

Title	Planning Applications
To:	Planning Control Committee
On:	04 September 2018
By:	Development Manager
Status:	For Publication

Executive Summary

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

This report has the following implications

Township Forum/ Ward: Identified in each case.

Policy: Identified in each case.

Resources: Not generally applicable.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, I have concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based

upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Development Manager

Background Documents

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

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

01	Township Forum - Ward: Radcliffe - East	App No. 62830
Location:	Eton Business Park, Eton Hill Road, Radcliffe, Manchester, M26 2US	
Proposal:	1.Phase 01 Extension to existing car, motorhome and caravan sales area, incorporating new security fencing, re-positioning of entrance gate. It will involve making good of the existing hard-standing, and the installation of new lighting and CCTV. 2.Phase 02 Create an additional open storage compound accessible from the existing business park only. This will include a new hard-standing area with security fencing, lighting, and CCTV.	
Recommendation:	Approve with Conditions	Site Visit: N

02	Township Forum - Ward: Radcliffe - East	App No. 62864
Location:	Pioneer Mills, Milltown Street, Radcliffe, Manchester, M26 9WN	
Proposal:	Small-scale gas-fired standby electricity generation plant and ancillary infrastructure	
Recommendation:	Approve with Conditions	Site Visit: N

Ward: Radcliffe - East

Item 01

Applicant: Hamilton Heath Estates Ltd

Location: Eton Business Park, Eton Hill Road, Radcliffe, Manchester, M26 2US

Proposal: 1.Phase 01 Extension to existing car, motorhome and caravan sales area, incorporating new security fencing, re-positioning of entrance gate. It will involve making good of the existing hard-standing, and the installation of new lighting and CCTV.
2.Phase 02 Create an additional open storage compound accessible from the existing business park only. This will include a new hard-standing area with security fencing, lighting, and CCTV.

Application Ref: 62830/Full

Target Date: 04/09/2018

Recommendation: Approve with Conditions

Description

The site forms part of an Employment Generating Area and is located close to the junction of Bury Road and Eton Hill Road. The site consists of a hard standing, with trees and vegetation on the perimeter. There is a low brick wall along the boundary with Bury Road and 2 metre high palisade fencing to all other boundaries. Access to the site is from the existing vehicular access off Eton Hill Road, which serves the existing vehicle sales business.

There is open grazing land to the north of the site and Hutchinson's Goit forms the boundary to the east. To the south and south east are industrial buildings and residential dwellings to the west across Bury Road.

The proposal involves extending the caravan and car sales area of the adjacent business (Tottington Motor Company) onto the western/ Bury Road section of the site (approx 0.23ha) and creating an additional vehicular storage area (approx 0.1ha) on the eastern section. A small single storey sales cabin with a footprint 9.5m by 4.3m would be positioned on the south side of the new display area. The site would be bounded by a new 2m high, green paladin mesh fence. Along the Bury Road frontage the new fence would be set back behind a landscaped strip comprising a grassed area with tree and hedge planting. Further landscaping would be implemented along the northern boundary where it abuts the open ground and river valley. The proposal also involves the positioning of nine 5m high lighting poles around the perimeter of the site.

In terms of history, in 2017, permission was granted for the erection of 18 industrial units with parking on the site. Planning permission was granted in March 2016 for the provision of 18 dwellings and this consent has not been implemented to date, but is still extant. Prior to this in 2011, approval was given for 194 two storey, commercial storage containers.

Relevant Planning History

60673 - Erection of 18 no.small industrial units for Class B1 (Business), Class B2 (general industry) and Class B8 (storage and distribution) with associated car parking and service yard - Approved 01/03/2017

58324 - Residential development of 18 dwellings at land adjacent to Eton Business Park, Bury Road, Radcliffe. Approved with conditions - 18/03/2016.

54131 - Erection of 194 self-storage container units stacked in 2 storeys at Eton Business Park, Eton Hill Road, Radcliffe. Approved with conditions - 21/09/2011.

Publicity

The following 57 neighbours were notified by letter dated 12/07/18.

259-291(odd) Bury Road, 2 and 4 Warth Road and units 1-39 Eton Business Park.

Objections have been received from 279, 281 and 283 Bury Road.

- Gross intrusion on open views.
- Additional car/van storage is going to encourage more crime in the area.
- Increased lighting would affect wildlife.
- Increased traffic and parking would increase along Bury Road.
- The proposed new entrance would make a busy road even worse at peak times. We were assured that this entrance would not be used for further development.
- We were assured that any new development would be hidden by fast growing shrubbery however judging by the placement of cameras and lighting this will caused another issue.
- Noise levels will increase and air pollution/fumes will also affect health.
- Working 'unsociable hours would increase.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Drainage Section - No objection.

Unitary Development Plan and Policies

EC2/1	Employment Generating Areas
EC4	Small and Growing Businesses
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN5/1	New Development and Flood Risk
EN7/1	Atmospheric Pollution
EN8/2	Woodland and Tree Planting
S4/4	Car Showrooms, Car Sales Areas and Petrol Filling Stns
SPD14	Employment Land and Premises
NPPF	National Planning Policy Framework
EN7/2	Noise Pollution
EN7/5	Waste Water Management

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 - The proposed development is located within the Eton Hill Road Employment Generating Area (EGA) and Policy EC2/1 is relevant.

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

The site has been vacant for a number of years, having previously been a depot. The additional caravan/car sales/display and storage area, in relation to the wider Employment

Generating Area, is considered relatively small and, in helping to maintain the viability of the existing business, would not detract from the primary function of the EGA. As such, the proposed development would be acceptable and in accordance with the NPPF and UDP Policy EC2/1 Employment Generating Areas.

Design and layout - The proposal does not involve any permanent buildings other than a small single storey sales cabin. The new boundary fencing would be the green paladin type that is used on many sites close to residential properties and the proposed landscaping scheme which would be provided along the Bury Road and northern boundaries would screen the site to an acceptable degree. The caravans, motorhomes and other vehicles on display or stored on the site would therefore not be particularly prominent when viewed from Bury Road through the boundary planting. It is considered that the proposed development would not be incongruous within the streetscene and would be in accordance with Policies EN1/2 and EC6/1 of the Bury Unitary Development Plan.

Impact upon residential amenity - There would be approximately 25 metres between the site and existing dwellings across Bury Road. Given the proposed opening hours, boundary screening and the fact that there are no noisy activities on the site and light from the lighting columns would be directed into the site only, there would be no serious impact on the residential amenity of neighbouring properties. In the light of previous approvals for industrial units and two storey self-storage units on the site, the current proposal would have significantly less impact. The proposal is acceptable in terms of residential amenity and complies with the NPPF and UDP Policies EC4/1 Small Businesses, EN7/1 Atmospheric Pollution and EN7/2 Noise Pollution.

Ecology - A previous ecology survey and assessment of the site in 2017, submitted with the previous proposal for industrial units on the site, found the site to be of generally low ecological value, which supports common habitats and species. As such there are no objections on ecological grounds, subject to the inclusion of conditions relating to invasive species and nesting birds. The proposed development would not cause harm to any protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan and the NPPF.

Highways issues - The proposal to utilise the existing access onto Bury Road would be acceptable in principle. The original plan indicated new gates at the back of the footway which was not workable. Revised plans now indicate gates set back into the site to allow vehicles to pull off, clear of the highway and this is a more acceptable option in terms of highway safety.

The Traffic Section has no objections to the proposal, subject to the inclusion of conditions relating to access alterations at Eton Hill Road, a construction traffic management plan, measures to prevent mud from passing onto the highway, turning facilities, car parking and means of vehicular access. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2 and EC6/1 of the Bury Unitary Development Plan.

Parking - The proposed display and storage areas would be an extension of the existing business and parking would be within the existing site to the south. In this instance, the existing level of parking provision is acceptable and would be in accordance with UDP Policy HT2/4 and SPD11 in relation to parking.

Drainage/Flood Risk - A drainage assessment was submitted with the application. The western part of the site appears to drain into a United Utilities surface water drain along the northern boundary. The refurbished hardstanding would be arranged to allow the site to be free draining. United Utilities confirm that an overflow from the soakaways can be connected to the surface water drain to allow for extreme events and drainage failure. It is considered appropriate to attach a condition requiring a full drainage scheme to be submitted prior to commencement of development.

Objections - Although one cannot secure a 'view' as such, the proposal with relatively low level vehicle/caravan display/storage, twinned with landscape/screening, would not be particularly intrusive when viewed from Bury Road.

It is not considered that the proposal would necessarily lead to an increase in crime. The site would be secure with security lighting and CCTV. The lighting would cover only the site and should not spread into surrounding areas.

The access point onto Bury Road would not change. The proposed access arrangements into the new display area from the existing site are acceptable and do not raise any highway safety issues. In terms of parking, customers would use the existing parking areas within the wider site. It is not considered that there would be excessive on street parking along Bury Road.

It is not considered that noise and pollution levels would increase significantly and working in 'unsociable hours' would be controlled by a suitable 'working hours' conditions.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 01, 02/C, 03 and 04/B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
3. The entrance gates alterations indicated on approved plan reference 3504 04 Revision B shall be implemented prior to the use hereby approved commencing and thereafter maintained in the approved positions at all times.
Reason. To ensure good highway design and the ability to maintain vehicles entering the site clear of the adopted highway pursuant to UDP Policy EC4/1 Small Businesses.
4. The turning facilities between the proposed re-positioned gates and Bury Road indicated on approved plan 04/B shall be provided prior to the use hereby approved commencing 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 highway safety pursuant to UDP Policy EC4/1 Small Businesses and HT2/4 Car Parking and New Development.
5. Prior to commencement of development, details of the single storey sales office shall be submitted to and approved in writing by the Local planning Authority.

Reason. Insufficient information has been supplied and in the interests of visual amenity pursuant to UDP Policy EN1/2 Townscape and Built Design.

6. The proposed security lighting shall not be permanently on outside opening hours but operate on a 'motion sensitive' basis only. The lighting units shall be positioned to avoid shining directly into nearby residential properties, and thereafter maintained as such.

Reason. To protect residential amenity pursuant to UDP Policies EC4/1 Small Businesses and EN7/1 Atmospheric Pollution.

7. All work, deliveries and other activity shall be confined to the following times:-
0800 hrs to 1830 hrs, Monday to Friday
0830 hrs to 16.30 hrs Saturday
1000 hrs to 1600 hrs Sunday

Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EC4/1 Small Businesses, EC6/1 Assessing New Business, Industrial and Commercial Development and EN7/2 Noise Pollution.

8. No development shall commence unless and until:-

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

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

9. Following the provisions of Condition 8 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.

10. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

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

11. No removal of or works to any trees, shrubs or brambles shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a

competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority prior to undertaking any works.

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.

12. The landscaping scheme indicated in drwg No.5775.01 (Trevor Bridge) (with additional tree planting indicated in revised plan 04/B) shall be implemented within the first planting season or not later than 12 months from the commencement of the proposed use, whichever is sooner; 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.

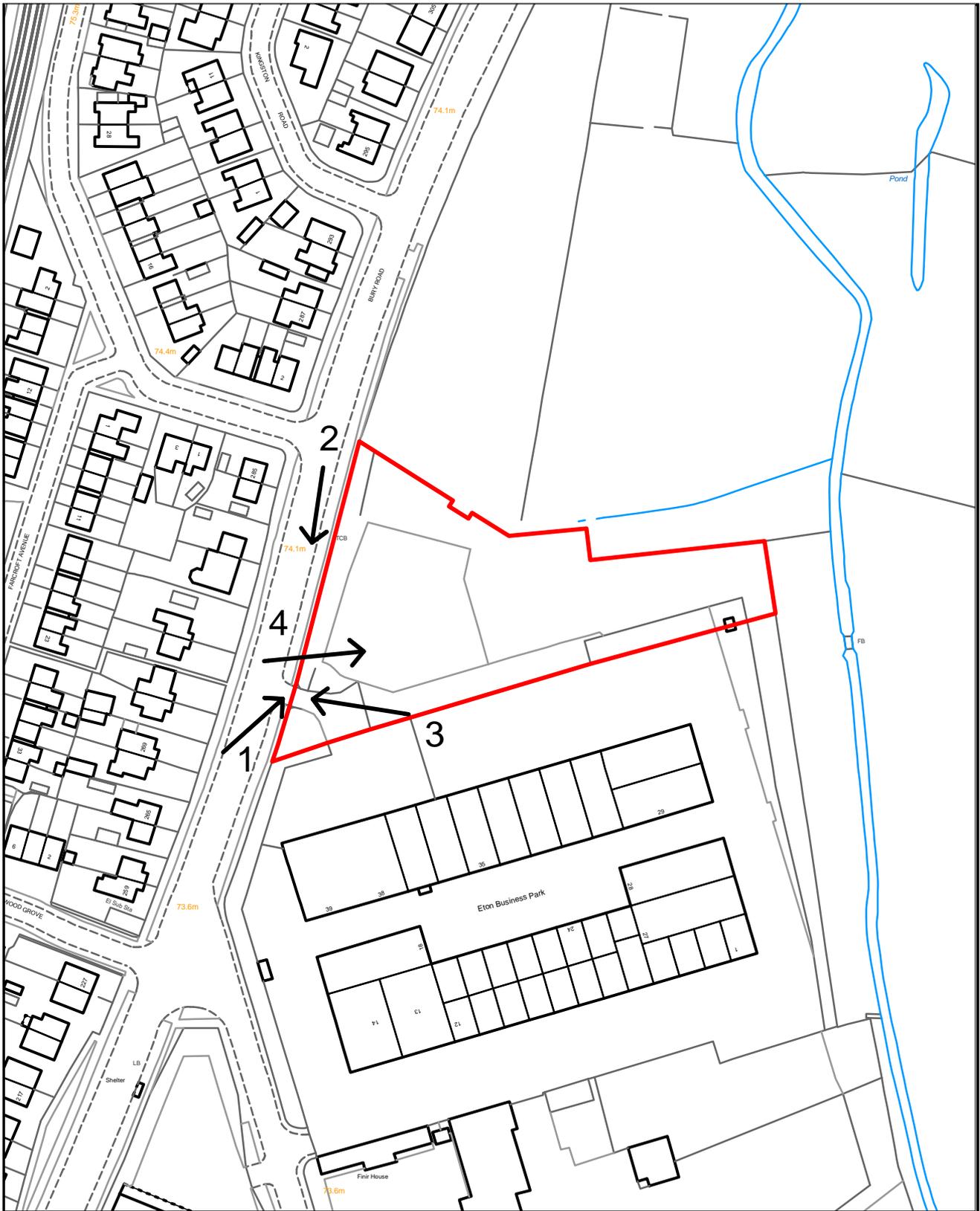
Reason. The application does not contain details of landscaping and to secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 Townscape and Built Design and EN1/3 Landscape Provision of the Bury Unitary Development Plan.

13. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to the NPPF and Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62830

**ADDRESS: Eton Business Park
Eton Hill Road**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

62830

Photo 1



Photo 2



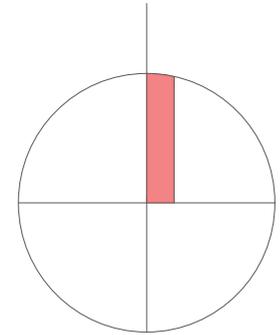
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Photo 3



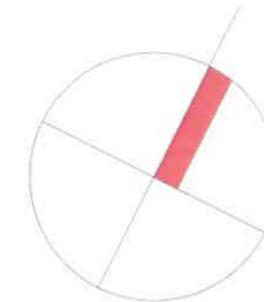
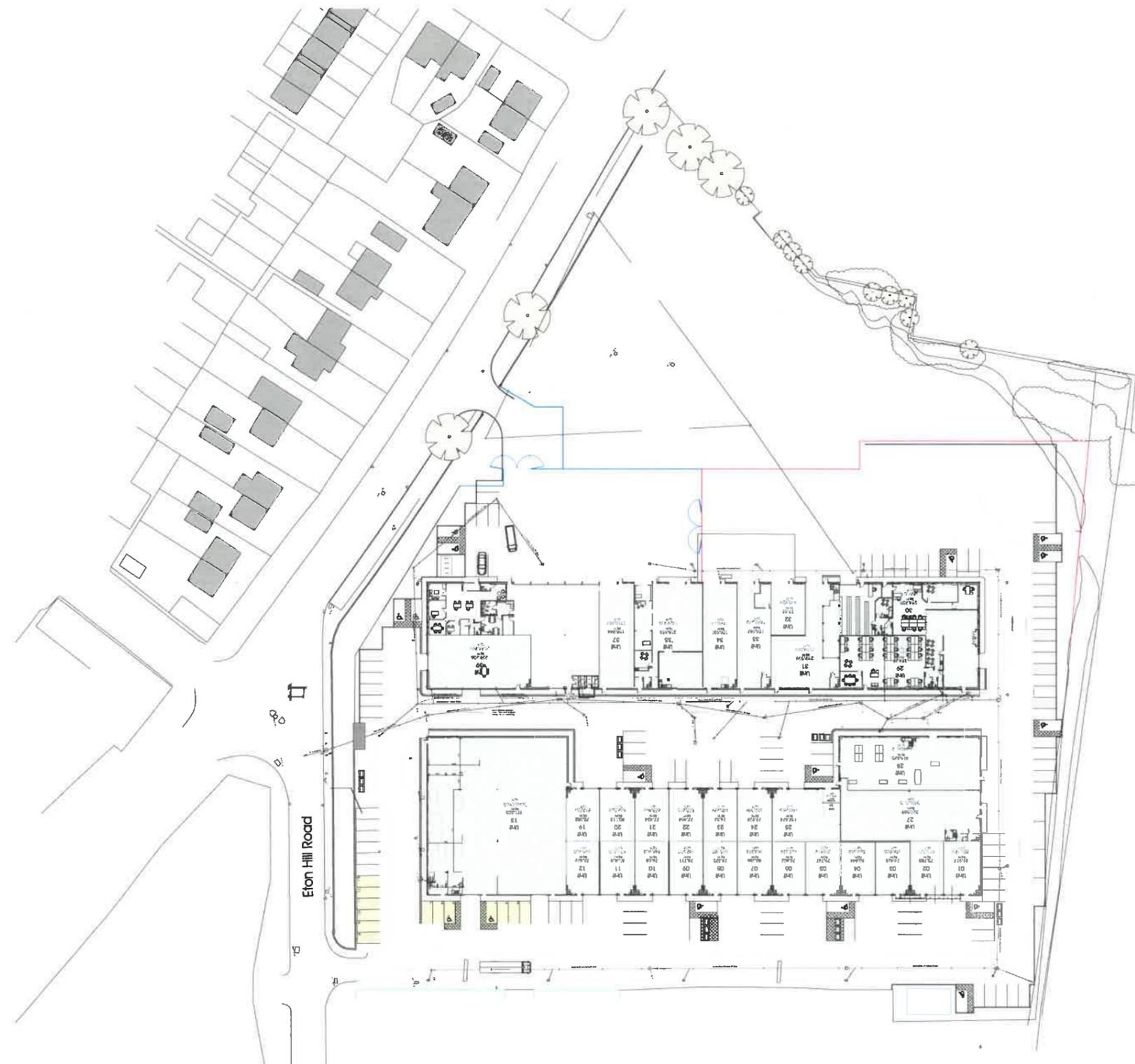
Photo 4





planning

Hamilton Heath Estates Proposed New Compounds Land at Eton Business Park Eton Hill Road Radcliffe	Site Location Plan	contract no	drawing no	revision	Blue Pit Mill Queensway Castleton Rochdale OL11 2PG +44 (0)1706 631347 info@cjpartnership.com www.cjpartnership.com	
	work to figured dimensions	3504	03			
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Hamilton Heath Estates
 New Yard Areas
 Land at Eton Business Park
 Eton Hill Road
 Radcliffe

Site Layout as Existing

work to figured dimensions

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contract no

3504 01

drawn by

Ordnance Survey

drawing no

date

March 2018

revision

scale @ A3

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planning

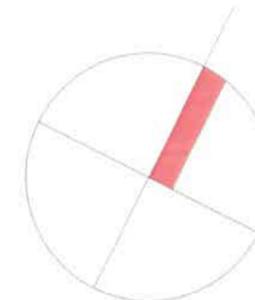
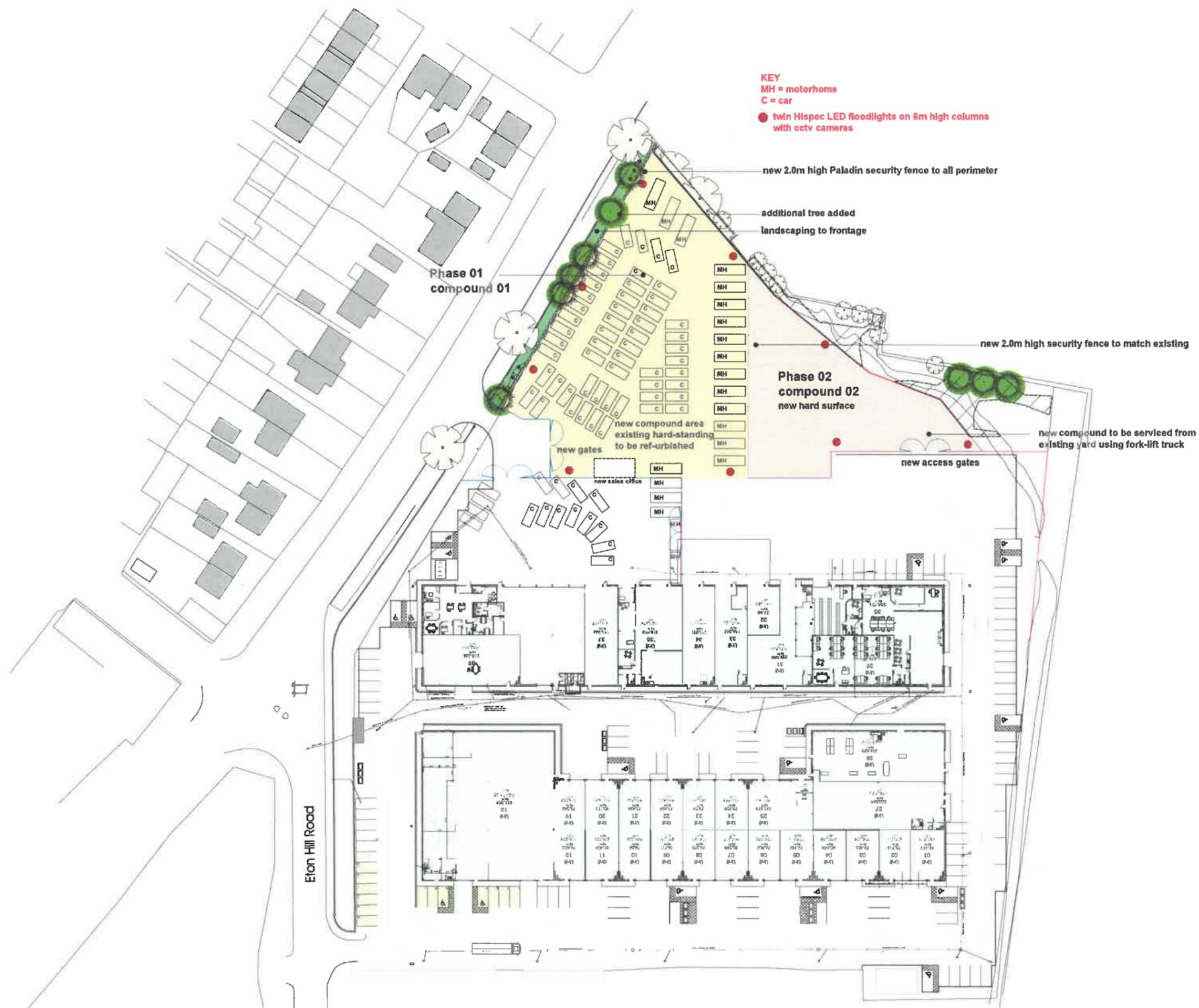
Revisions:
 A.

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CJ PARTNERSHIP
 ENVIRONMENTAL ARCHITECTS





new 2.0m high Paladin fence

Hamilton Heath Estates
 New Yard Areas
 Land at Eton Business Park
 Eton Hill Road
 Radcliffe

Proposed Layout SK01

work to figured dimensions

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drawing no

02

revision

C

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planning

Revisions:
 A. Compound 01 external layout, servicing details for compound 02, and external lighting details added. PDC, July 2018
 B. Fencing specification to perimeter changed from palisade to paladin, and additional tree added to Bury Road frontage. PDC, August 2018
 C Existing entrance arrangement retained, additional gates and position of proposed sales office added. PDC, August 2018

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 ENVIRONMENTAL ARCHITECTS





Hamilton Heath Estates
 New Yard Areas
 Land at Eton Business Park
 Eton Hill Road
 Radcliffe

Streetscape Plan
 work to figured dimensions
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contract no
3504
 drawing no
04
 revision
B
 scale @ A3
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drawn by
 Ordnance Survey
 date
 July 2018

planning

Revisions:
 A. Perimeter fence specification changed from paladin to paladin and additional tree added to Bury Road frontage. PDC, August 2016
 B. Existing drainage arrangements retained, new gates and position of proposed water office added. PDC, August 2018.

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Ward: Radcliffe - East

Item 02

Applicant: UK Power Reserve Ltd

Location: Pioneer Mills, Milltown Street, Radcliffe, Manchester, M26 9WN

Proposal: Small-scale gas-fired standby electricity generation plant and ancillary infrastructure

Application Ref: 62864/Full

Target Date: 25/07/2018

Recommendation: Approve with Conditions

This application is being presented to Planning Control Committee as Councillor Preston has called the application in, following confirmation from the chair.

Description

The application relates to a site adjacent to Pioneer Mill, at the end of Milltown Street, on the south/west side of the River Irwell. The main site area, measuring approximately 0.3ha is vacant and comprised of a hardstanding that has been subject to fly tipping. It is within a Employment Generating Area with the River Irwell to the east and well treed land to the south. Running along the western bank of the River Irwell to the south of the site is Sailors Brow/Springwater Park SBI (grade C). The main Pioneer Mill is immediately to the north and to the east is a brick built warehouse/workshop. The nearest residential properties are 170m away to the south and 250m to the east on Irwell Street. Access is from Milltown Street and along the front of the mill.

The proposed electricity generating station would comprise siting 14 containerised gas fired engines on the 0.3ha site with a separate ancillary buildings including a control room, switch room, store, metering station and transformer compound. Each of the containers housing the generators and the ancillary works would have a footprint 12m by 3m and a maximum height of 8m. All structures would have a concrete base with a permeable gravelled surface surrounding. It is the intention to utilise the existing access via Milltown Street and introduce a landscape strip comprising native trees and shrubs along the riverbank. The site would be bounded by a green paladin style mesh fence.

The vast majority of the site is open but there are small groups of trees along the eastern/riverbank and southern boundaries. The trees are of mixed quality with many in poor condition. About 30 trees have been identified for removal. It is intended to replace those trees that would be lost with replacements around the boundary.

The following documents have been submitted in support of the application:

- Arboricultural Impact Assessment,
- Ecological Assessment
- Flood Risk assessment,
- Noise Impact Assessment
- Air Quality Assessment
- Groundsure Screening Report (Coal)
- Landscape Impact Appraisal,
- Planning Statement

Background - The electricity produced would contribute to a government programme to fulfill demand for energy during peak electricity periods (National Grid Balancing Services mechanism). Most electricity in the UK is generated by a few large power stations connected to the national network and is known as 'Baseload' electricity. However this centralised system, whilst continuous and consistent, is not particularly responsive to localised peaks in demand. A secondary system, known as 'Peak load', is therefore required to cover increased demand at certain times of the day, usually in the early evening. demand can also vary seasonally. The peak load supply can be more easily be provided by smaller scale generating plants that can be more easily turned on and off, such as the one proposed.

The need to increase electricity generating capacity also comes about due to increasing demand for electricity and reduced generation in the short term as a consequences of switching from coal fired power stations to alternative forms of low carbon energy generation. In general the National Grid seeks to maintain a 20% margin of spare capacity. In recent years this has fallen to around 11%.

Relevant Planning History

Pre-application Enquiry 02126/E - Small scale Electricity generating station - Enquiry completed.

Publicity

The following neighbours were notified by letter dated 04/06/18.

All commercial Units at Pioneer Mill, Falcon Mill, Milltown Street, Refrigeration Spares, Phoenix Electroplating, Star Auto Salvage, Greenberg Ltd, West and Senior, 43 Milltown Street, 19, 19a, 21, 21a and b, 23 New Road, Indigo Planning.

One comment from the occupier of unit 37a Pioneer Mill seeking clarification as to the exact siting of the plant.

All representees have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objection.

Environmental Health - No objection.

GM Fire and Rescue Service - No comment to date.

GM Ecology Unit - No objection.

Environment Agency - No objection subject to conditions and flood mitigation measures.

Cadent Gas Ltd (formerly National Grid) - No objection.

United Utilities - No objection.

Electricity North West Ltd - No objection.

Unitary Development Plan and Policies

EN6/4	Wildlife Links and Corridors
EC4/1	Small Businesses
EC2/2	Employment Land and Premises
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN1/11	Public Utility Infrastructure
EN6/3	Features of Ecological Value
EN7/3	Water Pollution
EN8	Woodland and Trees
EN9	Landscape
EN10/1	Derelict Land
EN10/2	Riverside and Canalside Improvement in Urban Areas

HT2/4	Car Parking and New Development
NPPF	National Planning Policy Framework
SPD2	DC Policy Guidance Note 2: Wildlife Links & Corridors
SPD14	Employment Land and Premises

Issues and Analysis

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

Policies - EC2/1 Employment Generating Areas. In the defined Employment Generating Areas, as identified on the Proposals Map, the Council will only allow development for the uses specified (Business (B1), General Industrial (B2), Warehousing (B8) and Leisure and Tourism Uses) Other uses will only be permitted where they constitute limited development or do not substantially detract from an area's value as an Employment Generating Area. The site falls into the Radcliffe East EGA.

EC3/1 Measures to Improve Industrial Areas. The Council will be especially concerned with improving older industrial areas and premises, and will encourage and, where appropriate, implement measures to:

- a) improve the condition and appearance of buildings;
- b) improve access, servicing and car parking arrangements;
- c) bring into use derelict and vacant land;
- d) facilitate the re-use of vacant buildings and floorspace;
- e) improve the visual appearance and environment of the area;
- f) promote the introduction of new industrial development;
- g) promote good standards of design in all developments.

EN1/1 Visual Amenity. Development will not be permitted where proposals would have a detrimental effect on:

- a) public views of prominent or important buildings, especially those in areas of architectural or historic interest;
- b) the visual amenity both within, or viewed from, areas of environmental interest such as the Green Belt, Special Landscape Areas or the river valleys.

EN1/2 Townscape and Built Design. The Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals will include:

- a) the external appearance and design of the proposal in relation to its height, scale, density and layout;
- b) the relationship of the proposal to the surrounding area;
- c) the choice and use of materials;
- d) access and other design features for the mobility impaired;
- e) the design and appearance of access, parking and service provision;
- f) landscaping, including the use of natural landscape features, and open space provision;
- g) the use of lighting.

EN1/11 Public Utility Infrastructure. The development of operational facilities for public utility provision will be permitted where this is necessary to implement the development objectives of this Plan or to meet relevant statutory obligations and environmental standards, and is consistent with other policies and proposals of the Plan.

EN5/1 New Development and Flood Risk. The Council will not permit new development, including the raising of land and the intensification of development, where such development would be at risk from flooding, would be likely to increase the risk of flooding elsewhere, or would adversely affect river flood defences. When assessing proposals against this policy, the following criteria will apply:

- a) the impact on the floodplain;
- b) the increase in surface water run-off as a result of the proposal;
- c) the impact on fluvial flood defences;
- d) the incorporation of mitigating works.

EN6/3 Features of Ecological Value. The effect of land use changes on existing features of ecological or wildlife value will be taken into account when assessing development proposals. Any proposal should seek to retain such features and incorporate them into the development.

EN6/4 Wildlife Links and Corridors. The Council will seek to consolidate and, where appropriate, strengthen wildlife links and corridors, and will not permit development which would adversely affect identified areas. In particular, the Council will seek to ensure that new development within or adjacent to identified links or corridors contributes to their effectiveness through the design, landscaping and siting of development proposals and mitigation works, where appropriate.

EN7/1 Atmospheric Pollution. In seeking to limit atmospheric pollution the Council will not permit development which:

- a) would result in unacceptable levels of atmospheric pollution; and/or
- b) is not compatible with the achievement of the Council's long term air quality standards.

EN7/2 Noise Pollution. In seeking to limit noise pollution the Council will not permit:

- a) development which could lead to an unacceptable noise nuisance to nearby occupiers and/or amenity users;
- b) development close to a permanent source of noise.

EN7/3 Water Pollution. The Council will not permit development which would have an unacceptable adverse effect in terms of pollution upon the water quality of the Borough's water courses and other water features.

EN8 Woodland and Trees. The Council will support the retention of trees, woods, copses and hedgerows and encourage natural regeneration and new and replacement tree planting throughout the Borough.

EN9 Landscape. The Council will seek to protect, conserve and improve the landscape quality of the Borough, and will encourage the enhancement of landscapes, where appropriate.

EN10/1 Derelict Land. The Council will encourage the reclamation and beneficial use of derelict land by the public and private sectors, including the redevelopment of derelict sites in accordance with the Council's programme for derelict land reclamation.

EN10/2 Riverside and Canalside Improvement in Urban Areas. When considering new proposals for development adjoining and adjacent to rivers and canals in the urban area, the Council will, where appropriate, require schemes to include improvements to waterside areas, including tree planting, provision of waterside walks and the refurbishment or clearance of redundant buildings and other structures.

HT2/4 Car Parking and New Development. The Council will require all applications for development to make adequate provision for their car parking and servicing requirements in accordance with the Council's car parking standards.

Use. The site is within an existing Employment Generating Area where industrial uses are

acceptable. Although the electricity generating station falls within a sui generis use, given the nature of the proposal and the fact that it needs to be located away from residential areas, this would not be inappropriate within the EGA and would not raise any serious land use issues. In terms of the principle, the proposal complies with the NPPF and the UDP.

Visual amenity. The site has been subject to fly-tipping and currently has very poor amenity value. Immediately south of the main mill building and to the east of a smaller second industrial building, it is well screened from the west/ Milltown Street. The site is also screened from the south by heavy planting and a rise in land levels. Views from across the River Irwell would also be limited by existing planting along the riverbank and by additional planting along the site's boundary with the river. The site is not within the Green Belt which extends east from the River Irwell.

The proposal affords an opportunity for the site to be cleared of rubbish and brought back into productive use with new landscaping along the riverbank.

In terms of the structures themselves, they would be relatively modest in scale, set against adjacent buildings, and finished in a matt green with the stacks and radiators/pipework in a silver/grey, would not appear so incongruous within the immediate landscape. The boundary fencing would be the paladin mesh type which, coloured green, would be acceptable in this location. In terms of visual amenity the proposal is considered to be acceptable and complies with UDP Policy EN1/2 Townscape and Built Design.

For information, at the end of this report is a photo of a completed scheme on Martens Road Irlam, Salford. The application (16/68487) proposed 9 generators of similar size and was approved subject to conditions by Salford Council in August 2016.

Residential Amenity - A revised Noise Impact Report (PDA Acoustics Ltd, dated 8th August 2018) has been submitted in support of the application. The summary of the report indicates that although there would be 14 gas powered engines that may be required to operate at anytime within a 24hour period, they would only operate at certain times when the National Grid requires reserve power. Historically this would likely be the late afternoon/early evening period. The noise assessment indicates that with proposed attenuation measures (sound insulated containers), the noise egress from the development would be below the typical measures background noise levels by between -2dB and -12dB during the day and night time periods respectively. All other noise sensitive dwellings would experience lower noise levels due to increased distance attenuation and shielding from the surrounding buildings.

An air quality assessment (Isopleth Ltd, May 2018) has also been submitted with the application. It concludes that during the construction phase the development poses a negligible risk for dust at receptor locations and ecological sites. In terms of traffic, it is not predicted that emissions would be significant either during construction or operational phases.

With regard to the generators themselves, air quality modelling was undertaken on a 'worse case' basis. It is concluded that all impacts, human and ecological, are predicted to be acceptable in relation to the Air Quality Directive.

As such the proposal is considered to be acceptable in relation to residential amenity and complies with the NPPF and UDP Policy EN7/1 Atmospheric Pollution and EN7/2 Noise Pollution.

Environmental Impact/ Ecology. In terms of an Environmental Impact Assessment (EIA), the proposal would fall into Schedule 2 development (Industrial installation for the production of electricity). However as the site is less than 0.5ha, does not constitute a 'sensitive' area and does not raise significant environmental issues, it is not deemed as requiring an EIA.

An ecological assessment (The Environment Partnership, May 2018), was submitted with the application and conclusions are as follows:

- A desk based assessment and a Phase 1 habitat survey were undertaken.
- The site is comprised of bare ground with areas tipped refuse and scattered trees.
- Some tree removal is required on the east side of the site.
- Pollution control measures are required to minimise potential impact on the SBI to the south.
- No protective plant species recorded but evidence of invasive species found.
- Surveys of nearby ponds required to determine any presence of Great Crested Newts and if appropriate mitigation measures put in place.
- Reasonable Avoidance Measures Method Statement (RAMMS) recommended for construction phase.
- Selected tree removal will not impact on roosting bats.
- Nesting bird checks and site clearance restrictions recommended.
- Bat and bird boxes installed.
- Water Vole Survey recommended.

The Environment Agency and the Greater Manchester Ecology Unit (GMEU) do not object to the proposal on ecological grounds. GMEU suggests that, following recent surveys, there is no evidence of Great Crested Newts in the immediate vicinity. A RAMMS method statement is however recommended given the opportunities for toads/amphibians to be resting within the rubble/refuse on the site. This would be a condition of any approval. Other conditions would require Japanese knotweed/hogweed clearance, measures to protect the River Bank/SBI during construction and a landscaping scheme along the riverbank.

Given the mitigation measures and suggested conditions, the proposal is considered to be acceptable and complies with the NPPF and UDP Policies relating to ecology and the environment.

Flood Risk - A flood risk assessment was submitted with the application (Amber Planning, May 2018). The report concludes that the development is considered appropriate within Flood Zone 3a. A surface water drainage scheme would include on site attenuation storage and controlled discharge which would ensure floor risk is suitably mitigated. Water quality treatment measures are proposed to ensure only clean water is discharged from the facility. Any drainage works would be subject to agreement with Bury Council and the Environment Agency through an appropriate planning condition should approval be given.

Traffic - Other than during the construction phase, there would be no significant traffic generated by the proposal. As such it is considered appropriate to require a Construction Traffic Management Plan to be submitted prior to commencement of development.

There would be two parking spaces within the site for visitors/maintenance staff and this is considered to be acceptable and compliant with UDP Policy and guidance.

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

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

Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2. This decision relates to drawings numbered 18019.103/1b and 102/1b and the development shall not be carried out except in accordance with the drawings hereby approved.

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

3. No development shall commence unless and until:-

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

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

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

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

5. The rating level (LAeq,T) from the power generating proposals associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) at any time when measured at the boundary of the nearest noise sensitive premises. Noise measurements and assessments shall be carried out according to BS4142:2014 "Methods for rating and assessing industrial and commercial sound". 'T' refers to any 1 hour period between 07.00hrs and 23.00hrs and any 15 minute period between 23.00hrs and 07.00hrs.

Reason. To safeguard the amenity of occupants of the nearest residential properties in accordance with the NPPF and UDP Policy EN7/2 Noise Pollution.

6. Notwithstanding the details indicated in the submitted Transport Statement, 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:

- 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;
- Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to

minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of 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 and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to the NPPF and UDP Policy H4 New Development.

7. The access/turning facilities indicated on approved plan reference 18019.102 Revision 1b shall be provided before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the NPPF and UDP Policy H4 New Development.
8. The car parking indicated on approved plan reference 18019.102 Revision 1b shall be surfaced and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to the NPPF and UDP Policy H2/4 Car Parking and New Development.
9. The boundary security fence shall be a green mesh paladin type and thereafter maintained as such.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
10. The development shall not commence unless and until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include;
 - measures to protect all retained trees, required by BS 5837:2012 "Trees in relation to design, demolition and construction",
 - details of all tree removal works,
 - measures to encourage bird and bat nesting.All measures shall remain in situ until the development has been completed.
Reason. To avoid damage to or loss of trees which are of landscape value to the area pursuant to the NPPF and UDP Policies EN1/3 Landscape Provision and EN8/2 Woodland and Tree Planting.
11. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include a schedule of native tree and shrub planting and maintenance scheme. The approved scheme shall thereafter be implemented not later than 12 months from the date the proposal is first commenced or within the first available tree planting season wherever is sooner; 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 the NPPF and Policies EN1/3 Landscape Provision and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.
12. No development shall commence until full details of a scheme for the eradication

and/or control of Japanese Knotweed, Giant Hogweed and Himalayan Balsam is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

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

13. All site clearance shall be undertaken on the basis of a 'Reasonable Avoidance Measures Method Statement' (RAMMS) for amphibians.

Reason. In order to protect any amphibians pursuant to the NPPF and UDP Policy EN6/4 Wildlife Links and Corridors.

14. The development shall not be brought into use unless and until the flood mitigation measures detailed in the Flood Risk Assessment (Amber Planning), May 2018 have been fully implemented.

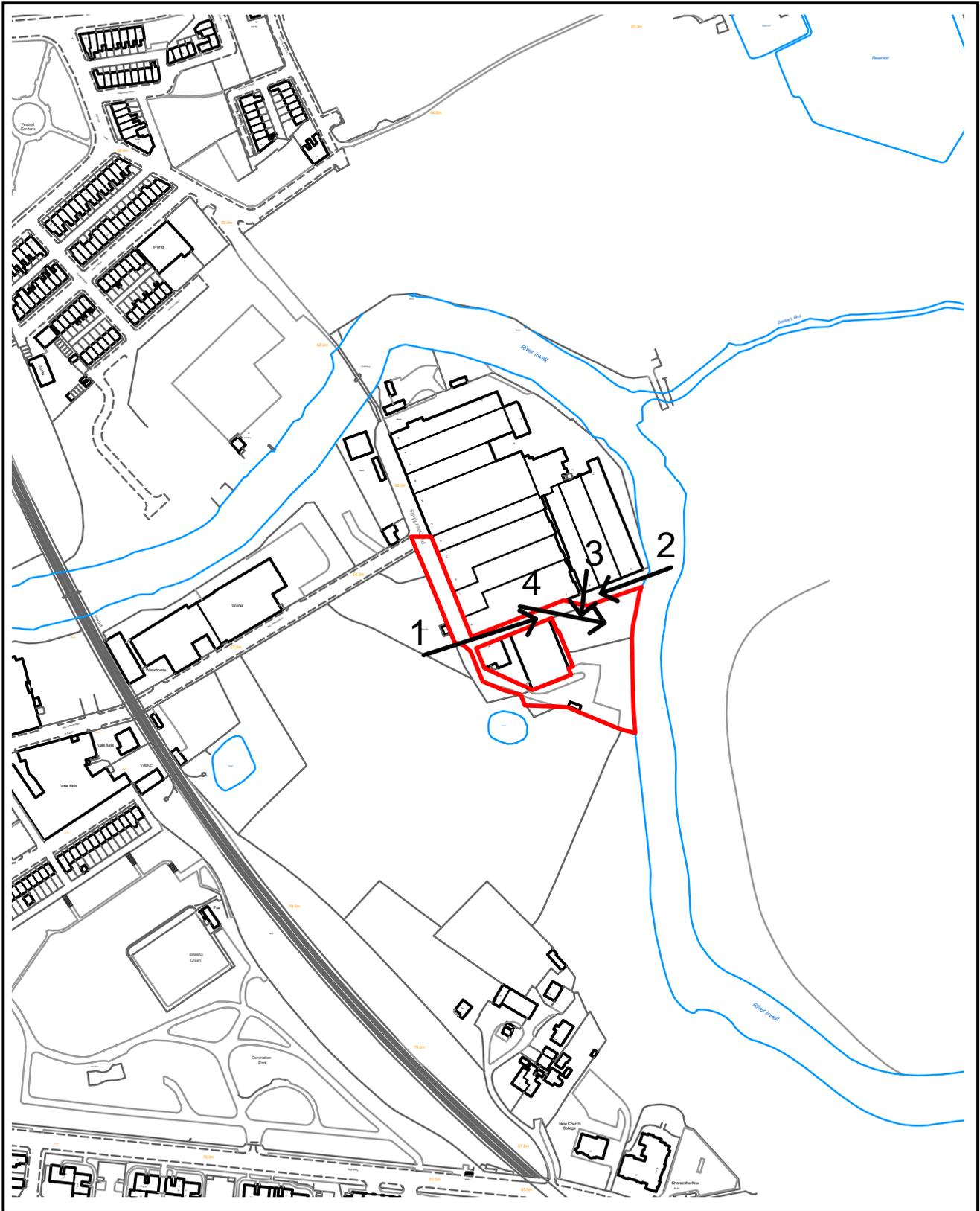
Reason. In order to protect the development from flooding pursuant to the NPPF and UDP Policy EN5/1 New Development and Flood Risk.

15. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1 New Development and Flood Risk , EN7/3 Water Pollution and EN7/5 Waste Water Management and the NPPF.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 62864

**ADDRESS: Pioneer Mills
Milltown Street**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

62864

Photo 1



Photo 2



62864

Photo 3



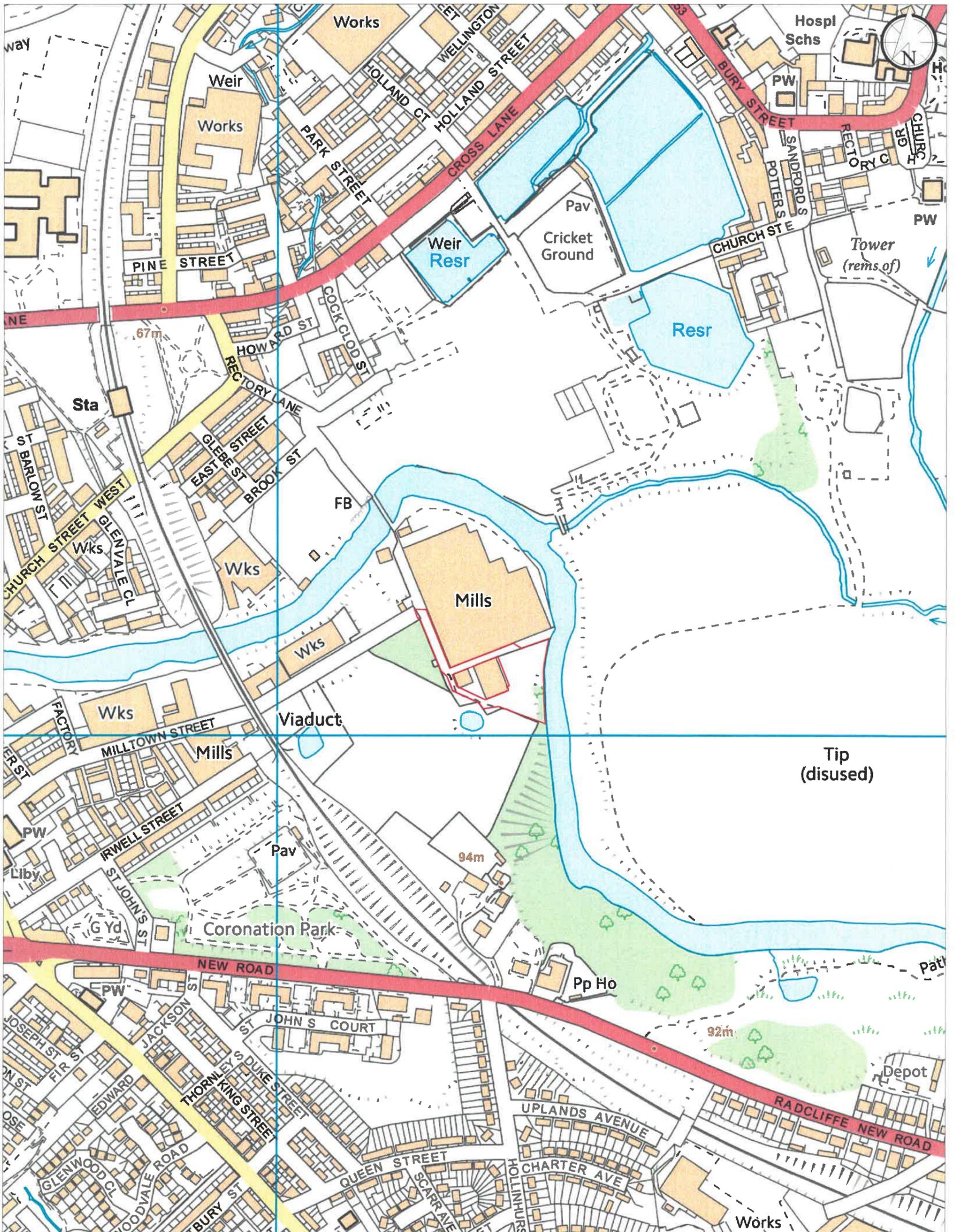
Photo 4



62864



This photo shows a completed scheme for 9 generators on a site in Irlam, Salford, granted approval in 2016. (Planning ref:16/68487)



Key:
— Development area (0.49Ha)

Site address: Milltown Street, Radcliffe, Manchester, M26 1WN

ukpowerreserve
 SUPPORTING A RENEWABLE FUTURE

Drawing: [18019.101](Pioneer Mill) Location Plan (Rev.1b)

6th Floor, Radcliffe House, Blenheim Court, Solihull, West Midlands, B91 2AA

Date: 29/05/2018

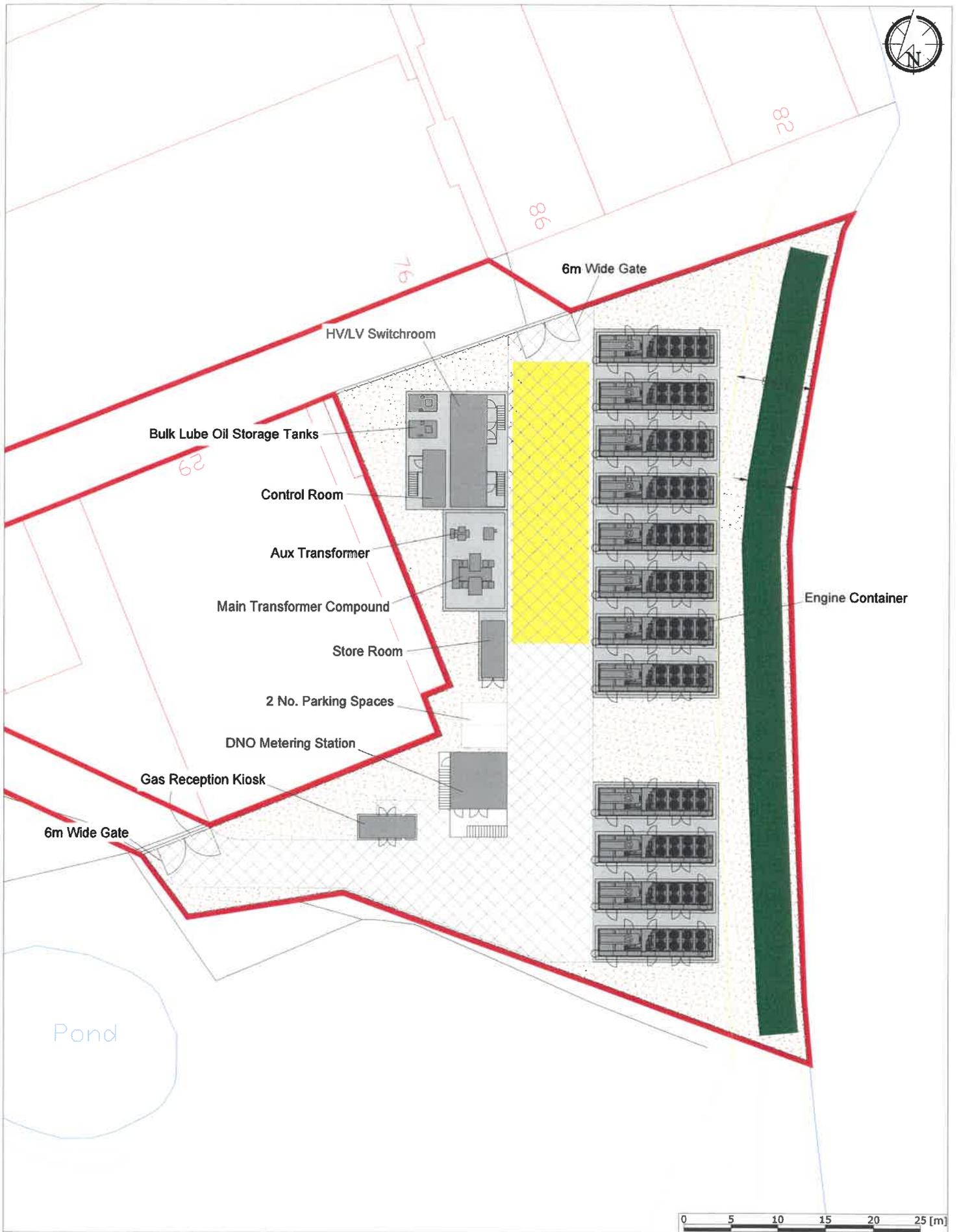
Revision 1b

Drawn by: PH

Reviewed by:

PLAN NOT TO BE USED FOR CONSTRUCTION

Scale: 1:5000 @ A4



- Key:**
- Development area (0.49Ha)
 - 2.4m high security fence
 - To be made suitable for commercial vehicles
 - Concrete slab
 - Gravel/vegetation
 - Additional landscaping

Site address: Milltown Street, Radcliffe, Manchester, M26 1WN



Drawing: [18019.102](Pioneer Mill) Site Plan (Rev.1c)

6th Floor, Radcliffe House, Blenheim Court, Solihull, West Midlands, B91 2AA

Date: 16/07/2018

Revision 1c

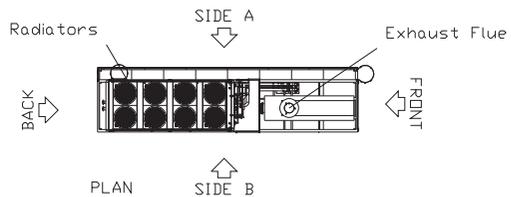
Drawn by: PH

Reviewed by:

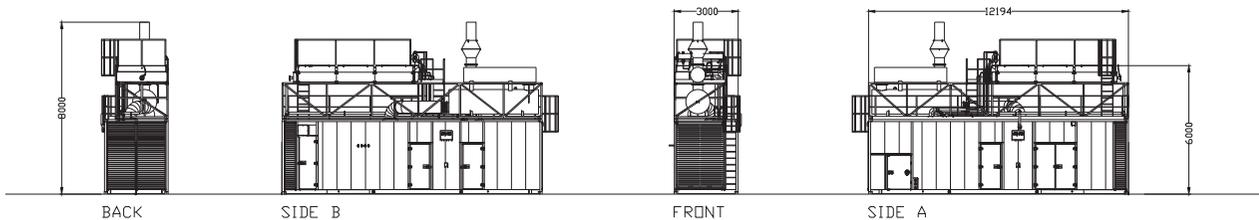
PLAN NOT TO BE USED FOR CONSTRUCTION

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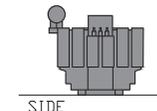
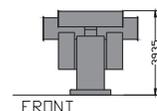
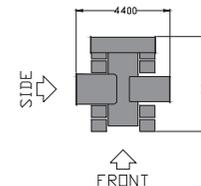
ENGINE CONTAINER



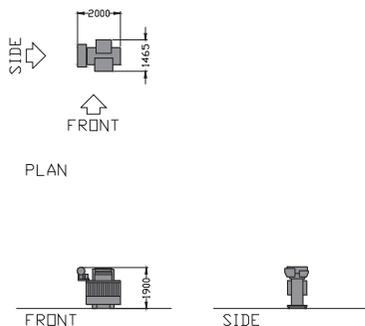
Metal container to be finished in matt fern green (RAL 6025).
Stacks and radiators to be finished in matt silver grey (RAL 7001).



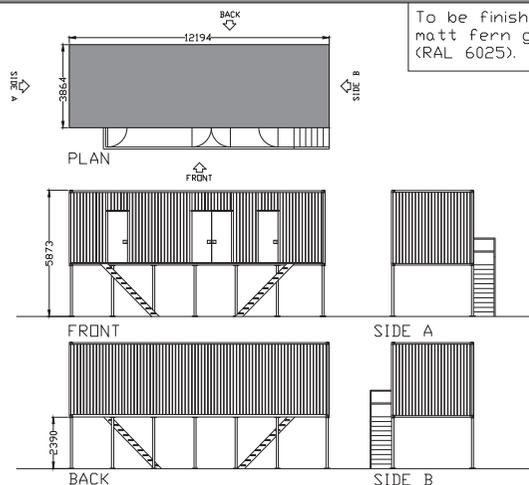
MAIN TRANSFORMER COMPOUND



AUXILIARY TRANSFORMER

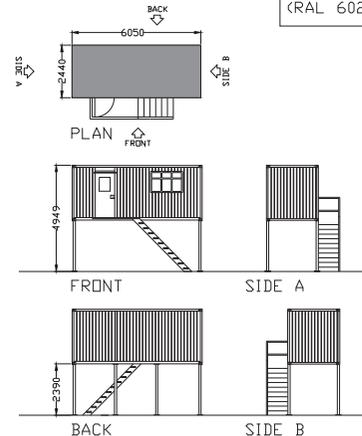


HV/LV SWITCH ROOM



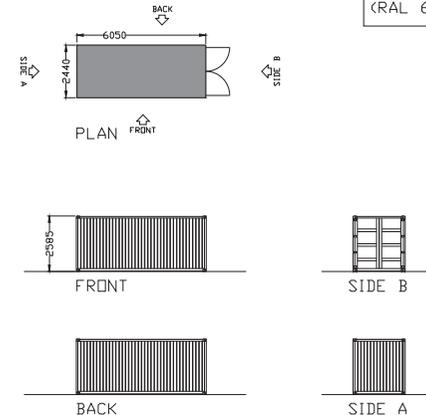
To be finished in matt fern green (RAL 6025).

CONTROL ROOM



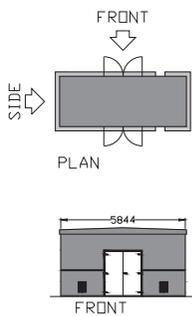
To be finished in matt fern green (RAL 6025).

STORE ROOM



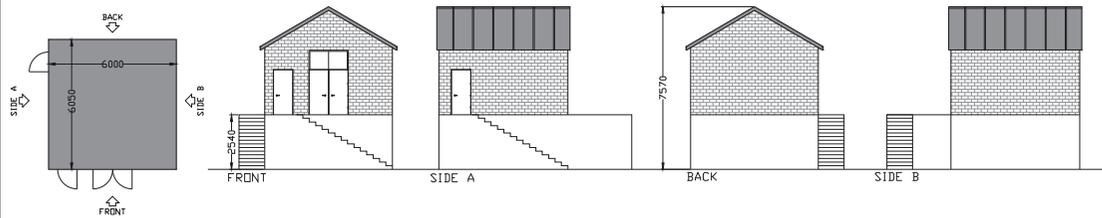
To be finished in matt fern green (RAL 6025).

GAS RECEPTION KIOSK



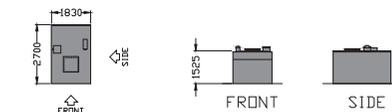
To be finished in matt fern green (RAL 6025).

DND METERING STATION



To be finished with brick walls and a slate roof.

Lube Oil Bulk Storage Tank



Site address: Milltown Street, Radcliffe, Manchester, M26 1WN		ukpowerreserve SUPPORTING A RENEWABLE FUTURE	
Drawing: [18019_103](Pioneer Mill) Elevations & Block Plan (Rev.1b)		6th Floor, Radcliffe House, Blenheim Court, Solihull, West Midlands, B91 2AA	
Date: 29/05/2018	Revision 1b	Drawn by: PH	Reviewed by:
PLAN NOT TO BE USED FOR CONSTRUCTION		Scale: 1:250 @ A3	