

BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

27 September 2016

SUPPLEMENTARY INFORMATION

Item:01 Site of former British Legion Club, Water Street, Radcliffe, Manchester, M26 4DF Application No. 59375

Outline - demolition of existing building and erection of 1no. building containing 19 no. apartments with associated car parking and amenity space

Publicity

47 letters notifying the neighbouring properties of the revised plans were sent on 7 September 2016.

16 letters of support have been received from the occupiers of 18 Coleridge Street, 50, 88, 90 Water Street, 330 Lever Street, 1 Radcliffe Moor Road, 5 Eccleston Close, 2 Osborne Walk, 103 Blackburn Street, which have raised the following issues:

- As an ex-soldier I am happy that this ex British Legion site is being put to good use. There is a need for more housing in Radcliffe.
- If this site is left undeveloped, it may become either a tipping ground or even worse.
- Radcliffe has been developing and changing over the past few years to become more presentable.
- The proposed development will attract new people to the area.
- In favour of the development of apartments.
- I have lived in Radcliffe for over 60 years and a development of this nature should be encouraged because of its close proximity to the town centre.
- It will encourage people to make far greater use of public transport rather than private cars.
- I pass this site regularly and it is an derelict and an eyesore. Radcliffe needs this sort of redevelopment.
- If someone is willing to put a couple of million pounds into Radcliffe on what is a very good looking development and making good use of this vacant land, I am definitely in favour.

3 letters have been received from the occupiers of 48 Robertson Street, which has raised the following issues:

- I represent the 7 businesses at Albert Works and the tenant in 52b Waterside.
- The revised plans do not address the narrow access from Water Street onto the overall site.
- The proposed pavement would limit the passing place which currently exists at the current access to the application site.
- The existing access should be widened to take account of the increase in traffic flow.
- There is nothing to stop cars from being parked on the existing access from Water Street to the site. This could be an issue as there do not seem to be enough parking places for the number of flats in the development. Double yellow lines will be required.

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to pedestrian and vehicular access improvements, boundary treatments, visibility, construction traffic management plan, measures to prevent mud from passing onto the highway, turning facilities and car parking.

Drainage Section - No objections.

The Coal Authority - No objections, subject to the inclusion of a condition relating to coal mining.

Issues and analysis

For the avoidance of doubt, the outline application sets the means of access, appearance, layout and scale of the proposed development. The landscaping of the site would be dealt with at reserved matters stage.

The rooms in the roofspace relate to the dormers on the front elevation of the proposed building. There would be 58 metres between the proposed building and the properties opposite on Water Street, which would be in excess of the 26 metre aspect standard.

Response to objectors

The issues of access, turning facilities, parking provision, residential amenity and privacy and the height and scale of the proposed building have been addressed in the main report. The issue of financial viability of the care home is not a material consideration and cannot be taken into account.

Conditions

Therefore, conditions 11 - 17 should be added in relation to coal mining, pedestrian and vehicular access improvements, boundary treatments, visibility, construction traffic management plan, measures to prevent mud from passing onto the highway, turning facilities and car parking.

11. No development shall commence unless or until:-

- A site investigation report to assess the actual/potential risk from coal mining has been submitted to and approved in writing by the Local Planning Authority;
- Where actual/potential risk from coal mining has been identified, a detailed remedial scheme shall be submitted to and approved in writing by the Local Planning Authority;

The approved remedial scheme must be carried out to the written satisfaction of the Local Planning Authority within agreed timescales.

Reason. The scheme does not provide full details of the actual risk from coal mining and subsequent remedial works, which is required to secure the satisfactory development of the site in terms of coal mining and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

12. Notwithstanding the details indicated on approved plan reference 2400/15/04 Revision A, no development shall commence unless and until full details of the following have been submitted to and approved by the Local Planning Authority:

- revised boundary fencing/railing details to ensure that visibility splays in accordance with the standards in Manual for Streets for a design speed of 20mph can be provided at the junction of the site access with Water Street/the unadopted access road;
- revised pedestrian access arrangements to provide a direct connection from the adopted highway;

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

Reason. To ensure good highway design and ensure the intervisibility of the users of the site and the adjacent highways in the interests of road 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

Policy EN1/2 - Townscape and Built Design

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 or on land within the applicant's control 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. 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

Policy EN1/2 - Townscape and Built Design

14. Before the development is commenced, details shall be submitted to and approved 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.

15. The development hereby approved shall not be first occupied unless and until the proposed pedestrian and vehicular access improvements on Water Street/the unadopted access road indicated on approved plan reference 2400/15/04 Revision A and all associated highway remedial works have been implemented to an agreed specification.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design

16. The turning facilities indicated on approved plan reference 2400/15/04 Revision A shall be provided before the development is first occupied and shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to 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
Policy EN1/2 - Townscape and Built Design

17. The car parking indicated on approved plan reference 2400/15/04 Revision A shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.

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

Item:02 Land at Mountheath Industrial Estate, George Street, Prestwich

Application No. 59884

Outline planning application for the demolition of all existing structures and redevelopment for a mixed use development comprising up to 160 residential dwellings and 2,959 sq.m of employment floorspace (Use Classes B1 / B8) including all associated infrastructure.

It is recommended that this application is Minded to Approve subject to the signing and completion of a Section 106 agreement for the phasing of the employment land and residential dwellings in accordance with Policy EC1/1 and EC2/1 of the adopted Unitary Development Plan and SPD14. If the agreement is not signed within a reasonable timeframe, then delegated authority is sought by the Development Manager to determine the application

Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to access and junction improvements, construction traffic management plan, visibility splays and driveway lengths.

Environment Agency - No objections, subject to the inclusion of conditions relating to the open channel of Singleton Brook, management of the buffer zone of Singleton Brook, Japanese Knotweed and Himalayan Balsam, contaminated land and foul and surface water drainage.

Transport for Greater Manchester - No objections, subject to the inclusion of a condition relating to the improvements at the junction of George Street/Bury New Road and a travel plan.

Issues and analysis

Flood risk - An updated Flood Risk Assessment was submitted and included an assessment of risks to the site based on the existing channel and culvert through the site (Singleton Brook). Although some information on watercourse levels downstream has been estimated, this shows that there is risk to the development site under 1% and 0.1% AEP events. As such, parts of the site are effectively within flood zones 2 and 3.

The updated FRA outlines a proposal to form a new channel across the site albeit at a higher level than the current culvert. Whilst the proposed works to Singleton Brook may be acceptable in principle, sufficient evidence must be submitted to indicate that it would not increase risks upstream. The FRA proposes raising the bed level at the existing culvert inlet by 2.5 metres and acknowledges that this would impact upon the channel upstream. No model has been submitted to show the impact of this. However, as the detailed design in relation to layout and scale is not being determined at this stage, further information can be submitted at the first reserved matters stage and this would be the subject of a condition. The Environment Agency

has no objections, subject to the inclusion of conditions relating to the open channel of Singleton Brook, management of the buffer zone of Singleton Brook, Japanese Knotweed and Himalayan Balsam, contaminated land and foul and surface water drainage. Therefore, the proposed development would be in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposed development involves the provision of a traffic signal controlled junction at Bury New Road, George Street and Kings Road. Transport for Greater Manchester has no objections, subject to the inclusion of conditions relating to the improvements at the junction of George Street/Bury New Road and a travel plan. The Traffic Section has no objections, subject to the inclusion of conditions relating to access and junction improvements, construction traffic management plan, visibility splays and driveway lengths. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EC6/1, H2/1 and H2/2 of the Bury Unitary Development Plan.

Planning obligations - The applicant sought to deal with the viability of the proposed development at this stage and submitted a viability appraisal. The viability appraisal sought to demonstrate that the proposed development would be financially unviable for the development to deliver affordable housing in line with the policy requirements. However, as the application is in outline, with only the means of access determined at this stage, it is not possible to determine issues such as proposed layout, materials, build costs, landscaping, which are all unknown. As such, the requirements to provide recreational provision and affordable housing will be secured via condition at this stage, with further detail being provided at the reserved matters stage.

A Section 106 agreement would link the delivery of the employment land to the delivery of the residential dwellings as follows:

- The first phase of employment land comprising the island site shall be substantially build complete and available for marketing/occupation prior to the occupation of the 10th residential dwelling.
- The final phase of employment land shall be substantially build complete and available for marketing/occupation prior to occupation of 50% of the residential dwellings.

Response to objectors

- The issues of employment land, mixed use, traffic generation, servicing and turning facilities, highways issues, parking provision, traffic calming and the provision of a signal controlled junction have been addressed in the main report.
- The Council has to determine the application before it and cannot consider alternative sites for the proposed development.
- The application is in outline and the detailed design of the dwellings, including energy efficiency and affordable housing will be assessed at the reserved matters stage.

Conditions

Condition 10 relates to Japanese Knotweed and Himalayan Balsam and conditions 13 - 15 relate to foul and surface water drainage.

Conditions 4, 5 and 7 should be amended in relation to contaminated land and dust mitigation plan.

Conditions 17 - 27 should be added in relation to recreation provision, affordable housing, improvements at the junction of George Street/Bury New Road, a travel

plan, access and junction improvements, construction traffic management plan, visibility splays, driveway lengths, the open channel of Singleton Brook and the management of the buffer zone of Singleton Brook.

4. No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site and shall include a conceptual model of the site indicating sources, pathways and receptors 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 and shall identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, 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.

7. A Dust Mitigation Plan in line with the technical guidance - Guidance on the assessment of dust from demolition and construction, IAQM, February 2014 - for the construction phase is required for submission to the Council prior to works commencing on site. The approved details shall be implemented during the construction of the development hereby approved.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Section 4 the National Planning Policy Framework.

17. In the event of the development comprising 10 units and a combined floorspace of more than 1000 square metres or 11 units or more (regardless of floorspace), the development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure recreation provision, which shall include a mechanism for delivery, in accordance with Policy RT2/2 – Recreation Provision in New Housing Development and its associated SPD1 – Open Space, Sport and Recreation Provision in New Housing development. The scheme shall be submitted as part of the reserved matters application and the recreation provision shall be delivered in full accordance with the approved details.

Reason - To ensure that the development would contribute to satisfying the need for recreation provision pursuant to Bury Unitary Development Plan Policy RT2/2 -

Recreation Provision In New Residential Development and the associated Supplementary Planning Document 1 - Open Space, Sport and Recreation in New Housing Development.

18. The development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure Affordable Housing provision as part of the development, which shall include a mechanism for delivery, in accordance with policy H4/1 – Affordable Housing and its associated SPG5 – Affordable Housing Provision in New Residential Developments. The scheme shall be submitted as part of the reserved matters application and the affordable housing provision shall be delivered in full accordance with the approved details.

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 and the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision In New Residential Developments.

19. No trees subject to a Tree Preservation Order, unless indicated otherwise on plans submitted and approved as "reserved matters", shall be felled, lopped or topped without the previous written consent of the Local Planning Authority.

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 EN8/1 - Tree Preservation Orders, EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

20. Notwithstanding the details indicated on approved plan reference SCP/14342/F03 Revision E, SCP/14342/F01 Revision C and SK3 Revision B, full details of the following highway aspects shall be submitted at first reserved matters application stage:

- Signalisation of the Bury New Road/George Street/Kings Road junction, including the removal of the existing pelican crossing and all necessary modifications to and improvement of affected street lighting, road markings and highway drainage and the provision of adequate footway widths to accommodate all signal equipment, pedestrian guardrailing and street furniture;
- Proposed means of access to the site from George Street, including the provision of adequate arrangements at the interface with the adopted highway to form a level plateau, provision of appropriate tactile paving and all necessary modifications to, and improvement of, affected street lighting, road markings and highway drainage;
- In the event that it is intended for the proposed residential estate roads to be adopted, the provision of full structural, construction and drainage details of the proposed embankment supporting the site access road;
- Proposed secondary emergency access from Ardent Way to a width and specification to be agreed with Greater Manchester Fire & Rescue Service;
- In the event that it is intended for the proposed residential estate roads to be adopted, all necessary modifications to, and improvement of, Ardent Way to form adoptable turning facilities at the interface with the secondary emergency access and provision of adequate street lighting, road markings and highway drainage on the route to connect to the existing adopted highway;
- Proposed internal road layout to a specification to be agreed and, in the event that it is intended for the proposed residential estate roads to be adopted, to current adoption standards;
- Adequate turning facilities within the curtilage of the site and associated swept path analysis;
- A scheme of 20mph traffic calming measures in the George Street area and on

the proposed internal roads to a scope to be agreed including details of proposed materials, road markings and signage as required;

- Provision of visibility splays and forward visibility envelopes at all internal junctions and bends in accordance with the standards in Manual for Streets;
- 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.
- Provision of a street lighting scheme for the proposed residential development.

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

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - New Business, Industrial and Commercial

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

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

- Access route for demolition/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 or on land within the applicant's control of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials.

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

Reason. 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 EC6/1 - New Business, Industrial and Commercial

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

22. Before the development is commenced, details shall be submitted to and approved 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.

23. The visibility splays indicated on approved plan reference SCP/14342/F01 Revision C shall be implemented to the written satisfaction of the Local Planning Authority before the site access road is brought into use and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - New Business, Industrial and Commercial

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

24. A minimum hardstanding of 5.5m measured between the highway/estate road 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 the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - New Business, Industrial and Commercial

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

25. Where dwellings are constructed without a garage, a minimum hardstanding of 5.0m measured from the highway/estate road boundary shall be provided within the curtilage of each dwelling to the written satisfaction of the Local Planning Authority and thereafter maintained.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - New Business, Industrial and Commercial

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

26. The development hereby permitted shall not be commenced unless or until such time as a scheme to divert Singleton Brook within open channel has been submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the provisions contained within the current Flood Risk Assessment and its accompanying addendum' details relating to a scheme that creates and provides an adequate open channel/culvert crossing the site that does not create adverse conditions beyond the development site itself is submitted at first reserved matters stage. The approved details only shall be implemented and where it is proposed that phasing is involved within the delivery of the development, details of hydrological and hydraulic calculations (allowing for the impacts of climate change) and long and cross sections of the new channel and downstream culvert inlet should be submitted and approved in writing by the Local Planning Authority.

Reason. To reduce the risk of flooding to the proposed development, future users and also that flood risk elsewhere is not increased pursuant to Policy EN5/1 - new Development and Flood Risk of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

27. No development shall take place until a scheme for the provision and management of an minimum of 8-10m wide buffer zone alongside the Singleton Brook shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- Plans showing the extent and layout of the buffer zone
- Details of any proposed planting scheme including planting schedule largely based on native species.
- Details demonstrating how the buffer zone will be protected during development, and details of any proposed footpaths, fencing, lighting etc.
- Details demonstrating that any required sewer diversion is located exterior to buffer zone.
- Detail assessment of potential de-culverting opportunity along existing Singleton Brook culvert and green infrastructure asset.

Reason. To mitigate the impact of the development upon the ecological value of the watercourse pursuant to that encroaches on watercourses has a potentially severe impact on their ecological value 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.

Item:03 Site of Tottington Motor Co, Market Street, Tottington, Bury, BL8 3LS
Application No. 60264

Demolition of existing car sales/MOT garage and former petrol station canopy and erection of petrol filling station and Spar convenience store with ATM machine, car parking and associated works

Publicity

1 letter of support has been received from the occupier of 42 Bury Road, which has raised the following issues:

- This is exactly what we need on that site.
- Please approve the application.

A petition, containing 44 signatures, objecting to the proposed development has been received.

3 letters have been received from the occupiers of 161 Market Street and 20 Sandybrook Close, which have raised the following issues:

- Are there any plans for double yellow lines near the garage? If there are I would object as it is difficult to park.
- We already have a lot of traffic in the mornings and the roundabout backs up.
- We do not need a Spar as we have a Co-op.
- You are turning Bury into a less attractive area. We already have an Aldi, Lidl, B & M and home bargains a stones throw from each other in the Ainsworth area.
- This is unfair to existing residents. Fuel is a massive fire hazard.

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

Consultations

Drainage Section - No objections, subject to the inclusion of condition relating to

surface water drainage and works to the culvert.

Issues and analysis

Principle (retail) - Given the absence of suitable sites within the Tottington centre, the next stage in the sequential approach is to consider edge-of-centre locations, such as the application site, and give preference to sites that are well connected to the centre. Tottington District Centre fronts onto either side of Market Street and the application site is very well connected to the centre. Consequently, it is considered that the sequential test has been passed.

In addition, the limited size and local convenience function of the proposed retail unit would not adversely impact upon the performance of the District Centre and its vitality and viability, and given its edge of centre location, would add to the local convenience offer and choice. Therefore, the proposed development would be in accordance with the NPPF.

Culvert - There is culvert/brook which passes through the site and is located behind the existing sales building. The existing culvert would be opened up and two crossing points provided. The proposed works would create more capacity and the Drainage Section has no objections to the proposal, subject to the inclusion of a condition relating to the works to the culvert. Therefore, the proposed development would be in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the NPPF.

Impact upon residential amenity - The proposed building would be single storey in height and would be 4.3 metres high adjacent to the existing care home rising to 6.4 metres on the front elevation. There would be 6.5 metres between the existing windows in the residential care home and the proposed building, which would be in accordance with the aspect standard in SPD6.

The openings from the care home would overlook the rear elevation of the proposed retail unit, which would be blank. The gable elevation would contain the access door and low level brickwork would partly obscure the plant from view. The proposed development would not generate any more noise than the current use, which included car repairs and valeting. The petrol station would be fitted with the facility to 'pay at pump' and as such, the proposed petrol filling station would be open 24 hours. The proposed retail unit would be open from 06.00 to 23.00 and a condition would require the retail store to be closed to customers outside of these hours. As such, the proposed development, subject to conditional control, would not have an adverse impact upon residential amenity with regard to noise and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Trees - There are two mature trees located on site. The first is located between the care home and the proposed retail unit and the second is located within the garden of No. 134 Market Street. The proposed site plan indicates that both of the mature trees would be retained and a condition will be placed on any grant of planning consent to secure this. Therefore, the proposed development would be in accordance with Policy EN8 of the Bury Unitary Development Plan.

Response to objectors

- The issues relating to traffic generation, parking, impact upon residential amenity, need, compliance with local and national policy, noise and works to the culvert have been addressed in the main report and above.
- Each application is assessed on its own merits and with regard to the Bury Unitary Development Plan and the National Planning Policy Framework.

- The impact upon property prices is not a material planning consideration and cannot be taken into account.

Conditions

Conditions 7, 8 and 9 in the main report deal with foul and surface water drainage. Conditions 3, 7, 8, 11, 12 and 15 should be amended as follows and conditions 19 and 20 should be added in relation to trees and works to the culvert:

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 construction of the petrol filling station and retail unit is commenced. Only the approved materials/bricks shall be used for the construction of the development.

Reason: No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

7. Prior to the commencement of any development, excluding demolition of the existing structures and clearance of the site, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 20 l/s.

Reason: To ensure a satisfactory means of drainage, promote sustainable development and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

8. No development, other than demolition shall commence unless or until a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:

- The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the

Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

11. If works are to be carried out to trees between 1 March and 31 August inclusive in any year, a report assessing whether the trees contain nesting birds shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed within an agreed timetable.

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.

12. Notwithstanding the details shown on approved plan reference 297 PL-01 Revision B, no development, excluding demolition and site clearance, shall commence unless and until full details of the following have been submitted to and approved in writing with the Local Planning Authority:

- Proposed pedestrian and vehicular access alterations on Market Street, including the provision of heavy duty accesses to a specification to be agreed, demarcation of the limits of the adopted highway, full reconstruction of the footways abutting the site, reinstatement of the all redundant accesses, provision of tactile paving and all associated highway and highway drainage remedial works;
- Provision of a barrier and/or boundary treatment between the two proposed accesses at the interface with the adopted highway to a specification to be agreed and of a height not exceeding 0.9m;
- Provision of give-way markings and signage at both proposed accesses;
- Provision of a demarcated and signed delivery bay adjacent to the brook clear of the adjacent vehicle crossing points and appropriate hatched/'Keep Clear' markings at both crossing points;
- Provision of a minimum 2.0m Building Regulations compliant pedestrian route from the highway, to be subsequently maintained clear of any physical obstructions;
- Proposals for the introduction of waiting restrictions to scope to be agreed on the westerly side of Market Street abutting the site, including all necessary road markings and signage.

The details subsequently approved shall be implemented in full to a programme to be agreed.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.

15. The development hereby approved shall not be brought into use unless and until a Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority, incorporating measures to mitigate the impact of fuel tanker deliveries at the front of the site on vehicle access arrangements to the site and adjacent pump islands. The development shall be managed in accordance with the approved plan and measures.

Reason. To ensure that adequate provision is made within the curtilage of the site for the loading and unloading of all service vehicles which visit the site in connection with the uses proposed and to ensure such vehicles do not restrict access to the site, in the interests of highway safety pursuant to Policy S4/4 - Car Showrooms, Car Sales Areas and Petrol Filling Stations of the Bury Unitary Development Plan.

19. No trees, unless indicated otherwise on the approved plans, shall be felled, lopped or topped before or during the construction period.

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.

20. No development shall commence, other than demolition and site clearance, unless or until a scheme for works to the culvert, including the highway crossing points, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the development hereby approved being first brought into use.

Reason. To ensure a satisfactory means of drainage and to manage the risk of flooding and pollution pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.

Item:04 66 Sunny Bank Road, Bury, BL9 8HJ Application No. 60408

Change of use from post office (A1) to hot food takeaway (A5) with extractor flue at rear

Conditions.

Condition 4 amended to read:

No development shall commence unless and until a scheme for treating, diluting and dispersing fumes and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds the 'Minimum Requirements For Odour Control' provided by the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if applicable such superseding guidance as shall prevail at the time of commencement of the development).

The scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements.

The installation shall be so designed such that the maximum noise emitted does not exceed NR25 (Noise Rating) in the bedrooms of the nearest residential property, with the windows of that residential property being open in the normal manner for ventilation purposes.

The scheme as approved shall be implemented, available for use and maintained in accordance with the approved scheme whilst it shall serve the development.

Reason. Additional information and details are required to ensure the installed ventilation equipment would meet the required standards in order to protect the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

Item:05 Springside County Primary School, Springside Road, Bury, BL9 5JB

Application No. 60409

Siting of 1 no. storage container in playground and hardstanding extension to form playground

Nothing further to report

Item:06 Hollymount Farm, Hollymount Lane, Tottington, Bury, BL8 4HP

Application No. 60437

Conversion of farm building into 4 no. residential units; Demolition of the other farm buildings and replacement of mobile home with permanent dwelling

Additional plan - Plan (ref C777-1) has been included to show the existing site layout and retention/demolition of the buildings on site.

Conditions

Condition 7 amended to read:

A landscape plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The content of the plan should include elements to mitigate for loss of bird nesting habitat. The approved plan shall be implemented in accordance with the approved details. 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. Insufficient information has been submitted 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 and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

Condition 9 amended to read:

Notwithstanding the details shown indicatively on the approved plans, no development shall commence unless and until full details of the formation of the proposed site accesses onto, and passing place on Hollymount Lane, including all the necessary signage and works to replace the affected hedge, have been submitted to and approved in writing by the Local Planning Authority. The details subsequently approved shall be implemented to an agreed programme.

Reason. Insufficient information has been submitted to ensure good highway design in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-use of Buildings in the Green Belt.

Condition 10 amended to read:

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:

- 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 or on land within the applicant's control 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 vehicles.

Reason. Insufficient information submitted to ensure mitigation of the impact of construction traffic generated by the proposed development on the adjacent highway and to 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 Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

Condition 11 amended to read:

No development shall commence unless and until details have been submitted to and approved 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 operations. The approved details only shall be implemented and maintained thereafter during the period of construction.

Reason. Insufficient information submitted to ensure that Hollymount Lane and the adopted highways are kept free of deposited material from the ground works operations pursuant to Bury Unitary development plan Policy EN1/2 - Townscape and Built Design.

Condition 15 amended to read:

Details/Samples of the materials to be used in the external elevations, and details of the surfacing materials for the hardstanding areas, 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 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; H2/1 - The Form of New Residential Development and OL1/4 - Conversion and Re-use of Buildings in the Green Belt.

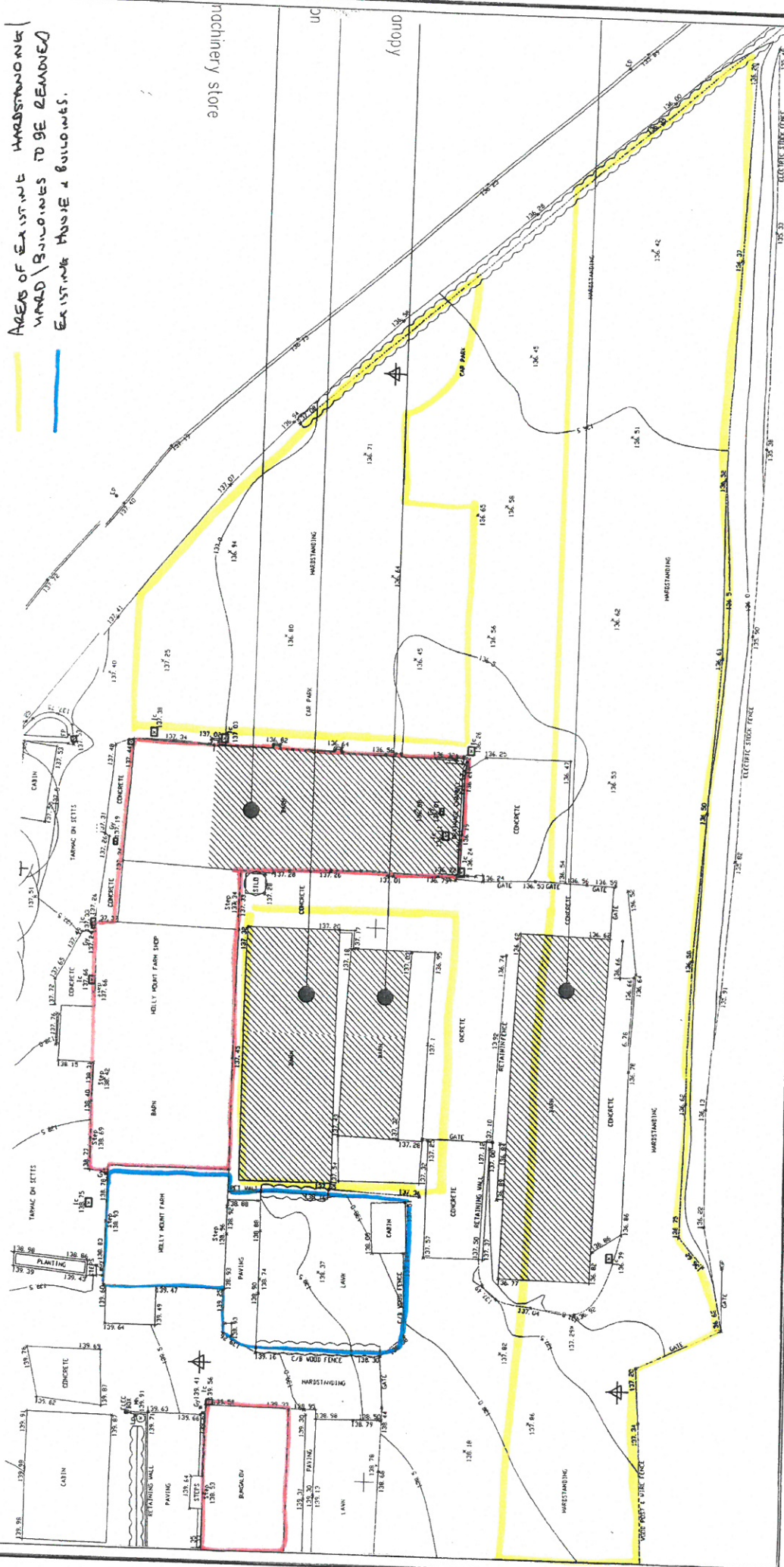
Condition 17 added to read:

No development shall commence unless and until details of the removal of the hedge and details of the replacement hedge at the passing place on Hollymount Lane, has been submitted to and approved by the Local Planning Authority. This shall include details of the species and maturity of the replacement hedge and a timetable for implementation. The approved details only shall be implemented to the approved timetable.

Reason. Insufficient information has been submitted to ensure appropriate replacement hedging and the retention of features of ecological value, pursuant to Bury Unitary development Plan Policy EN6/3 - Features of Ecological value and chapter 11 - Conserving and enhancing the natural environment of the NPPF.

BUILDINGS TO BE CONVERTED

AREAS OF EXISTING HARDSTANDING
WARD/BUILDINGS TO BE REMOVED
EXISTING THROVE & BUILDINGS.



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Ref 277-1 Date 2/8/16.

