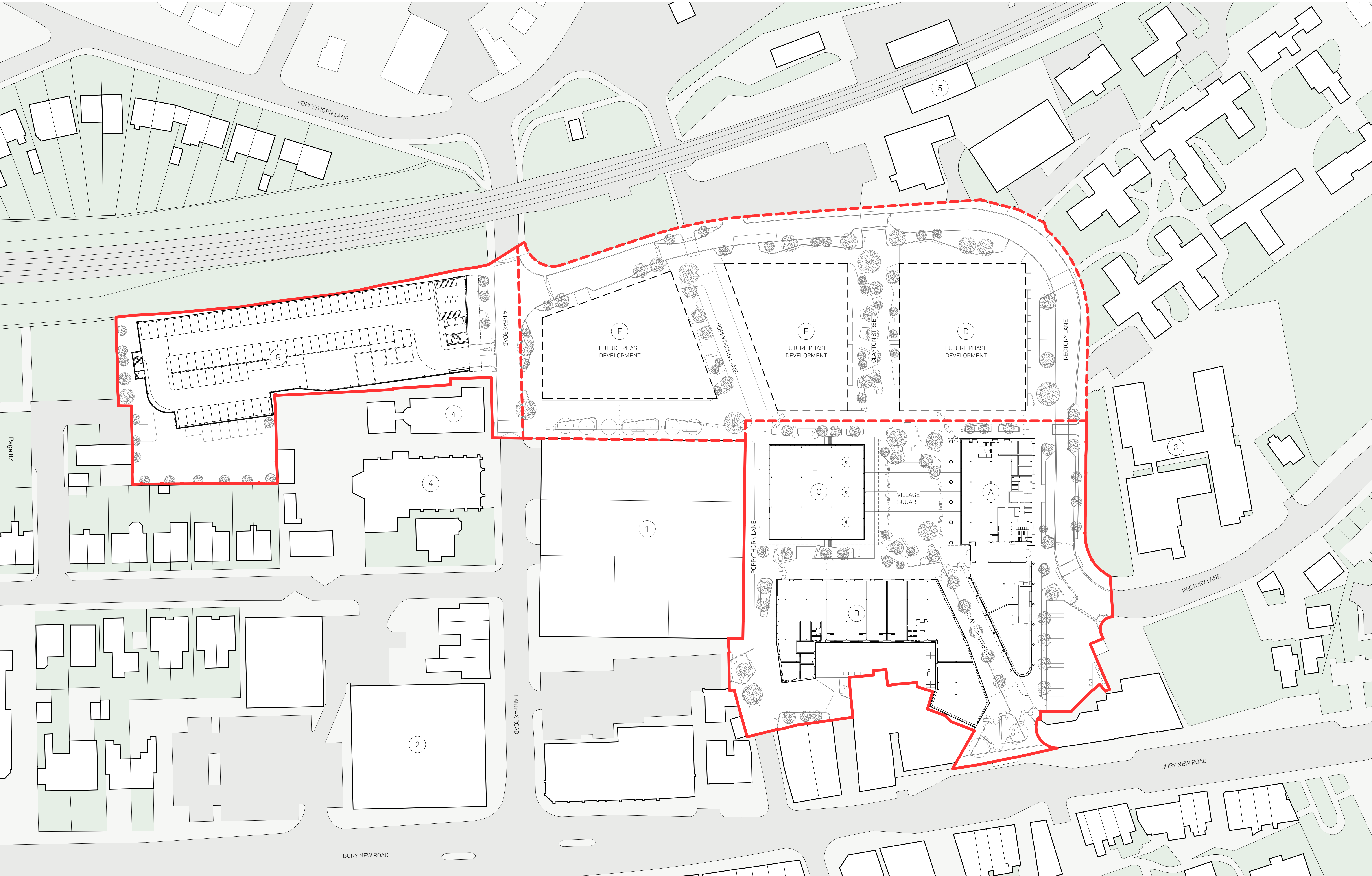




Notes:

- EXTENT OF FULL APPLICATION
- - - EXTENT OF OUTLINE APPLICATION





Notes:

MASTERPLAN KEY

- EXTENT OF FULL APPLICATION
- EXTENT OF OUTLINE APPLICATION

PROPOSED PLOTS

- PLOT A - COMMUNITY HUB
- PLOT B - RETAIL HUB
- PLOT C - MARKET HALL
- PLOT G - MSCP
- PLOT D - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- PLOT E - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- PLOT F - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)

EXISTING KEY BUILDINGS

- THE RADIUS
- MARKS & SPENCER
- SCHOOL
- CHURCH
- PRESTWICH TRAM STOP

Project:
Prestwich Village
Masterplan

Drawn: JC
Checked: JC
Rev: P01

Details:
03/05/2024

Title:
Extent of Full and Outline Components

Status:
S2 Information

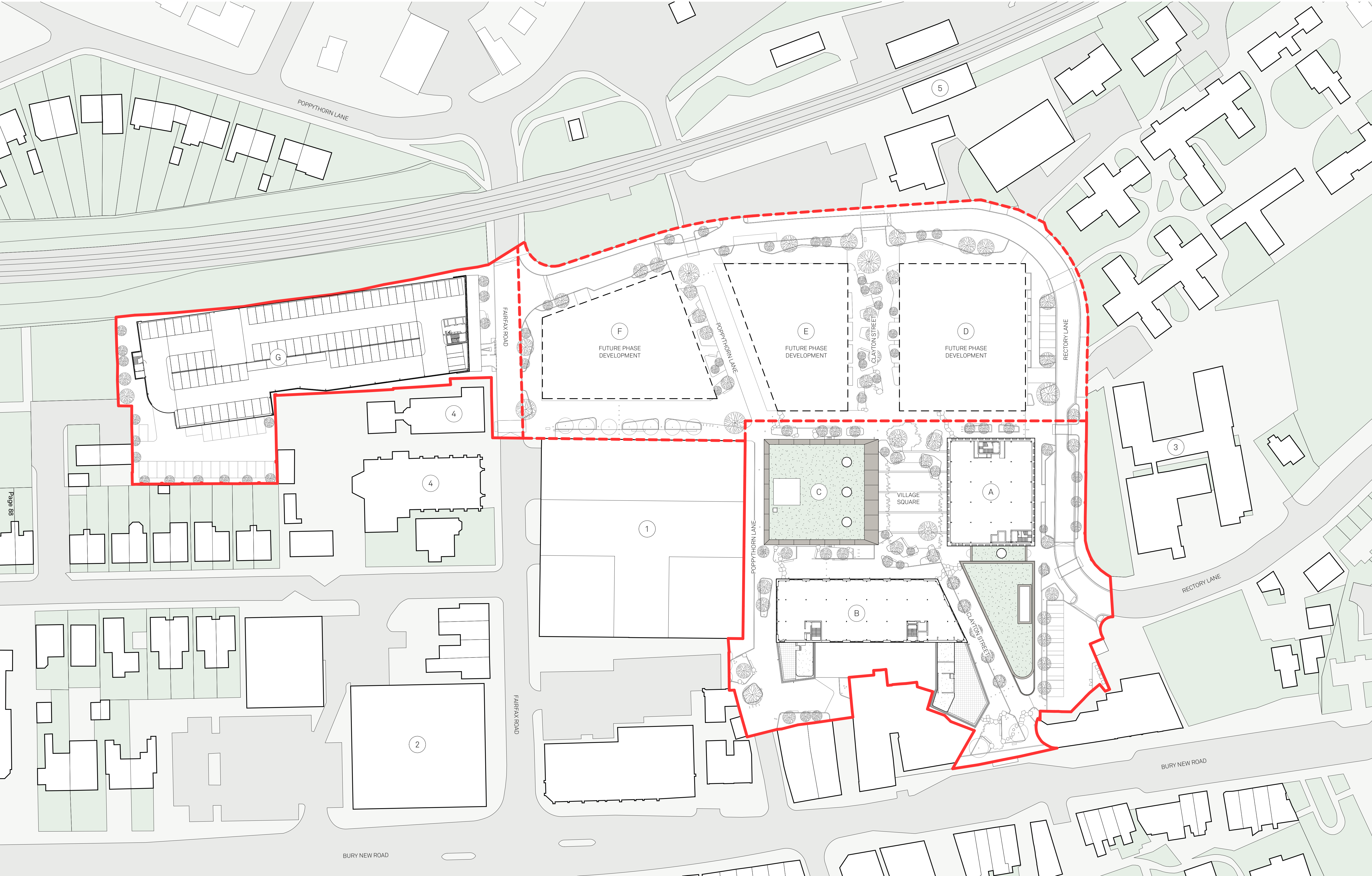
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Drawing No:
207-JMA-MP-00-DR-A-001310

Scale:
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Notes:

MASTERPLAN KEY

- EXTENT OF FULL APPLICATION
- EXTENT OF OUTLINE APPLICATION

PROPOSED PLOTS

- PLOT A - COMMUNITY HUB
- PLOT B - RETAIL HUB
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- PLOT G - MSCP
- PLOT D - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- PLOT E - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- PLOT F - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)

EXISTING KEY BUILDINGS

- THE RADIUS
- MARKS & SPENCER
- SCHOOL
- CHURCH
- PRESTWICH TRAM STOP

Project:
Prestwich Village
Masterplan

Drawn: LG

Rev: P01

Checked: JC

Details:
03/05/2024

Title:
First floor
Proposed site plan

Status:
S2 Information

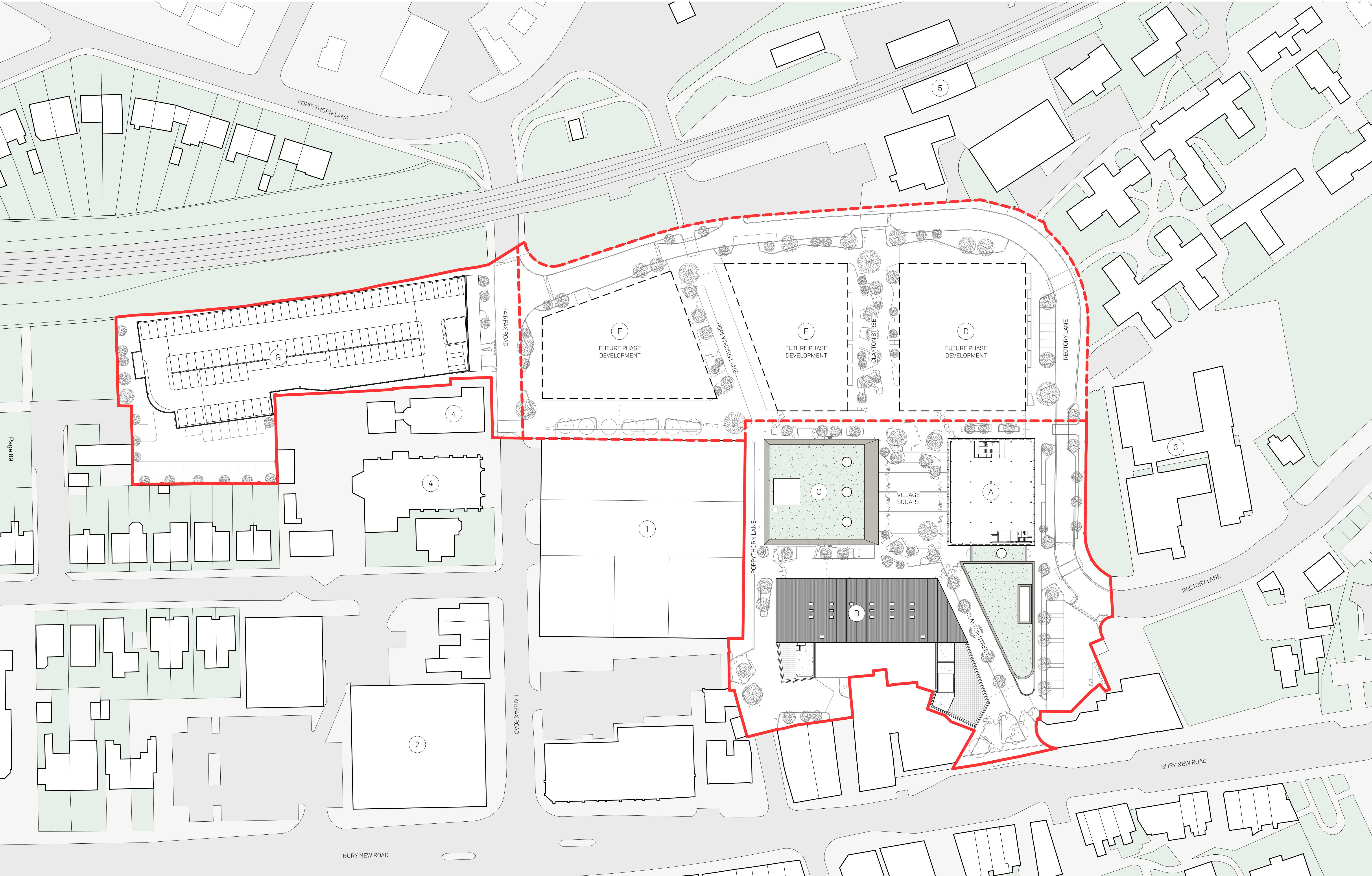
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Drawing No:
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Notes:

MASTERPLAN KEY

- EXTENT OF FULL APPLICATION
- EXTENT OF OUTLINE APPLICATION

PROPOSED PLOTS

- PLOT A - COMMUNITY HUB
- PLOT B - RETAIL HUB
- PLOT C - MARKET HALL
- PLOT G - MSCP
- PLOT D - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- PLOT E - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- PLOT F - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)

EXISTING KEY BUILDINGS

- THE RADIUS
- MARKS & SPENCER
- SCHOOL
- CHURCH
- PRESTWICH TRAM STOP

Project:
Prestwich Village
Masterplan

Drawn: LG

Rev: P01

Checked: JC

Details:
03/05/2024

Title:
Second floor (Third and fourth similar)
Proposed site plan

Status:
S2 Information

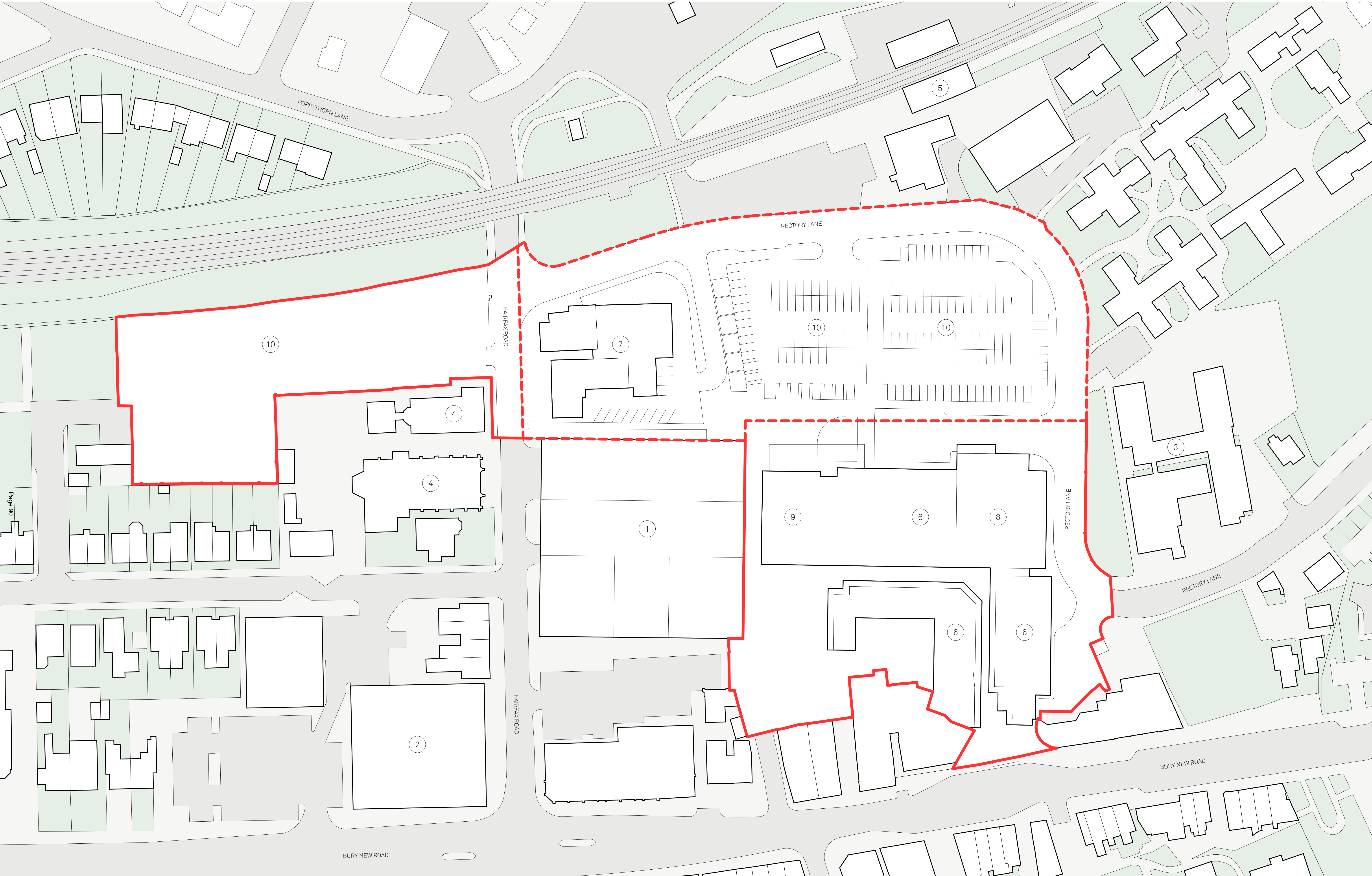
Issued for planning

Drawing No:
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Scale:
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Notes:

MASTERPLAN KEY

- EXTENT OF FULL APPLICATION
- EXTENT OF OUTLINE APPLICATION

PROPOSED PLOTS

- A PLOT A - COMMUNITY HUB
- B PLOT B - RETAIL HUB
- C PLOT C - MARKET HALL
- G PLOT G - MSCP
- D PLOT D - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- E PLOT E - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)
- F PLOT F - RESIDENTIAL BLOCK (ILLUSTRATIVE PURPOSES ONLY)

EXISTING KEY BUILDINGS

- 1 THE RADIUS
- 2 MARKS & SPENCER
- 3 SCHOOL
- 4 CHURCH
- 5 PRESTWICH TRAM STOP

Project:
Prestwich Village
Masterplan

Drawn: LG
Checked: JC

Rev: P01
Details: 03/05/2024

Title:
Existing site plan

Status:
S2 Information

Issued for planning

Drawing No:
207-JMA-MP-XX-DR-A-001300

Scale:
1:500 @ A1

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Notes:

MASTERPLAN KEY

EXTENT OF FULL APPLICATION

Project:
Prestwich Village
Masterplan

Drawn: ER
Checked: JC

Rev: P01
Details: 03/05/2024

Title:
Illustrative masterplan

Status:
S2 Information

Issued for planning

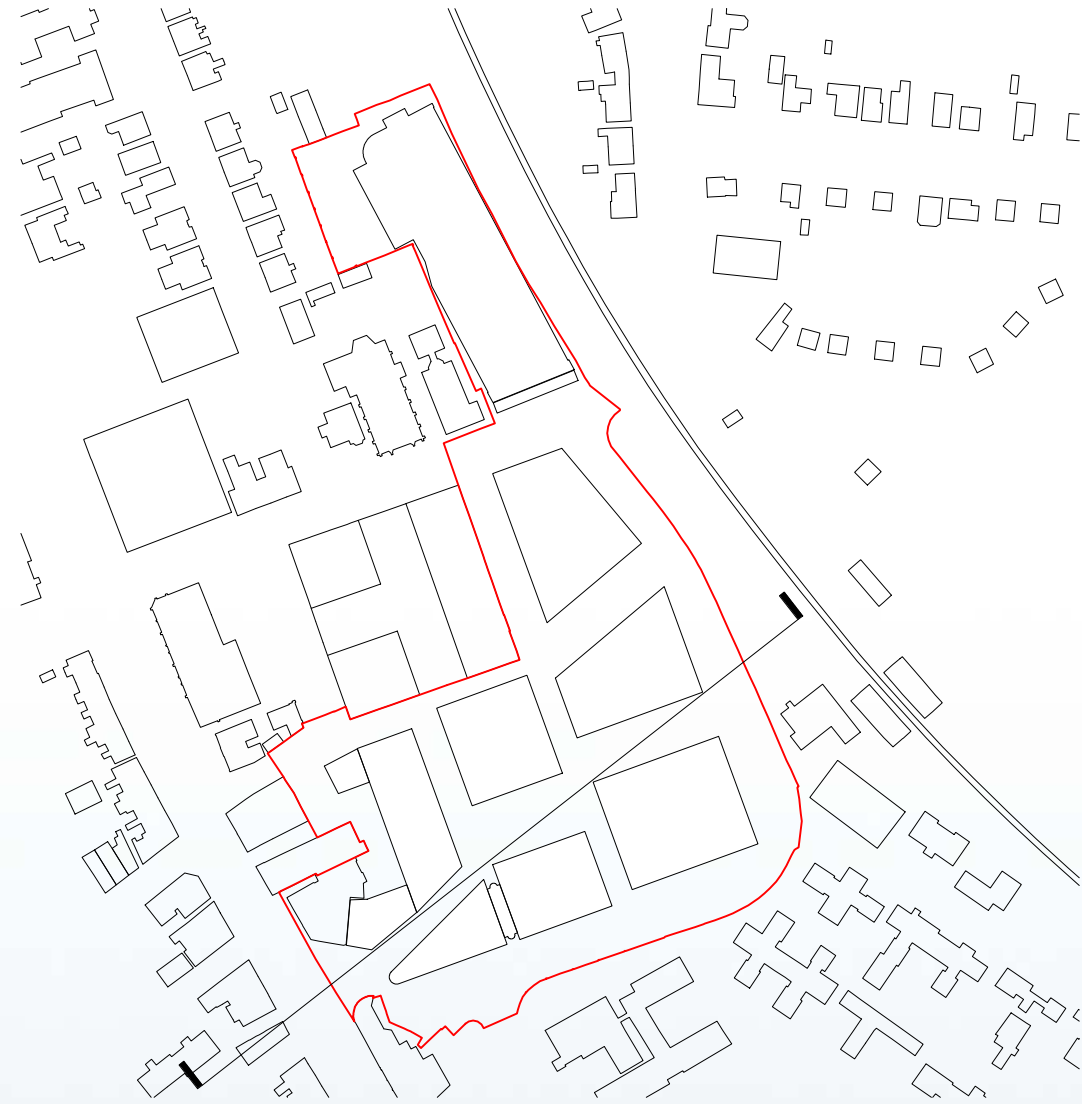
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Notes:

PROPOSED PLOTS

- A PLOT A - COMMUNITY HUB
- B PLOT B - RETAIL HUB
- C PLOT C - MARKET HALL
- G PLOT G - TRAVEL HUB

OUTLINE PLANNING PLOTS

- D PLOT D - RESIDENTIAL BLOCK
- E PLOT E - RESIDENTIAL BLOCK
- F PLOT F - RESIDENTIAL BLOCK

EXISTING KEY BUILDINGS

- 1 THE RADIUS
- 2 MARKS & SPENCER
- 3 SCHOOL
- 4 CHURCH

- 5 PRESTWICH TRAM STOP

Project:
Prestwich Village
Masterplan

Drawn: LG

Rev: P01

Checked: JC

Details:
03/05/2024

Title:
Clayton Street A

Status:
S2 Information

Issued for planning

Drawing No:
207-JMA-MP-XX-DR-A-042400

Scale:
1:300 @ A1

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Notes:

- PROPOSED PLOTS**

 - A PLOT A - COMMUNITY HUB
 - B PLOT B - RETAIL HUB
 - C PLOT C - MARKET HALL
 - G PLOT G - TRAVEL HUB
- OUTLINE PLANNING PLOTS**

 - D PLOT D - RESIDENTIAL BLOCK
 - E PLOT E - RESIDENTIAL BLOCK
 - F PLOT F - RESIDENTIAL BLOCK
- EXISTING KEY BUILDINGS**

 - 1 THE RADIUS
 - 2 MARKS & SPENCER
 - 3 SCHOOL
 - 4 CHURCH
- 5 PRESTWICH TRAM STOP**

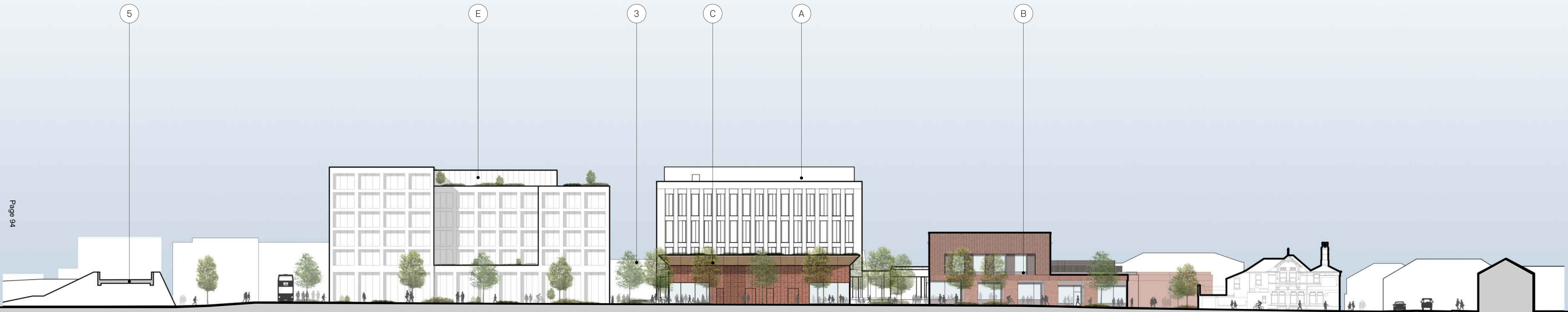
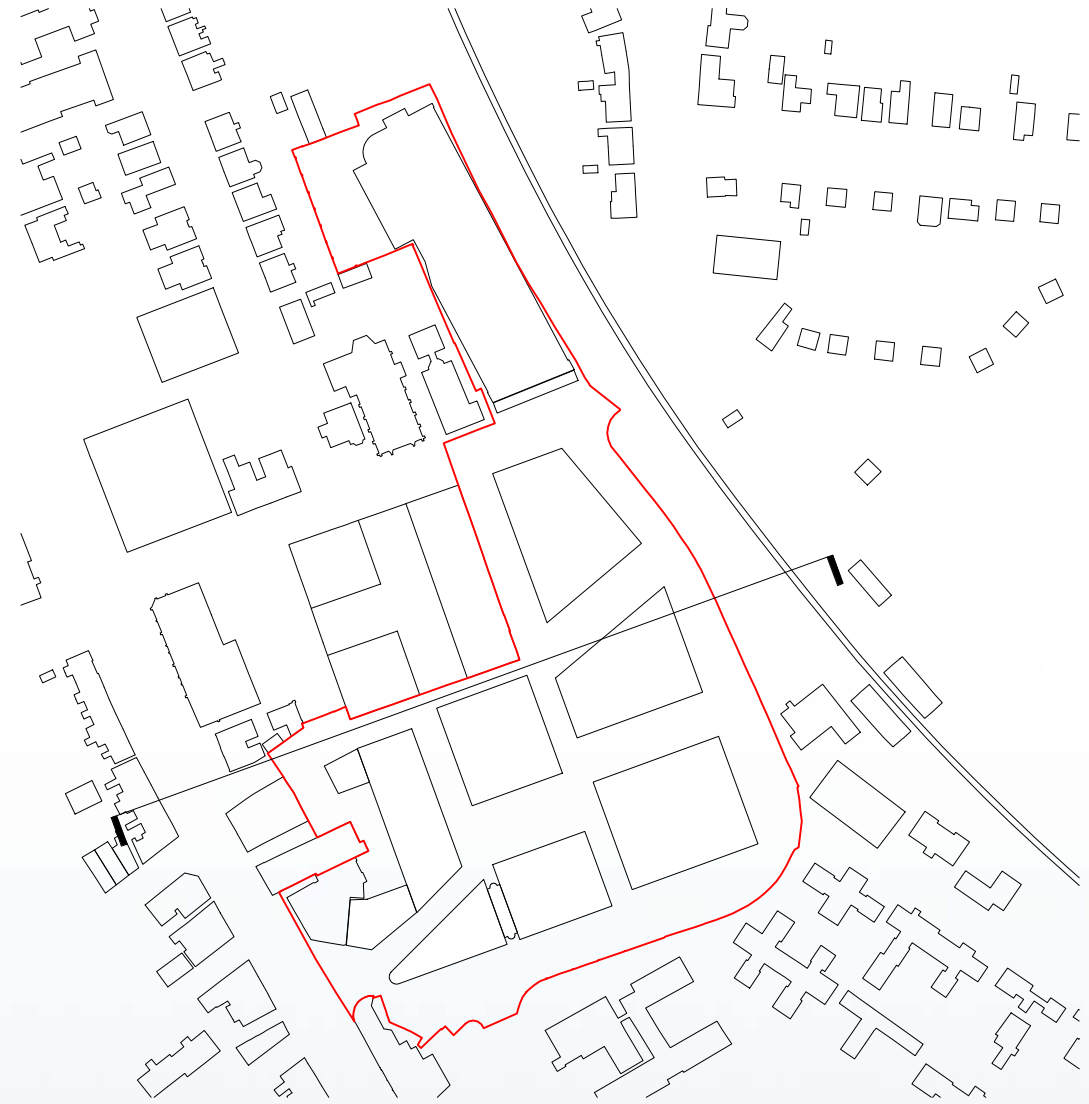
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Drawn: LG	Checked: JC	Status: S2 Information	Drawing No: 207-JMA-MP-XX-DR-A-042401		
Rev: P01	Details: 03/05/2024	Issued for planning			

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Notes:

PROPOSED PLOTS

- A PLOT A - COMMUNITY HUB
- B PLOT B - RETAIL HUB
- C PLOT C - MARKET HALL
- G PLOT G - TRAVEL HUB

OUTLINE PLANNING PLOTS

- D PLOT D - RESIDENTIAL BLOCK
- E PLOT E - RESIDENTIAL BLOCK
- F PLOT F - RESIDENTIAL BLOCK

EXISTING KEY BUILDINGS

- 1 THE RADIUS
- 2 MARKS & SPENCER
- 3 SCHOOL
- 4 CHURCH

- 5 PRESTWICH TRAM STOP

Project:
Prestwich Village
Masterplan

Drawn: LG

Rev: P01

Checked: JC

Details:
03/05/2024

Title:
Poppythorn Lane

Status:
S2 Information

Issued for planning

Drawing No:
207-JMA-MP-XX-DR-A-042402

Scale:
1:300 @ A1

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- PROPOSED PLOTS**

 - A PLOT A - COMMUNITY HUB
 - B PLOT B - RETAIL HUB
 - C PLOT C - MARKET HALL
 - G PLOT G - TRAVEL HUB
- OUTLINE PLANNING PLOTS**

 - D PLOT D - RESIDENTIAL BLOCK
 - E PLOT E - RESIDENTIAL BLOCK
 - F PLOT F - RESIDENTIAL BLOCK
- EXISTING KEY BUILDINGS**

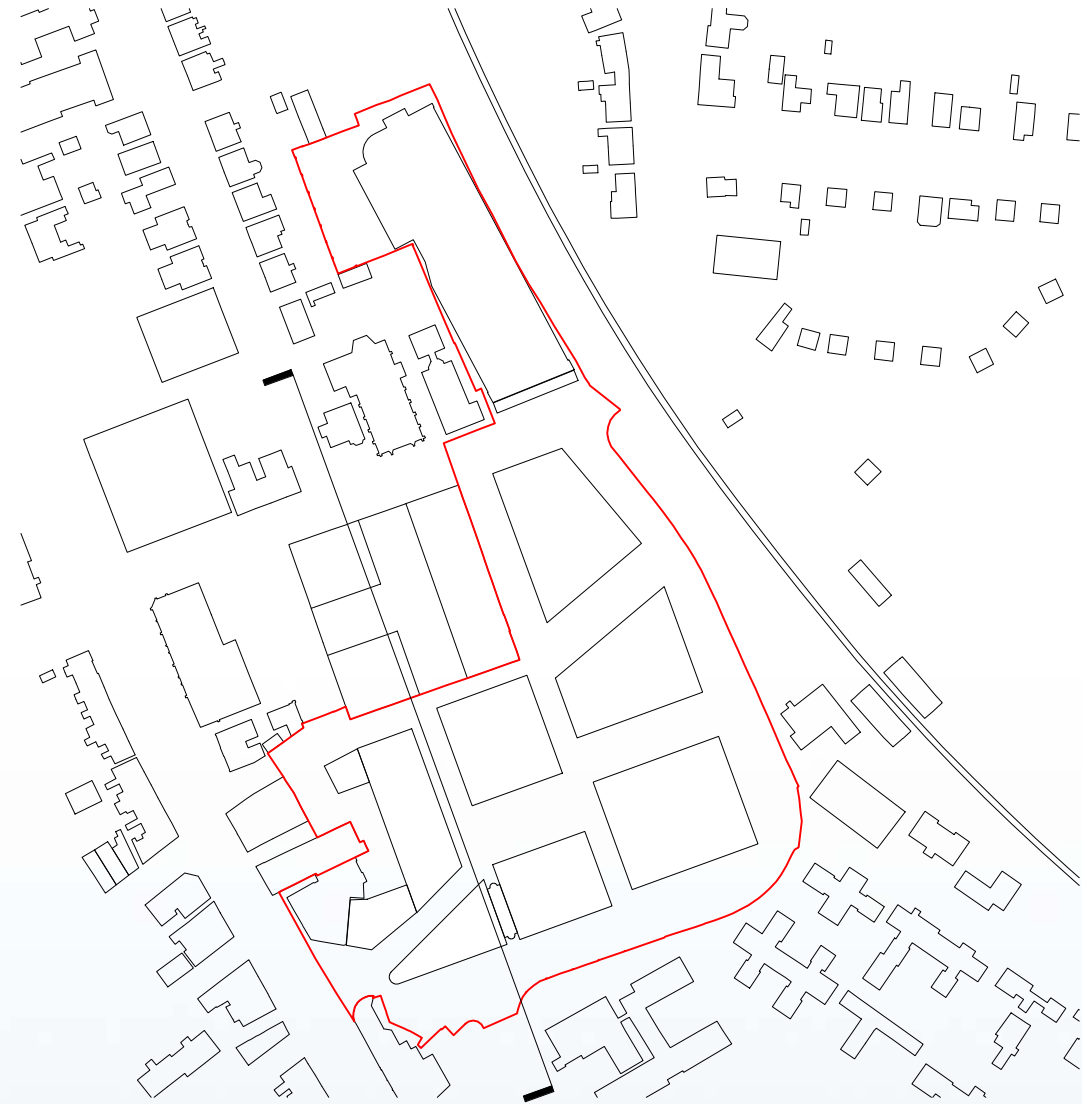
 - 1 THE RADIUS
 - 2 MARKS & SPENCER
 - 3 SCHOOL
 - 4 CHURCH
 - 5 PRESTWICH TRAM STOP

Project: Prestwich Village Masterplan		Title: Rectory Lane Proposed context elevation		Scale: 1:300 @ A1	
Drawn: LG	Checked: JC	Status: S2 Information	Drawing No: 207-JMA-MP-XX-DR-A-042403		
Rev: P01	Details: 03/05/2024	Issued for planning			

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Notes:

- PROPOSED PLOTS**

 - A PLOT A - COMMUNITY HUB
 - B PLOT B - RETAIL HUB
 - C PLOT C - MARKET HALL
 - G PLOT G - TRAVEL HUB
- OUTLINE PLANNING PLOTS**

 - D PLOT D - RESIDENTIAL BLOCK
 - E PLOT E - RESIDENTIAL BLOCK
 - F PLOT F - RESIDENTIAL BLOCK
- EXISTING KEY BUILDINGS**

 - 1 THE RADIUS
 - 2 MARKS & SPENCER
 - 3 SCHOOL
 - 4 CHURCH
 - 5 PRESTWICH TRAM STOP

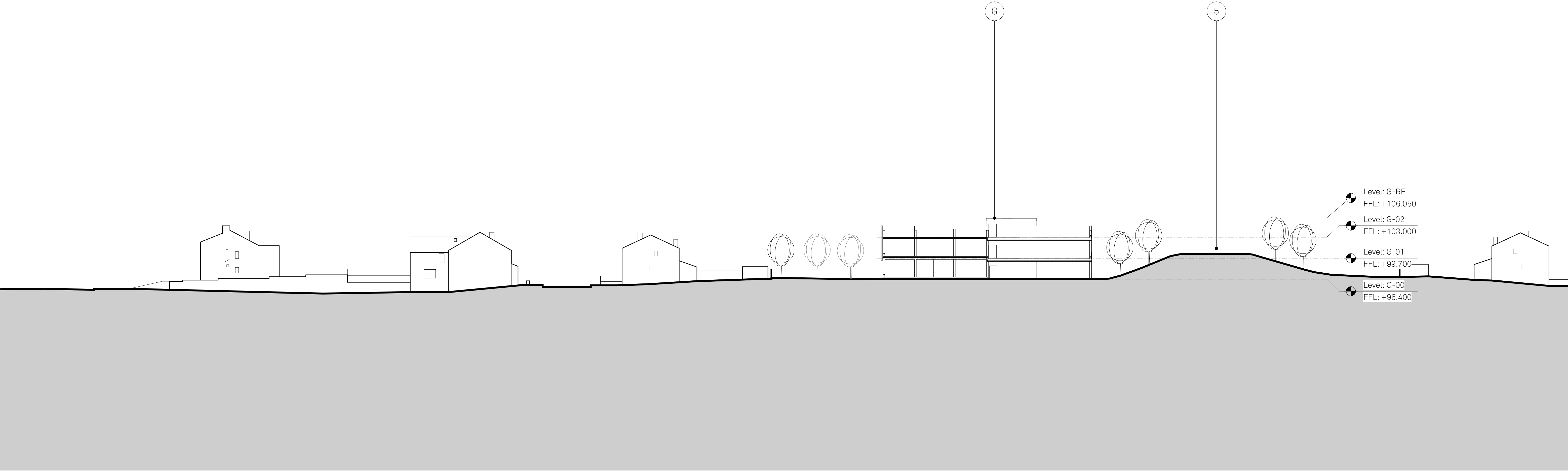
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Drawn: LG	Checked: JC	Status: S2 Information	Drawing No: 207-JMA-MP-XX-DR-A-042404		
Rev: P01	Details: 03/05/2024		Issued for planning		

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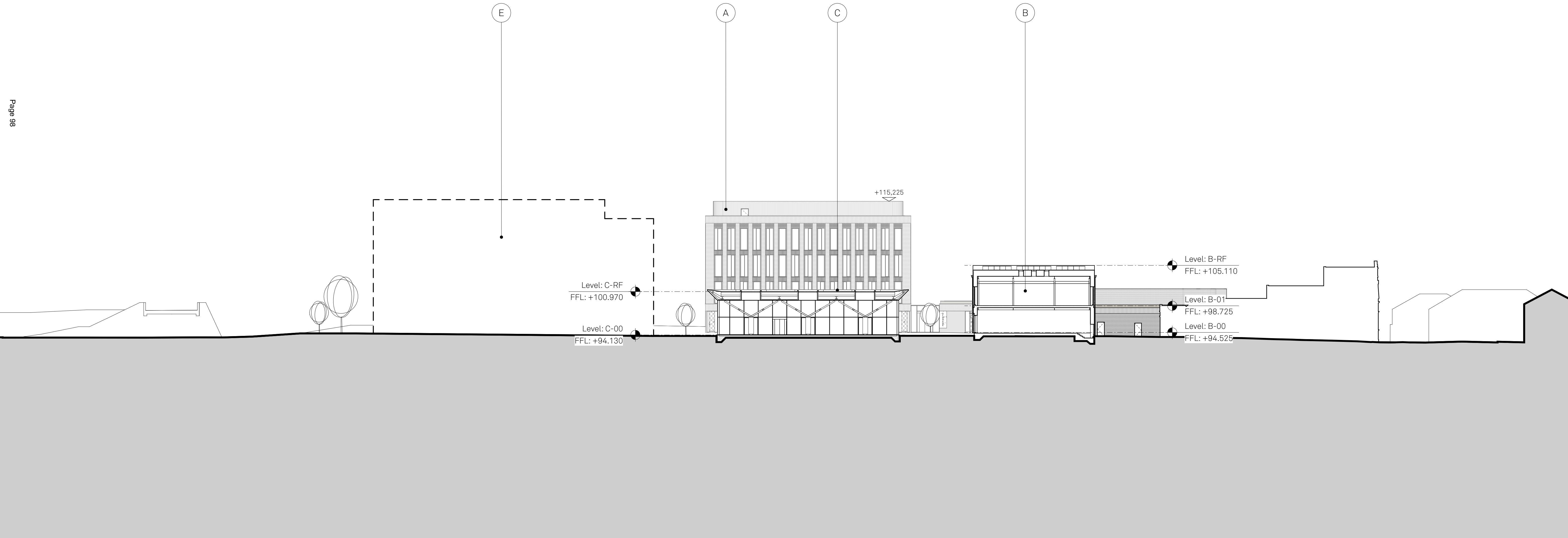
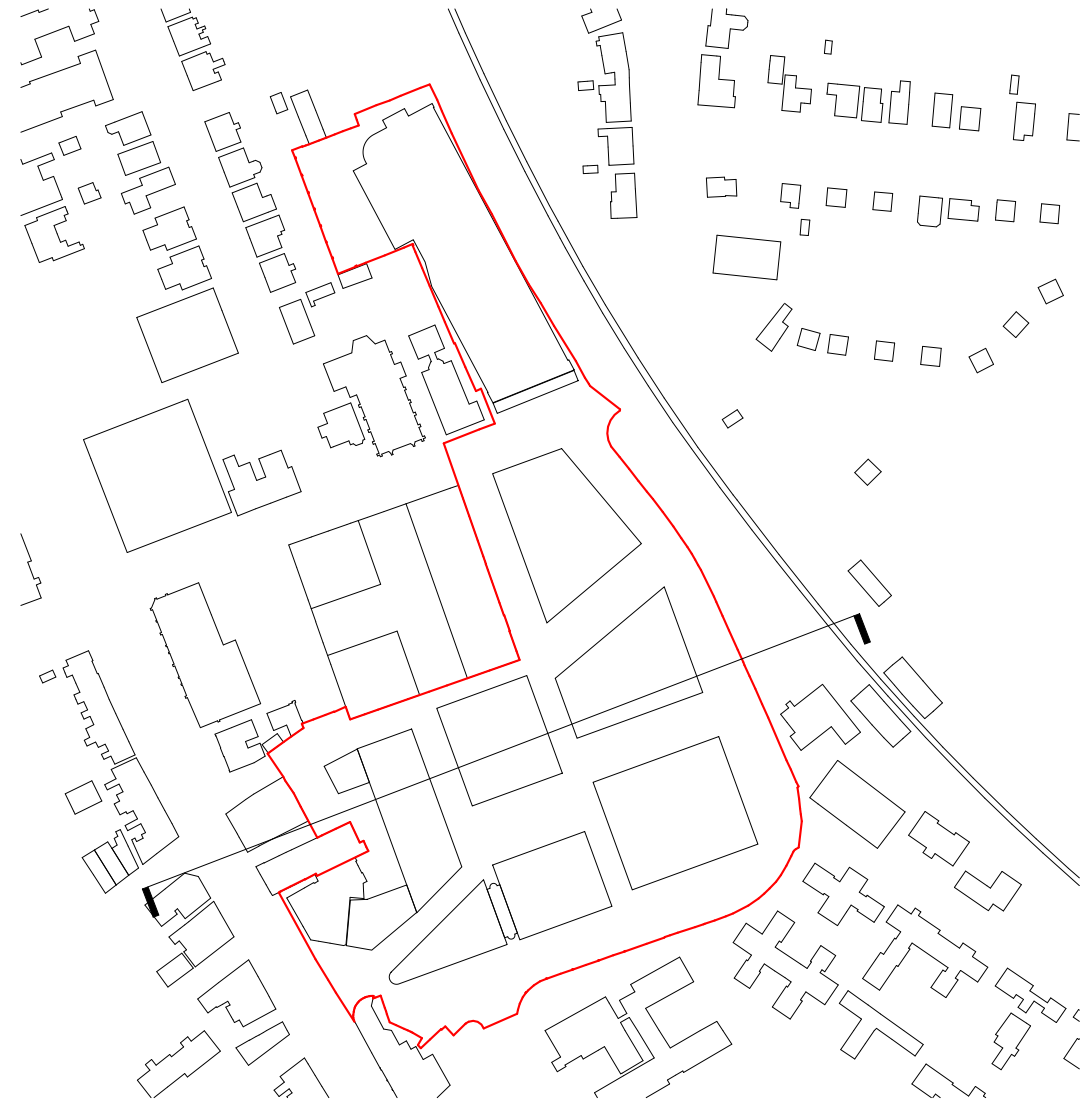
PROPOSED PLOTS	OUTLINE PLANNING PLOTS	EXISTING KEY BUILDINGS
<div>A</div> PLOT A - COMMUNITY HUB	<div>D</div> PLOT D- RESIDENTIAL BLOCK	<div>1</div> THE RADIUS
<div>B</div> PLOT B - RETAIL HUB	<div>E</div> PLOT E - RESIDENTIAL BLOCK	<div>2</div> MARKS & SPENCER
<div>C</div> PLOT C - MARKET HALL	<div>F</div> PLOT F - RESIDENTIAL BLOCK	<div>3</div> SCHOOL
<div>G</div> PLOT G -TRAVEL HUB		<div>4</div> CHURCH
		<div>5</div> PRESTWICH TRAM STOP

Project: Prestwich Village Masterplan	Title: Highfield Road to Tramline	Scale: 1:300 @ A1
Drawn: LG	Checked: JC	Status: S2 Information
Rev: P01	Details: 03/05/2024	Drawing No: 207-JMA-MP-XX-DR-A-051400
	Issued for planning	

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Notes:

- | | | |
|---------------------------------|-------------------------------------|-------------------------------|
| PROPOSED PLOTS | OUTLINE PLANNING PLOTS | EXISTING KEY BUILDINGS |
| A PLOT A - COMMUNITY HUB | D PLOT D- RESIDENTIAL BLOCK | 1 THE RADIUS |
| B PLOT B - RETAIL HUB | E PLOT E - RESIDENTIAL BLOCK | 2 MARKS & SPENCER |
| C PLOT C - MARKET HALL | F PLOT F - RESIDENTIAL BLOCK | 3 SCHOOL |
| G PLOT G -TRAVEL HUB | | 4 CHURCH |
| | | 5 PRESTWICH TRAM STOP |

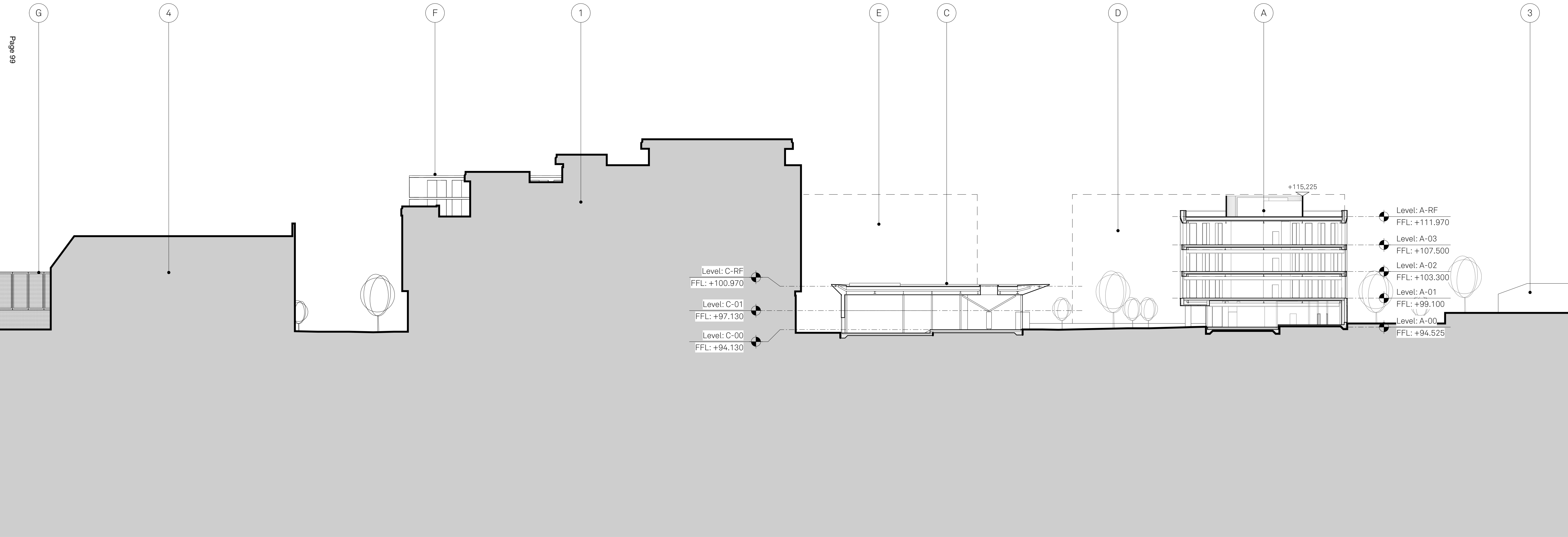
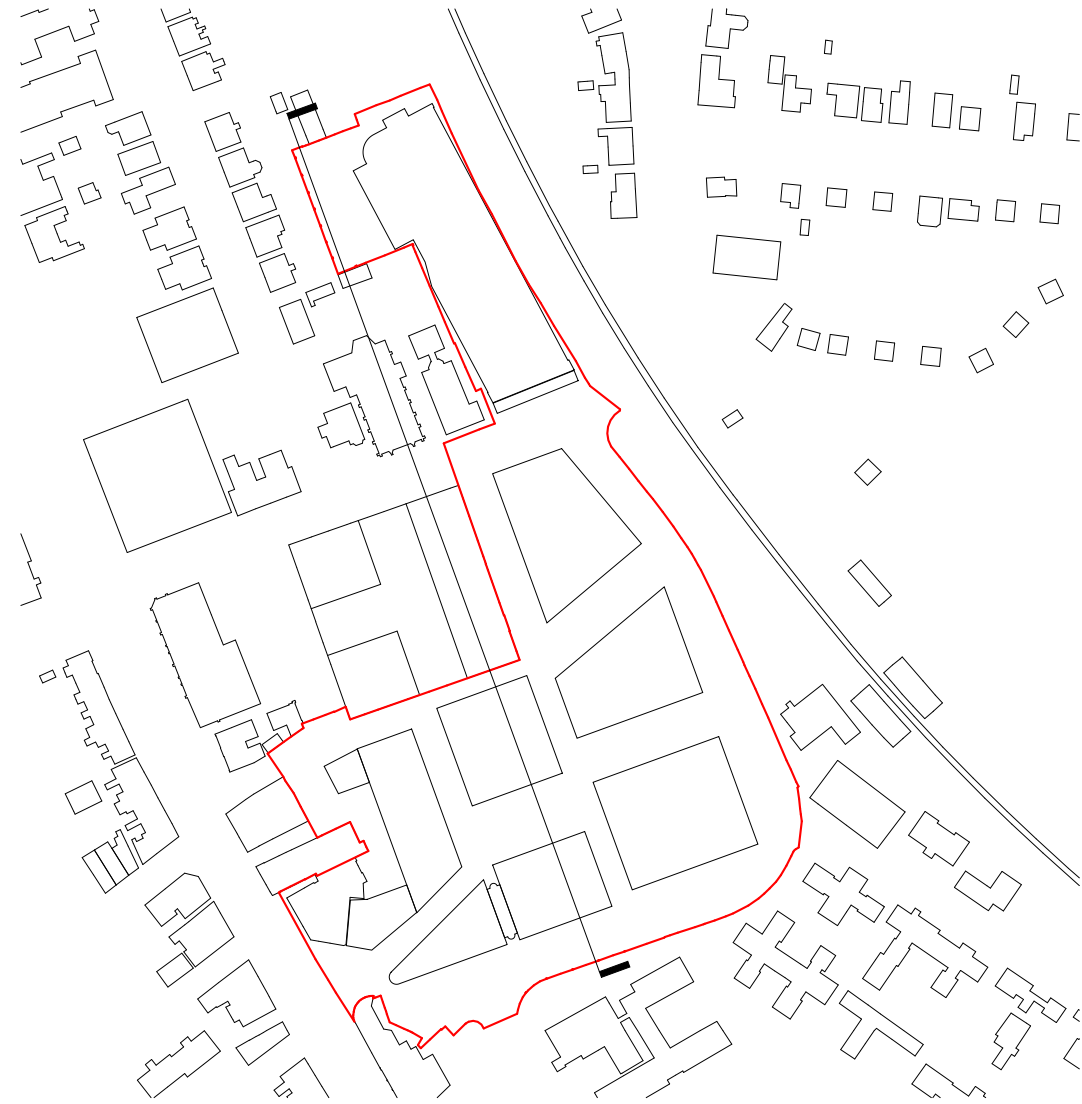
Project: Prestwich Village Masterplan		Title: Rectory Lane to Bury New Road Proposed Section		Scale: 1:300 @ A1	
Drawn: LG	Checked: JC	Status: S2 Information	Drawing No: 207-JMA-MP-XX-DR-A-051401		
Rev: P01	Details: 03/05/2024	Issued for planning			

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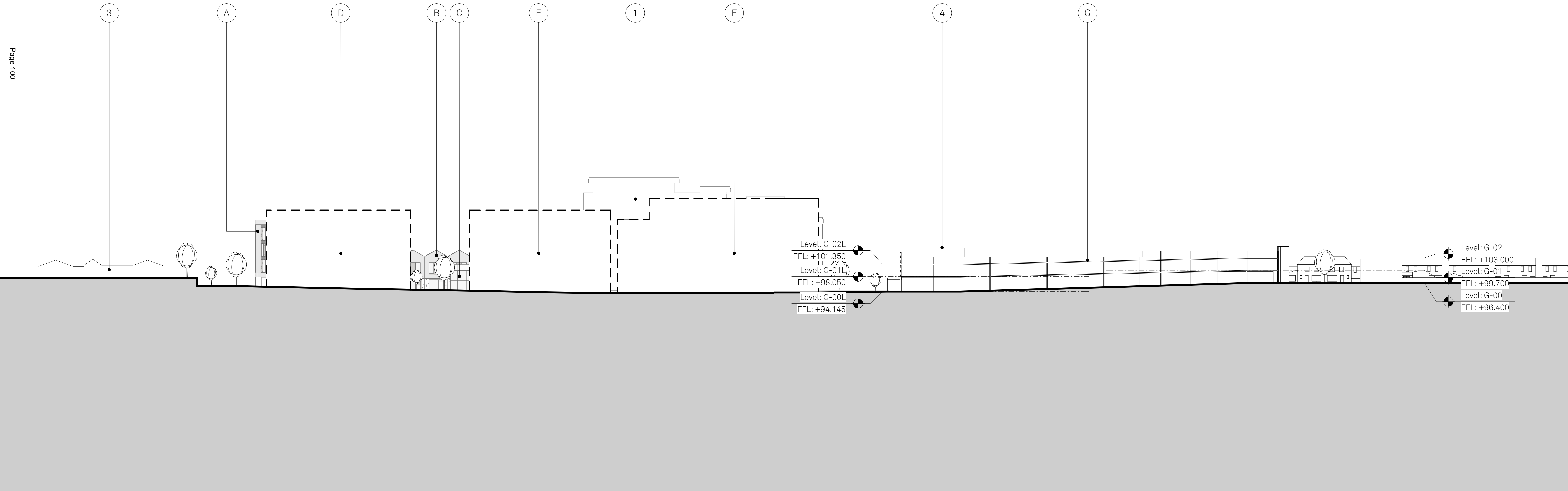
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|----------------------------|--------------------------------|-------------------------------|
| PROPOSED PLOTS | OUTLINE PLANNING PLOTS | EXISTING KEY BUILDINGS |
| (A) PLOT A - COMMUNITY HUB | (D) PLOT D- RESIDENTIAL BLOCK | (1) THE RADIUS |
| (B) PLOT B - RETAIL HUB | (E) PLOT E - RESIDENTIAL BLOCK | (2) MARKS & SPENCER |
| (C) PLOT C - MARKET HALL | (F) PLOT F - RESIDENTIAL BLOCK | (3) SCHOOL |
| (G) PLOT G -TRAVEL HUB | | (4) CHURCH |
| | | (5) PRESTWICH TRAM STOP |

Project: Prestwich Village Masterplan		Title: Fairfax Road to Rectory Lane Proposed Section		Scale: 1:300 @ A1	
Drawn: LG	Checked: JC	Status: S2 Information	Drawing No: 207-JMA-MP-XX-DR-A-051402		
Rev: P01	Details: 03/05/2024	Issued for planning			

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Notes:

- PROPOSED PLOTS**

 - A PLOT A - COMMUNITY HUB
 - B PLOT B - RETAIL HUB
 - C PLOT C - MARKET HALL
 - G PLOT G -TRAVEL HUB
- OUTLINE PLANNING PLOTS**

 - D PLOT D- RESIDENTIAL BLOCK
 - E PLOT E - RESIDENTIAL BLOCK
 - F PLOT F - RESIDENTIAL BLOCK
- EXISTING KEY BUILDINGS**

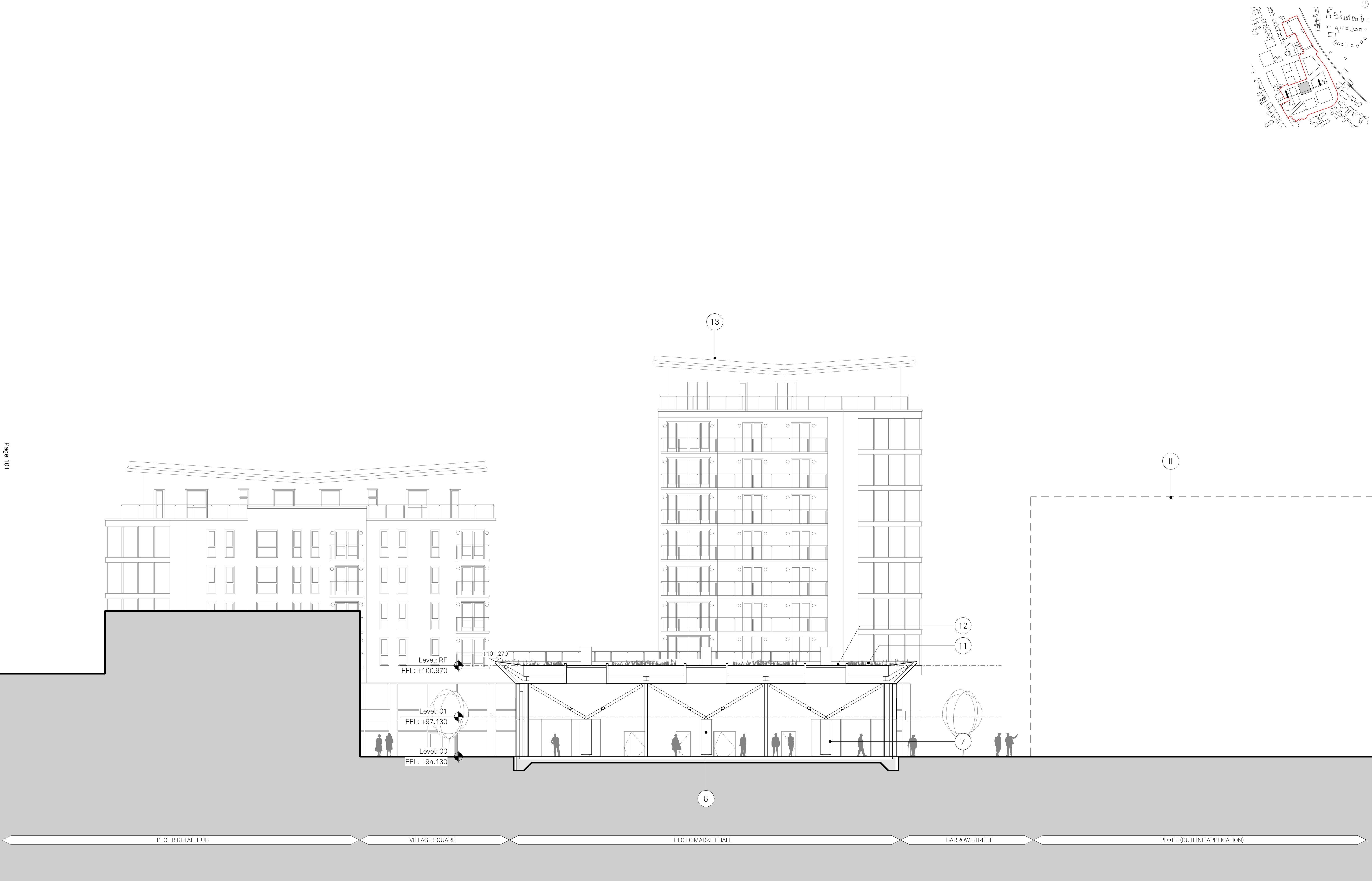
 - 1 THE RADIUS
 - 2 MARKS & SPENCER
 - 3 SCHOOL
 - 4 CHURCH
 - 5 PRESTWICH TRAM STOP

Project: Prestwich Village Masterplan		Title: Rectory Lane to Highfield Place Proposed Section		Scale: 1:500 @ A1	
Drawn: LG	Checked: JC	Status: S2 Information	Drawing No: 207-JMA-MP-XX-DR-A-051403		
Rev: P01	Details: 03/05/2024	Issued for planning			

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Notes:

- 1 Structural glazing system with integrated glazed composite doorsets (composite frame).

2 Automatic curved sliding door entrance system with integrated barrier matt.

3 Terracotta planks framed into carrier system. Integrated and overlaid aluminium doorsets.

4 Hit & Miss terracotta planks framed into carrier system for mechanical ventilation.

5 Timber soffit. Runs into food hall where shown. Feature aluminium edge profile detail.

6 Pigmented and textured precast columns to accept feature steel frame at high level.

7 Feature steel frame with architectural connection details

10 Wildflower green roof.
- 11 Feature glazed rooflights. Clad internally with timber lining to match timber soffit.

12 Plant screen

13 Radius

15 Back painted glass

- A Plot A Community Hub

B Plot B Retail Hub

II Outline Application Plots D, E, F

Project:
Prestwich Village
Plot C Market Hall

Drawn: ER
Checked: JC

Rev: P01
Details: 22/04/2023

Title:
Section B
GA section

Status:
S2 Information

Issued for planning

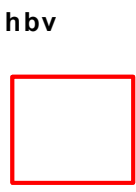
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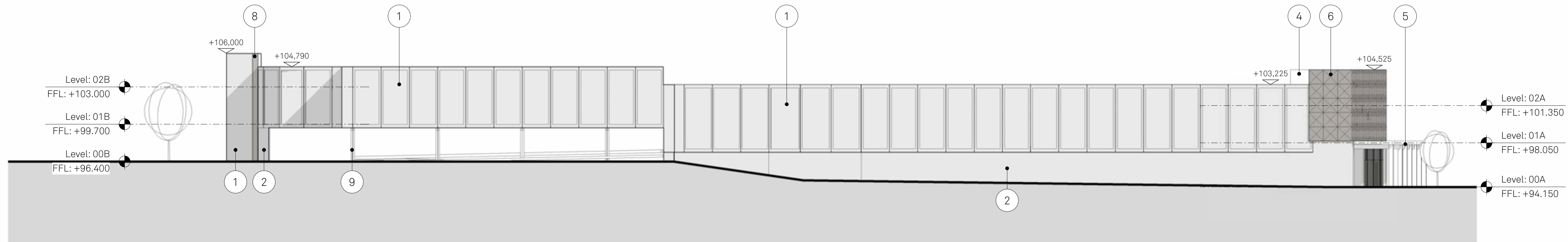
Drawing No:
207-JMA-C-XX-DR-A-052401

Jon Matthews Architects

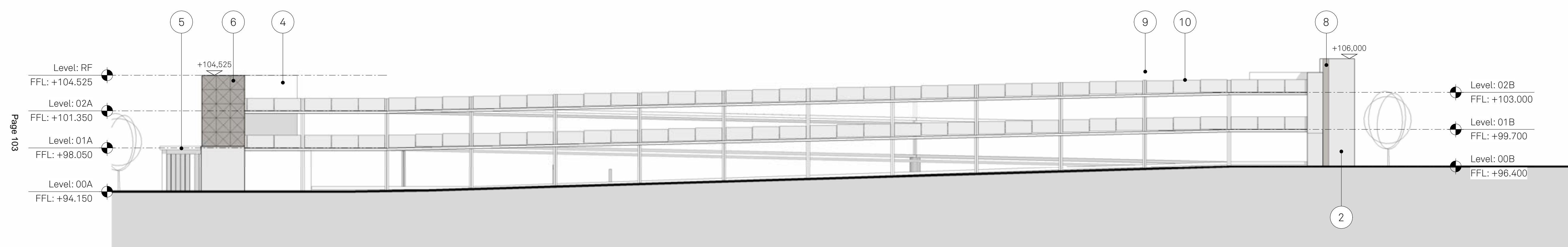
Union, 2-10 Albert Square, Manchester, M2 6LW 0161 974 3690

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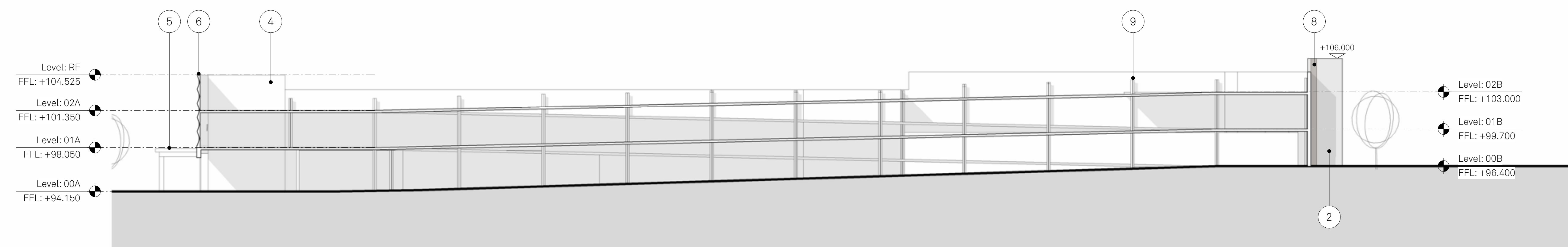
Page 102
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W HIGHFIELD ROAD
GA ELEVATION - WEST

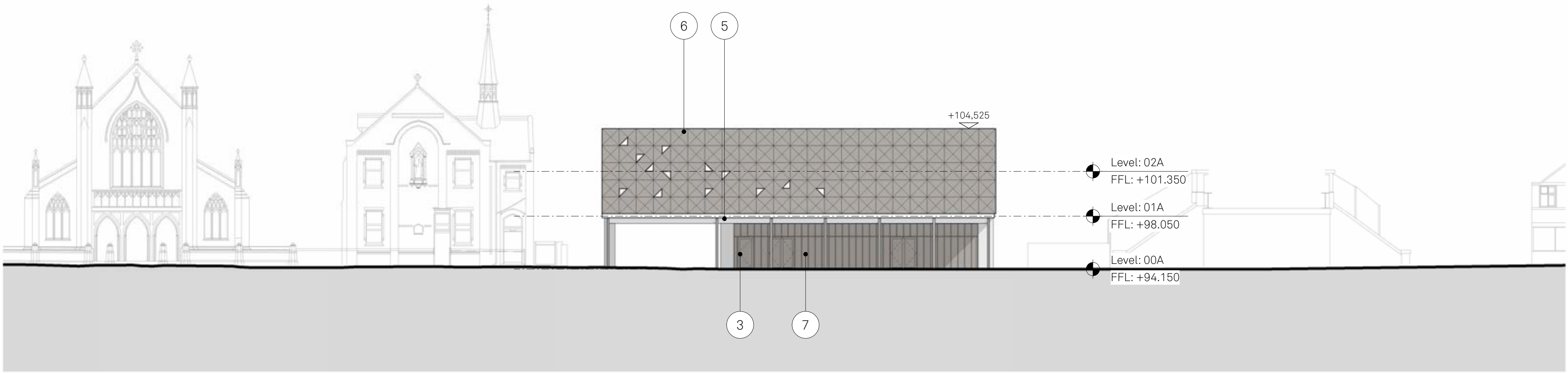


E RAILWAY ELEVATION
GA ELEVATION - EAST

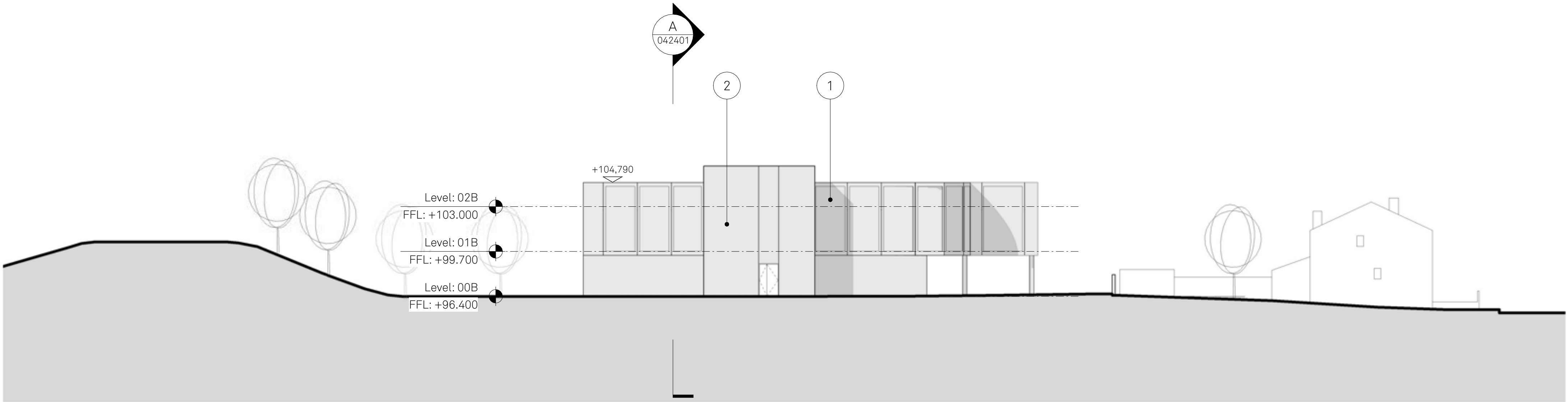


- Notes:
- | | | | | |
|---|--|--|---|--|
| 1 Horizontal Flemish-bonded brickwork with recessed headers (pattern TBC) | 3 Decorative brickwork to carpark entrance with brick motive | 5 Flat roof timber canopy with exposed timber columns and beams. | 7 PPC metal perforated modular panel to cycle hub facade with integrated doors to Cycle Hub & carpark | 9 Steel column |
| 2 Horizontal English-bonded red brickwork | 4 Rendered blockwork | 6 PPC metal decorative perforated panel. Decoration to be etched/ cut. | 8 PPC metal horizontal louvre | 10 Galvanized car barrier and 1100mm high vertical railing |

Project: Prestwich Village Travel Hub	Title: GA elevations & GA section	Scale: 1:200 @ A1	Jon Matthews Architects Union, 2-10 Albert Square, Manchester, M2 6LW 0161 974 3690 <small>Copyright of this drawing is vested in Jon Matthews Architects and it must not be copied or reproduced without written consent. Figured dimensions only are to be taken from this drawing. Do not scale from this drawing. For full company disclosure please visit www.jonmatthewsarchitects.com</small>	
Drawn: RA	Checked: JC	Status: S2 Information		Drawing No: 207-JMA-G-XX-DR-A-042401
Rev: P01	Details: 03/05/2024	Issued for Planning		



S FAIRFAX ROAD
GA ELEVATION - SOUTH



N HIGHFIELD PLACE
GA ELEVATION - NORTH

Notes:

- 1

Horizontal Flemish-bonded brickwork with recessed headers (pattern TBC)
- 2

Horizontal English-bonded red brickwork
- 3

Decorative brickwork to carpark entrance with brick motive
- 4

Rendered blockwork
- 5

Flat roof timber canopy with exposed timber columns and beams.
- 6

PPC metal decorative perforated panel. Decoration to be etched/ cut.
- 7

PPC metal perforated modular panel to cycle hub facade with integrated doors to Cycle Hub & carpark
- 8

PPC metal horizontal louvre
- 9

Steel column
- 10

Galvanized car barrier and 1100mm high vertical railing

Project:
Prestwich Village
Travel Hub

Drawn: RA

Rev: P01

Checked: JC

Details:

03/05/2024

Title:
GA elevations

Status:
S2 Information

Issued for Planning

Drawing No:
207-JMA-G-XX-DR-A-042400

Scale:
1:200 @ A1

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Ward: Prestwich - Sedgley

Item 02

Applicant: McCarthy & Stone Retirement Lifestyles Ltd

Location: Fairways Lodge Hotel, George Street, Prestwich, Manchester, M25 9WS

Proposal: Demolition of existing hotel building and erection of a block of 52 no. retirement living apartments including communal facilities, landscaping and car parking provision

Application Ref: 70484/Full

Target Date: 12/06/2024

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 including an overage clause relating to future profits. 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 relates to a hotel and leisure centre located to the south and west of George Street. The complex comprises of hotel rooms, function rooms, a bar, in house restaurants, a gym which includes squash courts and on site parking. The site is accessed from George Street that runs along the northern boundary of the site. Footpath 9PRE runs along the western boundary of the site.

The site is located within the Mountheath Employment Generating Area (EGA) as designated under Policy EC2/1 of the adopted Bury Unitary Development Plan (UDP). A substantial amount of the EGA has been redeveloped for housing. Residential properties are located to the south, east and north of the site with a golf course located to the west of the site.

Planning permission is sought for the demolition of existing hotel building and erection of a block of 52 no. retirement living apartments and associated internal resident's lounge, guest suite, managers office and reception. There would be a mixture of 1no. bed and 2no. bed apartments with 30 x 1no. beds, and 22 x 2no. beds proposed. The proposal would consist of a three storey "L" shaped property with parking located to the north of the site accessed from George Street and shared amenity space for the residents largely provided to the south and east of the proposed building.

Relevant Planning History

45692 - Internal alterations to existing hotel complex to replace existing fitness and leisure facilities with a ground floor function suite and a first floor banqueting suite and external alterations to form 2no. first floor emergency exit doors with new steel escape stairs to ground level - Refused 20/02/2006

46993 - Conversion work to existing hotel with 44 bedrooms and fitness and sport centre to from 102 bedroom hotel without sports and fitness facilities - Approve with Conditions 24/01/2007

Publicity

Letters sent to 58 neighbouring properties on the 27th March 2023 and 9th April 2024.

Site notice posted on the 3rd April 2024.

Press notice published in the Bury Times 4th April 2024.

128 objections received in relation to:

- Not just a hotel and would be a loss of Community hub, leisure, gym and squash club facilities without replacement.
- Produced a number of grass roots and professional, national squash players. Essential training facility.
- Pub is popular within the community and has served as the local of 30+ years
- Only pub left in the area - no pub within 400m of the site.
- Most weekends the Fairways is at full capacity.
- NPPF has policies designed to protect pubs and protect their loss.
- Should invest in the youth and mental health and well being of the community.
- Retirement home does very little for the community.
- With the upcoming redevelopment of the Prestwich Village in the pipeline, local hotels, amenities & social hubs will become more critical for local residents, families & young children's health & wellbeing
- Existing use should be invested in now houses have been built next door.
- Increase in traffic and also Impact of traffic during construction.
- Impact of the proposal on the junction of George Street and Bury New Road and on the junction of Jesmond Avenue and George Street.
- Can parking permits and traffic regulation orders be reviewed where there are no residential properties.
- Little detail in relation to existing public right of way - this should be clearly shown on plans.
- Missed opportunity to improve footway permeability through the existing residential development and golf course.
- New pedestrian link should be created to the south of the application site, linking the existing right of way with the bend of Teeside Avenue.
- Outdoor play area/park for children should be considered.
- Concerned about how the proposed location on a slope might affect surface water management and flood risks downhill if it's converted into a compact residential building.
- Loss of views and privacy.
- If approved, this planning application raises significant questions as to the relevance and integrity of the planning system.
- There has been no consultation with the community.
- Loss of jobs.
- Don't need anymore apartments which will be out of the price range for most.
- Retirement flats are only in demand because of the current demographic and will not be needed in the future.
- Too many houses in the area.
- Will be an eyesore.
- Should preserve the unique character of the community and enhance quality of life of all residents.
- Loss to local and small business that provide services to the hotel and leisure facility.
- There is far better things to be spending resources and time on than something the community did not call for and are clearly against.
- The proposals do not adequately provide public benefit that will be lost from the demolition of Fairways lodge.
- Why hasn't the applicant been required to submit an assessment relating to the loss of these sports facilities and why is there no requirement to provide equivalent replacement facilities as part of the development?
- Statements that the Fairways is non-viable contradicts what the community are saying.

- The employment report states that the site has been marketed for 6 months with interest only shown from residential developers, this is misleading since the site has been marketed at a cost which is only financially feasible for a medium to high-density residential development.
- The Fairways lodge was identified in the SHLAA 2023 as having constrained potential.
- The inclusion of Fairways land in the SHLAA should not undermine its value as employment land and the current uses on the site.
- The employment uses have existed on the site for 40+years and has been constant use throughout this time. This proves that this is to be a viable employment site despite the facility.
- It is clear to me that viability of the employment use of the land has been seriously undermined by the valuation, marketing campaign and sale.
- How dare this even be considered.

1 comment in relation to:

- A three storey building in this location, close to other Swift colonies in Prestwich would be an ideal opportunity to help this iconic summer visitor.
- Urge the council to make integrated swift bricks a planning condition to this development.

Statutory/Non-Statutory Consultations

Traffic Section - Access acceptable in principle. Conditions to follow.

Environmental Health - Contaminated Land - Request conditions to secure the submission of preliminary risk assessment, site investigation, detailed risk assessment, remediation strategy and site verification report.

Public Rights of Way Officer - Users of the PROW appear to have access to the full width of the grasscrete access road and that there are no parking spaces on the line of the path. Satisfied that the PROW has been fully accommodated.

Borough Engineer - Drainage Section - No comments received.

United Utilities (Water and waste) - No objections raised subject to condition in relation to implementation of the proposed drainage scheme.

Greater Manchester Ecology Unit - Conditions requested in relation to nesting birds, bats in trees, landscaping and invasive species.

Transport for Greater Manchester - Comments received in relation to a highways overview and site accessibility. Travel Plan requested via condition.

Waste Management - No response

Planning & Building Regs Consultation Fire Protection Dept - The proposal should meet the requirements for Fire Service Access.

Greater Manchester Police - designforsecurity - No comments received.

Environmental Health - Pollution Control - Do not have any comments to make.

Pre-start Conditions - To be agreed with applicant/agent

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
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
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/2	Recreation Provision in New Housing Development
RT3/3	Access to the Countryside
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C3	Our Public Transport
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places
JP-P6	Health
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G1	Landscape Character
NPPF	National Planning Policy Framework
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
SPD14	Employment Land and Premises

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 (Employment)

The site is located within an Employment Generating Area (EGA) under UDP Policy EC2/1

and specifically under EC2/1/17 (Mountheath).

UDP Policy EC2/1 states that within the Mountheath EGA, the Council will only allow development for B1, B2 and B8 uses. Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an Employment Generating Area.

In coming to a view on this proposal, it is necessary to consider the change in circumstances at Mountheath since the EGA designation was originally made. In particular, the former Mountheath Industrial Estate has now been redeveloped for a mixed of uses involving 124 dwellings and employment floorspace on the former Mountheath Industrial Estate. The redevelopment scheme effectively means that the former industrial units at Mountheath that previously adjoined the Fairways Lodge Hotel site have now been replaced by residential uses.

Nevertheless, the Fairways Lodge Hotel remains designated as an EGA and should be considered within the context of UDP Policy EC2/1 but, in doing so, needs to take account of the change in circumstances arising from the redevelopment of a significant part of this EGA.

The key consideration is to determine whether, following the redevelopment of the former Mountheath Industrial Estate, the proposal would substantially detract from the area's value as an EGA and, in particular, to consider the relationship of the hotel site with the remaining employment uses within this EGA. In this respect, the hotel site sits on the outer edge of the EGA and is no longer adjoining employment uses and the remaining employment uses within the EGA are now significantly detached from the hotel site.

As such, it is considered that the proposal would not substantially detract from the EGA and, consequently, would not be in conflict with UDP Policy EC2/1.

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 states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

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 deliverable land 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). In addition to

the housing land supply in the SHLAA, the joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is now able to demonstrate a deliverable 5 year supply of housing land when assessed against the adopted PfE housing requirement.

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%) 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, 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 terms of housing delivery the Borough has underdelivered against the local housing need, and as a result the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The site is considered to be in a sustainable location for housing within the urban area and sitting outside the Green Belt. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this site in principle.

Principle (Recreation)

The proposed development would result in the loss of the existing ancillary sports facilities (gym and squash court) and bar/drinking facility.

The NPPF 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.

Policy RT1/1 states that development would not be allowed where it would result in the loss of:

- existing and proposed outdoor public or private recreation facilities (as shown in the proposals map), including playing fields, sports grounds, parks and gardens, children's play areas, allotments and golf courses;
- recreation space within settlements located in the Green Belt;

- indoor facilities (not shown on the proposals map) for which there is a recreational need; and
- any other unidentified recreation provision such as playing fields, sports grounds, parks and gardens, children's play areas, allotments and golf courses, including sites created during the period of the plan.

Exceptions to this policy may be permitted where:

- sports and recreation facilities can best be retained and enhanced through the redevelopment of a small part of the site;
- alternative provision of equivalent community benefit is made available;
- it can be demonstrated that there is an excess of sports pitch provision and public open space in the area, taking account of the recreation and amenity value of such provision.

The local area is served with alternative hotel facilities including The Hazeldean Hotel (0.6 miles), The Westlynne Hotel (1.4 miles) and the Premier Inn (Prestwich) (1.8 miles). The fitness and sports facilities within the existing building are privately-run facilities that are ancillary to its main use as a hotel. It is noteworthy that planning permission was granted in 2007 for the replacement of the sports facilities and the creation of additional hotel bed spaces. Nearby facilities with squash courts include Cheetham Hill Sports Club (1.1 miles), Manchester Tennis and Racquets Club (3 miles) and the National Squash Centre (5 miles). Whilst not an exhaustive list, other nearby sports facilities include Prestwich Golf Club which adjoins the site, facilities in St. Mary's Park (1.2 miles), Salford Sports Village (1.5 miles) and Prestwich Cricket, Tennis and Bowling Club (1.7 miles).

In addition to the above facilities, there are numerous shops, eating and drinking establishments and other facilities on Bury New Road to the east of the site. Hence the local community would still be able to meet its day-to-day needs and access alternative sports (including squash) facilities.

Furthermore, the introduction of the proposed Retirement Living development would generate additional local spend that will help sustain local facilities. Research within the independent studies carried out by WPI Strategy for the Homes for Later Living Group entitled "Silver Saviours for the High Street" published in February 2021 has shown that retirement housing creates more local economic value and more local jobs than any other type of residential development. Based on a typical development size of 45 apartments (i.e. slightly smaller than the 52 units proposed at this site) people living in a retirement development generate £550,000 of spending per year, £347,000 of which is spent on the local high street. Some £225,000 of this is new spending in the local authority, directly contributing to keeping local shops and facilities open.

Therefore, the demolition of the hotel and its ancillary fitness and sports facilities would not adversely impact upon the local community's ability to meet its day-to-day needs (including access to sports and recreation facilities) and there would be no conflict with Policy RT1/1 of the Bury Unitary Development Plan and the NPPF.

Layout and Design

Policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered.

The minimum density for the site would be 50 dwellings per hectare. The application form states that the site area is 0.62 hectares. The proposal would therefore lead to a density of 84 dwellings per hectare. The proposal would therefore exceed the minimum density required. As such, it is considered that the proposal would achieve efficient use of land.

Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build. Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

The Bury Housing Need and Demand Assessment demonstrates a need for specialist older person accommodation (use Class C3), which the proposed development will provide.

The buildings that surround the site are largely depicted by a mixture of detached, semi-detached and terraced two storey residential dwellings. A two storey flat roof commercial property (Fairways House) faces the site, and Rico House a three storey commercial property is located approximately 75 metres along George Street separated from the site by two storey dwellings.

Whilst the proposal would be three storey's in height, it would be reduced to single storey, and two storeys in height adjacent to the boundary No. 31 George Street so that it ties in with the residential scale of these residential properties increasing in height to three storeys approximately 14 metres off the shared boundary. As the site is located at the end of a street, and is set back off the main frontage with the highway it is considered that three storey design is acceptable and would not appear incongruous or overly dominating within the street scene.

The proposal seeks to use a mixture of red facing brickwork and white render for the external elevations. The use of render, and brick heads gives the external elevations elements of interest. The canopy above the entrance door makes it clear focal point within the elevation that faces towards George Street. The pitched gable roofs would replicate the shape and style of neighbouring residential properties.

SPD 1 states that should viability be raised as an issue to the satisfaction of the Council, the Council may accept the provision of onsite amenity space for residents similar to that required for category C2 schemes to meet the requirements of the SPD. Amenity space for the future occupiers would be provided through a mixture of private balconies and terraces, and a shared garden area that would be connected via circulation paths that run through the grounds with access to a potting shed and gazebo. Benches are shown throughout the site. It is therefore considered that there is adequate onsite amenity space for the residents.

The existing public right of way that runs along the western edge of the site would not be obstructed by the proposal. The landscaping scheme shows an area of native shrub planting alongside the grasscrete which the public right of way would run along and the applicant has confirmed that they consider that this will create an area defensible space alongside the PROW.

Policy JP-H3: states that all new dwelling must:

1. Comply with the nationally described space standards; and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The applicant has provided a nationally described space standards schedule (NDSS) for

each of the floors, and each of the apartments within the proposal. Each unit would exceed the minimum floor area, and bedroom areas required. Bedroom widths would also exceed those required by NDSS. A condition can be used to secure compliance with Part M4(2).

It is therefore considered that the proposed development would not be a prominent or intrusive feature in the streetscene, and would provide suitable living and amenity space for future occupiers. The proposal would therefore be in accordance with Policies EN1/2, H2/1, H2/2 JP-H3 and JP-H4 of the Development Plan.

Amenity

UDP Policy H1/2 states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

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

Any assessment will take into account significant change in levels or new accommodation to be provided at a higher storey. In this regard, there should be an extra 3 metres of separation for each 2.5m or one storey of height or level difference in each of the above cases.

The proposed south facing, east and west facing ground floor windows would be screened by the proposed 1.8 metre closed boarded fencing. The front ground floor windows would face towards the proposed parking and would be separated from any directly facing properties by the highway to the front of the site.

The sections indicate that the dwellings that are currently under construction to the south of the site would be located at a level that is approximately 1 storey lower than the site. As such an additional 3 metres have been added to aspect standards. The proposed habitable first floor south facing windows would be located a minimum of approximately 11.8 metres from the rear boundaries of the properties along Teeside Avenue exceeding the 10 metres required by SPD 6. The balconies relating to units 31, 32 and 33 would be located approximately 10 metres from the rear garden boundaries of these properties complying with the 10 metres required by SPD 6. The balcony associated with unit 34 would have an onward view of the shared gardens associated with the development.

The proposed habitable first floor east facing windows would be located a minimum of approximately 14 metres from the shared boundary with the properties on Teeside Avenue exceeding the 10 metres required by SPD 6. The balconies relating to units 18 and 19 would be located a minimum of approximately 13 metres from this shared boundary exceeding the 10 metres required by SPD 6. The balconies associated with units 17 and 35 would have an onward view of the shared garden, or the bin access to the rear of the properties on Teeside Avenue.

The proposed habitable first floor west facing windows would be located a minimum of approximately 11.9 metres from the shared boundary with the golf course exceeding the 7 metres required by SPD 6. The balconies relating to unites 20, 21, 22, 23 and 24 would be located a minimum of approximately 10.1 metres from this shared boundary exceeding the 7 metres required by SPD 6.

The proposed habitable second floor south facing windows would be located a minimum of approximately 12 metres from the rear boundaries of the properties along Teeside Avenue. The balconies relating to units 49 and 50 would be located approximately 10 metres from the rear garden boundaries of these properties. Due to the differences in levels SPD 6 requires 13 metres from these windows and balconies and the directly facing boundary. It is noted however that there is already an existing relationship between the dwellings and the existing hotel which is located in much closer proximity to the boundary of the gardens of these properties, particularly in relation to No. 10 - 16 Teeside Avenue which would have the closest relationship with the proposed balconies. Given that this overbearing relationship would be improved, as the proposed building would be located further off their boundary than the exiting hotel and planting of native trees is proposed along the rear boundary it is considered that the relationship is acceptable.

The proposed habitable second floor east facing windows would be located a minimum of approximately 14 metres from the shared boundary with the properties on Teeside Avenue exceeding the 13 metres required by SPD 6. The balconies relating to units 38 and 37 would be located a minimum of approximately 13 metres from this shared boundary complying with SPD 6. The balconies associated with units 36 and 52 would have an onward view of the shared garden, or the bin access to the rear of the properties on Teeside Avenue.

The proposed habitable second floor west facing windows would be located a minimum of approximately 11.9 metres from the shared boundary with the golf course exceeding the 10 metres required by SPD 6. The balconies relating to unites 39, 40, 41, 42 and 43 would be located a minimum of approximately 10.1 metres from this shared boundary exceeding the 10 metres required by SPD 6.

The proposed front first floor and second floor habitable room windows would be separated from directly facing properties by a highway, soft landscaping and the proposed parking and as such no undue loss of privacy is foreseen.

The proposed front elevation of the stepped down two storey element of the development would project beyond the front elevation of No. 31 George Street. This elevation would not impact on a 45 degree line as taken from the midpoint of the nearest ground floor habitable room window of this property and as such would not be unduly overbearing.

The proposal is therefore considered to comply with the aspect standards and guidance as set out within SPD 6.

Highways, Access and Travel

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by 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. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

The proposal will be served by the same vehicular access arrangement onto George Street that serves the existing site. The vehicular access will be slightly widened and modified to tie in with the layout of the development.

Transport Requirements

Policy JP-C8 requires new development to be located and designed to enable and encourage walking, cycling and public transport use and to reduce the negative effects of car dependency.

Surveys are presented within the Transport Statement of similar retirement apartment sites throughout the country, which have been used to generate the likely trip generation of the development. This demonstrates that the highest trip generation is likely to be between 12:00-13:00 where 14 two-way trips are predicted. Additionally, it is noted that when compared to the trip generating potential of the former Hotel use, the number of trips associated with this development would be further reduced.

The nearest bus stops to the site are located along the A56 Bury New Road, around a 6-minute walk away. These stops provide services to Manchester City Centre and Bury Interchange at regular intervals. It is therefore considered that there are some genuine public transport options available as an alternative to the private car

The proposed development is in a sustainable location within easy access of bus routes on Bury New Road with local amenities close by which will encourage and enable people at the development to make sustainable transport choices. The proposal is therefore considered to be in conformity with Policy JP-C8.

Parking

In terms of parking standards, in addition to Policy JP-C8 and 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.

The Transport Statement notes that on site car parking will be provided and that each parking space will be capable of providing electric vehicle charging facilities. There is no specific parking standards for this type of development within SPD11. However, the maximum standards for sheltered housing, which is a similar use, is 1 space per 3 units. This equates to 17.33 spaces.

The proposed car park contains 37 spaces, which would provide 17-18 spaces for residents and visitor spaces and 10 staff spaces. The scheme is aimed at the older population who will require an increasing level of care, which means that a significant proportion of the residents of this scheme are unlikely to be car drivers as the average age is 85. It is anticipated that some of the staff will live locally or use public transport and there are bus stops in close proximity to the site. As such the proposals would not conflict with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Active Travel

Policy JP-C1 requires developments to be located and designed to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport. Developments should prioritise pedestrians, cyclists and public transport users. In order to encourage walking and cycling, it should be ensured that the pedestrian and cycling environment, within and around the site, is designed to be as safe, attractive and convenient as possible, including natural surveillance where possible. This should provide

sufficient links to the surrounding pedestrian and cycle networks

There are good quality pedestrian routes to the site with a pedestrian crossing on George Street which provide safe links to the existing bus stops and local amenities on Bury New Road. Given that the scheme is for retirement living it is acknowledged that there will be less need for cycling facilities. SPD 11 is silent on the provision for cycle parking for this type of development. It is also acknowledged that the Transport Statement has assessed existing similar developments and noted that the number of cycle movements to and from retirement living developments is extremely low. However, the Transport Statement states that sufficient cycle parking is to be provided on the site to accommodate the anticipated cycle usage associated with the proposed development and sufficient to encourage residents to pursue an active lifestyle through walking and cycling where they are able. The proposal is therefore considered to be in conformity with Policy JP-C1.

In addition to this footpath 9PRE is located along the western boundary of the site. As such UDP Policy RT3/3 - Access to the Countryside is also applicable as it requires the Council to seek to improve and extend the existing network of Public Rights of Way. This policy also supports the aspirations of the PfE policies listed above. The users of the public right of way will have access to the full width of the grasscrete access road and there are no proposed car parking spaces in the line of the path. As such it is considered that the existing public right of way has been fully accommodated within the proposed layout.

Ecology and Biodiversity Net Gain

Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by Policy JP-G7 that aims to significantly increase tree cover and requires 2no. replacement trees for each tree lost or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area.

Bats

A valid bat report has been provided, in line with the recommendation of the bat assessment. Two dusk surveys during the peak activity season have occurred. No evidence of bat roosting was recorded. It can therefore be concluded that demolition of the existing building is very unlikely to have any negative effect on the conservation status of bats in the locality. As individual bats can on occasion turn up in unexpected locations and bat activity was recorded around the building, and as such an informative should be attached to any permission in relation to this.

GMEU have considered the external lighting proposed, and are satisfied that there would be no significant effect on the ability of bats to forage and commute around the area.

Nesting Birds

Trees and shrubs will be lost which are potential bird nesting habitat. Birds may also nest on the building though none have been noted in the ecological report. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU therefore recommend a condition to restrict works to trees and shrubs and demolition within the bird nesting season.

Three bird boxes are also requested by GMEU to be provided through condition.

Other Wildlife

The site is generally very low risk for other wildlife such as badger, hedgehog and for amphibians, with no evidence on site and no records within the zone of influence of the development and limited cover on the site. The site is currently occupied by a hotel and does not serve as a connection between habitats. GMEU have confirmed that they satisfied that the risks are low enough that it would be unreasonable to request reasonable avoidance measures.

Himalayan Balsam

This species is listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended), was recorded on the site. It is an offence to introduce or cause to grow wild any plant listed under this schedule.

Prior to any earthworks a method statement detailing control measures for himalayan balsam should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

The submitted Biodiversity Metric Report and Metric Tool indicate that a net gain in biodiversity will be achieved on-site as follows:

- Habitat Units +0.36
- Hedgerow Units +1.34

The site is primarily hard standing and building with small areas of soft landscaping primarily ornamental. This will be replaced with similar habitats, but with an overall increase in the percentage of the site that is vegetated.

GMEU have reviewed the BNG metric that has been submitted and are satisfied that the defra metric is robust, with the baseline values appearing reasonable. GMEU have concluded that even if some of the proposed condition targets are failed for the created habitats more than 10% BNG will be achieved on the site for area based habitats.

As no bats were found, GMEU have recommended as mitigation for loss of bat roost opportunities two bat boxes via condition.

Trees

12 trees will be retained on-site and the habitat creation will involve woodland bulbs, ornamental planting, native shrub planting, grassland, wildflower meadow planting, 50 small trees and native and evergreen hedge creation.

This equates to a 15.25% gain in habitat units and a 1131.56% gain in hedgerow units. The trading rules of the metric have been satisfied, as habitats lost have been 'traded up'. As such, the proposal meets the requirements of Policy JP-G8.

PfE Policy JP-G7: Trees and Woodland requires replacement of lost trees, on the basis of two trees for each tree lost, or other measures that would also result in a net enhancement of the character and quality of the tree scape and biodiversity value. The proposal to provide 50 small trees on-site satisfies this policy.

The development should protect trees and woodland during the construction phase of and this can be conditioned to ensure full compliance with Policy JP-G7.

Carbon and Energy

JP-S2 - Carbon & Energy sets out the steps required to achieve net zero carbon emissions. The proposed development is designed to utilise a high performing thermal envelope to minimise heat loss, as well as efficient heating and lighting systems, which will drive energy efficiency in the building to meet the targets for space and water heating demand. This is augmented by the use of an Air Source Heat Pump system to provide hot water to drive low carbon, efficient energy usage within the building design. Photovoltaic panels (PVs) will be fitted for the communal areas to generate electrical energy. A detailed Energy Statement has been submitted with the planning application. The proposal is therefore in conformity with Policy JP-S2.

Digital Connectivity

JP-C2 - Digital Connectivity - this policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas. The applicant has confirmed that the development will be provided with full connections in accordance with the requirements of Policy JP-C2.

Drainage

Any proposal should include a surface water scheme that must be based on the hierarchy of drainage options in the National Planning Practice Guidance and include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. It must be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015).

United Utilities have reviewed the submitted drainage strategy and confirmed that the proposals are acceptable in principle.

Health and Wellbeing

JP-P6 - Health - this policy supports improvements in healthcare facilities. Where appropriate, the provision of new or improved health facilities will be required proportionate to the additional demand generated.

The applicants have provided an independent study carried out by WPI Strategy for the Homes for Later Living Group entitled "Healthier and Happier" which demonstrates that people living in all forms of housing for older people have significantly greater well-being than those living in other types of accommodation.

In addition, having better access to housing, improvements in the environment and access to on-site communal indoor and outdoor space are considered to have a beneficial impact to health. The proposals are therefore in accordance with Policy JP-P6.

Planning Obligations

An independent review of the submitted Financial Viability Assessment has been undertaken by Capita.

The full open market shows a negative position on viability when the Residual Land Value (£2,458,260) is compared to the Benchmark Land Value (£3,360,000). A deficit of minus -£901,740. This is on the basis of no affordable housing provision or off-site contribution and also no additional section 106 asks/obligations.

Any inclusion of affordable housing provision/off-site financial payment and/or section 106 obligations will only increase the deficit meaning the site is even less viable.

The independent review concludes that the development is unviable and any additional requirements for affordable housing or section 106 matters could not be accommodated. Due to the outcome of this review a section 106 overage clause is sought to secure a financial contribution if the GDV is higher than anticipated.

Response to Representations

The existing site is in private ownership. The owners of the site can close this site, and the associated leisure facilities at anytime without the need to re-provide them elsewhere.

The impact of the proposal in relation to traffic has been covered within the main body of the report and a Construction Traffic Management Plan condition has been included.

The existing public right of way to the west of the site has been maintained.

Residential and visual amenity has been addressed within the main body of the report.

United Utilities have assessed the drainage proposal and requested a condition to ensure compliance with the drainage plans submitted. This has been included within the recommendation.

The need for this type of housing and the principal of development have been addressed within the main body of the report.

The submitted Financial Viability Assessment has been externally assessed.

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. This decision relates to drawings numbered NO-2953-3-AC-PL01 PL1, NO-2953-3-AC-PL02 PL1, NO-2953-03-AC-PL03 PL1, NO-2953-03-AC-PL04 PL1, NO-2953-03-AC-PL05 PL2, NO-2953-03-AC-PL06.2 PL2, NO-2953-03-AC-PL06.1 PL2, NO-2953-03-AC-PL06 PL7, NO-2953-03-AC-PL07 PL3, NO-2953-03-AC-PL08 PL3, NO-2953-03-AC-PL09 PL2, NO-2953-03-AC-PL10 PL2, NO-2953-03-AC-PL11 PL2, NO-2953-03-AC-PL13 PL2, NO-2953-03-AC-PL15 PL2, NO-2953-03-AC-PL16 PL2, NO-2953-03-AC-PL17 PL2, NO-2953-03-AC-PL21, NO-2953-03-AC-PL22, NO-2953-03-AC-PL23 PL1, NW-2953-3-LA-101 Rev D, NW-2953-3-LA-201 Rev

C, 882746 LDE P1. FLP/BS/01, MCS-2953-PRESTWICH, 40-01-LDE-DR-D-01-01-P4, 40-01-LDE-DR-D-01-02-P2, 40-01-LDE-DR-D-01-03-P2, 40-02-LDE-02-01-P4, 40-02-LDE-02-02-P2, 40-02-LDE-02-03-P2 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 Development Plan listed.

3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design.

4. No development shall commence unless and until:-

1. 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;
2. 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;
3. 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. Prior to occupation the applicant shall provide:

1. 1 no. electric vehicle (EV) charging point (minimum 7kW*) per unit for dwellings with dedicated parking; or
2. Electric vehicle (EV) charging points (minimum 7kW*) for a minimum of 20% of car parking spaces for dwellings with unallocated parking; or
3. Electric vehicle (EV) charging points (minimum 7kW*) for a minimum of 20% of the proposed parking spaces.

Photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use.

*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. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 111e, 116e, 180e and 192 of the National Planning Policy Framework (December 2023) and Places for Everyone Policy JP-S5 (Clean Air).

7. The removal of tree T1 may have the potential to cause harm to bats as identified in the Preliminary Ecological Appraisal, e3p ref. 81-460-R1-1 and shall not in any circumstances occur unless precautionary measures or further survey have been provided to and agreed in writing by the local planning authority
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 – Features of Ecological Value of the Development Plan and Section 11 of the National Planning Policy Framework.
8. No works to trees or shrubs shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
9. Prior to the commencement of any earthworks full details of a scheme for the control of Himalayan Balsam (*Impatiens Glandulifera*) shall be 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 Himalayan Balsam in the interest of Development Plan Policy JP-G1 - Landscape Character and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
10. The landscaping scheme hereby approved shall be implemented not later than 12 months from the date the building is first occupied and shall include the provision of 2no bat boxes, 3no. bird boxes and swift bricks. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species

to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity and protected species pursuant to Policies EN8/2 – Woodland and Tree Planting and JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

11. All trees to be retained on site shall be protected in accordance with the approved Arboricultural Method Statement TRE/FLGSP and 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, JP-G7 - Trees and Woodland and EN8/2 – Woodland and Tree Planting of the Development Plan.

12. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Metric Report dated 5th March 2024 and prepared by e3p and must include:
1. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
 2. the pre-development biodiversity value of the onsite habitat;
 3. the post-development biodiversity value of the onsite habitat;
 4. any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
 5. any biodiversity credits purchased for the development; and
 6. any such other matters as the Secretary of State may by regulations specify.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

13. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
1. a non-technical summary;
 2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the local planning authority.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

14. The development hereby approved shall not be occupied unless and until:

1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

15. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.
Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

16. Within 6 months of the occupation of the development hereby approved a Travel Plan shall be produced for the development, with the objective of reducing reliance on the private car, particularly single occupancy use and shall be submitted to, and agreed in writing by the Local Planning Authority. The Travel Plan should be designed to raise awareness of opportunities for reducing travel by car and should feature a range of measures and initiatives promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

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

Reason. Information not submitted with the planning application. To encourage sustainable travel choices pursuant to Bury Unitary Development Plan Policy Policy JP-C1 - An Integrated Network and JP- C3 - Public Transport.

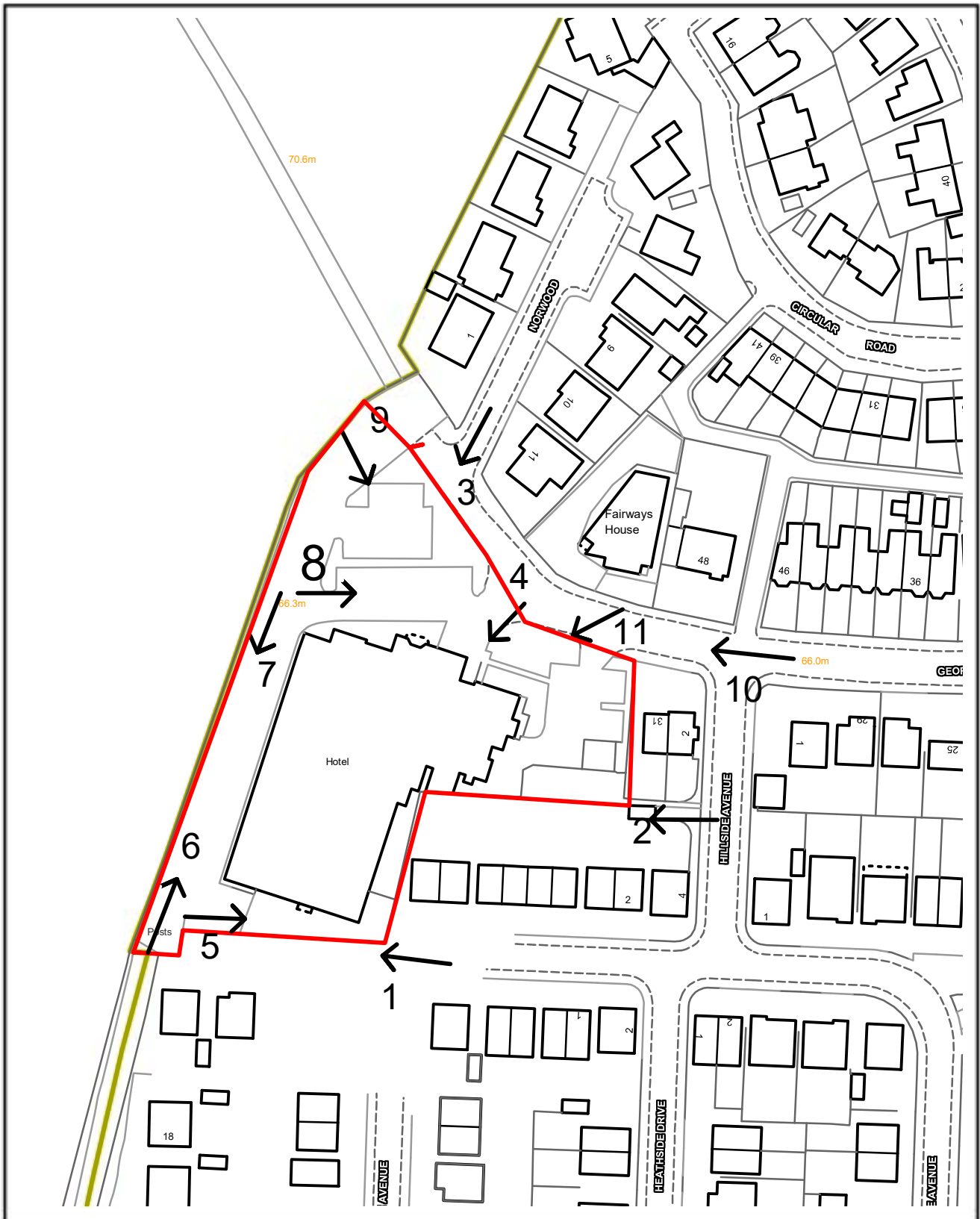
17. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 40-02-LDE-02-03-P2 Dated December 23 which was prepared by LDE. For the avoidance of doubt surface water must drain at the restricted rate of 6 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. 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. To promote sustainable development and reduce flood risk pursuant to Development Plan Policies JP-S4 - Flood Risk and the Water Environment, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

18. The dwellings hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.
Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 70484

ADDRESS: Fairways Lodge Hotel George



Bury
Council

Planning, Environmental and Regulatory Services

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70484

Photo 1



Photo 2



70484

Photo 3



Photo 4



70484

Photo 5



Photo 6



70484

Photo 7



Photo 8



70484

Photo 9



Photo 10



70484

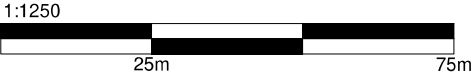
Photo 11





REVISIONS

Rev.	Note.	Date	By
PL1	PLANNING SUBMISSION	25/01/24	GO





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tel: 01772 774510 fax: 01772 774511 email mck@mckassociates.co.uk

Our Ref.

McCARTHY STONE

Life, well lived

Project Title
Former Fairways Lodge, George Street, Prestwich

Drawing Title
Location Plan

Scale	As indicated@A3	Date	25/01/2024 14:41:18
Drawn	AB	Checked	-
Drawing No.			
NO - 2953 -3 -AC -PL01 PL1			
Division	Project No.	Stage	Discipline
		Number	Revision

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— MCCARTHY STONE RED LINE BOUNDARY

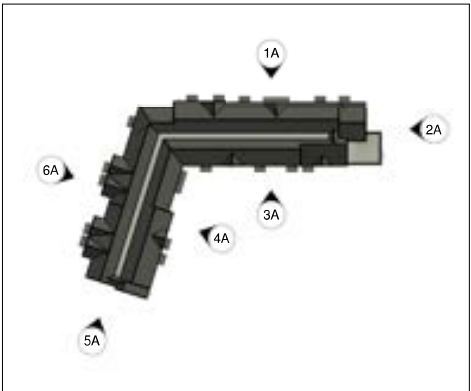
REVISIONS				
Rev.	Note	Date	By	
PL1	Planning submission	25/01/24	GO	
PL2	Recognition & apartments 1-2 floor	26/01/24	GO	



Elevation 1 - a
1 : 100



Elevation 2 - a
1 : 100



ELEVATION KEY
1 : 1000

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Life, well lived

Project Title

Former Fairways Lodge, George Street, Prestwich

Drawing Title

PROPOSED ELEVATIONS 1 to 3

Scale	As indicated@A1	Date	29/01/2024 11:37:01
Drawn	JW	Checked	PS
Drawing No.			
NO - 2953 -03-AC -PL09 PL2			
Division	Project No.	Stage	Discipline
		Number	Revision

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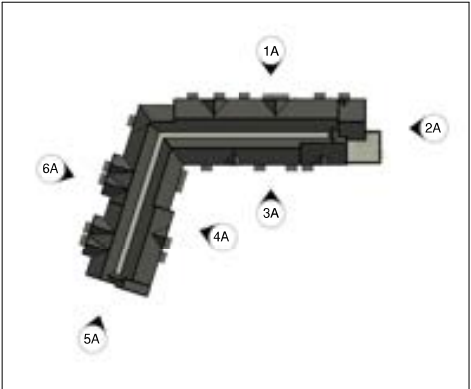
REVISIONS				
Rev.	Note	Date	By	
PL1	Planning submission	25/01/24	GO	
PL2	Recognition & apartments 1-2 floor	26/01/24	GO	



Elevation 3 - a
1 : 100



Elevation 4 - a
1 : 100



ELEVATION KEY
1 : 1000

PROPOSED MATERIAL PALETTE

- PRIMARY FACING BRICK:
TUSCAN RED MULTIBY WIENERBERGER
- RENDER:
LIMESTONE WHITE THIN COAT BY K-REND
- PVC WINDOWS:
EUROCELL LOOK CHAMFERED TO BR
FINISHED GREY RAL7016
- FASCIA, SOFFITS AND RAINWATER GOODS:
PVC FINISHED IN BLACK
- BALCONIES:
BALCONY DECKING AND RAILINGS TO BE
POWDER COATED GRAY 7016
- TILE:
CALDERDALE EDGE DARK GREY BY
WIENERBERGER, ALL ACCESSORIES TO
SUIT
- PARAPETS:
ALUMINIUM PARAPETS TO BE POWDER
COATED BLACK





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Our Ref.:

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Project Title
Former Fairways Lodge, George Street, Prestwich

Drawing Title
PROPOSED ELEVATIONS 2of3

Scale	As indicated@A1	Date	29/01/2024 11:42:13
Drawn	JW	Checked	-
Drawing No. NO - 2953 -03-AC -PL10 PL2			
Division	Project No.	Stage	Discipline Number Revision

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REVISIONS				
Rev.	Note	Date	By	
PL1	Planning submission	25/01/24	GO	
PL2	Recognition & apartments 1-2 floor	26/01/24	GO	

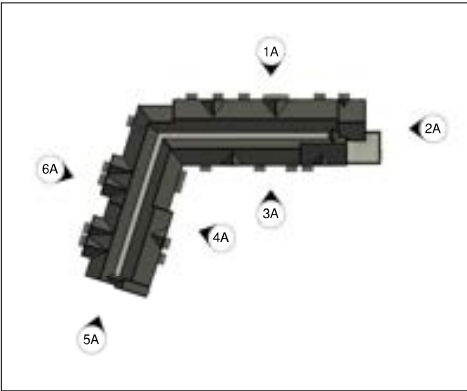


Elevation 5 - a
1 : 100

Page 135





Elevation 6 - a
1 : 100





ELEVATIONS KEY
1 : 1000


PROPOSED MATERIAL PALETTE


- 


PRIMARY FACING BRICK:
TUSCAN RED MULTI BY WIENERBERGER
- 

RENDER:
LIMESTONE WHITE THIN COAT BY K-REND
- 

PVC WINDOWS:
EUROCELL LOGIK CHAMFERED TO BR
FINISHED GREY RAL7016
- 

FASCIA, SOFFITS AND RAINWATER GOODS:
PVC FINISHED IN BLACK
- 

BALCONIES:
BALCONY DECKING AND RAILINGS TO BE
POWDER COATED GRAY 7016
- 

TILE:
CALDERDALE EDGE DARK GREY BY
WIENERBERGER, ALL ACCESSORIES TO
SUIT
- 

PARAPETS:
ALUMINUM PARAPETS TO BE POWDER
COATED BLACK





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Our Ref.:

McCarthy Stone

Life, well lived

Project Title

Former Fairways Lodge, George Street, Prestwich

Drawing Title

PROPOSED ELEVATIONS 3of3

Scale	As indicated@A1	Date	29/01/2024 11:43:27
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Drawing No.			
NO - 2953 -03-AC -PL11 PL2			
Division	Project No.	Stage / Discipline	Number / Revision

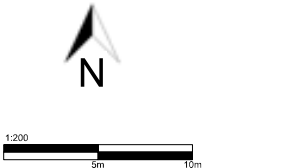
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- Communal
- 1 Bed
- 2 Bed

1800 - APARTMENT MIX	
No. OF BEDS	Count
00 - FFL	
1 BED	9
2 BED	7
01 - FFL	
1 BED	11
2 BED	8
02 - FFL	
1 BED	10
2 BED	7
Grand total: 52	

REVISIONS				
Rev.	Note	Date	By	GO
PL1	Planning submission	25/01/24	GO	
PL2	Reception & apartments 1-2 Ripped	26/01/24	GO	
PL3	Names added to apartment rooms	22/04/24	JW	



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Our Ref.

McCARTHY STONE
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Project Title
Former Fairways Lodge, George Street, Prestwich

Drawing Title
PROPOSED FLOOR PLANS 10F2

Scale: **As indicated@A1** Date: **22/04/2024 10:00:08**

Drawn: **JW** Checked: **PS**

Drawing No.: **NO - 2953 -03-AC -PL07 PL3**

Division: Project No.: Stage: Discipline: Number: Revision:

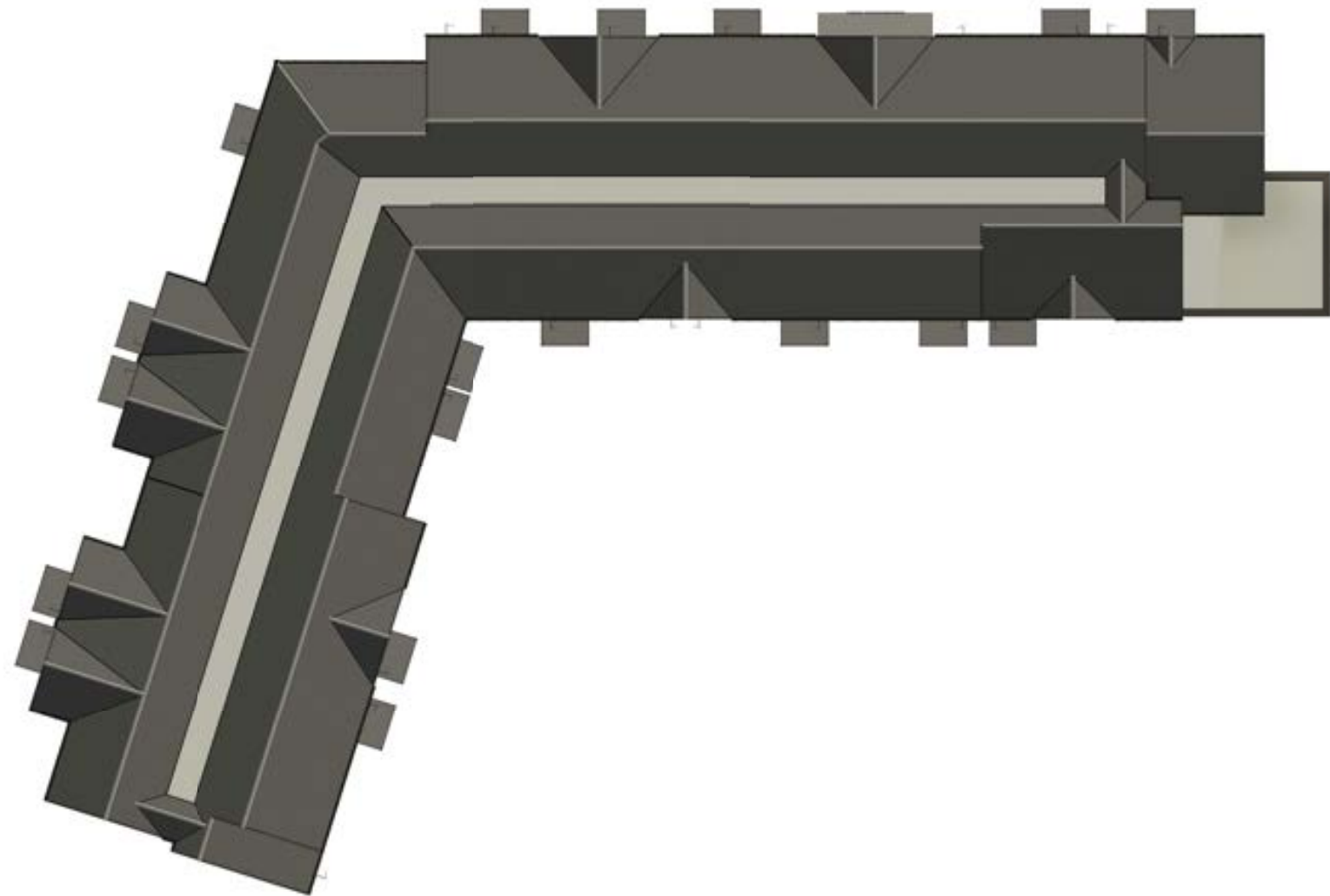
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1802 - 02 - SECOND FLOOR PLAN
1 : 200



1805 - ROOF PLAN
1 : 200

REVISIONS

Rev.	Note	Date	By
PL1	Planning submission	25/01/24	GO
PL2	Reception & apartments 1-2 Ripped	26/01/24	GO
PL3	Names added to apartment rooms	22/04/24	JW



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Project Title
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Drawing Title
PROPOSED FLOOR PLANS 20F2

Scale	1 : 200 @ A1	Date	22/04/2024 10:00:52
Drawn	AB	Checked	PS
Drawing No.	NO - 2953 -03-AC -PL08 PL3		
Division	Project No.	Stage	Discipline

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REPORT FOR NOTING

Agenda Item 5

Bury
COUNCIL

**Agenda
Item**

5

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	23 July 2024
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 28/06/2024 and 14/07/2024



Ward: **Bury East**

Application No.: 70470 **App. Type:** FUL 01/07/2024 Approve with Conditions

Location: 1 Oxford Street, Pimhole, Bury, BL9 7EL

Proposal: Partial demolition and replacement of 1 no. dwelling

Application No.: 70779 **App. Type:** FUL 11/07/2024 Approve with Conditions

Location: Fairfield General Hospital, Rochdale Old Road, Bury, BL9 7TD

Proposal: Variation of condition no. 2 (approved plans) following approval of planning permission 66815: Replace 'Site Location Plan' and 'Design and Access Statement' to amend the proposed replacement tree planting locations

Application No.: 70861 **App. Type:** DEM 11/07/2024 Approve with Conditions

Location: 47 Market Street, Bury, BL9 0BH

Proposal: Prior approval for proposed demolition of part of the existing bus station canopy that abuts the existing Admiral Bingo Hall (Princess Parade).

Ward: **Bury East - Moorside**

Application No.: 70650 **App. Type:** FUL 04/07/2024 Approve with Conditions

Location: 439 Walmersley Road, Bury, BL9 5EU

Proposal: Single storey rear extension; alteration to existing roof and removal of ground floor chimney

Application No.: 70786 **App. Type:** FUL 01/07/2024 Approve with Conditions

Location: 211 Walmersley Road, Bury, BL9 5DF

Proposal: Single storey extension at side

Ward: **Bury East - Redvales**

Application No.: 70712 **App. Type:** FUL 05/07/2024 Approve with Conditions

Location: 2 Coniston Drive, Bury, BL9 9PX

Proposal: Single storey side extension to existing detached garage

Application No.: 70748 **App. Type:** P3JPA 03/07/2024 Prior Approval Required and Refused

Location: Bury Family Centre, 72-74 Tenters Street, Bury, BL9 0HL

Proposal: Prior approval for proposed change of use from offices (Class E) to 2 no. dwellings (Class C3)

Application No.: 70801 **App. Type:** GPDE 01/07/2024 Prior Approval Not Required - Extension

Location: 60 Brierley Street, Bury, BL9 9BR

Proposal: Prior approval for proposed single storey rear extension

Ward: Bury West - Elton

Application No.: 70760 **App. Type:** LDCE 09/07/2024 Lawful Development
Location: 125 Wood Street, Bury, BL8 2QX
Proposal: Lawful development certificate for existing single storey rear extension

Application No.: 70790 **App. Type:** FUL 01/07/2024 Approve with Conditions
Location: 40 Woodhill Fold, Bury, BL8 1UY
Proposal: First floor side extension

Ward: Bury West - West

Application No.: 70768 **App. Type:** LDCP 01/07/2024 Lawful Development
Location: Moor House, 42 Cockey Moor Road, Bury, BL8 2HB
Proposal: Lawful development certificate for proposed construction of side and rear extensions

Ward: North Manor

Application No.: 69266 **App. Type:** FUL 04/07/2024 Approve with Conditions
Location: Wood Mill, Wood Road Lane, Summerseat, Bury, BL9 5QA
Proposal: Conversion of existing 1 no. dwelling into 4 no. separate dwellings

Application No.: 70482 **App. Type:** FUL 04/07/2024 Approve with Conditions
Location: 4 & 5 East View, Summerseat, Bury, BL9 5PG
Proposal: Reinstatement of mid-terraced house at no. 5 East View following complete collapse after explosion and remedial works to external envelope at no. 4 East View

Application No.: 70607 **App. Type:** FUL 28/06/2024 Approve with Conditions
Location: 17 Ashborne Drive, Summerseat, Ramsbottom, Bury, BL9 5PD
Proposal: Demolition of existing conservatory; Single storey rear extension; raised decking at rear; Conversion and extension to garage and widening of driveway and external alterations

Application No.: 70699 **App. Type:** FUL 09/07/2024 Approve with Conditions
Location: 3 Treetops Avenue, Ramsbottom, Bury, BL0 9RJ
Proposal: Single storey rear extension; Conversion of garage to living accommodation with single storey side extension/canopy and new pitched roof; External alterations

Application No.: 70744 **App. Type:** FUL 11/07/2024 Approve with Conditions
Location: 18 Kendal Road, Ramsbottom, Bury, BL0 9SP
Proposal: Two Storey Side Extension to include garage; Front canopy; Single Storey Rear Extension; Loft Conversion with rear dormer

Application No.: 70757 **App. Type:** FUL 05/07/2024 Borough Plg and Economic Dev Officer
Location: 21 Bolton Road, Tottington, Bury, BL8 4HZ
Proposal: Erection of Garden/Annexe building to the side

Application No.:	70765	App. Type:	FUL	11/07/2024	Refused
Location:	9 Castle Street, Bury, BL9 5NG				
Proposal:	Alteration to lower cill height of one existing window to form larger opening to accommodate patio doors				

Application No.:	70797	App. Type:	FUL	05/07/2024	Approve with Conditions
Location:	125 Mather Road, Bury, BL9 6SL				
Proposal:	Erection of porch at front				

Application No.:	70828	App. Type:	FUL	05/07/2024	Approve with Conditions
Location:	512 Bolton Road West, Ramsbottom, Bury, BL0 9RU				
Proposal:	Erection of 2m high gates at front				

Ward: **Prestwich - Holyrood**

Application No.:	70740	App. Type:	ADV	12/07/2024	Approve with Conditions
Location:	71 Bury Old Road, Whitefield, Manchester, M45 6TB				
Proposal:	Replacement of 2 no. poster advertising displays to 2 no. D-Poster illuminated advertising displays				

Application No.:	70783	App. Type:	LDCP	01/07/2024	Lawful Development
Location:	16 Mount Pleasant, Prestwich, Manchester, M25 2SD				
Proposal:	Lawful development certificate for proposed construction of a single storey rear extension; conversion of loft space into 2 bedrooms and store room with rear facing dormer.				

Ward: **Prestwich - Sedgley**

Application No.:	70661	App. Type:	LDCP	28/06/2024	Lawful Development
Location:	35 Hilton Crescent, Prestwich, Manchester, M25 9NQ				
Proposal:	Lawful Development Certificate for proposed conversion of 3 no. apartments to 1 no dwelling				

Application No.:	70682	App. Type:	FUL	11/07/2024	Approve with Conditions
Location:	20 Sheepfoot Lane, Prestwich, Manchester, M25 0BN				
Proposal:	Variation of condition no. 2 (approved plans) and condition no. 3 (topographical survey) following approval of planning permission 68678 - New central access point to be wider and further back from the road and amendments to driveway				

Application No.:	70758	App. Type:	LDCE	09/07/2024	Lawful Development
Location:	106 Kings Road, Prestwich, Manchester, M25 0FY				
Proposal:	Lawful development certificate for existing use as place of worship (F1)				

Application No.:	70759	App. Type:	FUL	28/06/2024	Approve with Conditions
Location:	12 Mowbray Avenue, Prestwich, Manchester, M25 0LP				
Proposal:	Rear dormer extension and basement conversion				

Ward: **Prestwich - St Mary's**

Application No.: 69163 **App. Type:** FUL 04/07/2024 Approve with Conditions
Location: Rainsough Cottage, 5 Rainsough Brow, Prestwich, Manchester, M25 8SU
Proposal: Demolition of existing dwelling/outbuildings and erection of 4 no. detached dwellings with detached garages

Application No.: 70735 **App. Type:** LDCP 01/07/2024 Lawful Development
Location: 3 Shirehills, Prestwich, Manchester, M25 9QB
Proposal: Lawful development certificate for proposed change of use from dwelling (Class C3) to residential home (Class C2) for maximum of 2 no. children (aged 8-18) and up to 2 no. carers who would sleep overnight on a rota basis

Ward: **Radcliffe - North and Ainsworth**

Application No.: 70621 **App. Type:** FUL 28/06/2024 Approve with Conditions
Location: 71 Bury Old Road, Bury, Bolton, BL2 5SD
Proposal: Single storey front porch and loft conversion with front and rear dormers

Application No.: 70635 **App. Type:** FUL 28/06/2024 Approve with Conditions
Location: Ainsworth Arms, 465 Bury & Bolton Road, Radcliffe, Manchester, M26 4LJ
Proposal: Replacement access ramp; external lighting to all elevations; Erection of 2.35m fence to extend existing yard area and 2no. additional accessible parking bays

Application No.: 70802 **App. Type:** ADV 05/07/2024 Approve with Conditions
Location: Ainsworth Arms, 465 Bury And Bolton Road, Radcliffe, Manchester, M26 4LJ
Proposal: Installation of 1no. externally illuminated replacement pictorial panel to existing gibbet; relocate existing internally illuminated fascia building sign, 1no. non-illuminated post mounted double sided car park directional sign

Ward: **Radcliffe - West**

Application No.: 70462 **App. Type:** FUL 28/06/2024 Approve with Conditions
Location: Flats 1-35 inclusive, Moorfield, Wordsworth Avenue, Radcliffe, Manchester, M26 3QY
Proposal: Replacement roofs to all flats, including removal of the existing polycarbonate apex glazing system and its replacement with rafters extended to a new ridge beam and fully tiled, along with full roofing and Velux roof lights installed over the existing glazed areas, including, installation of integrated solar photovoltaics on the south facing roof slopes.

Ward: **Whitefield + Unsworth - Besses**

Application No.: 70099 **App. Type:** FUL 28/06/2024 Approve with Conditions
Location: 8 Moss Lane, Whitefield, Manchester, M45 8DY
Proposal: Erection of outbuilding at the rear to be used as a nursery (Retrospective)

Application No.: 70780 **App. Type:** FUL 05/07/2024 Approve with Conditions
Location: 56 Oak Lane, Whitefield, Manchester, M45 8ET
Proposal: Single storey side extension

Ward: **Whitefield + Unsworth - Unsworth**

Application No.: 70544 **App. Type:** FUL 12/07/2024 Approve with Conditions
Location: 129 Croft Lane, Bury, BL9 8QH
Proposal: Change of use to form residential dwelling with additions/alterations to front/side elevations

Application No.: 70624 **App. Type:** FUL 01/07/2024 Approve with Conditions
Location: 7 Brookdene Road, Bury, BL9 8ND
Proposal: First floor side extension

Total Number of Applications Decided: 36

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REPORT FOR NOTING

Agenda Item 6

Bury
COUNCIL

**Agenda
Item**

6

DECISION OF:	PLANNING CONTROL COMMITTEE
DATE:	23 July 2024
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
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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 28/06/2024 and 14/07/2024**



Application No.: 70600/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Ben Gardener

Location 15 Guest Road, Prestwich, Manchester, M25 3DJ

Appeal lodged: 05/07/2024

Appeal Type:

Proposal Side dormer; Rear dormer; Single storey rear pitch roof to flat roof with parapet wall

Application No.: 70679/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Northlet Management Ltd

Location Heaton House, Brierley Street, Bury, BL9 9HN

Appeal lodged: 08/07/2024

Appeal Type:

Proposal Alterations to first floor to combine two existing House in Multiple Occupation units (HMO) into one 6 bedroom (single occupancy) House in Multiple Occupation (HMO)

Total Number of Appeals Lodged: 2

**Planning Appeals Decided
between 28/06/2024 and 14/07/2024**



Application No.: 69581/FUL

Decision level: DEL

Recommended Decision: Refuse

Applicant: Mr Niall Gunn

Appeal Decision: Dismissed

Date: 09/07/2024

Appeal type: Written Representations

Location: Sheepgate Farm Cottage, Bradshaw Road, Walshaw, Tottington, Bury, BL8 3PL

Proposal: Modifications to roof/first floor roof extension to accommodate additional living space to first floor; Porch to front elevation; Reduction in size of existing garage; External alterations to include solar panels to front/rear roof slopes, new stone/render finish to external elevations and alterations to doors/windows/glazing with 2 no. juliet balconies to rear elevation



Appeal Decision

Site visit made on 30 April 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2024

Appeal Ref: APP/T4210/D/24/3337341

Sheepgate Farm Cottage, Bradshaw Road, Tottington, Bury BL8 3PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Niall Gunn against the decision of Bury Metropolitan Borough Council.
 - The application Ref is 69581.
 - The development proposed is re roof and roof line reconfiguration. Internal remodelling & new glazing.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was submitted, the Council adopted the Places for Everyone Development Plan Document on 21 March 2024. The main parties were given the opportunity to comment on this, which I have taken into account in my decision.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - the effect on the openness of the Green Belt.
 - the effect of the proposal on the users of land to the rear of the site with regard to privacy, and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

4. The appeal site lies within the designated Green Belt and is a previously extended dwelling within a small cluster of dwellings. There is a detached garage to the north of the site with open fields to the east.
5. Paragraph 142 of the Framework outlines the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The Framework, at paragraphs 154 and 155, sets out the

categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions.

6. Paragraph 154c) sets out that new buildings within the Green Belt are inappropriate unless the extension or alteration of a building does not result in disproportionate additions over and above the size of the original building.
7. The Framework does not define what a disproportionate addition would be. An assessment of whether the proposal would be disproportionate to the original building is therefore a matter of planning judgement but the overall size of the building (either in terms of footprint, floorspace or volume) is clearly an important factor. An original building, the Framework explains, is a building as it existed on 1 July 1948 or, if it was constructed after that date, as it was built originally. Policy OL1/2 of the Bury Unitary Development Plan (1997) (UDP) and guidance in the accompanying New Buildings and Associated Development in the Green Belt Supplementary Planning Document (2007) (SPD) seek to protect the Green Belt by limiting the increase in size to up to a third of the volume of the original dwelling.
8. In this case there is disagreement in the extent of the original building with the appellant including the previous extensions within the volume calculations. However, from the evidence before me, I consider the original building to be the smaller part of Sheepgate Farm Cottage which was modest in terms of its size and appearance. The extensions now proposed, in addition to those already constructed would significantly increase the volume and massing of the original building. The proposed extensions would therefore be a disproportionate addition to the existing building.
9. I acknowledge that the proposal would include removal of a conservatory and the reduction in the size of the existing garage. However, I am not satisfied that this would compensate for the increase in size of the original dwelling, beyond existing extensions, and the harm that this would cause to the Green Belt.
10. Taking the above factors into account, the proposal would be a disproportionate addition to the dwelling and would not therefore fall within the exception set out in paragraph 154c) of the Framework. It therefore follows that it would be inappropriate development in the Green Belt. It would also be contrary to Policy OL1/2 of the UDP which has similar aims.

Openness

11. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics are their openness and permanence. The openness of the Green Belt has a spatial as well as a visual aspect, so the physical and visual presence of built forms may affect openness.
12. The limited decrease in the footprint of the dwelling and part of the garage would help to reduce the spatial impact of the development in the Green Belt. However, the changes to the roof through the addition of a gable to the front and rear would increase the mass and bulk of the building at first floor level. This would alter the appearance of the building which would be more visible and prominent. Consequently, albeit to a limited degree, the proposal would, in visual terms, harm the openness of the Green Belt.

13. I therefore conclude that the development would lead to a harmful loss of Green Belt openness, contrary to the main aims of the Green Belt policy set out in the Framework.

Privacy

14. Supplementary Planning Document 6 Alterations and Extensions to Residential Properties (2010) (SPD) requires a distance of 7m between the first floor extension habitable windows and the directly facing boundary to prevent overlooking of the neighbouring property. The proposed extension would be close to the boundary of the neighbouring property and whilst there are no buildings on the land, and it is in the green belt, the appellant does not have control over it.
15. I appreciate that there are already windows at first floor that face towards this land. Nevertheless, the introduction of a Juliet balcony would lead to a greater prospect of occupants of the property standing or sitting for long periods and looking out over the land than one would reasonably expect from windows. Although there are no buildings on the neighbouring land adjacent to the appeal property there would be direct views on to it and the land is not in the ownership of the appellant.
16. For these reasons, I conclude that the proposal would have an unacceptably harmful effect on the users of land to the rear of the site with regard to privacy. It would conflict with Policy H2/3 of the UDP which amongst other matters seeks to ensure development has regard to the amenity of adjacent properties. It would also conflict with guidance in the SPD which has similar aims.

Other Considerations

17. The building is in need of renovation and modernisation and the proposal would include the rendering of the building to match the adjoining house. I also acknowledge that the reconfiguration of the dwelling would rationalise the internal space and allow the property to be suitable for family use. However, there is no substantive evidence before me to suggest that these needs could only be met by the proposed development and not by other potentially less harmful means. As discussed above, the reduction in the footprint of the built development would reduce the spatial impact of the proposal. I attach moderate weight to these matters.

Other Matter

18. The appellant has stated that pre-application advice was sought but did not include the full details of the extensions. I must consider the merits of the case before me and can give only limited weight to such discussions.

Green Belt balance and Conclusion

19. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework states that substantial weight should be given to any harm to the Green Belt. The Framework states that 'very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.

20. For the reasons set out above, the development constitutes inappropriate development in the Green Belt. Furthermore, there would be limited harm to the openness of the Green Belt and to the privacy of the users of land to the rear of the site. The other considerations put forward in support of the proposal attract moderate weight in favour of the proposal.
21. I conclude that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist and the proposal would conflict with the Framework and Policy OL1/2 of the UPD which together seek to protect the Green Belt.
22. The proposed development conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given the appeal should be dismissed.

H Senior

INSPECTOR

**Details of Enforcement Appeal Decisions
between 28/06/2024 and 14/07/2024**



Location: Land adjacent Mill Street, Greenmount, Bury, BL8 4BR **Case Ref:** 0375 / 22

Issue: Unauthorised building works

Appeal Decision: Quashed 11/07/2024

Location: Lake Hill, Walshaw Road, Bury, BL8 1PT **Case Ref:** 0183 / 23

Issue: Unauthorised building works

Appeal Decision: Quashed 04/07/2024



Appeal Decision

Site visit made on 28 May 2024

by M Savage BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/T4210/C/23/3324991

Land at to the East of Mill Street, Tottington, Bury

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended)(the Act). The appeal is made by Mr Simon Hall against an enforcement notice issued by Bury Metropolitan Borough Council.
 - The notice was issued on 22 May 2023.
 - The breach of planning control as alleged in the notice is the material change of use of the land from open countryside to residential use through the erection of timber buildings, a upvc conservatory and garden/storage structures for residential purposes.
 - The requirements of the notice are to:
 - a) Cease the use of the land for residential purposes
 - b) Demolish and permanently remove all timber building the upvc conservatory and all garden/storage structures from the land.
 - c) Following demolition required by step 5(b) above, remove all resulting materials from the Land and reinstate to its former condition.
 - The period for compliance with the requirements is: 6 calendar months of this Notice.
 - The appeal is proceeding on the grounds set out in section 174(2)(b) and (g) of the Town and Country Planning Act 1990 (as amended).
-

Decision

1. The enforcement notice is quashed.

Matters concerning the notice

2. The appeal site is accessed off Mill Street, via a footpath which also provides access to a number of buildings¹ which are located outside the appeal site, part of a field and an area used for the storage of plants ('the wider site'). The appeal site incorporates the remainder of the field and the remainder of the area used (at the time of my visit) for the storage of plants. A metal gate provides access to an area which comprises a number of timber buildings. During my visit I was able to see inside each of the buildings. Two of the buildings were being used for human habitation, with other buildings being used for storage or the keeping of animals (cats and chickens). A polytunnel had also been erected for the growing of plants.
3. The appellant does not dispute they are living at the site, or that they have erected a number of buildings to facilitate their residential use of the land. The appellant states they first rented the site solely to home their various animals and after 6 months, started living there mainly to protect the animals at night. The appellant states that two thirds of their buildings are solely to house animals, and this is broadly consistent with what I saw on site.
4. Section 55 (1) of the Act sets out the meaning of development. Development comprises two limbs: (1) The carrying out of building, engineering, mining or other operations in, on, over or under land; and (2) The making of any

¹ Which at the time of my visit included a building which accommodated ducks, a stable and a book library.

material change in the use of any buildings or other land. The notice appears to conflate the two limbs of development, alleging a material change of use to residential use **through the** (my emphasis) erection of timber buildings, a uPVC conservatory and garden/storage structures.

5. The reasons for issuing the notice state that the breach of planning control has occurred within the last ten years², rather than four, which would be the immunity period for operational development in this case³. This supports the position that the notice is alleging a material change of use rather than operational development. However, it is clear from the Council's reasons for taking enforcement action that it is concerned with the erection of the buildings and within its requirements, the Council requires the buildings to be removed from the land.
6. Although a notice may require ancillary or incidental works which were carried out to facilitate a material change of use to be removed, this does not extend to operational development which is fundamental to or causative of the change of use (and which is therefore not ancillary). In this case, the erection of buildings for human habitation is a separate development which, in my view, should be identified separately within the enforcement notice.
7. I have considered whether it would be possible to correct the notice so that the allegation explicitly refers to the operational development. However, it is not clear, from the four corners of the notice, which buildings the Council is concerned with. The Council suggests in its statement that there are 8 structures on the site, 4 of which are either occupied or have been occupied and 4 of which are used for storage or animal husbandry. The appellant states there are only 7 buildings on site.
8. The enforcement notice refers to 'timber buildings, a upvc conservatory and garden/storage structures **for residential purposes**' (my emphasis). The appellant disputes that all the structures are used for residential purposes, with some being used solely to house animals. It is therefore not clear that the appellant would know what they have to do to comply with the notice.
9. Furthermore, were I to correct the notice to refer to operational development, it would also be necessary to correct the time limit set out in section 4 of the notice, so that it refers to four years for the buildings. The appellant may have wished to advance a case under ground (d), and so correcting the notice in this way would cause the appellant injustice.
10. I have also considered whether it would be possible to correct the notice to just refer to the material change of use and delete requirements (b) and (c). However, there are also difficulties with the material change of use allegation, which I shall discuss below.
11. While an enforcement notice does not need to be aimed at the whole of the planning unit, when considering whether a material change of use has occurred, it is necessary to ascertain the correct planning unit, and the present and previous primary uses of that unit. The general rule is that the materiality of change should be assessed in terms of the whole site concerned. The planning unit is usually the unit of occupation, unless a smaller area can be

² Section 171B(3) of the Act.

³ Section 171B(1) of the Act.

identified which, as a matter of fact and degree, is physically separate and distinct, and occupied for different and unrelated purposes.

12. From the evidence and from my inspection of the site, it appears the unit of occupation goes beyond the red line boundary identified within the enforcement notice and includes the area of land between the appeal site and Tower Farm referred to above (the wider site). Although a metal gate provides some delineation, it does not coincide with the red line boundary of the site. Furthermore, the appellant clearly uses the entire site for the keeping of animals, amongst other things. The Council also mentions there being electricity and water 'extended' from the stable block. In my view, the appeal site and 'the wider site' comprise a single planning unit.
13. Both the appellant and the Council refer to the presence of animals within the appeal site. Indeed, the appellant refers to the site as an 'animal sanctuary' and a 'small farm' and an interested party refers to the appellant having 'many animals on the land'. In the Council's statement, the officer describes a visit on 22 November 2022, during which they saw a number of sheds and shacks used for storage and housing animals (a dog and a large number of black cats). The appellant suggests there are around 27 or 28 cats at the site⁴ and this is broadly consistent with what I saw on site.
14. While the appellant states they do not wish the 'sanctuary' or animals to be mentioned, an enforcement notice should state fairly, what the appellant has done wrong and what they must do to remedy it. Although the keeping of cats in a residential premises is not unusual, the number of cats being housed at the site greatly exceeds that which would be found at a typical residential dwelling. Furthermore, a number of buildings appear to be used solely for the keeping of cats. The keeping of so many cats is likely to generate noise, odour and waste which is not typical of a residential dwelling. This is not, in my view, incidental to the residential use of the buildings but is a primary use in its own right and should be identified in the allegation.
15. In its response to ground (g), the Council also confirms the introduction of assorted livestock, including the 'recent introduction of chickens'. It is unclear from the Council's statement when it considers the 'assorted livestock' was introduced to the site. The appellant suggests the Officer was told the animals on site included ducks and chickens on their visit in November 2022. Reference is also made to the selling of chicken and duck eggs, which is stated to have been in place for the 'last three years'.
16. The Act states "agriculture" includes horticulture...the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purposes of its use in the farming of land)... The use of the land for the keeping of chickens and ducks (albeit the ducks were located on land outside the red line boundary during my site visit) is likely to be an agricultural use and the selling of their eggs ancillary to that use. The growing of plants is also likely to be an agricultural use and the selling of the plants grown, ancillary to that use.
17. There is also a stable located outside of the red line boundary (but within the wider site) and a field (or paddock) which is also partly within the appeal site, which is likely to be used for the exercising of horses. Although horses grazing

⁴ Reference is also made to 33 rescued cats in the appellant's initial documents.

the land could be considered an agricultural use, I consider it likely the stables are comprised within the same planning unit as the land identified in the red line boundary.

18. Adjacent to the stables is a building with a poster indicating it is a 'free book library', 'Everyday 10am to 4pm'. It appears, from the evidence, that the site is accessed by members of the public. Although a residential property may receive visitors from a range of individuals, the number of visitors suggested to have been to the site is significantly different to that I would expect at a residential dwelling. It is not clear whether the book library was *in situ* by the date of issue of the enforcement notice, or the extent to which the site was accessed by members of the public.
19. I consider it likely, on the evidence before me and from my inspection of the site, that the planning unit comprises a mixed use of residential, the keeping of cats, agriculture and equestrian. There is ambiguity as to whether the wider site included the book library or the extent to which it was used by members of the public by the date of issue of the enforcement notice and therefore whether the mixed use should also refer to these elements.
20. Where there is a mixed use, it is not open to the local planning authority to decouple elements of it; the use is a single mixed use with all its component activities. I have considered whether it would be possible to correct the notice to reflect the activities that were occurring by the date of issue of the enforcement notice. However, given the ambiguity above, it is not clear precisely what this should include. Furthermore, it is not clear what the implication would be in terms of the different buildings on site, or the grounds of appeal which the appellant would have chosen to appeal on.
21. For example, the appellant may have chosen to appeal under ground (a) in respect of those buildings which have been erected solely for the keeping of livestock, since buildings for agriculture and forestry are identified as exceptions within paragraph 154 of the Framework for considering the construction of new buildings as inappropriate in the Green Belt. It is also not clear what the appellant's case would have been in respect of the keeping of cats, or the equestrian use. Correcting the notice to refer to a mixed use would therefore cause the appellant injustice.
22. Given the ambiguity regarding the precise mix of uses taking place within the planning unit at the time the notice was issued, I have considered whether it would be appropriate to change the appeal procedure to enable discussion to take place. However, given the significant concerns I have regarding the notice, I consider there would be little merit in changing the procedure if the notice is likely to be quashed anyway.
23. The allegation and requirements are broadly stated and so, I do not consider the notice to be a nullity. However, the allegation conflates material change of use and operational development and does not identify that it is in a mixed use, nor does it identify all the different components of the mixed use. For the reasons given above, I have concluded that the notice cannot be corrected without causing injustice to the appellant and is therefore invalid beyond correction.

Conclusion

24. For the reasons given above, I conclude that the enforcement notice does not specify with sufficient clarity the alleged breach of planning control or the steps required for compliance. It is not open to me to correct the error in accordance with my powers under section 176(1)(a) of the 1990 Act (as amended), since injustice would be caused were I to do so. The enforcement notice is invalid and will be quashed.
25. In these circumstances, the appeal on the grounds set out in section 174(2)(b) and (g) of the 1990 Act (as amended) do not fall to be considered.

M Savage

INSPECTOR



Appeal Decision

Site visit made on 28 May 2024

by M Savage BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 July 2024

Appeal Ref: APP/T4210/C/24/3336195

Lake Hill Walshaw Road, Bury BL8 1PT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended). The appeal is made by Luxworth Holdings Ltd against an enforcement notice issued by Bury Metropolitan Borough Council.
 - The notice was issued on 16 November 2023.
 - The breach of planning control as alleged in the notice is without planning permission, render has been applied to the front and eastern elevations of the brick dwellinghouse and new windows and patio doors have been installed to the front elevation of the building which are not of a similar appearance to those used in the construction of the existing dwellinghouse. This includes the removal of two traditional bay windows with slate roofs to the front ground floor elevation and the removal of overhanging stone slab cils support on brick corbels to the first floor windows.
 - The requirements of the notice are to:
 - a) Permanently remove all the render to the front and eastern elevation. If the brickwork underneath the rendering is damaged, repair any damage to the brickwork and reinstate to it's [sic] previous condition.
 - b) Remove the 2 no. bay windows to the front ground floor elevation of the dwellinghouse and replace with 2 no. traditional bay windows with slate roofs.
 - c) Remove all the other windows/patio doors on the ground floor and first floor of the front elevation of the dwellinghouse and install windows that are in keeping with the character of the building and are of similar appearance of the removed windows (photo attached of how the building looked before the works took place). The first floor windows should incorporate overhanging stone slab cils supported on brick corbels.
 - The period for compliance with the requirements is: 60 days after the notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (b), (c), (e), (f) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The enforcement notice is quashed.

Matters concerning the notice

2. An enforcement notice should be drafted so as to tell the recipient fairly, what he has done wrong and what he must do to remedy it. The appropriate test is derived from *Miller-Mead v MHLG* [1963] 2 WLR 225 – whether a notice is 'hopelessly ambiguous and uncertain so that the owner or occupier could not tell in what respect it was alleged that he had developed the land without permission or that he could not tell with reasonable certainty what steps he had to take to remedy the alleged breaches'. The appellant suggests the enforcement notice is a nullity and has drawn my attention to what it considers are errors, defects and 'loose' wording in support of its case.

3. The enforcement notice alleges that render has been applied to the 'front and eastern elevations...'. Reference to 'the front and eastern elevations' suggests more than one elevation is attacked by the notice. During my visit I saw that render has been applied to the other elevations. The property is positioned at an angle, with none of the elevations perfectly facing towards north, south, east or west.
4. Nevertheless, the Council has attached a photograph of the 'front elevation' to the enforcement notice. Since the front elevation is the only elevation which, in my view, could be considered to face towards the east, it follows that the notice can only be attacking that elevation. I therefore consider the notice could be corrected to make it clear it is only the front elevation which is being attacked by the notice. Since this would not expand the scope of the notice or make it more onerous to comply with, I consider such a correction would not cause either party injustice.
5. The allegation states that new windows and patio doors have been installed. However, to my mind, the erection of the bay windows¹, which in this case would have involved significant building works, goes beyond the installation of a window. While the notice alleges the **removal** of 'two traditional bay windows with slate roofs' it does not allege the **erection** of 2 bay windows. This is inconsistent with requirement (b), which requires the appellant to remove the 2 no. bay windows to the front ground floor elevation of the dwellinghouse.
6. Furthermore, requirement (b) requires the recipient of the notice to 'replace with 2 no. traditional bay windows with slate roofs'. No information is provided as to what these 'traditional bay windows with slate roofs' should look like or their dimensions, nor is it clear what is meant by the term 'traditional'. In this regard, I find the requirement ambiguous. Although it would be possible to correct the notice to refer to the photograph, this would not address the inconsistency between the allegation and the requirement. Correcting the allegation to refer to the erection of 2 bay windows would increase the scope of the notice, which would cause the appellant injustice.
7. Requirement (c) requires the recipient of the notice to remove 'all the other windows/patio doors on the ground floor of the front elevation and install windows that are in keeping with the character of the building and are of similar appearance of the removed windows'. However, it is not clear how many windows the appellant is required to install, what their dimensions should be or whether windows should be reinserted where there was previously no window, for example, above the bay window to the left of the front door.
8. The requirement to install windows that are 'in keeping with the character of the building' is at odds with the requirement to install windows that are 'of similar appearance of the removed windows', since windows and openings in the other elevations of the building are similar in style and appearance to those which the enforcement notice is seeking are removed on the front elevation.
9. The front door and frame are surrounded by a series of glass panels. The door is not attacked by the notice, and it is not clear whether the frame, which is a substantial feature and which also frames a series of glass panels, would need to be removed. This leaves the recipient of the notice unclear as to what they have to do. It is not clear to me that the notice can be corrected to address this

¹ Notwithstanding the appellant's argument under ground (b) that the bay windows have been modified.

uncertainty without causing injustice. Correcting the notice to include the door and its frame within the allegation and requirements would increase the scope of the notice and make it more onerous to comply with, causing the appellant injustice. Correcting the notice to specify the glass panels within the allegation and requirements would leave the frame in place and cause the Council injustice.

10. Requirement (c) also states the first floor windows should incorporate overhanging stone slab cils supported on brick corbels. However, the use of the word 'should' suggests the recipient does not have to do it. Furthermore, it is not clear what these should look like, or their dimensions. Although the requirement refers to a photograph in respect of the windows, it does not require the cils to be as shown in the photograph.
11. Given the removal of cils is identified separately in the allegation, the requirement should make it clear what the recipient of the notice must do with respect to the cils. While it would be possible to correct the notice to refer to the photograph, deleting the word 'should' and inserting the word 'shall' would make the notice more onerous to comply with and would cause the appellant injustice.
12. Given the penalties associated with failure to comply with an enforcement notice, it is essential that the requirements of the notice are clear. However, in this case, I find that they are not. While I have found the notice can be corrected to address some of the concerns raised above without causing injustice, uncertainty would remain.
13. The appellant suggests the notice is a nullity and has drawn my attention to *Payne v NAW and Caerphilly CBC* [2007] JPL 117, where it was held that having reached the conclusion that an enforcement notice did not comply with section 173 (of the Act), the Inspector had no power to vary its terms because the notice was a nullity.
14. I am mindful that, given the breadth of the statutory power under section 176 of the Act to correct error on appeal, the *Miller-Mead* approach to nullity should be confined to those cases where the failure to comply with the statutory requirements in section 173 is apparent on the face of the enforcement notice itself. Whether a defect renders the notice a nullity is a matter of judgement. Some degree of uncertainty or other defect in the relevant section of the notice does not mean that there is non-compliance with the statutory requirements. The allegation and requirements are broadly stated and so, I do not consider the notice to be a nullity. However, for the reasons given above, I consider the notice is invalid beyond correction.

Conclusion

15. For the reasons given above, I conclude that the enforcement notice does not specify with sufficient clarity the steps required for compliance. It is not open to me to correct the error in accordance with my powers under section 176(1)(a) of the 1990 Act (as amended), since injustice would be caused were I to do so. The enforcement notice is invalid and will be quashed.
16. In these circumstances, the appeal on the grounds set out in section 174(2) (a), (b), (c), (e), (f) and (g) of the 1990 Act (as amended) and the application

for planning permission deemed to have been made under section 177(5) of the 1990 Act (as amended) do not fall to be considered.

M Savage

INSPECTOR