

Title	Planning Applications
To:	Planning Control Committee
On:	25 February 2016
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.

Development Manager

Background Documents

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

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

01 Township Forum - Ward: Radcliffe - East

App No. 59600

Location: Site of Civic Centre, Thomas Street/New Church Street, Radcliffe, M26
2UD

Proposal: Demolition of existing Civic Centre and erection of 40 no. dwellings with
associated car parking and landscaping

Recommendation: Minded to Approve

Site Visit: Y

Ward: Radcliffe - East

Item 01

Applicant: Great Places Housing Association

Location: Site of Civic Centre, Thomas Street/New Church Street, Radcliffe, M26 2UD

Proposal: Demolition of existing Civic Centre and erection of 40 no. dwellings with associated car parking and landscaping

Application Ref: 59600/Full

Target Date: 05/04/2016

Recommendation: Minded to Approve

The application is presented to the Committee as it is a Departure from the Development Plan.

It is recommended that this application is Minded to Approve subject to the signing and completion of an appropriate legal agreement for recreation provision in accordance with Policies RT1/1 (Protection of Recreation Provision in the Urban Area) and affordable housing in accordance with Policy H4/1 (Affordable Housing) of the adopted Unitary Development Plan. Should the legal agreement not be signed and completed within a reasonable period, it is requested that the application be determined by the Development Manager.

A site visit was carried out on 16 February 2016.

Description

The application site is located in Radcliffe town centre and contains the civic centre building and open space. The civic centre is located to the west of the site and is constructed from brick with a flat roof. The site slopes steeply from New Church Street to Seymour Street and Quarry Street. The land to the east and south of the civic centre is grassed and contains mature trees. There are footpaths throughout the site, which connect New Church Street to Thomas Street and Seymour Street. Vehicular access is taken from Thomas Street or Seymour Street leading to a drop off area in front of the civic building.

There are two car parks located to the south of the site with commercial properties beyond. There is a pub, nursery and car parks to the west of the site and the health centre is located to the east. There are residential properties to the north and St Thomas and St John's Church, which is a grade II listed building is located to the north west.

The proposed development involves the demolition of the civic centre and the erection of 40 dwellings with associated car parking and landscaping. The proposed dwellings would be two storeys in height and would be constructed from buff and contrasting brick, cladding and a tile roof. All of the proposed dwellings would be affordable homes, offering a mix of shared ownership and rented accommodation. Access to the proposed dwellings would be taken from Thomas Street and New Church Street.

Relevant Planning History

23272 - Single storey storeroom at rear of Radcliffe Civic Hall, Thomas Street, Radcliffe. Approved with conditions - 14 September 1989.

01707/E - Proposed demolition of Radcliffe Civic Centre and re-development of site to comprise 38 residential properties at Radcliffe Civic Centre, Thomas Street, Radcliffe. Enquiry completed - 2 December 2015.

Publicity

The neighbouring properties were notified by letter on 6 January 2016 and a press notice

was published in the Bury Times on 14 January 2016. Site notices were posted on the site 13 January 2016.

A petition containing 251 signatures has been received, which has raised the following issues:

- Object to the demolition of Radcliffe Civic Suite.
- Object to any development on the Public Open Space land surrounding the building other than as per Bury Unitary Plan and Radcliffe Area Plan RD2.

2 letters have been received from the occupiers of 9 Deansgate and 18 Guiseley Close, which have raised the following issues:

- There is little point in objecting as like many others I believe that it is a fait accompli.
- I want to make it clear that town centre businesses will not be prepared to suffer long term disruption to our trading, especially as we have suffered a year of impeded trading due to United Utilities activities on Church Street West, which we were unable to claim compensation for).
- I expect the Council to ensure the traffic disruption and parking access in and around the site is kept to an absolute minimum.
- The proposal is against the Bury Unitary Development Plan and Radcliffe plan to build houses on this site, which is public open space.
- It appears that no application for a change of use has been made by the planning department to the Council as a whole.
- The Council has failed to produce a business case in support of the proposed borrowing of £10 million towards the proposed new leisure centre/civic centre. There is no evidence presented as part of this application that the demolition of Radcliffe Civic Suite and the disposal of the open public space surrounding the building will automatically lead to the replacement of this iconic and popular public asset in 3 years time.
- The demolition of the civic suite was announced in November 2015. While there is no requirement for the Council to consult members of the public prior to demolishing any Council owned building, given the Housing Development Plan prepared and submitted by the applicant, it is obvious that the demolition of the civic suite will have been part of the discussions that would have taken place between the planning officer and the applicant in preparation for the submission.
- To announce the demolition of the civic suite months in advance of the Planning Control Committee decision regarding this particular planning application does raise serious concerns about the transparency of the whole process and indeed concerns about the ability of members of the committee to remain objective at all times and free to make their own decisions.

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

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to highway/pedestrian improvements, construction traffic management plan, minimum hardstanding lengths and measures to prevent mud from passing onto the highway.

Drainage Section - No objections, subject to the inclusion of conditions relating to surface water drainage.

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

Environmental Health - Air Quality - No objections, subject to the inclusion of condition relating to air quality.

Waste Management - No objections.

Public Right of Way Officer - No objections, subject to the footpaths being closed or diverted.

Design for security - No objections.

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

GM Ecology Unit - No objections subject to inclusion of condition relating to bats and replacement trees.

GM Archaeological Advisory Service - Comments awaited.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
H5/1	Area Improvement
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN1/7	Throughroutes and Gateways
EN2/3	Listed Buildings
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
RT1/1	Protection of Recreation Provision in the Urban Area
RT2/2	Recreation Provision in New Housing Development
S1/2	Shopping in Other Town Centres
HT2/4	Car Parking and New Development
HT4	New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
CF1/1	Location of New Community Facilities
TC1/1	Open Space in Town Centres
Area	Green Street/New Church Street
RD2	
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle (Recreation) - Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land should not be built upon, unless:

- an assessment has been undertaken clearly finding the facility to be surplus to requirements; or
- the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

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

recreation provision in the urban area unless:

- 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; or
- 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.

Policy TC1/1 states that within the town centre, the council will protect identified areas of open space which provide:

- an important element in civic design;
- valuable visual amenity;
- important outlets for recreation;
- valuable wildlife habitats; or
- act as buffers between incompatible uses or provide links between other open land areas.

Area RD2 states that the Council will maintain community facilities and public open space as the predominant land uses within the Green Street/New Church Street area of the town centre. Should the opportunity arise, the Council will also support retailing, business (B1), office and leisure uses on the Opportunity site identified on Green Street.

The site of the grounds surrounding the civic centre are protected recreation space and as such, Policies RT1/1, TC1/1 and Area RD2 of the Unitary Development Plan and Paragraph 74 of the NPPF apply.

The primary use of the civic centre is for community use and would fall within Policy Area RD2. Demolishing and building on this footprint of the building and immediate curtilage would represent a departure from Policy Area RD2. As such, the building and immediate surrounding curtilage land must form part of the planning balance in the assessment and determination of this application and this is discussed further elsewhere in this report.

However, although the building is a community facility and is thereby caught by Policy Area RD2, the building itself does not, in planning policy terms fall within the ambit of being, for example, a 'recreational building', or 'public open space' or similar. By way of background, the building has been the subject of separate decisions, away from the planning process, by the Council's Cabinet that it is to be closed in April 2016 and the land on which it sits and the associated remaining surplus open space land has been allocated for disposal through the appropriate legal processes. Given its imminent closure, the Local Planning Authority concludes that the Civic Centre building itself is surplus to requirements in any event..

Therefore, the building itself should not form part of any requirement to compensate the Council for loss of recreational facility in this respect. Nevertheless, as a community facility, it is considered that it does fall within Policy Area RD2 and any demolition and subsequently rebuilding on the footprint of the building must be considered a departure from Policy Area RD2. The application has been advertised as a departure from the development plan.

In terms of the land outside the footprint of the building, this is clearly recreation land and is considered by the Council, as a landowner, or as the Local Planning Authority, to be public open space. Matters must therefore, turn to the loss of such land being replaced by equivalent or better provision in terms of quantity and quality in a suitable location as required by Policy RT1/1.

This is proposed to be done in two ways as part of the planning application proposals. Firstly, by a financial contribution to compensate for the loss of 0.61 hectares of open space and secondly, by the retention of 0.15 hectares of on-site amenity greenspace within the proposed residential scheme.

The compensatory payment has been calculated at £91,763.53 and is derived from the Council's own costs of providing new and enhancing existing open space. The applicant has

agreed to this contribution, which would be secured by an appropriate legal agreement. In addition to this compensation, the proposals would provide 0.15 hectares of amenity greenspace within the scheme. The retained amenity greenspace would be accessible to both residents of the scheme and the wider general public.

Therefore, it is considered that at the very least equivalent alternative provision of public recreation open space would be made available through the retention of the amenity greenspace and the contribution and that the loss of recreation provision would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

Therefore, the proposed development would meet the policy requirements of Policies RT1/1 and TC1/1 of the Bury Unitary Development Plan and the NPPF.

Policy Area RD2 of the Unitary Development Plan also needs to be considered, as this states that "the Council will maintain community facilities and public openspace as the predominant land uses within the Green Street/New Church Street area of the town centre." In terms of open space, the loss in this area would be compensated for as discussed above. In terms of community facilities, the Council has formally announced the closure of the Civic Centre, with further investigation to be given to the development of a combined leisure centre and civic venue on an alternative site on Green Street in Radcliffe. Whilst the proposals would depart from Policy Area RD2, there is no requirement to replace community facilities by the policy, although the Council has indicated a need to do so.

Principle (Housing) - Following revocation of the North West Regional Strategy on 20 May 2013, there is no statutory housing target for Bury. Work has commenced on the Greater Manchester Spatial Framework and this will bring forward a new statutory housing target for the Borough. This will subsequently be incorporated into Bury's future Local Plan.

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

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

Policy H4/1 states that the Council will encourage the provision of affordable housing through negotiation, partnership agreements and the identification of land suitable for such purposes. There will be a particular emphasis towards encouraging the development of affordable housing as an integral part of large housing developments.

The site is located within the urban area and there is residential development to the northeast and health centre to the east. The proposed development would not conflict with surrounding land uses. The site contains the civic centre and as such, this area of the site would be previously developed land. The site is located within the town centre and is in a sustainable location with regard to public transport and services. The proposed development would deliver 40 affordable dwellings, which would meet an identified need for 2 and 3 bedroom homes. Therefore, the proposed development would be in accordance with Policy H1/2 and Policy H4/1 of the Bury Unitary Development Plan.

Design, layout and impact upon heritage assets - Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, to any features of special architectural or historic interest which it possesses.

In addition, Paragraph 131 of the NPPF states that when determining applications for heritage assets, local planning authorities should take account of:

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

Paragraph 132 of the NPPF 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The building to be demolished (Radcliffe Civic Centre) is not a listed building and is not on the draft local list. Therefore, the civic centre building is neither a heritage asset and for completeness is not considered to be a non-designated heritage asset.

However, albeit outside of the actual site, the proposed development would be located to the south of a Grade II listed building - St Thomas and St John's Church. Accordingly, whilst the Radcliffe Civic Centre to be demolished is considered neither a designated or non-designated heritage asset, St Thomas and St John's Church, as a listed building, is a heritage asset and therefore the effect of the proposed development on the building or its setting requires due consideration and assessment.

The proposed development would include a mix of semi-detached and terraced dwellings on three levels across the site. The proposed dwellings would be of a modern design and would use a variety of materials, including buff and contrasting brick, cladding and a tile roof. The proposed materials would match or complement the existing materials in the locality.

The proposed development would be modest in terms of the scale and size of the proposed dwellings and would not encroach upon the curtilage of the listed building. As such, the proposed development would not challenge the listed building and would not obstruct views of the church and the spire. The proposed development is located to the south of the New Church Street and maintains the clearly defined separation between the two sites.

The use of a mix of materials and canopies would add visual interest to the elevations and would not be a prominent feature within the streetscene. As such, the proposed development would preserve the Grade II listed building, being St Thomas and St John's Church, and preserve its setting. Therefore, the Council as Local Planning Authority has in its assessment of this proposed development had special regard to the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, being the desirability of preserving the listed building or its setting, or any special features of special architectural or historic interest which it possesses. After due assessment, the Council as Local Planning Authority has discharged its requirement under Section 66 and finds the proposed development as being in accordance with Policies H2/1, H2/2, EN1/2 and EN2/3 of the Bury Unitary Development Plan and the relevant parts of the NPPF.

Impact upon surrounding area - All of the proposed dwellings would have a side or rear garden, which would provide a suitable level of private amenity space. A gabion wall would be provided to respond to the levels across the site and would ensure that the private amenity space is useable. There would be space within the rear gardens for bin storage, which would be acceptable. The proposed boundary treatments would include timber fencing, brick wall and railings, which would match the existing boundary treatments in the locality and would be acceptable. Therefore, the proposed development would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan and the

relevant parts of the NPPF.

Impact upon residential amenity - SPD 6 provides guidance on aspect standards for residential properties and would be relevant in this case

There would be a minimum of 15 metres between plots 7 and 14 and the gable elevation of Nos 1 new Church Walk and 1 New Church Court and there would be 27 metres between the nursery on Cross Street and the gable elevation of plot 1. Both these distances would be in excess of the 13 metre aspect required.

There would be a minimum of 20 metres between the remaining dwellings on New Church Street and plots 5 to 18. There would be a minimum of 41 metres between the proposed dwellings and the properties, which front onto Church Street West. Both these distances would be in excess of the 20 metre aspect.

The remainder of the development would within the site comply with or be in excess of the relevant aspect standard.

Therefore, the proposed development would not have an adverse impact upon the residential amenity of the neighbouring properties and would be compliant with Policies H1/2 and H2/2 of the Bury Unitary Development Plan.

Ecology - An ecological appraisal was submitted as part of the application and confirms that the site is not subject to any statutory or non-statutory designations. A bat survey was undertaken and while the civic centre building is located in reasonable habitat to support bats and being close to the river, it has only low-negligible potential to support a bat roost. In particular, the building has negligible potential to support a significant winter (hibernation) roost, negligible potential to support a significant breeding roost and low potential to support small summer or transitional 'day' roosts. In addition, the trees to be removed to facilitate the proposed development are not of high potential to support bat roosts, although they may have value as a foraging habitat for bats. The Greater Manchester Ecology Unit (GMEU) has no objections, subject to the inclusion of conditions relating to bats, nesting birds and landscaping. Therefore, on the basis of this advice, the proposed development would not cause harm to a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Trees - There are no Tree Preservation Orders within the site. 111 trees would be removed as a result of the proposed development and 55 trees would be retained. The trees to be removed are a mix of category A, B and C trees, which would include some trees of good and poor quality. The proposed site plan indicates that 81 replacement trees would be planted and all of these trees would be visible from public vantage points. Given that the trees to be retained are located on the perimeter of the site and the provision of the replacement trees, the character of the area would be maintained. Therefore, the proposed development would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Drainage - The site is not located within a flood risk zone. The Drainage Section and United Utilities has no objections to the proposal, subject to a condition relating to SuDs and foul and surface water drainage.

Therefore, the proposed development would not be at risk from groundwater flooding, subject to conditional control and would be in accordance with Policies EN5/1 and EN7/5 of the Bury Unitary Development Plan.

Highways issues - The proposed dwellings would be accessed from New Church Street and a new access road would connect to Thomas Street. Turning heads would be provided and there would be acceptable levels of visibility at the respective junctions. It is envisaged that traffic calming measures would be provided on Thomas Street. The Traffic Section has no objections, subject to the inclusion of conditions relating to highway/pedestrian

improvements, construction traffic management plan, minimum hardstanding lengths and measures to prevent mud from passing onto the highway. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan.

Footpaths - The Public Rights of Way (PROW) Officer has confirmed that there are no routes included or identified on the Definitive Map. However, following consultation and consideration during the course of the application, the PROW Officer has reported that there is a surfaced path across the open space to the north east of the civic centre which links Seymour Street to New Church Street. There is also access along the eastern edge of the civic centre linking more directly to the walkway beside St Thomas and St John's Church. The PROW Officer has added that with "the absence of evidence to the contrary, it is likely that these routes have attained the status of public right of way" and that "The two routes would be obstructed by the proposed development and diversion or extinguishment would be required."

The proposed site layout plan indicates that these footpaths would need to be stopped up or diverted as a result of the proposed development. However, access would be upheld along a path between the identified plot 1 and the nursery, along Thomas Street and along the proposed access road and as such, the access would be maintained. Other than what has been identified, the PROW Officer has no objections in principle to the proposal provided that the appropriate processes to stop-up or divert the footpaths are undertaken.

Parking - SPD11 states that the maximum number of parking spaces is 1.5 spaces per 2 bed dwelling and 2 spaces per 3 bed dwelling. This equates to 72 spaces.

The proposed development would provide 48 spaces for 40 dwellings with at least 1 space per each dwelling. The site is located in Radcliffe town centre and is identified as a high access area in SPD11. The site has good access to services, shops and public transport. As such, the level of parking provision and not providing the maximum provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Planning obligations - The legal agreement would secure the proposed dwellings as affordable housing as defined in Supplementary Planning Document 5 - Affordable Housing Provision in New Residential Developments and in accordance with Policy H4/1 of the Bury Unitary Development Plan.

A payment (£91,763.53) to compensate for the loss of recreation provision in accordance with Policy RT1/1 of the Unitary Development Plan and the NPPF. This sum of money shall be spent on new recreational provision and enhancement of existing recreational provision in Radcliffe town centre and on the following projects:

- Land fronting Coney Green High School (new provision)
- Banana path
- St Thomas churchyard
- Pilkington Way (west)
- Pilkington Way (east)
- Festival gardens

An off-site contribution towards the enhancement of recreation space would normally be required in accordance with Policy RT2/2 of the Bury Unitary Development Plan and SPD1. However, there may be some cases where on-site provision may be preferable in exceptional circumstances and where justified by the individual merits of a site. It is considered that the on-site provision of 0.15 hectares of open space would be acceptable as the retention of the amenity greenspace is important in terms of compliance with Policies RT2/2 and TC1/1. Also, the land would represent useable and functional open space, which would be appropriate in size and shape for the proposed development.

Conclusion - The key planning issues to consider as part of the planning balance are the:

- loss of recreation provision;
- loss of the civic centre building; and
- the provision of housing and 100% affordable housing to come forward as part of the proposed development.

The report above has assessed all of the planning issues including the loss of and re-provision of recreation/open space provision, the loss of the civic centre building and the provision of 100% affordable housing and in balancing these issues against planning policy locally and nationally, it is considered reasonable to recommend approval to the proposed development.

Response to objectors

A condition (13) requiring a construction management plan to deal with traffic and parking of operatives would be included on any subsequent grant of planning consent.

The report above assesses the proposal against the relevant policies of the Bury UDP and NPPF. The proposed development, subject to the relevant conditions and appropriate legal agreement, would be in accordance with the Bury Unitary Development Plan and the NPPF.

The planning department would not apply to the council to change the use of the land. Its role is to process and determine planning applications, including those which are submitted to the council.

The planning application before the Local Planning Authority is for the demolition of the civic centre and the redevelopment of the site for residential development. The proposed leisure centre/civic centre would be the subject of a separate planning application, which would be on a different and separate site. As such, this is not material to the current application.

The Local Planning Authority had no involvement in the decision to close the civic centre. That is a separate decision following a separate legal process for the Council as landowner. The role of the Local Planning Authority is to process and determine planning applications only and issue quasi-judicial decisions. Other Council functions are not material planning considerations and as such, there is no conflict of interest. A pre-application enquiry was undertaken by the applicant and this was completed on 2 December 2015 and is encouraged by the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the NPPF.

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

The proposal would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

Recommendation: Minded to Approve

Conditions/ Reasons

1. 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 14-009/01 A, 14-009/02 A, 14/009-03 A, 14-009/04, 14-009/05, 14-009/06, 14-009/07, 14-009/09, 14-009/10, 14-009/11, 14-009/12, 14-009/14 A, 14-009/20, 14-009/21 A, 14-009/30, 14-009/31,

060714JC-01, Arbtech TCP 01 and the development shall not be carried out except in accordance with the drawings hereby approved.

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

3. No development, other than demolition, shall commence unless or until details/samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, have been submitted to and approved in writing by the Local Planning Authority. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. No development, other than demolition, shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
6. Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
7. No development, other than demolition works, shall commence unless or until a scheme for the disposal of foul drainage has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans prior to occupation of the

dwellings hereby approved.

Reason: To ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

8. No development, other than demolition, shall commence unless or until details of a scheme for the disposal of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The proposed scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDs options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of the proposed maintenance arrangements must be provided. Only the approved scheme shall be implemented prior to occupation of the dwellings hereby approved.

Reason. No details of the drainage have been submitted and to ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

9. The demolition works shall be carried out in accordance with the recommendations of the Bat survey by Arbtech, dated 3 November 2015. If the demolition works are delayed beyond the end of April, a survey to establish whether the buildings are utilised by bats and a programme of mitigation shall be submitted to and approved in writing by the Local Planning authority prior to any demolition works commencing. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on the site for an agreed period of time.

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

10. No works of any kind shall be carried out to trees between the months of March to August inclusive, unless and until a survey commissioned by a suitably qualified person to establish that the trees are not being used by nesting birds, has been submitted to and approved in writing by the Local Planning Authority. Where such approval is provided in writing by the Local Planning Authority, then any works subsequently undertaken shall for the purposes of this condition 10 relate only to those trees identified as part of the survey approved and further survey by a suitably qualified person shall be required in relation to any trees where works have not taken place within a period of six months of such approval or where any nesting birds may subsequently have become present.

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

11. No development, other than demolition, shall be carried out unless or until a landscaping scheme, including details of replacement trees, has been submitted to and approved in writing by, the Local Planning Authority. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

12. All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

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

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

- Access route for construction traffic from the highway network;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials.

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

Reason. No information has been provided and to mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

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

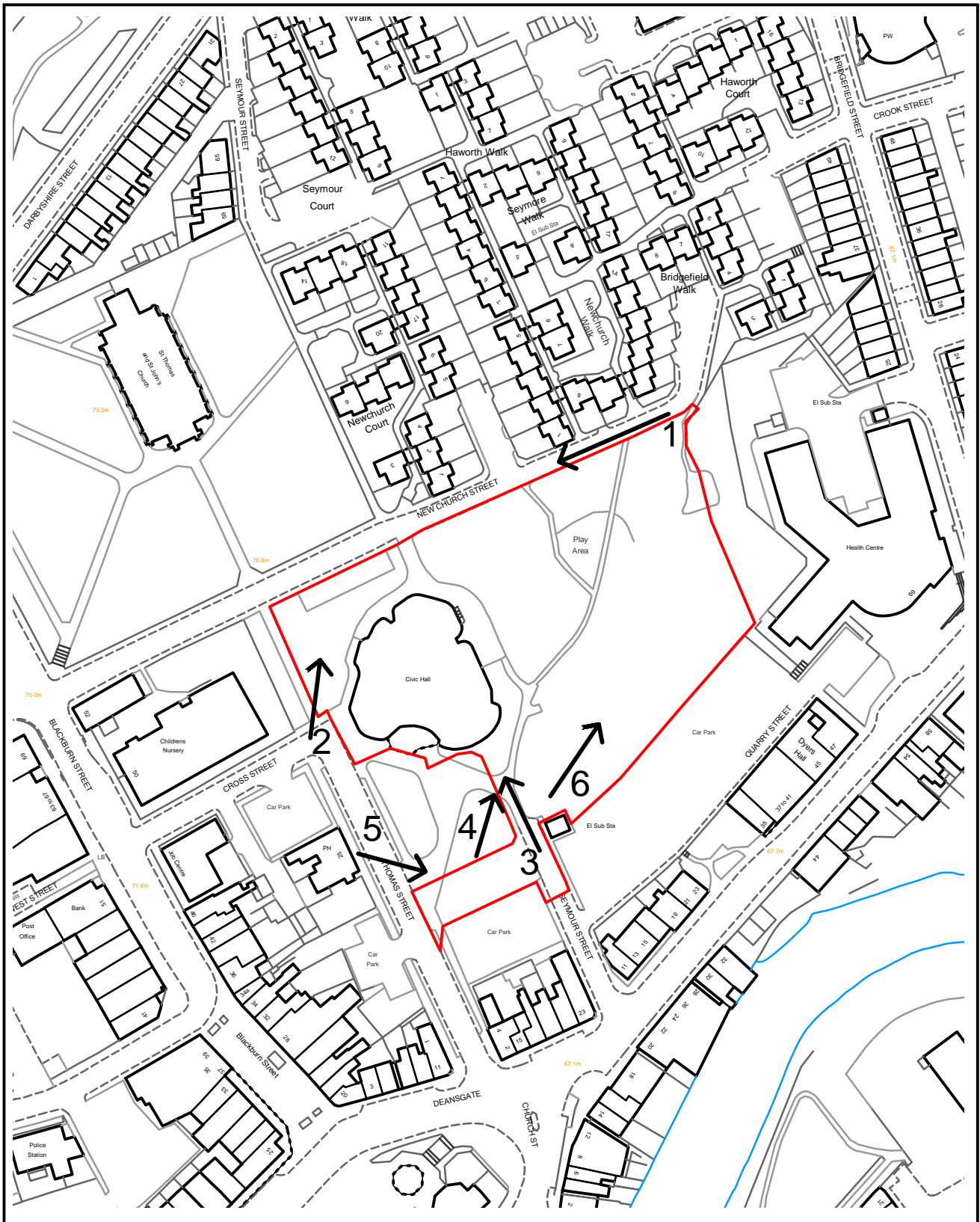
14. Notwithstanding the details indicated on approved plan reference 14-009 02 Revision A, no development, other than the demolition of the Civic Centre, shall commence unless and until full details of the following have been submitted to and agreed with the Local Planning Authority:

- Reconstruction of the existing and widened section of New Church Street abutting the site to a specification to be agreed, incorporating the provision of a 1.8m min. wide southerly footway, revised adoptable turning head arrangements adjacent to Plot 18, works to improve the pedestrian link from New Church Street to Cross Street and all associated highway and highway drainage remedial works;
- Formation of the proposed site access onto Thomas Street and residential estate road to an agreed specification incorporating adoptable turning head arrangements and service margins;
- A scheme of traffic calming measures on Cross Street and Thomas Street to a scope to be agreed including details of proposed materials, road markings and signage as required;
- Revised footway arrangements at the interface between the site and Seymour Street incorporating the provision of bollards to a specification to be agreed;
- Provision of a street lighting scheme for the proposed residential development to include the section of New Church Street abutting the site, the pedestrian link from New Church Street to Cross Street, Thomas Street in the vicinity of the site access and the cul-de-sac end of Seymour Street;
- Provision of long sections and cross sections at positions to be agreed through the proposed estate roads and turning heads to ensure adoptable gradients and minimum 1 in 3 batters can be achieved along and adjacent to the proposed adopted highways;

- Swept path analysis of the proposed estate roads to ensure a refuse collection vehicle can pass a private car and manoeuvre at both turning heads
The details subsequently approved shall be implemented to a programme, which shall be agreed in writing by the Local Planning Authority.
Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
15. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
16. No development shall commence unless and until details have been submitted to and approved in writing by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.
Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
17. No development, other than demolition works shall commence unless or until a scheme for works to the recreation/public open space retained on site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented not later than 6 months from the date a dwelling is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design, EN8/2 – Woodland and Tree Planting and Policy RT1/1 - Protection of Recreation Provision in the Urban Area of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 59600

ADDRESS: Site of Civic Centre, Thomas Street
Radcliffe

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

59600

Photo 1



Photo 2



59600

Photo 3



Photo 4



59600

Photo 5



Photo 6





NOTES:
 ● THE CONTRACTOR IS RESPONSIBLE FOR CHECKING DIMENSIONS, TOLERANCES & REFERENCES. ANY DISCREPANCY TO BE VERIFIED WITH THE ARCHITECT BEFORE PROCEEDING WITH THE WORKS.
 ● WHERE AN ITEM IS COVERED BY DRAWINGS OF DIFFERENT SCALES, THE LARGER SCALE DRAWING TO BE WORKED TO.
 ● DO NOT SCALE FROM THE DRAWING. FIGURED DIMENSIONS TO BE WORKED TO IN ALL CASES.
 ● THIS DRAWING TO BE READ IN CONJUNCTION WITH:

- KEY**
- Extent of existing adopted highway
 - Existing roads & footpaths (including unadopted)
 - New/widened roads to adoptable standards
 - Shared Pedestrian/Vehicular Surface
 - New/upgraded footpaths
 - Existing Tree Retained
 - New Tree
 - Grass
 - Landscaped Public Open Space
 - Large format concrete paving slabs to front, side & rear of plots
 - Planting to soften front/ rear boundaries
 - Planting beds within rear gardens
 - Bin Location
 - Gabion Retaining Wall

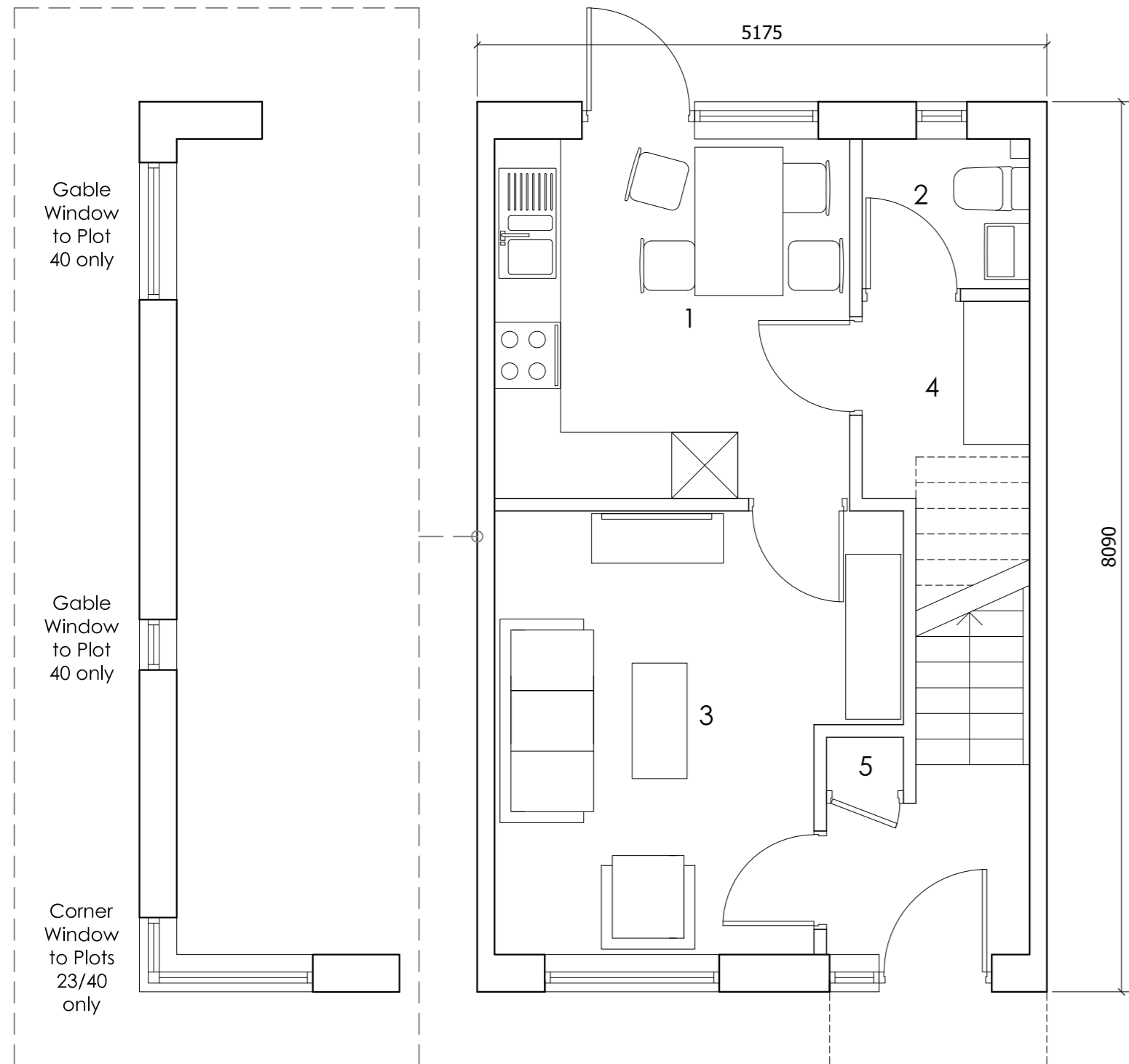
ACCOMMODATION SCHEDULE

16No. Type A 2B4P House (72.1m²)

24No. Type B 3B5P House (82.6m²)

Rev	Date	By
Client: Great Places		
Project: New Church St, Radcliffe		
Description: Detailed Site Layout Topographical Survey Overlay		
Purpose of issue: Planning		
Drawn by: BPM	Checked by: MM	Scale: 1.200@A1
Date: Feb 2016	Project No: 14-009	Drawing No: Rev: 09

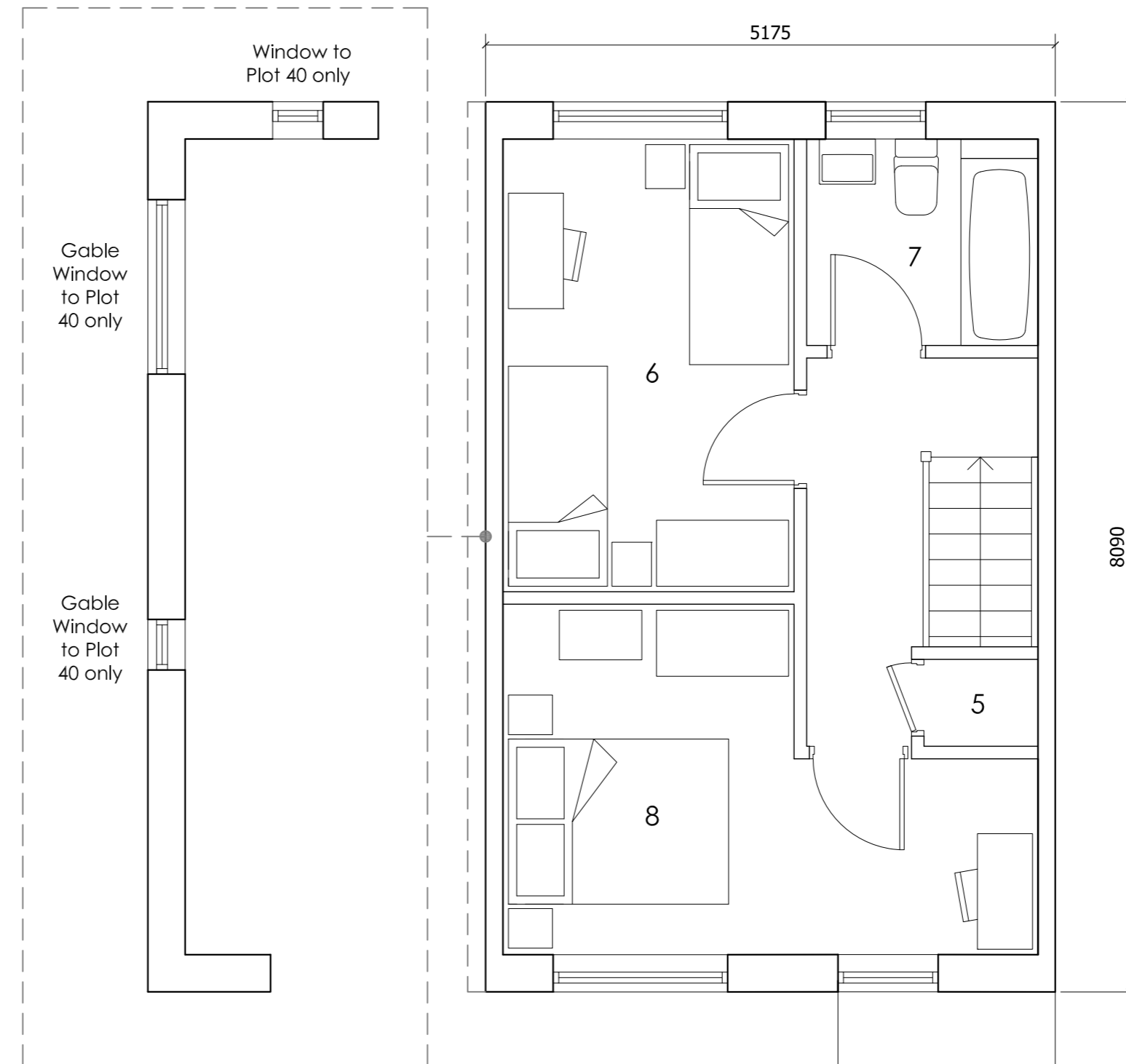
- NOTES:
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 - THIS DRAWING TO BE READ IN CONJUNCTION WITH:



Housetype A (2 Bedroom 4 Person)
Ground Floor Plan (Internal Area 36.0m²)

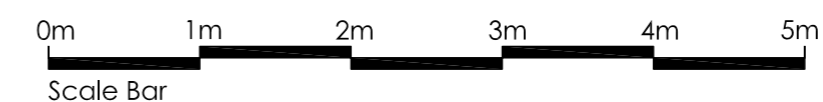
- 1 Kitchen/Dining
- 2 W/C
- 3 Living
- 4 Utility
- 5 Store

Total Area: 72.1m²



Housetype A (2 Bedroom 4 Person)
First Floor Plan (Internal Area 36.0m²)

- 6 Bedroom 2
- 7 Bathroom
- 8 Master Bedroom



Rev _____ Date _____ By _____

Client: _____

Great Places

Project: _____

New Church Street Development
Radcliffe

Description: _____

Housetype A Floor Plans

Purpose of issue: _____

Planning

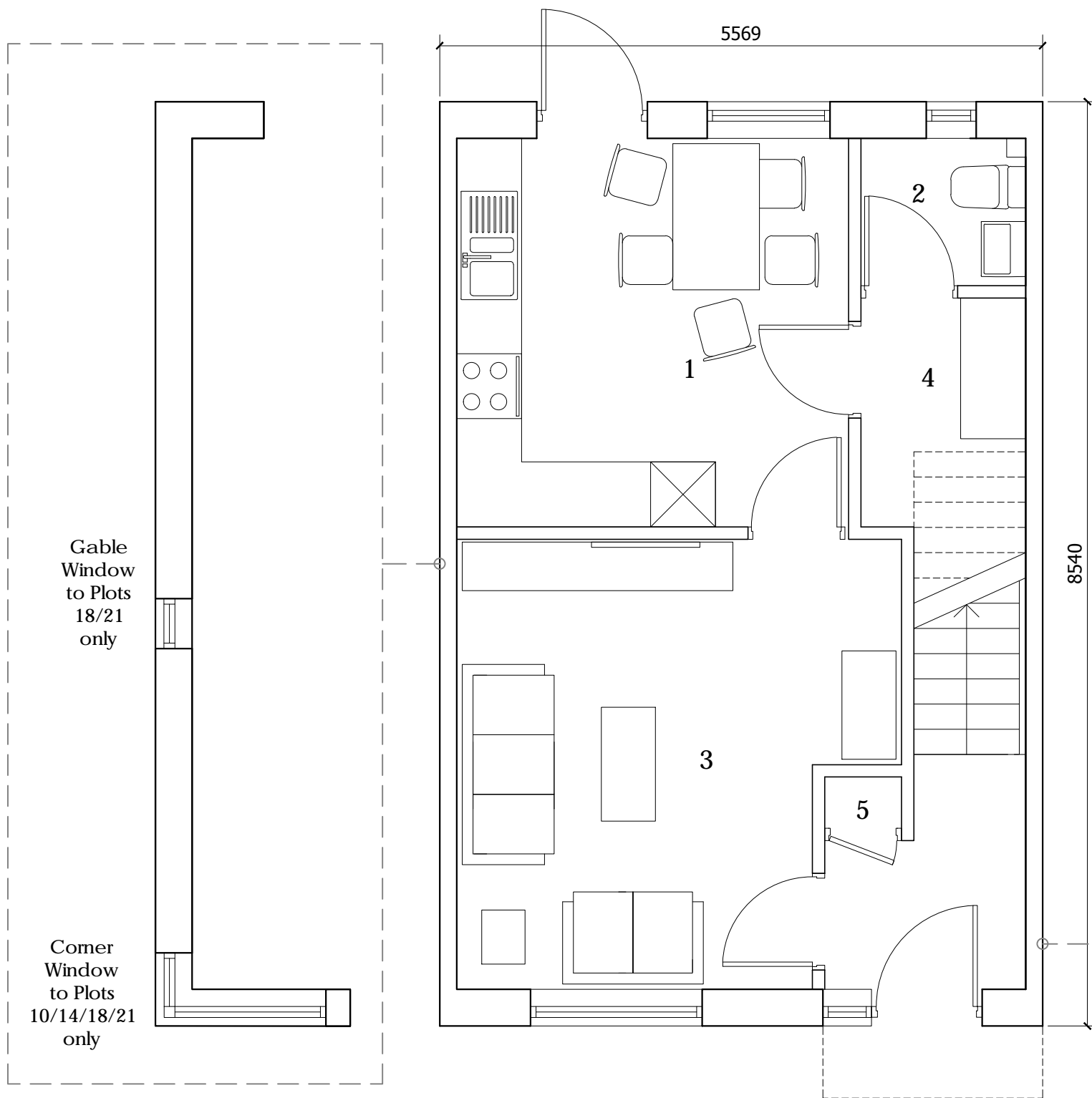
Drawn by: _____ Checked by: _____ Scale: _____

MRT BPM 1.50@A2

Date: _____ Project No: _____ Drawing No: _____ Rev: _____

Nov 2015 14-009 05

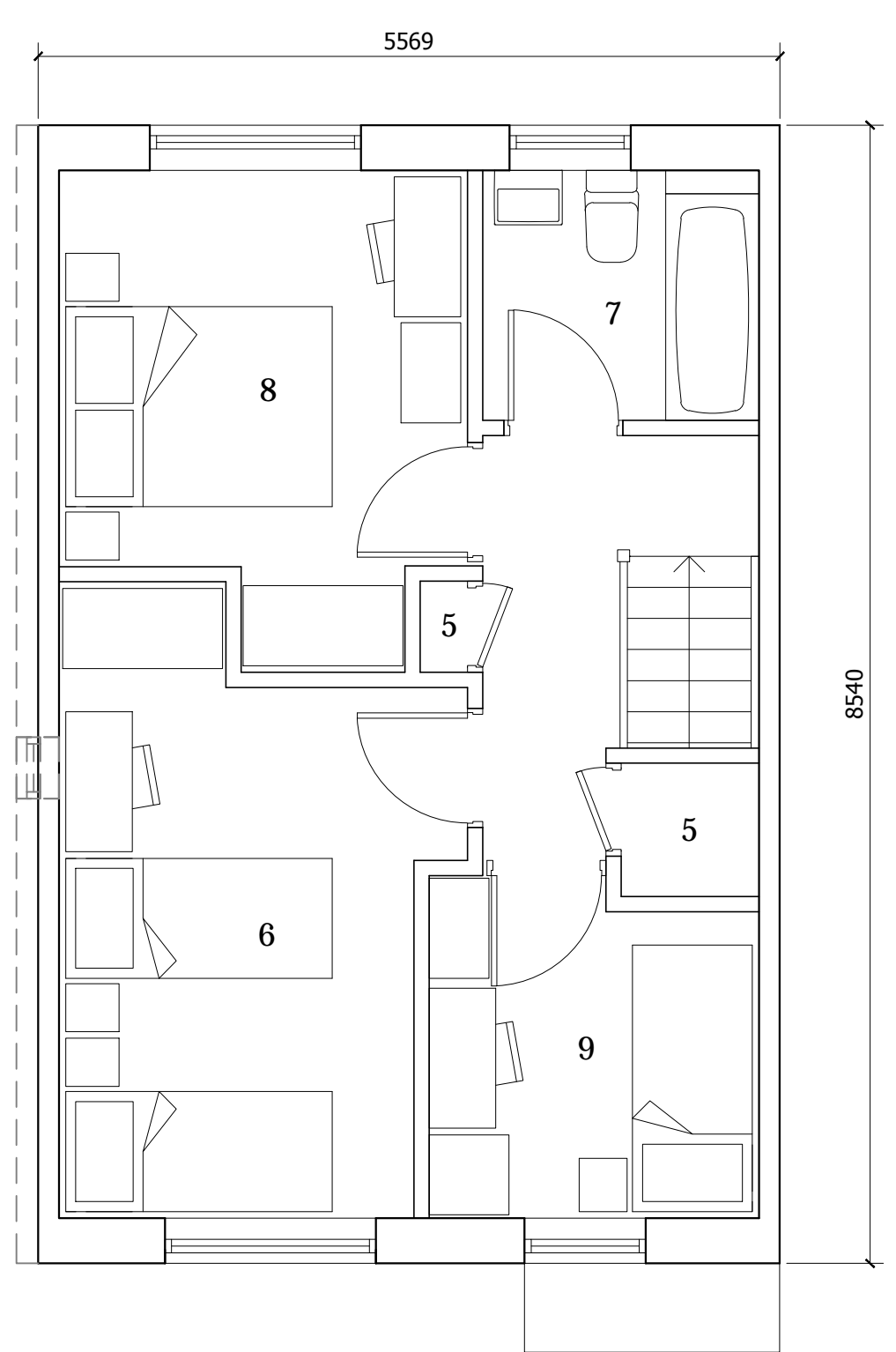




Housetype B (3 Bedroom 5 Person)
; fci bX: `ccfDUb`fbhYfbU`5fYU`(%`a £

- 1 Kitchen/Dining
- 2 W/C
- 3 Living
- 4 Utility
- 5 Store

H`HU`5fYU.; &`*a



Housetype B (3 Bedroom 5 Person)
: fgi: `ccfDUb`fbhYfbU`5fYU`(%`a £

- 6 Bedroom 2
- 7 Bathroom
- 8 Master Bedroom
- 9 Bedroom 3

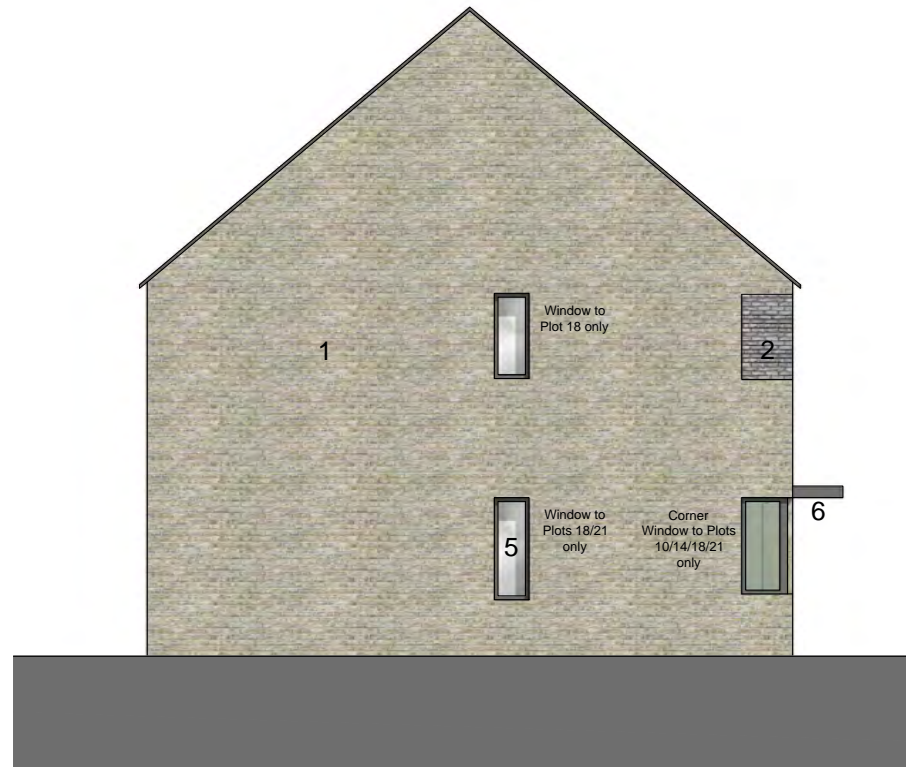


Rev:	Date:	By:	Remarks:

Client: Great Places Housing Group	Project: New Church Street, Radcliffe	Scale: 1.50@A3 Date: Nov 2015	Description: Housetype B Floor Plans
		Drawn: MRT Checked: BPM	Project/Drawing No. 14-009/06
<small>Manchester office: Raven House, 113 Fairfield Street, Manchester, M12 6EL Tel: 0161 272 3500 Fax: 0161 272 3501 Liverpool office: Lower Ground Floor, 28A Rodney Street, Liverpool, L1 2TQ Tel: 0151 708 9708 Fax: 0151 708 9709 studio@triangle-architects.td.uk www.triangle-architects.td.uk</small>			Rev.



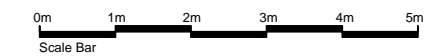
Corner Window Variant (Plots 10, 14, 18 & 21)




Gable Window Variants (Plots 10, 14, 18 & 21)

Proposed Facing Materials

- 1: Buff brick
- 2: Contrasting brick
- 3: Marley Eternit Cedral weatherboard cladding
- 4: Concrete Marley Eternit Edgemere roof tiles (or similar)
- 5: uPVC grey windows/ fascia/ soffits (RAL 7016)
- 6: Metal cladding to canopy
- 7: Timber composite entrance door
- 8: uPVC grey glazed door (RAL 7016)
- 9: Opaque look-alike glazing panel.
- 10: uPVC rainwater goods (black RAL 9005)
- 11: External Lighting - photoelectric (dawn-to-dusk) cell with manual override to all entrances



PLANNING

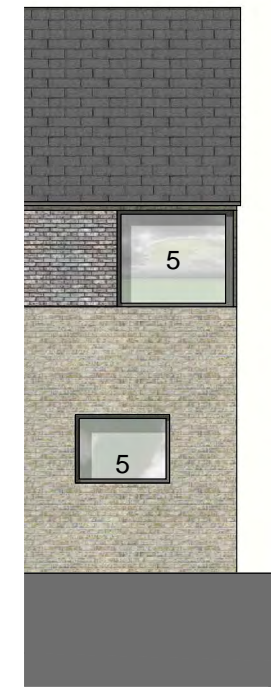
Rev:	Date:	By:	Remarks:	Client: Great Places Housing Group	Project: New Church Street, Radcliffe	Scale: 1:100 @ A3	Description: Type B Elevation Variants
				 <p>Manchester office: Raven House, 113 Fairfield Street, Manchester, M12 6EL Tel: 0161 272 3500 Fax: 0161 272 3501 Liverpool office: Lower Ground Floor, 28A Rodney Street, Liverpool, L1 2TQ Tel: 0151 708 9708 Fax: 0151 708 9709 studio@triangle-architects.ltd.uk www.triangle-architects.ltd.uk</p>	Date: Dec 2015	Project/Drawing No. 14-009/13	Rev.
					Drawn: MM	Checked: BPM	



Front Elevation 1 Corner Block Variant



Front Elevation 2 Corner Block Variant



Plot 37 Corner Window Variant



Plot 37 Corner Window Variant

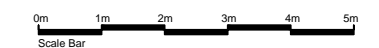
Rear Elevation Corner Block Variant



Side Elevation Corner Block Variant

Proposed Facing Materials

- 1: Buff brick
- 2: Contrasting brick
- 3: Marley Eternit Cedral weatherboard cladding
- 4: Concrete Marley Eternit Edgemere roof tiles (or similar)
- 5: uPVC grey windows/ fascia/ soffits (RAL 7016)
- 6: Metal cladding to canopy
- 7: Timber composite entrance door
- 8: uPVC grey glazed door (RAL 7016)
- 9: Opaque look-alike glazing panel.
- 10: uPVC rainwater goods (black RAL 9005)
- 11: External Lighting - photoelectric (dawn-to-dusk) cell with manual override to all entrances



PLANNING

Rev:	Date:	By:	Remarks:	Client: Great Places Housing Group	Project: New Church Street, Radcliffe	Scale: 1:100 @ A3	Description: Type B Elevations - Corner
				<p>Manchester office: Raven House, 113 Fairfield Street, Manchester, M12 6EL Tel: 0161 272 3500 Fax: 0161 272 3501 Liverpool office: Lower Ground Floor, 28A Rodney Street, Liverpool, L1 2TQ Tel: 0151 708 9708 Fax: 0151 708 9709 studio@triangle-architects.ltd.uk www.triangle-architects.ltd.uk</p>	Date: Dec 2015 Drawn: MM Checked: BPM	Project/Drawing No. 14-009/14 Rev.	

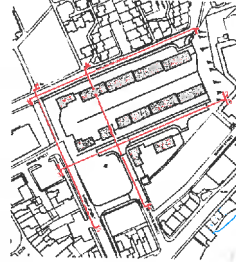
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 ● THIS DRAWING TO BE READ IN CONJUNCTION WITH



Street Elevation 1 - Fronting New Church Street



Street Elevation 2 - Fronting New Road (Facing North)



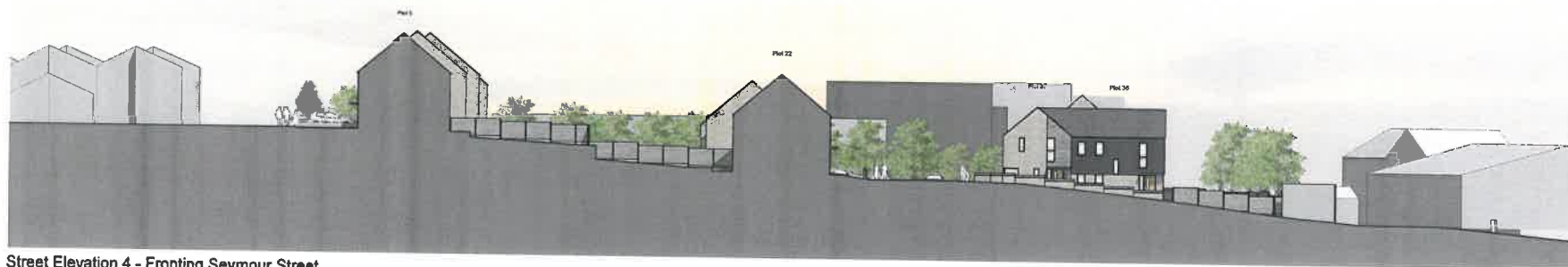
Rev	Date	By
Client		
Great Places		
Project		
New Church Street Development Radcliffe		
Description		
Street Elevations Sheet 1		
Purpose of Issue		
Planning		
Drawn by:	Checked by:	Scale:
MM	BPM	1:200 @ A1
Date:	Project No:	Drawing No./ Rev:
Dec 2015	14-009	20



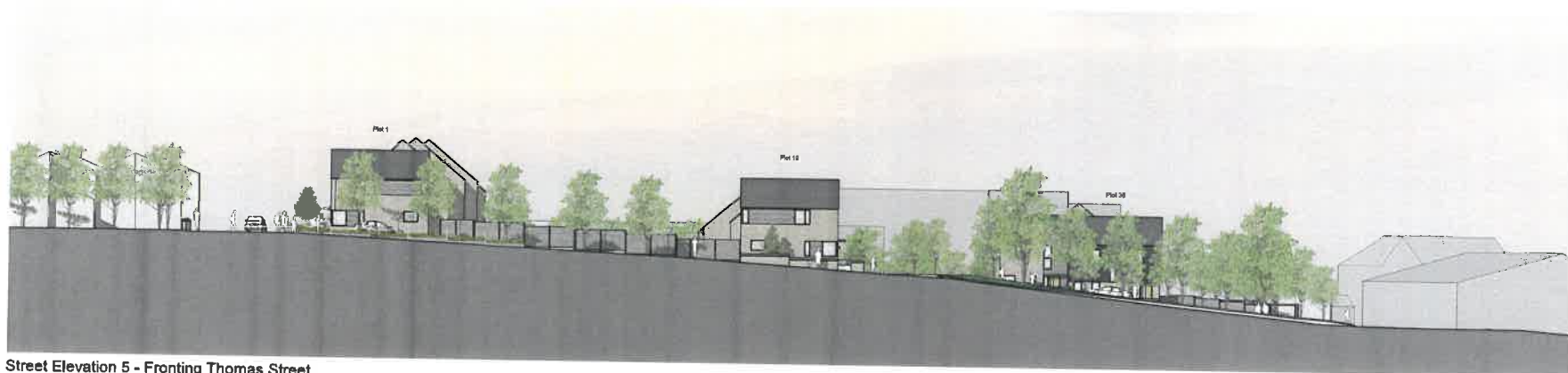
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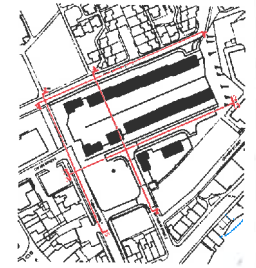
Street Elevation 3 - Fronting New Road (Facing South)



Street Elevation 4 - Fronting Seymour Street



Street Elevation 5 - Fronting Thomas Street

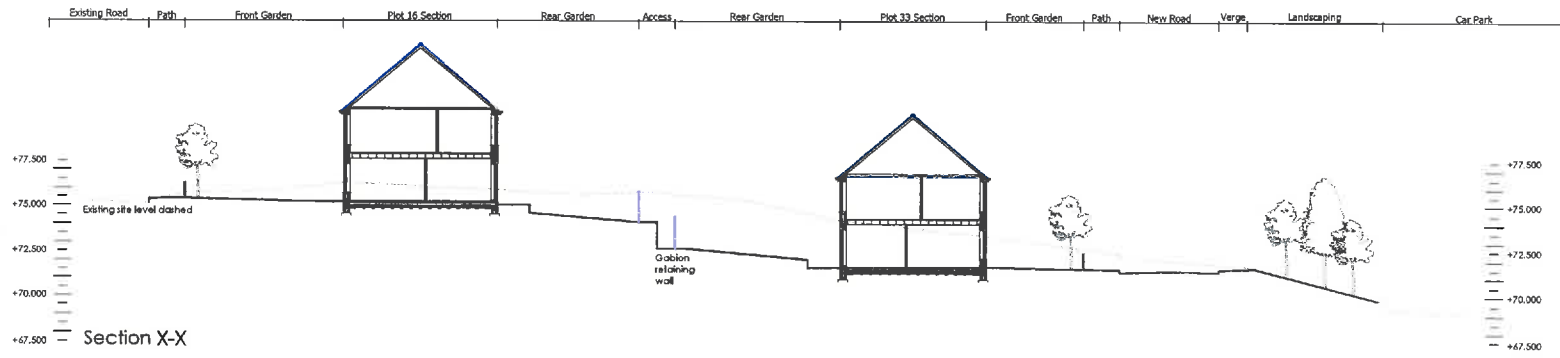


Rev	Date	By
Client		
Great Places		
Project		
New Church Street Development Redcliffe		
Description		
Street Elevations Sheet 2		
Purpose of issue		
Planning		
Drawn by	Checked by	Scale
MM	BPM	1:200 @ A1
Date	Project No.	Drawing No Rev
Dec 2015	14-009	21

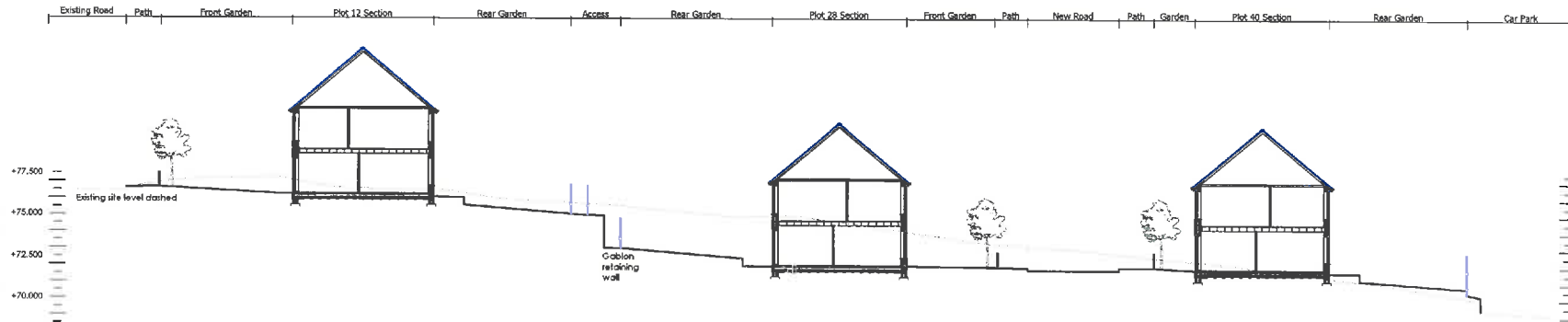


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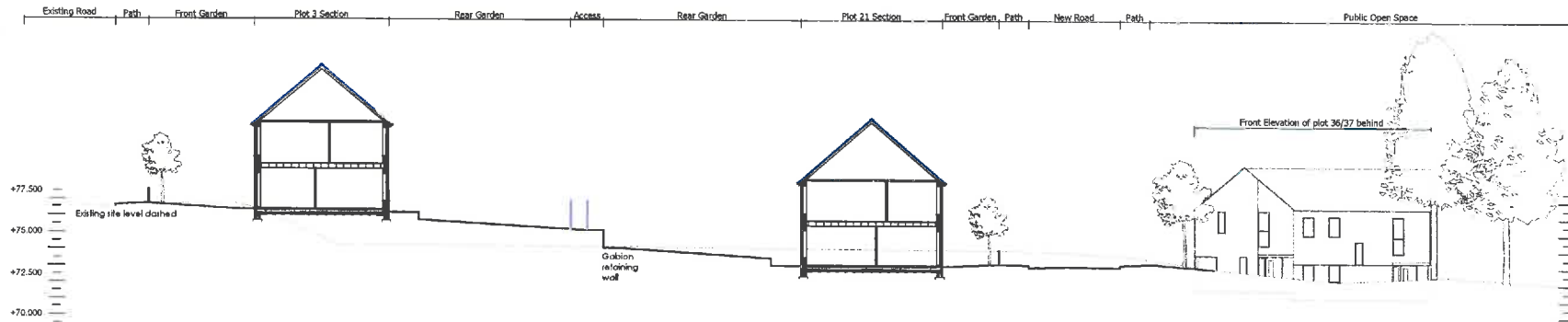
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 - TO BE WORKED TO IN ALL CASES.
 - THIS DRAWING TO BE READ IN CONJUNCTION WITH:



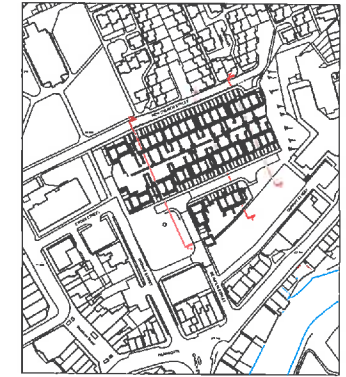
Section X-X



Section Y-Y



Section Z-Z



KEY

Rev	Date	By

Client: Great Places

Project:

Description: New Church Street Development Radcliffe

Indicative Site Sections

Purpose of issue:

Planning

Drawn by:	Checked by:	Scale:
BPM	MRT	1.200@A2
Date:	Project No:	Drawing No: Rev:
Dec 2015	14-009	04

TRIANGLE ARCHITECTS

Triangle Architects, Park House, 112 Parked Street, Huddersfield, HD7 7JL. Tel: 01484 272300. Fax: 01484 272301. triangle@trianglearchitects.co.uk www.trianglearchitects.co.uk