

Title	Planning Applications
To:	Planning Control Committee
On:	21 January 2020
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

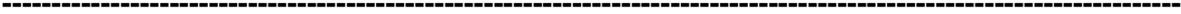
1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

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

01	Township Forum - Ward: Bury East - Moorside	App No. 64022
	Location: Access road off Halsall Close, Gorses Quarry, Bury	
	Proposal: Increase in width of existing access track (incorporating a bridleway)	
	Recommendation: Approve with Conditions	Site Visit: N
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02	Township Forum - Ward: Radcliffe - East	App No. 64518
	Location: Site at corner of Spring Lane & Bury Road, Radcliffe, Manchester, M26 2QX	
	Proposal: Erection of three storey block of 15 no. apartments with car parking, bin storage and cycle storage with vehicular/pedestrian access from Bury Road	
	Recommendation: Approve with Conditions	Site Visit: N
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03	Township Forum - Ward: Bury East - Moorside	App No. 64707
	Location: Euro House, 30-32 Walmersley Road, Bury, BL9 6DP	
	Proposal: Change of use from shop (Class A1) to Restaurant (Class A3) with flue and 4 no. air conditioning units at rear; New shop front	
	Recommendation: Approve with Conditions	Site Visit: N
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04	Township Forum - Ward: Bury West - Church	App No. 64766
	Location: 16 Westbury Close, Bury, BL8 2LW	
	Proposal: Front porch extension and dormer extension at front	
	Recommendation: Approve with Conditions	Site Visit: N
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05	Township Forum - Ward: Bury East - Redvales	App No. 64790
	Location: Land to west of Metrolink line at Warth Road; Land to west of Bury Road; Land to east of Whitefield Road; Land to west of Hardy's Gate Bridge and Land to north of York Street, Bury	
	Proposal: Proposal A - A series of sheet piled walls and concrete walls across 4 sites Proposal B - Erection of an embankment and retaining wall at land to west of Metrolink line at Warth Road	
	Recommendation: Split Decision	Site Visit: N
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06	Township Forum - Ward: Prestwich - St Mary's	App No. 64902
	Location: Land adjacent to 152 Butterstile Lane, Prestwich, Manchester, M25 9TJ	
	Proposal: Erection of attached 2 storey building comprising of ground floor retail unit with 1no. flat above	

Recommendation: Approve with Conditions

Site Visit: N



Ward: Bury East - Moorside

Item 01

Applicant: Mr Stewart Sivvery

Location: Access road off Halsall Close, Gorses Quarry, Bury

Proposal: Increase in width of existing access track (incorporating a bridleway)

Application Ref: 64022/Full

Target Date: 31/05/2019

Recommendation: Approve with Conditions

Description

The site

The application relates to an access track which is located within a semi rural area and is in the Green Belt. The access track carries a bridleway and footpath reference 24BUR. The access track starts from the junction of Greymont Road/Halsall Close/ Milbourne Road and continues northwards towards Davis Farm and Further Davises Farms, following the boundary of Gorses Quarry to the east. Gorses Quarry is a site of Nature Conservation Interest, as defined in the Bury UDP and a Grade B Site of Biological Importance. To clarify, the track runs along the boundary of Gorses Quarry but is not part of the quarry or within the SBI. There is a large residential estate which is known as the Limefield Estate and the Limefield Brow Recreation field to the west of the access track.

The majority of the lower part of the track is made up of stone setts/cobbles and loose stones and is potholed in parts and has a generally uneven surface. The track is bounded by fencing which forms the rear garden boundaries of houses on Milbourne Drive and Halsall Close at this lower end.

As the track continues northwards, the land opens out on either side to fields and the surfacing changes to compressed earth and compacted stone/rubble, with loose stones in parts and is also fairly uneven in places. Approximately halfway up the track, a steep banking forms the eastern boundary and the boundary with Gorses Quarry.

It is part of the banked area to which the application relates and where engineering works have been carried out to widen the access track to provide a passing place without planning permission. Approximately 130m of total length of track has been widened in several separate parts and between 1m to 2.5m of banking has been removed.

The applicant states that the works were carried out without the understanding that planning permission would be required, and were in response to vehicular access difficulties for those residing at Davis Farm and the conflicts which arose with other users of the track including walkers and horseriders. This caused safety issues for users.

The works have resulted in the removal of a stretch of vegetation and trees and have caused the embankment to become unstable in parts. Tree roots from those that remain have become exposed and now protrude from the side of the embankment. The works have also caused minor landslides of earth and stones to fall into the access track which at times of heavy rainfall, are being washed down the track and surface water carrying deposits washes onto Halsall Close and Greymont Road.

The application has been submitted retrospectively and seeks to implement a scheme of ecological mitigation and re-profiling/stabilising works.

The application process

Following Enforcement processes, the application initially proposed the regularisation of works for the widening of the track and included some ecological mitigation proposals, the

re-surfacing of the track and a drainage channel. The application was submitted April 2019. The application was assessed by the LPA and consultees it was considered that the proposed scheme did not satisfactorily address the works which had been carried out.

The scheme was subsequently revised in August 2019. The changes involved revised landscaping proposals, an ecological mitigation plan for the track and Gorses Quarry, re-grading of parts of the path and a drainage scheme.

The amendments included proposals outside the application site and from consultee feedback, the works to re-profile the track surface and incorporate drainage channels would cause more harm than good for users by making the track less stable underfoot for horses and easier to drive a vehicle, potentially encouraging faster speeds causing highway safety issues.

Following discussions with GMEU and the LPA, the applicant has sought to address the previous objections and concerns and the application has been further revised resulting in the submission of a final scheme which is under consideration in this report. The scheme seeks to stabilise/re-profile the embankment and provide ecological mitigation measures to the affected areas of the track.

The application proposals

The area of affected embankment would be re-graded to reduce its steepness and the toe of the banking re-profiled and backfilled with locally derived soil of a free draining type. A geotextile or similar non-woven bonded material would then be laid over the infill to prevent any loose stone or earth run-off into the track. The re-profiling and infill works would essentially reduce in width part of the track which had been originally widened. The re-profiled bank would then be sown with a grassland seed mix, and existing vegetation would also naturally re-seed and re-establish itself. Trees which currently exist would be retained.

To clarify the application description and the status of the access track and the bridleway, the works involve the widening of an access track which carries a bridleway. The width of the bridleway has not changed - it is the access track which carries the bridleway which has been altered. The classification of the bridleway as a bridleway remains unchanged.

A bridleway is defined as a route which may be travelled by foot, on horseback, leading a horse or on a bicycle. Anyone driving a vehicle will require a private right to use the bridleway. Whether the applicant/residents of the properties at the top of the track have a 'right of access' to use the bridleway is a private matter and not a material planning consideration. It is stated that there is such a right to use the track for access purposes. It is likely that such a right exists and the Council has no reason to doubt this is the case.

The application has therefore been described as '*Increase in width of existing access track (incorporating a bridleway)*'.

Gorses Quarry

Unlawful works have also been carried out to land which forms part of Gorses Quarry which is located to the east of the access track (outside the current application site). The works involved the material change of use of the land for the parking and storage of motor vehicles and the associated clearance and groundworks to facilitate the use by the deposition of materials to form hardstanding.

The unlawful works are already subject to enforcement action which is currently being taken and are the subject to an enforcement notice which is separate to this planning application. To date, the applicant has been responsive, stopped works, removed the vehicles and has been proactive in the submission of this application, and through discussions with the LPA and GMEU, a restoration package suitable given the ecological implications. The enforcement notice action requires the cessation of the use of the land for parking vehicles and the restoration of the land in accordance with ecological recommendations.

Relevant Planning History

63404 - Increase in width of existing bridleway - Withdrawn - 8/2/2019

Publicity

Neighbours were notified of the application by letter on 15/4/2019.

Neighbours were re-notified of an amended scheme by letter on 30/8/2019.

Some 245 letters were sent on 16/12/2019 to notify neighbours and those who had made previous representations of the scheme which is the subject of this report.

A full list of those notified can be viewed on the public file.

A total of 153 letters of objection have been received to the application.

Two letters of support and one comment have been made.

A full list of the comments and objections made to the superseded schemes (described above) are available to view on the public file.

The objections which are reported below relate only to the current proposal which is being considered in this application.

- There is no statement on the authorities planning web site or the sent out paper work to objectors as to what this implies to, so the application is null and void.
- The existing road leading to the bridal way path is not suitable to take any further traffic; especially towed caravans etc. rumoured to be the reason for the application.
- Considerable risk already from existing traffic more is definitely not advisable and safe.
- The issue is simply comply with the two constraints and use the enforcement powers against the applicant to repair the vandalism and destruction of the area.
- It is still unclear as to why the application is being made and the continued resubmission in an attempt to make legal the work that has already been done is frustrating.
- Damage to the environment and the general concern about what the widening will ultimately lead to in terms of causing further damage to the countryside and distress to local residents
- Strongly disagree with the comments made by Roman Summer Associates regarding there being no related drainage problems with this proposal . We have a river running down Greymont Road this morning. I have yet again had to clear the drain outside my house .
- The documents submitted indicate that further excavation work will be done to reduce the angle of the incline in Section CC - Tree Constraints Plan.
- It is unclear whether the retrospective application has been agreed with some tidying up as outlined in the submitted additional documents or is returning the lane back to its former state (as best it can) following the failure of the application.
- Our garden gate opens directly onto this bridleway - we consider the mitigation measures are insufficient to rectify the damage done.
- Excavating an embankment to a height up to 8ft and felling mature trees in an area of ecological significance cannot be considered modest.
- Whilst drainage related problems did exist prior to the works they have been exacerbated by the works and in particular the silt and stones released have blocked the existing storm drain and caused sediment to be carried on to Greymont road as far down as the junction with Lowes Road - this is a traffic and safety hazard.
- No further work should be carried out other than to add more habitat for the wildlife residing in that area not less.
- The land is green belt, the land is significant due to it being the habitat of the great crested newt and other ecologically important wildlife.
- The road is not a hazard to any walker, horse rider or cyclist.
- Even though the applicant has allegedly expressed his regret at the work already carried out, the application submitted still doesn't show any landscape details where he has excavated and widened the bridleway adjacent the field/dry stone walling in the ownership of Walmersley golf club. Any work to be done should improve the

appearance of the area or match what was there to visually satisfy the public, especially as the applicant doesn't own this land. Can you confirm the applicant isn't going to excavate this verge as he has done everywhere else as it will weaken my fence line.

- The widening of the track will lead to increase in traffic flow if permission is given to widen the track;
- Noise will be greatly increased with HGV's accessing the site.
- Safety of horseriders will be seriously affected.
- Already breakdown and recovery vehicles are using the path to bring scrap vehicles to the farm site.
- Planning officers should take action against this flagrant disregard for the Countryside Act. Its a disgrace to let this be allowed to happen again.
- Widening of the bridleway has been carried out without permission and is unnecessary. It has always been a bridleway, NOT a road. It has allowed access to the dwellings for all the 65 years I have lived here, without problems.
- Widening would undermine the fences and vegetation of gardens backing onto the bridleway.
- Dry stone walls have been moved without permission and have not been re-built safely. They must be re-instated in the previous position.
- This smacks of a bigger agenda which is underhand and to the detriment of the area.
- If this were to happen elsewhere and in more affluent areas it would soon be brought to a stop - why are the council more lenient in our area.
- Disappointed in the lack of enforcement action
- This damage has been occurring over a number of years with total INACTION by BMBC. There is satellite footage to support this fact. It's to be one rule for one and one for another.

Those who have expressed an interest have been informed of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objection.

Borough Engineer - Drainage Section - No objection.

Environmental Health - Contaminated Land - No objection. Should unforeseen contamination be suspected or found, a risk assessment and any remediation proposals will be required to be submitted to the LPA.

Public Rights of Way Officer - No objection. Proposals for the surface remaining after the embankment works have been completed will be required

Greater Manchester Ecology Unit - No objection subject to the submission of a methodology for the remediation works and to ensure the protection of Protected Species.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/1	Visual Amenity
EN1/3	Landscaping Provision
EN5/1	New Development and Flood Risk
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/3	Features of Ecological Value
EN7/3	Water Pollution
EN7/4	Groundwater Protection
EN8/2	Woodland and Tree Planting
OL1	Green Belt
OL1/5	Mineral Extraction and Other Development in the Green Belt
OL6	Multi-Functional Countryside
OL6/1	New Uses and Development of the Countryside
RT1/1	Protection of Recreation Provision in the Urban Area

RT3	Recreation in the Countryside
RT3/1	Protection of Existing Recreation Prov in the Countryside
RT3/3	Access to the Countryside
HT2	Highway Network
HT6/2	Pedestrian/Vehicular Conflict

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

Chapter 13 of the NPPF considers development in the Green Belt.

Paragraph 143 states that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSC).

In chapter 144, it is stated VSC's will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 146 states that some forms of development are not inappropriate provided they preserve openness and do not conflict with the purposes of including land within it. One such development relates to point (b) and the carrying out of engineering operations.

UDP Policies

OL1 - Green Belt - The fundamental aim is to prevent urban sprawl by keeping land permanently open - the most important attribute of Green Belts is their openness.

OL1/5 - Mineral Extraction and Other Development in the Green Belt - This includes engineering and other operations and the making of any material in the change of use of land, for example, car parks or other areas of hardstanding. Such development will not be considered inappropriate if it maintains openness and does not conflict with the purposes of including land in the Green Belt.

OL6 - Multi-Functional Countryside - In considering development proposals, the Council should seek to ensure that the countryside is used and managed so as to minimise conflicts and balance the benefits it offers to the community as a whole, with the need to protect the value of the countryside for its own sake.

RT3/1 - Protection of existing Recreation provision in the Countryside will not allow development where it would result in the loss of, or prejudice the use of areas predominantly used for recreation outside the urban areas. Any proposal for recreational use of the countryside should not result in damage to the environment or areas of ecological value (ie SBI's), nor alter the character of the landscape or affect the enjoyment of the area by others.

RT3/3 - Access to the Countryside seeks to improve and extend opportunities for all to gain access to the countryside and includes maintaining, improving and where appropriate, extending the existing network of Public rights of Way, footpaths, bridleway and cycleways,

OL6/1 - New Uses and Development of the Countryside has regard to the effect of proposals on the landscape character and diversity, nature conservation, agricultural land

and holdings and recreational value. This policy seeks to encourage, mediate and control, where necessary, land uses in the countryside so as to enhance the quality of life and conserve its interest and setting.

EN6/2 - Site of Nature Conservation Interest (Local Nature Reserves and Grade B and C Sites of Biological Importance) - Planning permission will not be granted for development which would damage either directly or indirectly, the nature conservation interests of sites of particular ecological significance unless conditions can be imposed that would acceptably mitigate those impacts. With all sites of nature conservation interest, it may be necessary to consider the need for the establishment of 'buffer zones' where development proposals could have an impact on protected sites. In such instances, development proposals will be required to make provision for adequate protection measures, such as open land strips, planted areas or screening the boundary of sites of nature conservation interests.

EN6/3 - Features of Ecological Value - The effects of land use changes on existing features of ecological or wildlife value will be taken into account when assessing development proposals. The Council will seek to negotiate with developers, where appropriate, to mitigate the potential effects of development on features of ecological value.

HT2 - Highway Network - The present highway network of roads, footpaths and associated infrastructure will be maintained and selectively improved, with preference given to schemes which include road safety improvements, improve the flow of traffic and improve or protect the environment.

Principle - In considering the principle, the proposed development would be assessed as an engineering operation under part b) of para 146 of the NPPF and under UDP Policy OL1/5 and acceptability would be dependant on whether the engineering works preserve the openness of the Green Belt.

It is considered that the engineering works would not constitute inappropriate development in the Green Belt and would comply with point b) in para 146 of the NPPF. The works have involved the excavation and removal of earth which formed an embankment and boundary to the access track. At the widest point, approximately 2.5m has been removed, with up to 1m wide removed at the narrowest point. The mitigation proposals to regrade the embankment to a profile not dissimilar to its former state and infill part of the lower slope would preserve the openness of the Green Belt. The proposals to re-seed the embankment along this stretch and over time, self seeding of vegetation would enhance the area further. Effectively, the works largely re-instate.

Views of the Green Belt from the west and from both approached along the track have not been interrupted by the works that have been carried out and it is considered that with the mitigation measures proposed, there would not be any harm causing any detrimental impact on the special character of the Green Belt.

It is therefore considered in principle, the works and mitigation proposals would constitute an engineering operation which would preserve the openness of the Green Belt and not conflict with the purposes of including land within it, and as such would not be inappropriate development. The development is therefore considered acceptable and would comply with the principles of point b) of para 146 of the NPPF and UDP Policies OL1 and OL1/5.

Ecological mitigation proposals

For clarification purposes, the application involves the area of land affected by the widening of the track only and does not relate to the wider Gorses Quarry. The application site does not form part of the SBI nor include any former quarry land.

The engineering works have resulted in some loss of vegetation and ecology along this stretch of the track. Trees have been removed and some of those remaining have exposed roots and are now overhanging the track due to its erosion. The works which have been

carried out have been discussed in the report above in some detail.

This package of proposed measures have been formulated and developed following the detailed discussion between the applicant's Ecology Consultant and Greater Manchester Ecology Unit (GMEU), and include meetings on site between the parties.

The application proposes a scheme to mitigate the works that have been carried out and are two-fold - an Ecological Mitigation Scheme for Habitat and Ecological Mitigation Scheme for Protected Species.

Ecological Mitigation Scheme - Habitats

The embankment has been left in an exposed and untreated state. It is an eyesore visually and dangerous in parts, and has altered the character of the once vegetated and natural landscape.

The objective of the mitigation scheme is to re-establish the grassland and landscaping along the track and stabilise the banking. This would be done through re-profiling the slope and backfilling the toe of the slope with locally sourced soil and a geotextile or similar material would be laid over the infilled area to drain naturally. A top layer of slope would be left in an uncompacted state to form the basis of the seed bed which when established would further stabilise the bank.

The seeds would be sown in the Spring and carried out by hand. It is also proposed that annual monitoring would take place annually over a five year period, and undertaken by a suitably experienced ecologist if approved. This would be conditioned. It is also likely that heathland species already growing in the area would self-seed in these parts and naturally establish on the re-profiled soil, further stabilising the bank.

The trees that have remained along this stretch of the track would be retained and a condition would ensure their protection whilst the mitigation works are being carried out.

Ecological Mitigation scheme - Protected Species

Records show that Gorses Quarry is an area for Great Crested Newts, a European Protected Species. It is proposed that the re-profiling works would take place under a watching brief and with regard to Reasonable Avoidance Measures which are outlined in the submitted Ecological Statement. The measures would ensure that no harm would be caused to the GCN or their habitat. This approach has been supported by GMEU.

Summary of mitigation proposals

The ecological mitigation measures would offer a positive solution to rectify the works which have been carried out. The proposals would not only stabilise and re-profile the embankment to make it safer, but seek to restore this part of the track back to a profile and visual cover similar to its previous state, providing both ecological and visual improvements. The mitigation proposals for protected species would ensure no harm would be caused to the wildlife in the area and this would be a condition of the application in the event of an approval.

It is therefore considered that the proposals would satisfactorily address the works which have been carried out and would comply with UDP Policies EN6, EN6/2, EN6/3 , RT3/1 and OL6/1.

Drainage - The track has historically experienced a steady and continuous flow of surface water which runs off the land to the east and from the top of the track itself, flowing southwards and sometimes onto the public highway at the bottom which forms the junction of Halsall Close and Greymont Road. Loose stones and mud can also be washed down the track particularly in times of heavy rainfall and on to the public highway. There is also an underground spring which is located approximately half way along the track, south to where the works have been carried out, which also adds to the existing run off.

A number of the objections made by local residents have referred to the increase in surface water run-off which is now experienced and has been caused by the works and which has exacerbated the drainage problems in the area, resulting in significantly large amounts of loose stones and mud now being carried onto the highway. Photographic evidence has been submitted by residents to demonstrate as such and complaints have been made to the highway department.

Since the works have been carried out, the embankment has become unstable and in time of particularly heavy rainfall, the erosion has caused more stones and earth to be carried down the track and onto the roads.

Several options to provide channel drains and storage/soakaway manholes were considered by the applicant but this would pose several problems. Considerable work would have to be carried out to the track to provide the drainage channels and their efficiency would actually be capable of working as there are significant sections of large stone setts and cobbles which would have to be removed/re-profiled or covered over. Loose gravel would also quickly fill the drainage channels, causing the water and other debris to run off down the track in any event.

The re-surfacing of the track would also facilitate an easier route for the vehicles to travel along, which could encourage faster speeds and worsen the safety of the other users of the track such as horse riders, which has been a concern raised by a number of objectors and previously the Rochdale and Bury Bridleways Association, where horses hoofs can become trapped. The 'formalisation' of the track would also change the character of the track from a rural countryside lane to one of a more urban form which would be considered inappropriate within this Green Belt setting.

The works to re-profile the embankment and fill the bottom part of the slope with a free draining granular infill which would be covered with a geotextile or similar material would ease the surface water run off and stabilise the slope to reduce and control the movement of loose stones and earth. The landscaping proposal and self seeding which has already taken place along the track, together with the retention of the trees along this route would also better the situation, absorbing water in the vicinity.

There would still be surface water run-off experienced along the track during times of rainfall. However, the amount of water and rate of flow would become more moderated, thereby lessening flooding of the roads at the bottom of the track and reducing the amount of material which would be carried.

All things considered, this is an unmade and rural track in a countryside location. The condition of such tracks tend to have uneven and broken up surfaces with water trickling from higher ground and from under ground springs, which can carry debris. This is commonly found in rural settings.

It is therefore considered that the proposed works to the embankment would offer the most appropriate resolution to improve the drainage situation.

The Drainage Engineer has raised no objections to the proposals.

The development would therefore comply with UDP Policies EN5/1, EN7/3, EN7/4 and the principles of the NPPF.

Status of the bridleway - The access is a designated bridleway, Bridleway Number 24, Bury. It also serves as an access to the owners of properties and land that lies along it.

A Bridleway can be defined as "A highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway" (see section 329(1) of the HA80).

Under s34 of the Road Traffic Act 1988 (as amended by the Countryside and Rights of Way Act 2000) it is a criminal offence to drive a mechanically propelled vehicle on a footpath, bridleway or restricted byway without lawful authority.

There is no evidence to suggest that the landowner does not have access along the route. It would seem an odd situation for a landowner not to have access to their own land and is a situation repeated elsewhere in Bury and the country with landowners having private rights of access along public rights of way.

However, criminal matters are dealt with by the police and the legal system. Private rights of access is not a material consideration under planning law.

For clarification, the application has been described as 'Increase in width of access track' (carrying a bridleway) as it is the track which has been widened and not the bridleway itself. This does not change the status of the bridleway along this route which remains as Bridleway Number 24, Bury.

Highway safety issues - The applicant has stated that the works to widen the track have been carried out to alleviate the conflict between users, and specifically between those who travel by vehicle to the properties at Davis Farm at the top of the track, and walkers/horseriders and cyclists.

The track has been widened by between 1m and 2.5m along a length of track of approximately 130m. The intention of the widening works was not to facilitate additional traffic but to secure a safer access route through a short stretch of the track and to improve the safety of the different users of the track.

The proposed plans show that with the mitigation works proposed to re-profile and re-grade the slope, parts of the affected track would be narrowed to a width not dissimilar to its original state. There would however, be a widened area (5.04m wide) formed at one of the bends in the track (just over half way up). This would provide an area where vehicles and other users could safely pass each other, without the fear of accident or the need to reverse along a narrow stretch of road which would be blind to other users. Such passing places, appropriately located, are commonly found within rural and countryside settings, and enable different users of countryside routes to travel safely.

The proposed development would provide one such passing space at a place where the track bends and where there would be more conflict of use than the stretch to the south where the track runs relatively straight and users can be viewed from a distance, enabling users to pull in to the side or slow down and stop completely.

It is therefore considered that from a highway safety perspective, the widened area would be of benefit to the users of the track.

It is also proposed to retain the existing surface which is setted, cobbled and generally uneven for the most part and discourages vehicles from travelling at speed. From a highway safety point of view, this is the best solution.

It is therefore considered that the proposed development would be acceptable and would comply with UDP Policies HT2 and HT6/2.

Response to objectors

- Carrying out works without the necessary planning permission is not illegal in itself.
- The LPA is required to assist an applicant where it can remedy unauthorised works and this includes the ability to submit applications retrospectively and dealing with them (article 35(2) TCP (General Development Management Procedure)(England) Order 2015. " The Planning Act 1990 makes it clear in s179 that "it shall be a defence [for the perpetrator] to show that he did everything he could be expected to

secure compliance" - this can include discussions, actions and including the submission of an application under s73A (retrospective - ie planning permission for development already carried out). The applicant has been responsive in this respect and discussions have been on-going up to this time of presenting the application before the Planning Committee.

- It is considered a simple refusal of the planning application would not have assisted in any positive recourse or solutions. The LPA has worked with the applicant to progress proposals which would provide the best and most positive solution to the situation, and to the benefit of both users of the track and local residents. The LPA's views were to try to re-instate as much as possible the former position/state of the land and this has manifested within the application.
- There is a current Enforcement Notice for the works which have been carried out to the works at Gorses Quarry. This is a matter separate to the planning application.
- The works which have been carried out have resulted in a maximum of 2.5m extra width at a very short distance. The other affected areas have been widened between 1m and 2.5m. The works sought to secure a safer route for the different users of the track and not carry additional traffic. The condition of the surface of the track itself and that it would remain as an unmade and uneven surface does not facilitate the fast movement of vehicles.
- This application is not in connection to any proposals for development at Gorses quarry. The application is for the track widening works only.
- The land on which the works have been carried is in the ownership of the applicant.
- All other objections have been addressed in the above report.

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. This decision relates to drawings/reports - Rachel Hacking Ecology, Ecological Statement for track at Gorses Quarry, dated 14th November 2019; Specification for grass establishment Gorses Quarry Rev B 18/11/19 by Penny Bennett Landscape Architects; Landscape Layout Lower Section 433/04 Rev A - and the development shall not be carried out except in accordance with the drawings/reports 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.
2. Within one month of the date of this decision, a timetable and methodology for the implementation of the development hereby approved shall be submitted to and approved by the Local Planning Authority. The timetable shall include:
 - a maintenance programme and a five year management plan for the annual monitoring of the approved grassland establishment,
 - details of the remaining surfacing which would not be backfilled or re-profiled,
 - and a method statement detailing the control and or eradication for himalayan balsam and variegated yellow archangel along the areas generated by the track widening.The development shall thereafter be implemented in accordance with the approved timetable and the approved methodologies.

Reason. To secure the satisfactory implementation of the development in relation to ecology and appropriate surfacing and control of invasive species, hereby approved pursuant to Bury Unitary Development Plan Policies EN6/2 - Sites of Nature Conservation Interest (Local Nature Reserves and Grade B and C Sites of Biological Importance), EN6/3 - Features of Ecological Value, EN8/2 - Woodland and Tree Planting, EN9 - Landscape, OL6 - Multi-Functional Countryside OL6/1 - New Uses and Development of the Countryside, RT3/3 - Access to the Countryside and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

3. Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

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

4. The trees indicated on the approved plan 'Landscape Layout Lower Section 433/04 Rev A' shall be retained and shall be protected throughout the development hereby approved in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policies EN6/3 - Features of Ecological value, EN8/2 - Woodland and Tree Planting and OL6/1 - New Uses and Development of the Countryside of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

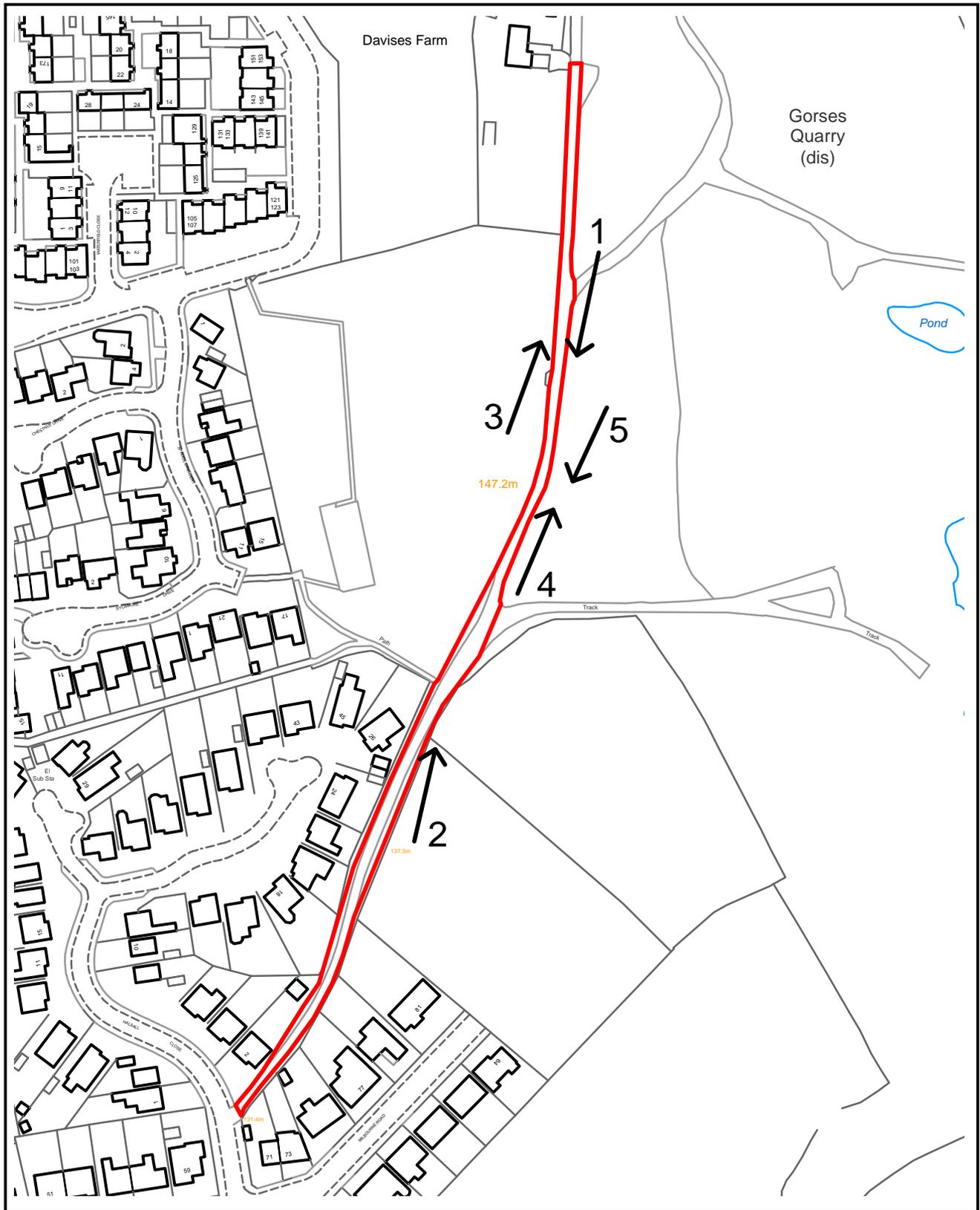
5. The development hereby approved shall be carried out in accordance with the Ecological Mitigation scheme - **Habitats** - in the Ecological statement for track at Gorses quarry by Rachel Hacking Ecology dated 14th November 2019 and Specification for grass establishment of Gorses Quarry by Penny Bennett Landscape Architects Rev B 18/11/19 . Annual monitoring of the grassland establishment shall thereafter take place for up to five years. Should the seed mixture fail to establish correctly, plug plants of specific grasses shall be procured and planted under ecological supervision.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies EN6/3 - Features of Ecological value, EN8/2 - Woodland and Tree Planting and OL6/1 - New Uses and Development of the Countryside of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

6. The development hereby approved shall be carried out in accordance with the Ecological Mitigation scheme - **Protected Species** - in the Ecological statement for track at Gorses quarry by Rachel Hacking Ecology dated 14th November 2019.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64022

ADDRESS: Access Road off Halsall Close
Gorses Quarry

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

64022

Photo 1



Photo 2



64022

Photo 3



Photo 4



64022

Photo 5





KEY

Area to be seeded with grass seed mix EM7 Meadow grass mixture for sandy soil by Emorsgate Seeds www.wildseed.co.uk

Existing herb layer



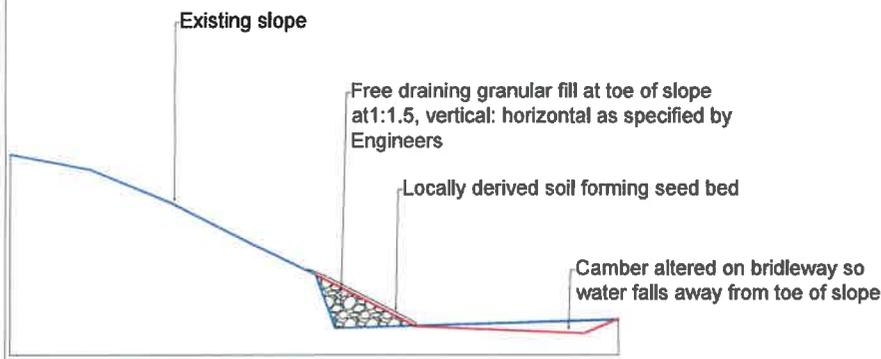
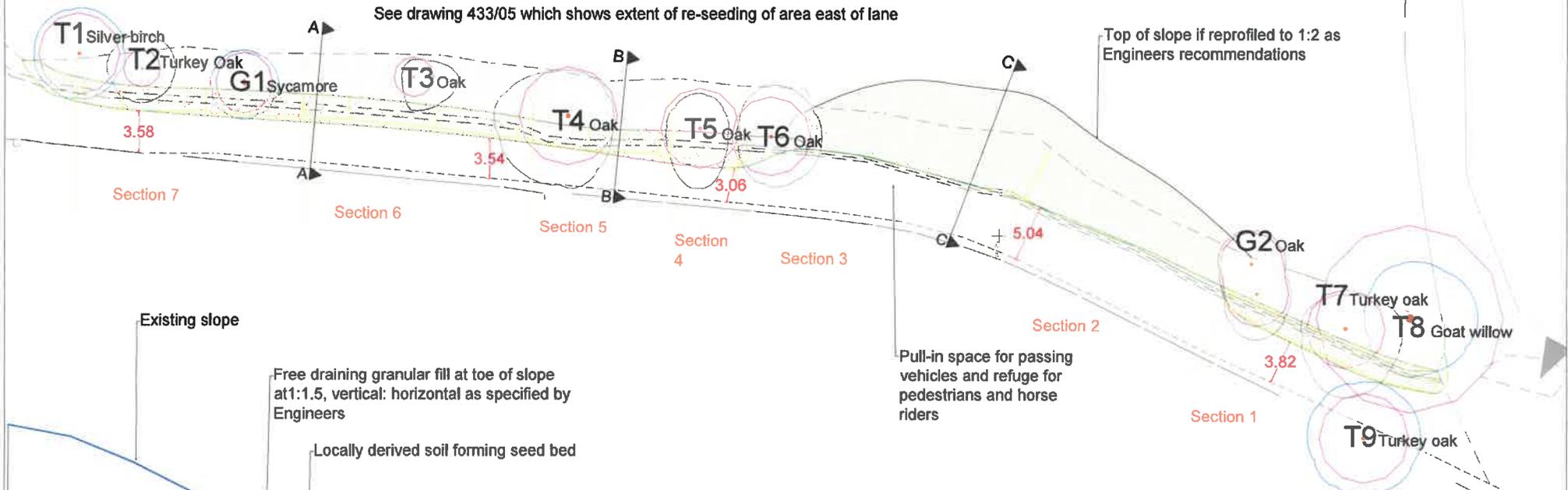
Existing trees to be retained, refer to Tree Constraints Plan and Arboricultural Constraints Appraisal by Bowland Tree Consultancy Ltd



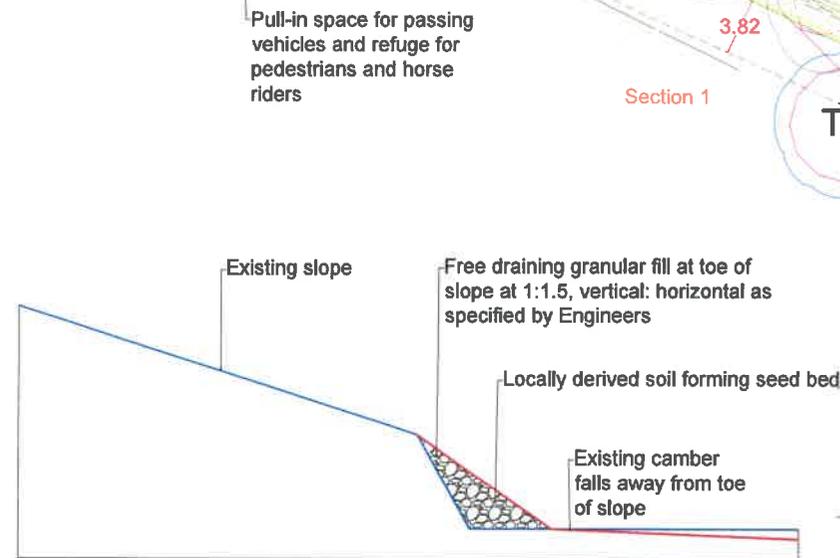
Note: Meadow grass mix sown to help stabilise newly profiled slopes and create an open matrix which can be colonised by heather and other heathland species.

See drawing 433/05 which shows extent of re-seeding of area east of lane

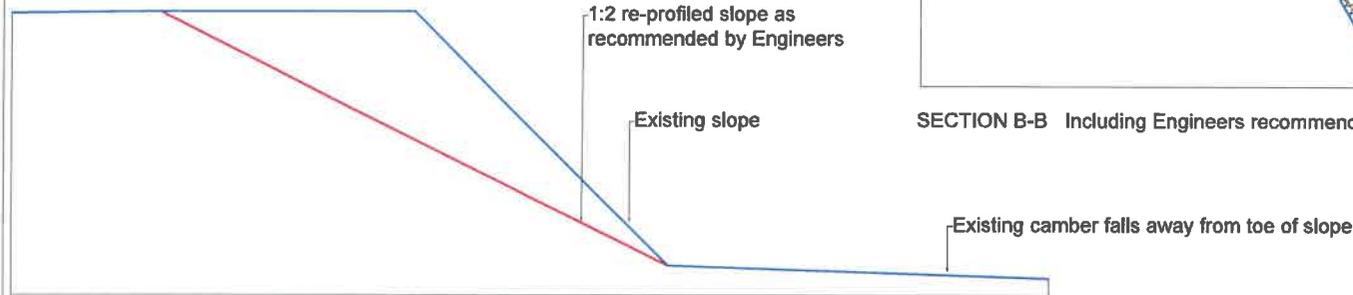
Top of slope if reprofiled to 1:2 as Engineers recommendations



SECTION A-A Including Engineers recommendations



SECTION B-B Including Engineers recommendations



SECTION C-C Including Engineers recommendations

NOTE: Section numbers refer to sections described in Engineers report: Slope Stability Investigation and Observational Report by Thomasons.

Refer also to Ecological Mitigation Statement by Rachel Hacking Ecology.

Project: LANE LEADING TO GORSES QUARRY OFF HALSALL CLOSE LIMEFIELD LANCASHIRE BL9 6TJ

Agent for Client: ROMAN SUMMER ASSOCIATES LTD

Rev A amendment to seed mix PB 18/11/19

Penny Bennett Landscape Architects

14/16 Buryway, Buryway Road, Tipton, Lanes OL14 9JZ, 01752 813300, email@pennybennett.co.uk

Job No: Lane to Gorses Quarry Drawing No: 433/04

Drawing Title: Landscape Layout Lower Section

Scale: 1:400 @ A3 Date: 12/8/19

Rev: A

Ward: Radcliffe - East

Item 02

Applicant: Bolton at Home

Location: Site at corner of Spring Lane & Bury Road, Radcliffe, Manchester, M26 2QX

Proposal: Erection of three storey block of 15 no. apartments with car parking, bin storage and cycle storage with vehicular/pedestrian access from Bury Road

Application Ref: 64518/Full

Target Date: 18/11/2019

Recommendation: Approve with Conditions

Description

The application site is bounded by Spring Lane, Bury Road and Pine Street. The site was previously occupied by St Mary and St Philip RC Church, which was demolished in 2009. The site has been cleared and is currently vacant.

There are residential properties to the north and west and there is a social club and residential properties to the east. There are public gardens and residential properties to the south.

The proposed development involves the erection of a single building containing 15 apartments. The proposed building would be 3 storeys in height with a flat roof and would be located along the frontage with Spring Lane. The building would be constructed from brick and render and would provide 15 apartments for affordable rent.

The proposed development would be accessed from Pine Street and a car park of 12 spaces would be provided. There would be pedestrian access from Bury Road.

Relevant Planning History

None relevant. The site was cleared in 2009.

Publicity

The neighbouring properties were notified by means of a letter on 19 August and a press notice was published in the Bury Times on 29 August 2019. Site notices were posted on 21 August 2019.

Councillor Rhyse Cathcart has objected and raised the following issues:

- The development is a welcome improvement of on the current wasteland, however its current design impacts significantly on the running of neighbouring businesses and needs to be redrawn.
- Would like to see parking lots incorporate Electric Vehicle charge points to future proof the building.
- Adequate bin storage facilities will be required as multi-residential properties like these often result in overflowing bins and additional waste that results in fly-tipping.
- Radcliffe already has a number of House in Multiple Occupation (HMO) and Supported accommodation properties that are frequently attended by public services from Health and Criminal Justice. Many of the residents in HMO are vulnerable and have multiple complex needs including mental health, substance misuse and or histories of domestic abuse. HMO residents are targets because of the vulnerabilities.
- I believe that this residential property will further increase pressures on stretched public resources.
- The property is a Key Strategic Site that would be better used for commercial use such

as a restaurant/bar that would support the regeneration of the town centre.

2 letters have been received from the occupiers of St Marys Social Club, 3 Bury Road, which have raised the following issues:

- The proposed plans breach our right of access, which was granted in 1935. The access is on Spring Lane for the cellar drop to ensure deliveries can be received. This area is due to be planted.
- The committee were pleased to hear of the plans for the development and see it as a positive, but the access road is vital for the functioning of the club.
- Loss of privacy and natural light.
- The junction of Spring Lane and Bury Road is a busy one with accidents on a regular basis. The access to the development could add to this.
- Are there meant to be parking for 15 cars? What if people have more than 1 car?
- There are existing problems with parking overspill from the Metrolink station and a commercial garage park vehicles all around Pine Street and Schofield Street.
- The more affordable homes are built in Radcliffe, the more strain it puts on the already struggling infrastructure.
- Something should be done with the land, maybe a slip road off Bury Road would be better to help with traffic flow.

The neighbouring properties have been notified of revised plans on 19 December. No representations received.

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

Statutory/Non-Statutory Consultations

Traffic Section - Comments awaited in the Supplementary Report.

Drainage Section - No response.

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

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

Urban Renewal - No response.

Performance & Housing Strategy - No response.

Children's Services - No response.

Waste Management - No response.

Environment Agency - No response received.

Designforsecurity - No objections - measures in CIS should be provided.

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

Electricity North West Ltd - No response received.

GM Fire Service - No response received.

GM Archaeological Advisory Service - No objections.

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

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H4/1	Affordable Housing
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN2	Conservation and Listed Buildings
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value

EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/5	Waste Water Management
RT2/2	Recreation Provision in New Housing Development
HT2/2	Improvements to the Strategic Route Network
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD1	Open Space, Sport and Recreation Provision
SPD5	DC Policy Guidance Note 5: Affordable Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

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

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

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

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

The site is located within the urban area and there is residential development to the north, east and west of the site. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with regard to services and public transport. The proposed development would be located on a brownfield site. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout - The proposed building would have an active frontage to both Spring Lane and Bury Road. The proposed building would be three storeys in height with a flat roof. There would be 5.7 metres between the proposed building and the adjacent dwelling (No. 135), which would create a visual gap and would ensure that the proposed development would not dominate the existing dwelling. Whilst the existing buildings in the locality are predominantly two storey, the proposed development would be similar in scale to the church, which occupied the site until 2009 and would hold the corner in urban design terms.

The proposed building would be constructed from red brick and render, with composite cladding on the rear and blue brick infill panels. The use of red brick and render would match the existing buildings in the locality and the use of the materials along with grey brick panels and composite cladding would add visual interest to the elevations. There would be

two entrances to the proposed building - one from the car park and a second from Bury Road, which would ensure an active frontage is maintained. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding areas - The proposed site plan indicates two areas of private amenity space to the side and rear of the proposed building, which would be acceptable in size. The proposed bin store would be large enough to accommodate the required number of bins and would be accessed from the car park. The proposed boundary treatments would be the subject of a condition. Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD 6 provides guidance on aspect standards for residential properties and would be relevant in this case. The aspect standards states that there should be a minimum of 20 metres between directly facing habitable room windows and 13 metres between a habitable room window and a two storey blank wall. For each additional storey in height, 3 metres should be added to the separation distance, i.e. there should be 23 metres between directly facing habitable room windows and a three storey gable.

The openings facing Pine Street in the proposed building would be landing and circulation windows and as such, a minimum of 16 metres would be required between the proposed building and the existing dwellings on Pine Street. There would be 28 metres, which would be in excess of the aspect standard.

The proposed building would not extend beyond No. 1 Bury Road and the occupiers of Nos 1 - 5 Bury Road would overlook the car park. As such, the proposed development would not have a significant adverse impact upon the residential amenity of the occupiers of these properties.

There would be 20 metres between the proposed building and the blank gable of No. 119 Spring Lane, which would be in excess of the 16 metre aspect standard.

There would be a window in the gable elevation of the proposed building, which would be 5.7 metres away from the blank gable of No. 135 Spring Lane. While there should be a minimum of 9.5 metres to comply with the aspect standards, there are two windows on the front elevation to the lounge, dining room and kitchen area. As such, it is considered that the window in the gable would be a secondary window and would not be protected.

Therefore, the proposed development would comply with the aspect standards in SPD 6 and would not have a significant adverse impact upon the amenity of the occupiers of the residential properties.

Highways issues - The location of the proposed building would not prejudice any potential highways improvements at the junction of Spring Lane and Bury Road should land at this junction be required in future to facilitate improved traffic flows in the Radcliffe area.

The proposed development would be accessed from Pine Street and there would be appropriate visibility provided. The proposed development would provide turning facilities within the car park.

Comments from the Traffic Section will be reported in the Supplementary Report.

Parking - SPD11 states that the maximum parking standards for a 1 bed unit is 1 space per 1 bedroom unit, which equates to 15 spaces.

The proposed development would provide 12 spaces. The site is less than 50 metres from the nearest bus stop and is 210 metres from the Metrolink Station at Radcliffe. The site is located within walking distance of the town centre. As such, the site is considered to be in a

highly sustainable location and the level of parking provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Planning obligations

The scheme as proposed would normally include a commuted sum contribution of £23,429.25 for recreation as required by SPD1 and 2 affordable units.

The proposed development would provide 15 affordable units, which is in excess of the 2 required. The proposed development would be part funded by Homes England and all units would be available for affordable rent.

The applicant has submitted a viability appraisal where a case has been presented that any commuted sum would render the development unviable. The viability appraisal is being assessed and further comments on this will be reported in the Supplementary Report.

However, the scheme will deliver 100% much needed affordable housing in the Borough which is a clear benefit of the proposal. The affordable housing provision would be secured through a condition.

Response to objectors

- A condition relating to the provision of electric vehicle charging points is included.
- The issues relating to privacy, loss of light, residential amenity, bin storage, highway safety and parking have been addressed in the report above.
- The proposed development is an affordable housing scheme and not a house in multiple occupation. The affordable units would be managed by the housing association. The vulnerability of residents is not a relevant issue to this application.
- The site is located outside of the town centre boundary and is bounded by residential properties to the north, east and west. As such, a residential use of the land is considered to be appropriate.
- A private right of access is not a material planning consideration and would be a civil matter between the relevant parties. However, the plans have been revised and the land between the proposed building and No. 135 Spring Lane would be landscaped, which would not prevent the use of the access, should it be proven or otherwise required.
- The proposed scheme makes provision for potential increased traffic arising from future growth. Whilst not necessarily needing to be delivered at this stage, provision for this would be made and the proposed development would not preclude this.

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 19011-001, 19011-101-A, 19011-102-B, 19011-103-D, 19011-104-D, 19011-106-A, A1 19E063-001 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. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
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 shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
6. Prior to the commencement of the development hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the building hereby approved.
Reason. In accordance with paragraph 35 and 124 of the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.
7. 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 chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

8. Foul and surface water shall be drained on separate systems.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

9. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being first occupied.

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.

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

- 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 demolition/construction vehicles together with storage on site of demolition/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 demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

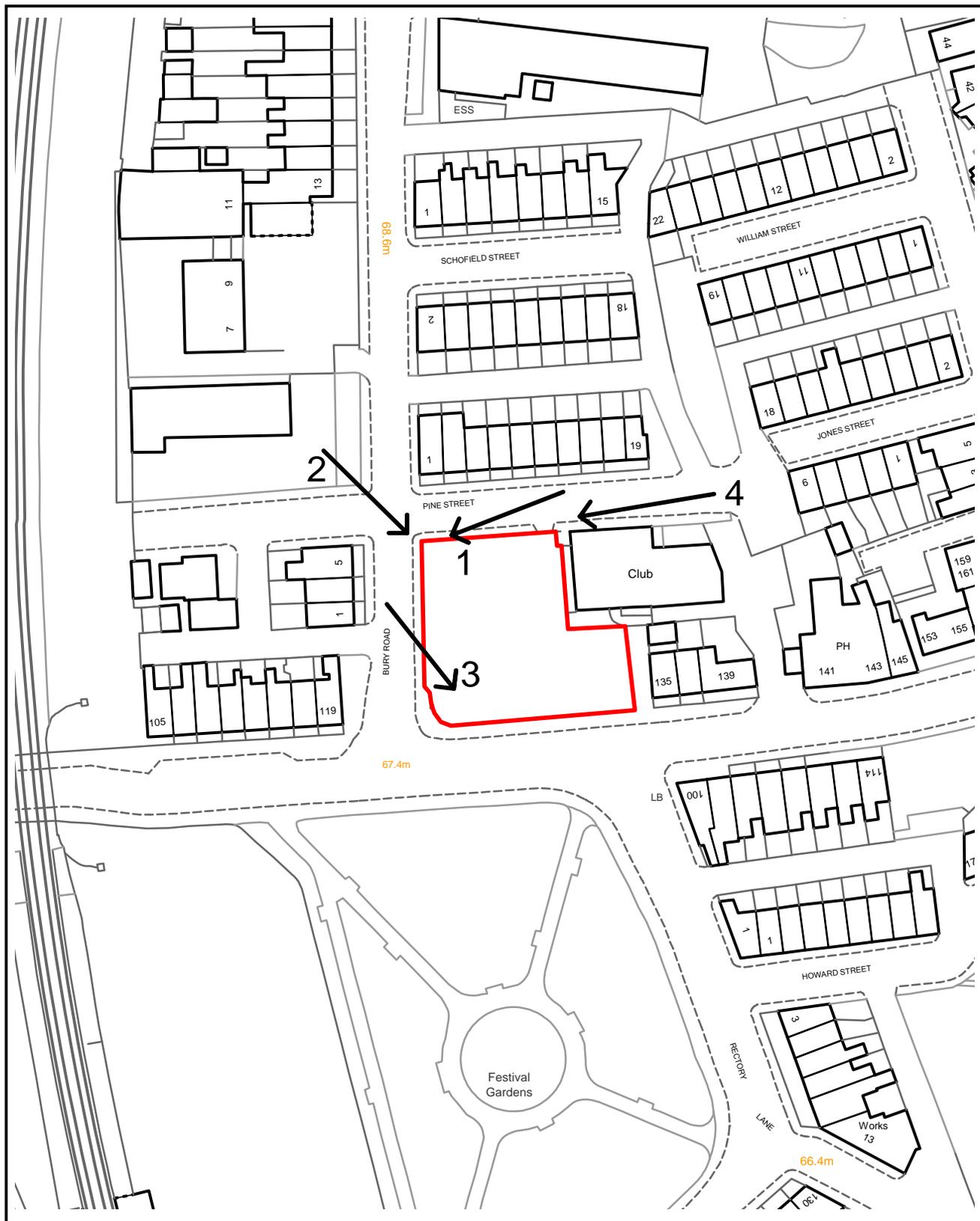
11. The refuse storage facilities indicated on the approved plans shall be implemented and made available for use prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.

Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to the following Unitary Development Plan Policies: Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64518

ADDRESS: Corner of Spring Lane & Bury Road
Radcliffe

Planning, Environmental and Regulatory Services

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64518

Photo 1



Photo 2



64518

Photo 3



Photo 4



notes:
 This drawing is the copyright of Paddock Johnson Partnership Limited and may not be used without their prior written consent.
 Written dimensions to be taken in preference to scaled dimensions.
 Due to the inaccuracies of scanning, scanned images should not be scaled.

1b2p Apartment - 47m² = 15no.

car parking spaces = 12no.

BURY ROAD

PINE STREET



Club

135

rev	date	description	by
A	19.12.19	Site Plan updated following Planners comments	HJ

status: **PLANNING**

client: **Bolton at Home**

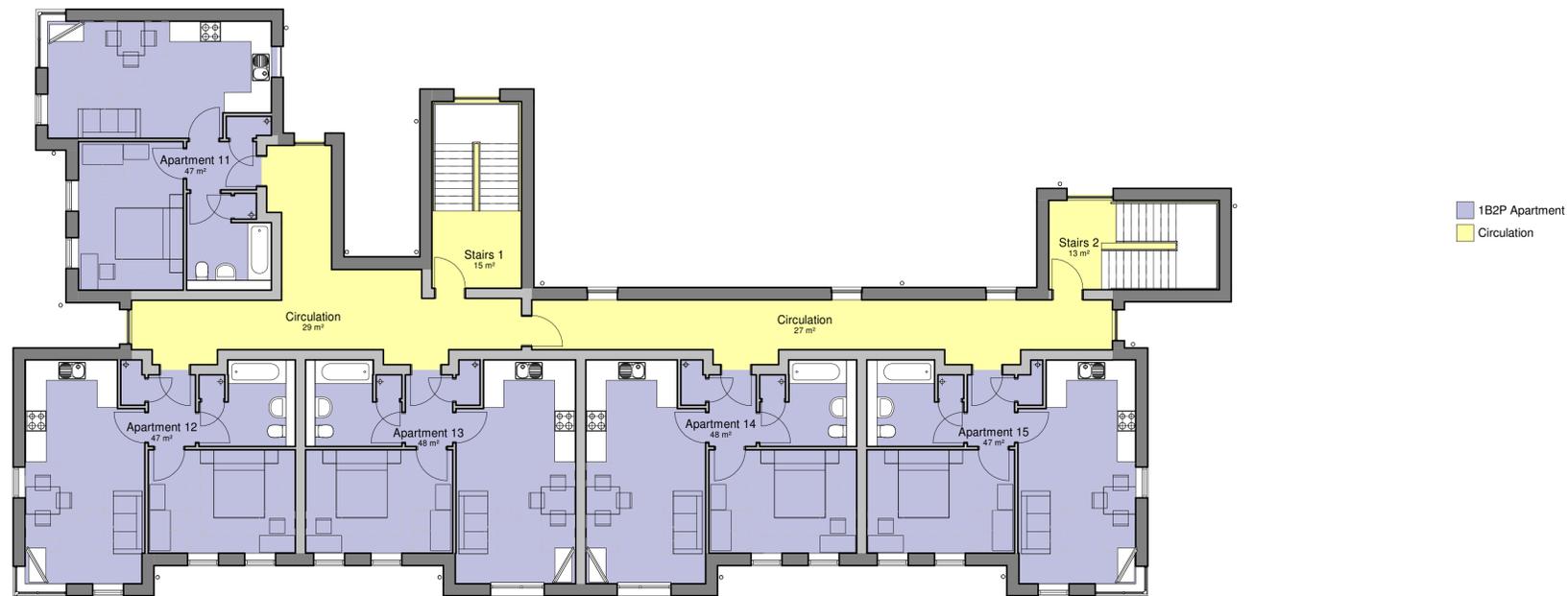
project: **New Apartments, land of St Mary's Church, Bury**

drawing title: **Proposed Site Layout**

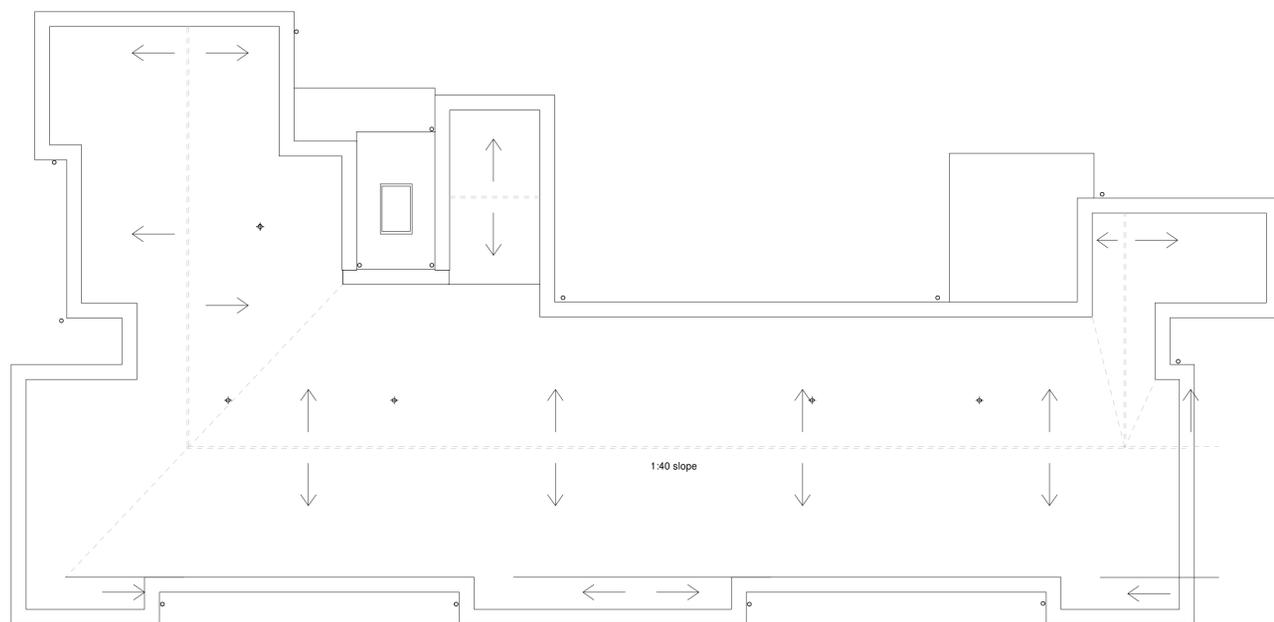
drawing no: **19011-101-A**

scale: **1:200** sheet: **A3**

date: **May 2019** by: **HJ** checked: **SH**



02 Second Floor
 1 : 100



03 Ridge
 1 : 100

rev	date	description	by
A	24.06.19	windows updated as elevations developed	HJ
B	15.07.19	roof plan added	HJ
C	26.07.19	nwp locations amended, roof amended to show 1:40 fall and ridge height added	HJ
D	18.12.19	Floorplan updates to minimise impact on adjacent properties	HJ

rev date description by

status:

PLANNING

client:
 Bolton at Home

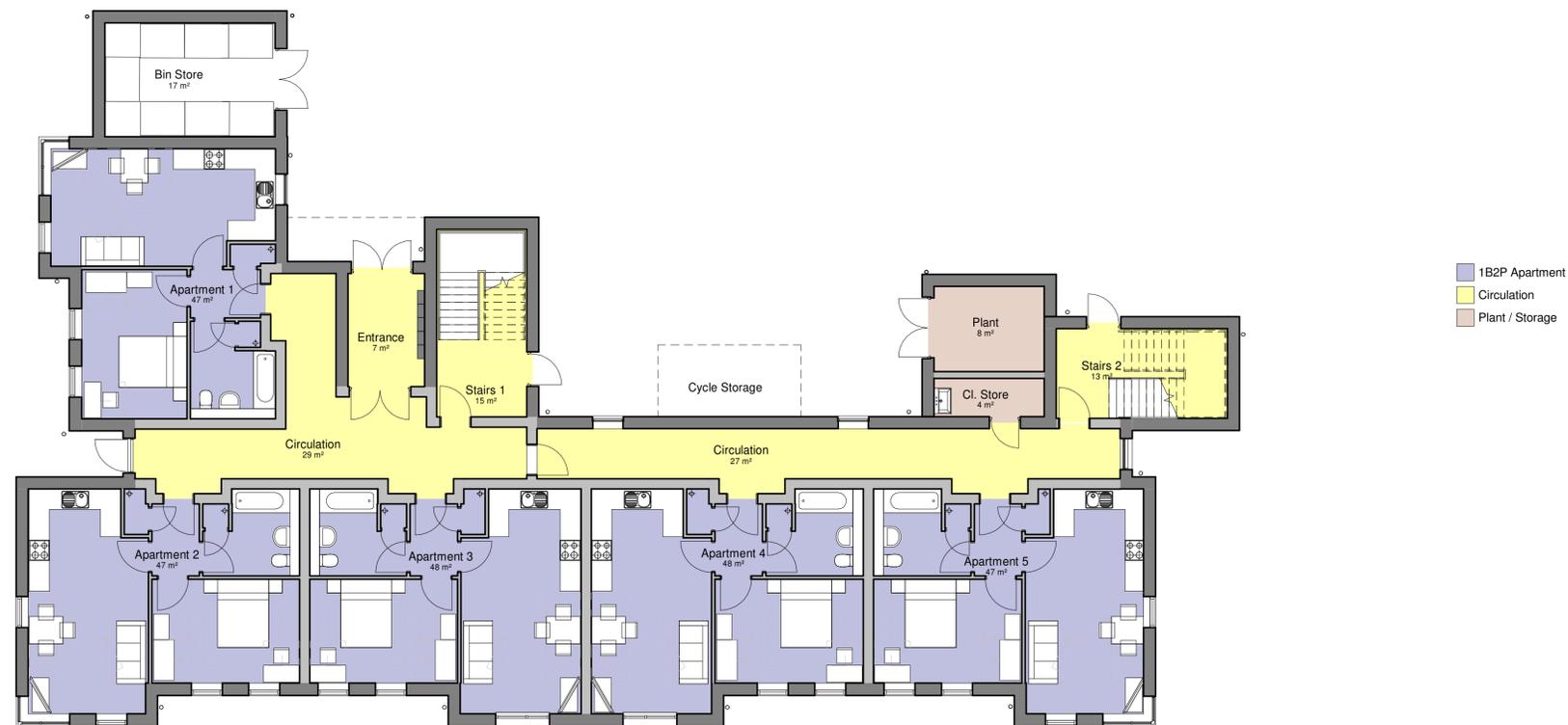
project:
 New Apartments
 land of St Mary's Church,
 Pine Street, Bury

drawing title:
 Proposed Second & Roof

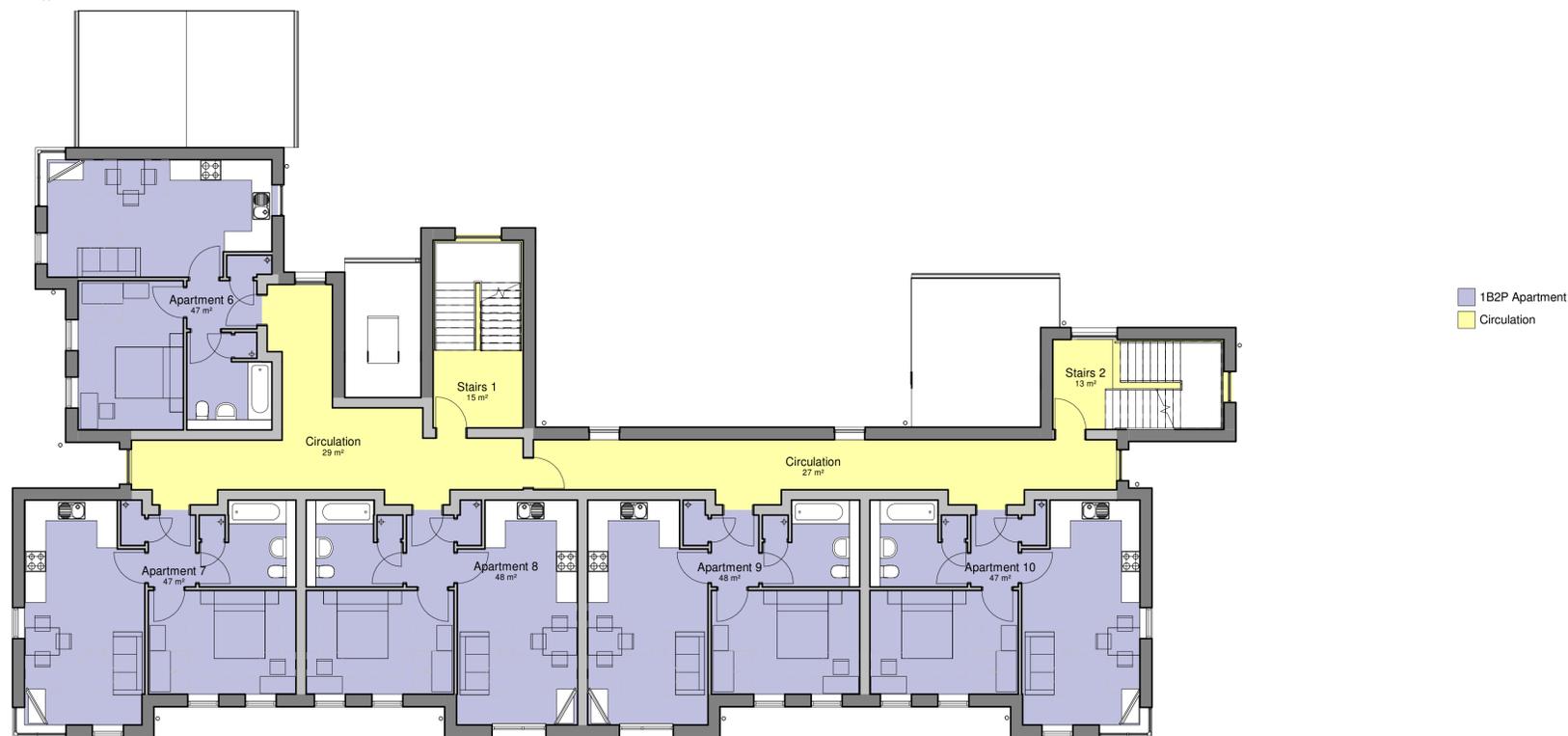
drawing no:
19011-103-D

scale:
 1 : 100 sheet: A1

date:
 05/20/19 by: HJ
 checked: SH



00 Ground Floor
1:100



01 First Floor
1:100

rev	date	description	by
A	24.06.19	windows updated as elevations developed	HJ
B	18.12.19	Floorplan updates to minimise impact on adjacent properties	HJ

status: **PLANNING**

client: Bolton at Home

project: New Apartments
land of St Mary's Church,
Pine Street, Bury

drawing title: Proposed Ground & First Floor Plan

drawing no: **19011-102-B**

scale: 1:100 sheet: A1

date: 10/19/18 by: HJ checked: SH

notes:

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rev	date	description	by
A	18.12.19	building position adjusted as per Planning request. Car park access changed to off Pine Street	HJ



View looking north from Spring Lane

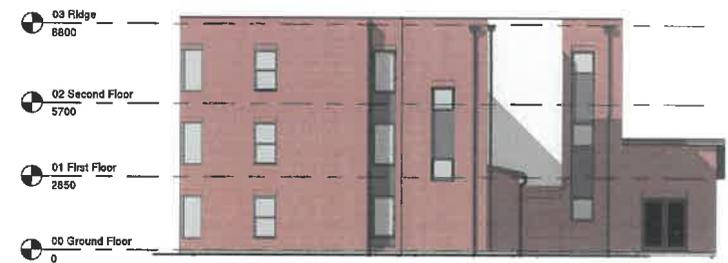


View looking east down Spring Lane



View looking south east from Pine Street/Bury Road junction

notes:
 1. All elevations are shown in perspective.
 2. All elevations are shown in perspective.
 3. All elevations are shown in perspective.
 4. All elevations are shown in perspective.



Spring Lane Elevation
1:100

Social Club Elevation
1:100



Bury Road Elevation
1:100

Pine Street Elevation
1:100

Proposed Facing Materials



Natural White Render



Red Brick



Blue Brick



Composite Cladding

- A 15.07.19 materials bay added JU
- B 19.07.19 window pattern revised JU
- C 24.07.19 new balconies amended, roof amended to show 1.80m rise and edge height added JU
- D 15.12.19 floorplan updated to make line impact on adjacent perspective JU

rev	date	description	by
PLANNING			
Bolton of Home			
project: New Apartments land of St Mary's Church, Pine Street, Bury			
drawing title: Proposed Elevations			
drawing no: 19011-104-D			
scale: 1:100		sheet: A1	
date: 05/13/19		by: checked: Author Checker:	

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 01493 244 444
 www.padlockjohnson.com

Ward: Bury East - Moorside

Item 03

Applicant: PREL Ltd

Location: Euro House, 30-32 Walmersley Road, Bury, BL9 6DP

Proposal: Change of use from shop (Class A1) to Restaurant (Class A3) with flue and 4 no. air conditioning units at rear; New shop front

Application Ref: 64707/Full

Target Date: 18/11/2019

Recommendation: Approve with Conditions

Description

The double unit is located on a row of commercial premises (183sqm) within a Local Shopping Centre that runs between 26 and 64 at the southern end of Walmersley Road. The premises have been vacant for about a year and were last used as a graphic design shop (A1). The property immediately to the south (No.28) is vacant and No.34, to the north is an estate agents office.

There are parking restrictions in the form of double yellow lines along Walmersley Road and there have been railings erected along the edge of the footway in an effort to deter crossing and illegal parking. Badger Street, to the north, has restrictions at its western/Walmersley Road end but is not restricted at its eastern end where there is a row of terraced houses. Peter Street, running from Badger Street to the rear of the site has unrestricted parking. It is important to note that the redevelopment of the car park has been approved on land to the south of the site, on the corner of Moorgate and Walmersley Road (ref: 64112) and a new public car park would be created.

Proposal is for a change of use of the ground floor of the premises to a 38 seat restaurant with the installation of a new aluminium framed shopfront and a flue and four condensing units at the rear. The first floor would remain vacant. There would be 3 full time staff and no opening hours are indicated.

The site includes the access to the rear bin storage area and a service area within the adjacent car park and a pedestrian link from the car park to Walmersley Road would allow customers access and bins to be brought from the storage area to the collection point on Walmersley Road.

The description of the original proposal indicated the new use to be a hot food takeaway. However the Local Planning Authority requested the submission of supporting statement which sets out the justification for the change of use from the A1 unit to a restaurant and focuses on the previous refusal for the change of use to hot food takeaway (64266) in July this year. It states that the approval for a pay and display car park (64112), being developed on land to the south, on the corner of Walmersley Road and Moorgate, would provide parking for customers and allow for servicing and refuse collection.

Relevant Planning History

64266 - Change of use from shop (Class A1) to hot food takeaway (Class A5) with flue and 4 no. air conditioning units at rear; New shop front - Refused 23/07/2019

55719 - Change of Use from teaching centre to Restaurant/Hot food takeaway and bar - Approved 15/11/2012

39450 - Change of use from shop to teaching centre - Approved 13/08/2002

Land to south (Moorgate)

64112 - Formation of public pay and display car park - approved 22/07/19.

Publicity

13 properties were notified of the original application and amended letter was sent when the proposal was revised to a restaurant use. Three objections were received from the resident of the flat at 38a Walmersley Road and Councillor Walmersley and Councillor Peel. Objections are summarised:

- This area of Walmersley Road and immediate surrounding areas already has a high density of fast food takeaways and has a negative effect on the health and well being of local people. If approved, the proposal is likely to have a further negative effect on local residents.
- The proposal would add to existing parking problems in the immediate locality.
- Concerns about deliveries and waste management and the need to keep Walmersley Road clear for traffic, in particular ambulances.
- Noise and pollution from the flue at the rear.

The objectors have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Traffic Section - Comments awaited.

Environmental Health - No objection.

Pre-start Conditions - N/A

Unitary Development Plan and Policies

S2/6	Food and Drink
S1/4	Local Shopping Centres
EN1/2	Townscape and Built Design
EN1/8	Shop Fronts
EN7/2	Noise Pollution
NPPF	National Planning Policy Framework
EN1/7	Throughroutes and Gateways
HT6/2	Pedestrian/Vehicular Conflict
HT2/4	Car Parking and New Development
S1	Existing Shopping Centres
EC4/1	Small Businesses

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 and guidance - The National Planning Policy Framework indicates that substantial weight be placed on the need to support economic growth and maintain the shopping hierarchy.

Paragraph 80 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 91 of the National Planning Policy Framework indicates that planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles.

Unitary Development Plan Policy S1 - Existing shopping centres states the Council will seek to protect, maintain and enhance the role and function of the existing hierarchy of shopping centres within the Borough.

UDP Policy S1/4 the Council will seek to maintain and enhance local shopping centres and will encourage the provision of a range of shopping facilities required to serve purely local needs.

The proposal should also be considered against UDP Policy S2/6 Food and Drink which states that, in considering all proposals which involve restaurants, hot food takeaways, cafes, snack bars, wine bars and public houses, the Council will have regard to the following factors:

- a) the amenity of nearby residents by reason of noise, smell, litter and opening hours;
- b) whether or not the proposal would result in an over concentration of Class A3 to A5 uses, which could adversely change the nature or character of a centre as a whole;
- c) parking and servicing provision associated with the proposed development and its effects in terms of road safety, traffic generation and movement;
- d) provision for the storage and disposal of refuse and customer litter;
- e) the environmental impact of any ventilation flues and/or ducting

UDP Policies EN1/2 Townscape and Built Design and EN1/8 Shopfronts relate to townscape and visual amenity and indicate that favourable consideration will be given to proposals which do not have an adverse impact on the character of an area.

Previous applications - In 2012, planning permission (55719) was granted to change the use of the premises from a teaching centre to a restaurant/takeaway. This approval was not taken up and the property was refurbished and occupied by a graphic design shop (A1) in 2014. This shop was closed in January 2019 when the premises became vacant once again, albeit in a better physical condition.

In July 2019 an application to change the use of the premises to a hot food takeaway was refused in the basis that the premises were now a refurbished A1 shop and with restrictions along Walmersley Road, illegal parking was an on-going problem.

Impact on Shopping Centre - The current application is to change the use of the premises to a restaurant and this needs to be considered against UDP shopping policies S1/4 and S2/6.

The fundamental aim of UDP Policy S1/4 is to maintain and enhance the Borough's local shopping centres, principally through the encouragement of a range of shopping facilities to support their vitality and viability.

With the occupation of the double unit as a restaurant, it is recognised that there would be a significant proportion of non-retail (A1) uses within the centre (approximately 46%). Whilst the proposal would lead to the loss of an A1 retail use within the centre, the unit has been vacant for about a year and evidence from Nolan Redshaw, estate agents suggests that, despite widespread marketing, there is very limited demand with no enquiries from retailers for this particular property. In the light of this evidence, which is reflected within the centre as a whole and throughout the rest of the country, there is a concern that the centre could decline further.

In the light of current trends in shopping and the resultant impact on shopping centres, it is considered that a restaurant within this neighbourhood shopping centre would have a positive impact and bring a vacant property back into commercial use.

Given the vacancy rates within the centre and the potential for further decline in its overall viability, the benefits afforded to the proposal in terms of maintaining occupancy and

promoting small business development significantly outweigh the disbenefits in terms of the level of non-retail uses within the centre which in turn would have a positive impact on the centre's viability and vitality. As such the proposal would be acceptable and comply with the NPPF and UDP Policies S1/4 Local Shopping Centres and S2/6 Food and Drink .

Visual amenity and character of streetscape - The existing shopping centre appears rather run down with a number of vacant units evident, although the premises to which this application relates has been refurbished within the last two years.

It is considered that the change of use to restaurant together with the new shopfront would not have a detrimental impact on the character of the centre. Indeed the renovation of the frontage, together with the potential new businesses, would improve the overall appearance of the centre. The proposal would therefore comply with UDP Policy EN1/2 Townscape and Built Design.

Residential Amenity - The nearest residential property appears to be a flat above No.38 Walmersley Road, with the nearest houses on Badger Street, to the north.

Located on a busy main road, and with no residential accommodation above or in premises immediately adjacent, the proposal does not raise any serious residential amenity issues given that an appropriate conditions would limit late opening hours and control noise and fumes from any extractor system. Closing at 11pm would be considered reasonable and whilst information has been submitted with regard to the extraction of fumes and odours, a condition would require it to be implemented prior to commencement of development and maintained thereafter. In terms of residential amenity the proposal is acceptable and complies with UDP Policies S2/6 Food and Drink, EN7 Pollution Control and EN7/2 Noise Pollution.

Traffic and Parking - The Traffic Team has some concerns about the proposal in relation to car parking and servicing arrangements for the premises. Although there are parking restrictions along this part of Walmersley Road together with railings between the footway and carriageway, there is a concern that customers would park and carry out manoeuvres on Walmersley Road to the detriment of the free flow of traffic and road safety. However this would be illegal and would remain so irrespective of the use. It would be unreasonable to rest unlawful activity by drivers on the new business.

The supporting statement argues that the existing parking restrictions and railings along the the footway would dissuade customers from stopping on Walmersley Road and suggests that customers using cars, due to the length of stay, would more likely use the proposed new car park on the land to the south and access the premises via a short pedestrian link to Walmersley Road. Further it is suggested that customers could be allowed free parking for a short period of time to discourage customers stopping on Walmersley Road - although this could not be controlled through planning.

With regard to service vehicles, the proposal has been amended to include a service area within the car park to the south with access to the rear of the premises and dedicated bins storage and collection areas to prevent the need to have bins on the footway on Walmersley Road.

Given the amended plans, it is considered that the proposal, in terms of traffic and parking is acceptable and complies with the NPPF and UDP Policies HT2/4 Car Parking and New Development, S2/6 Food and Drink and HT6/2 Pedestrian/Vehicular Conflict.

Waste Management - The amended application includes the provision of a bin storage area at the rear of the premises with access to a bin collection area adjacent to the footway on Walmersley Road. This would allow the bins to be stored and collected without interfering with access along the public highway. A condition would be attached to any approval that would ensure the proposed bin storage and collection facilities would be available prior to the restaurant use commencing. The proposal is therefore acceptable and

complies with UDP Policy S2/6 Food and Drink.

Objections - With regard to the concentration of hot food takeaways, it is noted that the proposal is now for a restaurant rather than a hot food takeaway and although there may well be a 'takeaway' element this, by definition would not be overly significant.

Although the NPPF and recent government guidance suggests that the promotion of 'healthy living' is important, there is currently no local policy basis for refusing applications for food and drink uses on grounds of health. As such it is considered that this would not be a sustainable reason to refuse..

The issue raised with regard to parking, refuse and the noise and fumes from extractor system have been addressed in the above report.

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

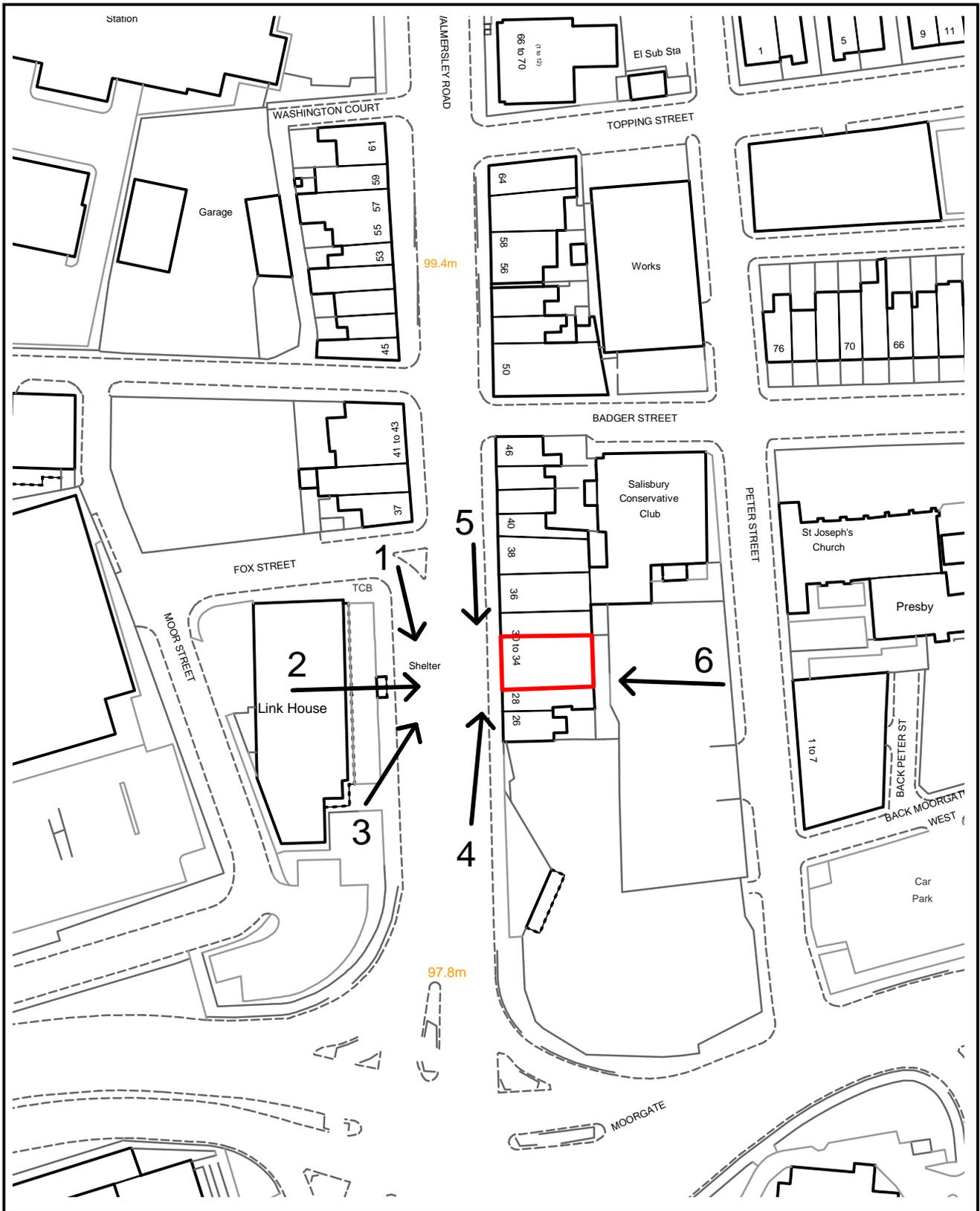
Conditions/ Reasons

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 revised location plan P213-100, 19-116A Revised Floor plans, 19-116C Existing and Proposed Elevations 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 use hereby permitted shall not be open to customers outside the following times: 0800hrs to 2300hrs daily.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to UDP Policy S2/6 Food and Drink.
4. The scheme for treating fumes and odours, submitted with the application, has been submitted to and approved in writing by the Local Planning Authority, shall be implemented, available for use and maintained in accordance with the approved scheme whilst it shall serve the development.
Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 Food and Drink.
5. Prior to the commencement of use full details of proposed refuse storage and collection arrangements shall be submitted for approval by the Local Planning Authority. The approved details shall be implemented in full and made available for use prior the commencement of the proposed use.

Reason - In order to ensue that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to UDP Policy S/6 Food and Drink.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64707

ADDRESS: 30-32 Walmersley Road
Bury

Planning, Environmental and Regulatory Services

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64707

Photo 1



Photo 2



64707

Photo 3



Photo 4



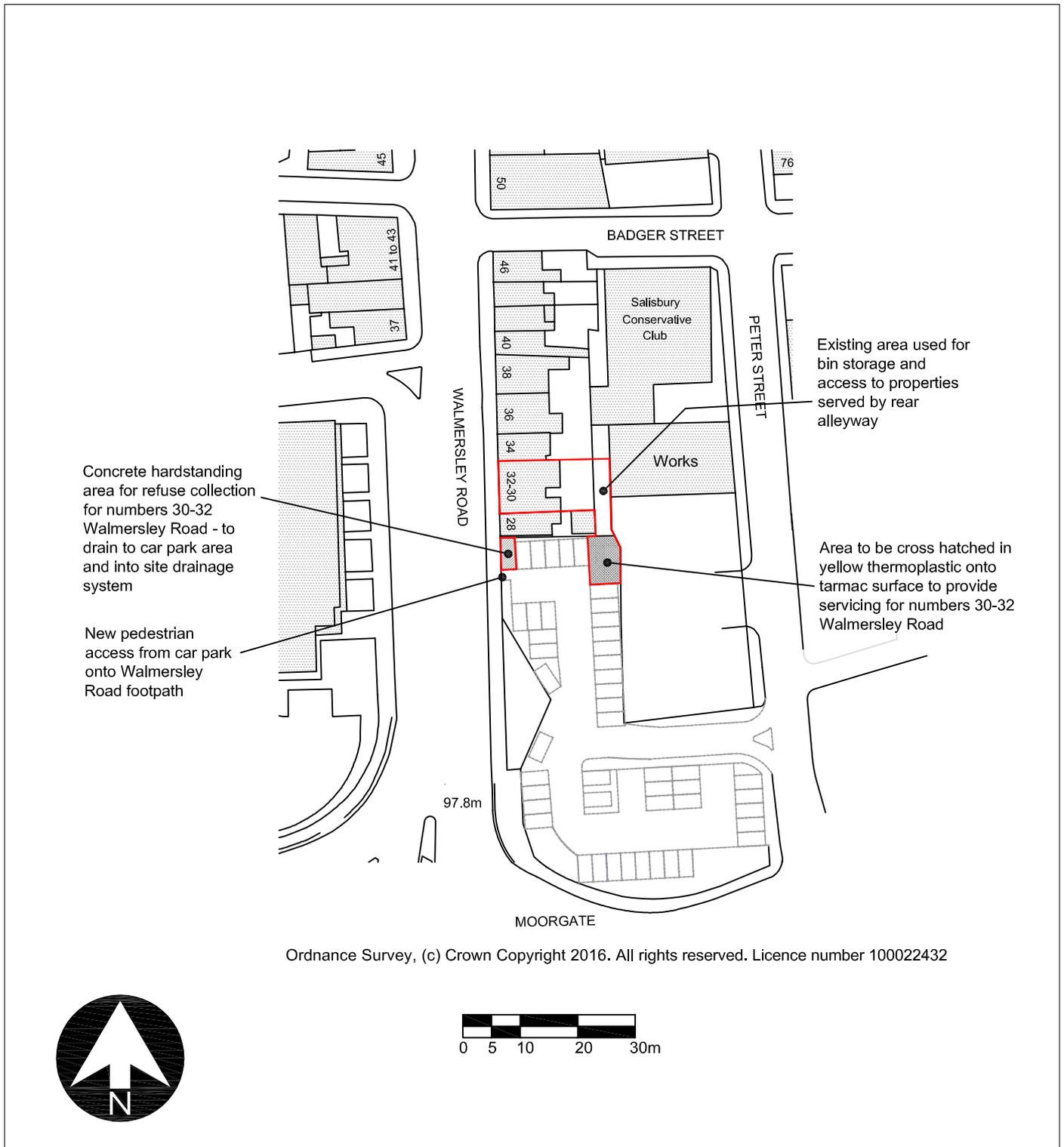
64707

Photo 5



Photo 6

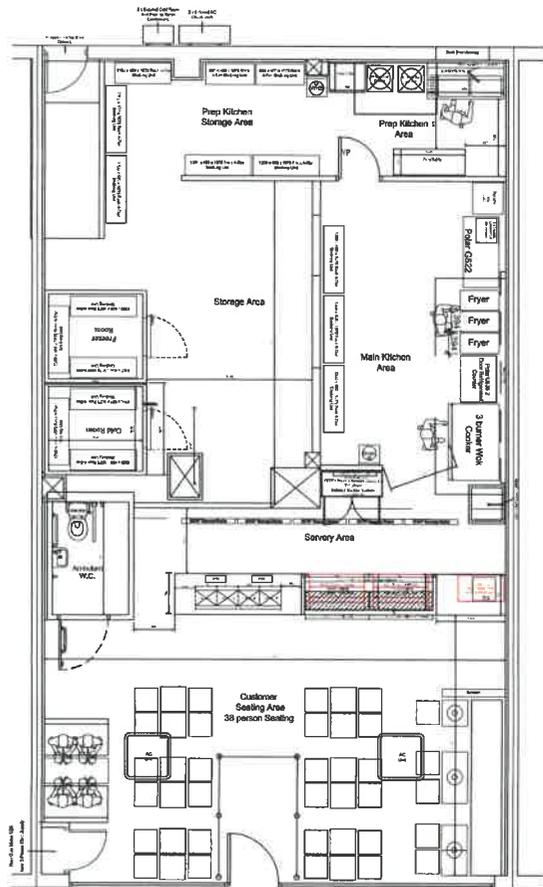




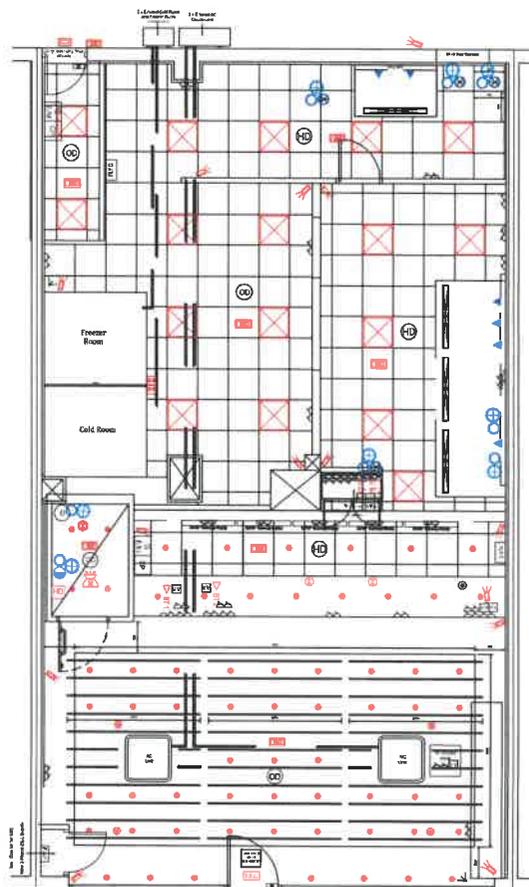
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<p>A.J. Cocker Associates Architectural Design Building Surveyors Project Management Planning Supervisors New Century House, 176 Drake Street, Rochdale, Lancs. OL16 1UP Tel 01706 356860 Fax 01706 650574</p>	<p>project Proposed change of use, Euro House, Walmersley Road, Bury.</p>
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<p>client PREL limited</p>	<p>scale - 1:1000 size - A4 date - Nov.19 drawn - NL</p> <p>drawing No rev P213-100</p>
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Proposed - Ground Floor Plan



Proposed - Ground Floor Plan

Electrical & Services Key

ELECTRICAL LEGEND	
[Red dashed line]	OFF NON COGNITIVE
[Red circle]	LED DOWN LIGHT (BEHIND FRY)
[Red square]	SPOT LIGHTS - RECEIVED BY MPT - FES TO CONTROL
[Red circle with 'P']	Prep Area
[Red circle with 'L']	Low 200V Panel Light
[Red square with 'X']	NO X AND FILL IN THE FLOOR FREQUENCY LOCATIONS INCLUDING LIGHT FITTING CAP PROVISIONS. CAP PROVISIONS TO BE NOTED FITTING WITH EMERGENCY FACE
[Red square with 'X']	SUSPENDED CEILING - HANGERS DRY
[Red square]	ROOMS FOR COOLING & FREEZER ROOM
[Red square]	SOCKETS FOR HCD (per HCDs in Manual Query when available)
[Red square]	SLY/STITCHES
[Red square]	WIND OPTIMA FOR TOILETS
[Red square]	OVER DOOR HEATER
[Red square]	CAMPUS INTEGRATED LIGHTS
[Red circle]	SPEAKERS
[Red circle]	EXTRACTOR
[Red circle]	SUPPLY AIR (W&F)
[Red circle]	LOW LEVEL - DOUBLE SWITCHED SOCKETS
[Red circle]	HIGH LEVEL - DOUBLE SWITCHED SOCKETS
[Red circle]	TELEPHONE LINE
[Red circle]	TELEPHONE LINE 2
[Red circle]	ALUMINIUM PERIPHERAL TECH
[Red circle]	ALUMINIUM CONTACT SWITCH CONTACT BREAK GLASS
[Red circle]	CCTV - 18 camera system
[Red circle]	PHASE ALARM BATTERY CONTROL
[Red circle]	PHASE SUPPLY ROSE CONTROL
[Red circle]	NETWORK POINTS / S
[Red circle]	LED
[Red circle]	EXTERNAL WALL LIGHT (UPDOWN WALL LIGHTS)

[Red square]	FIRE ALARM FLOORING TO IDENTIFY 200V TYPE 1. SPEC ALL VONDS ABOVE ROOMS WALL REQUIRES AUTOMATIC DETECTION. PLEASE PROTECT ALL OTHER ROOMS NOT SHOWN OR SHAPING
[Red square]	BASE ALLOWANCE FOR THE PROVISIONS FOR FLATS IF REQUIRED IN FUTURE
[Red square]	SMALL FIRE ALARM PANEL F205 & 206
[Red square]	FIRE ALARM OPTICAL SMOKE DETECTOR COMPLETE WITH 2046 2047/2048
[Red square]	FIRE ALARM CALL POINT SMOKE/HEAT/SM
[Red square]	FIRE ALARM SOUND/NOTIFICATION
[Red square]	HIGH TEMPERATURE HEAT DETECTOR
[Red square]	EV HMO HEADLAMP (P)05 RECESS
[Red square]	DIRECTIONAL FLUORESCENT FITTING ABOVE DOORWAY
[Red square]	REINFORCED ESB BOX ABOVE DOORWAY
[Red square]	ESB-HELD TOILET PLUMB
[Red square]	Gas Emergency Switch off

PLUMBING SERVICES KEY

[Blue circle]	GAS
[Blue circle]	WASTE
[Blue circle]	WATER (COLD)
[Blue circle]	WATER (HOT)

Notes
 All extraction systems must have a make-up air supply.
ELECTRICAL REQUIREMENTS FOR CATERING EQUIPMENT
SUBCIRCUIT MUST BE REINSTALLED BY ELECTRICIAN

ELECTRICS FOR THE CANTINA
 ELECTRICS FOR EXTERNAL LIGHTING
 ELECTRICS FOR THE COOL ROOM
 ELECTRICS FOR THE FREEZER ROOM
 ELECTRICS FOR THE AIR CON UNITS
 ELECTRICS FOR THE AIR SUPPLY
 ELECTRICS FOR THE WALL LED LIGHTS TRC
 ELECTRICS TO ALL SOCKETS
 ELECTRICS FOR TOILET EXTRACTION
 ELECTRICS FOR INTERNAL MISC ROOMS IF REQUIRED
 ELECTRICS FOR EXTERNAL SIGNS AND PROJECTING SIGN
 ELECTRICS FOR CCTV
 ELECTRIC TO WATER TANK WATER HEATER
 ALL SMITH BONDING THROUGHOUT
 WIRING FOR AUDIO
 WIRING FOR TILLS
 TELECOM SOCKETS 24 UP TO MAIN INCOMMER
 WIRING FOR EMERGENCY LIGHTING
 WIRING FOR PIZZA OVEN IF REQUIRED
 WIRING FOR RATIONAL OVEN
 PLEASE ENSURE ALL OLD ELECTRICS TO UPSTAIRS IS KEPT INTACT
 ELECTRICS SUPPLY FOR ICE MACHINE IF DIFFERENT TO 15AMP/5"

DISCLAIMER:
 The design is based on the information provided by the client. The design is not to be used for any other purpose without the written consent of the design team. The design team is not responsible for any errors or omissions in the design. The design team is not responsible for any costs incurred by the client in connection with the design. The design team is not responsible for any delays in the design process. The design team is not responsible for any other matters.

DESIGNER:
 Design Team Ltd. 2024

REVISIONS:

NO.	DESCRIPTION

DATE: 25.08.19
DRAWN: 103
CHECKED: 103
SCALE: 1:50
STATUS: FLOORPLAN
PROJ. NO.: 001
DWG. NO.: 19-116 **REV.:** A

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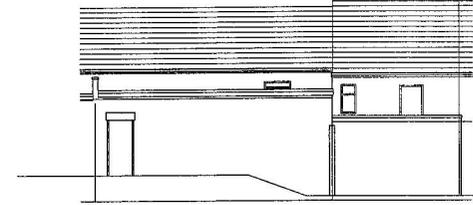
CLIENT:
 Shadi Mansour

PROJECT:
 3022 Watersley Road
 Rugby
 CV21 2AG

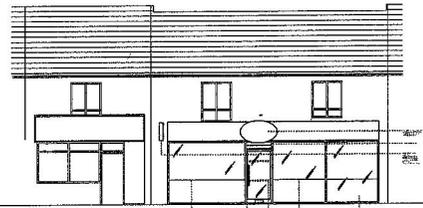
DRAWING TITLE:
 Existing And Proposed Shop Floor And Elevation



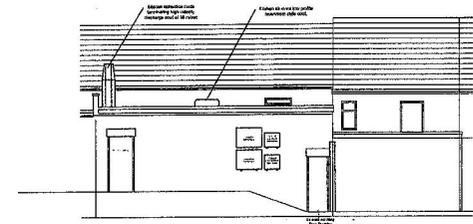
Existing Front Elevation



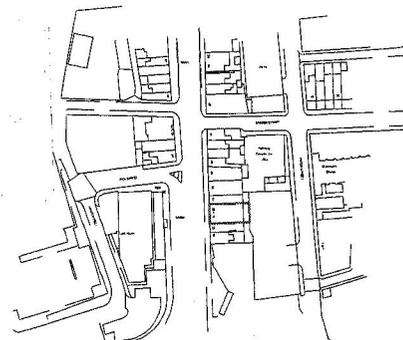
Existing Rear Elevation



Proposed Front Elevation



Proposed Rear Elevation



Location Plan
Scale 1:1250

DISCLAIMER:
We, the undersigned, certify that the drawings, specifications, schedules, conditions of contract and any other documents forming part of the contract for the execution of the works are complete and correct and that we are not aware of any errors or omissions. We accept full responsibility for the accuracy and completeness of the information provided and for the accuracy of the drawings and specifications. We warrant that the drawings and specifications are a true and correct representation of the work to be executed and that we are not aware of any errors or omissions. We warrant that the drawings and specifications are a true and correct representation of the work to be executed and that we are not aware of any errors or omissions.

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REVISIONS:
REV A: 02.06.18 Site stone added
REV B: 20.06.18 Projecting sign repositioned
REV C: 08.07.18 Projecting sign removed, and re-positioned

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LE1 4JY
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Email: info@hayinteriors.co.uk www.hayinteriors.com

CLIENT:
Stuart Moxley

PROJECT:
3002 Kingsley Road
Burgess
LE1 4JY

DRAWING TITLE:
Existing And Proposed Shop Front Elevation

DATE:	20.06.18
DRAWN:	HG
CHECKED:	P
SCALE:	1:500
STATUS:	PLANNING
PROJECT NO.:	001
DWG NO.:	19-116
REV.:	C

Ward: Bury West - Church

Item 04

Applicant: Mr R Heys

Location: 16 Westbury Close, Bury, BL8 2LW

Proposal: Front porch extension and dormer extension at front

Application Ref: 64766/Full

Target Date: 24/01/2020

Recommendation: Approve with Conditions

This application is a householder development and would normally be dealt with under delegated powers. It is presented to the committee as the applicant is related to a member of staff.

Description

The site is a semi detached bungalow located on a cul de sac. It has a garden to the front and drive along the side. To the rear it has been extended with a single storey and a dormer. The neighbouring properties are the same bungalow types, the adjoining being No.14, and to the opposite side No.18 which has a drive to the side of the site and a car port.

The application includes a front porch 2m deep and 3.3m across and to the front roof slope a flat roofed dormer 3.2m across to extend an existing bedroom.

Relevant Planning History

61161 - Prior notification for proposed single storey rear extension - Prior approval not required - 24/03/17.

Publicity

5 notification letters were sent on 29/11/19 to addresses at 75 & 77 Fieldhead Avenue and 9, 14 & 18 Westbury Close. No responses have been received.

Statutory/Non-Statutory Consultations

None.

Pre-start Conditions - Not relevant.

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

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.

Visual amenity and design - The porch at 2m deep would not project excessively from the

front of the property. It would have a pitched roof with glazing to either side of the door and to both side elevations. Materials would be brickwork and roof tiles to match the existing house.

Supplementary Planning Document 6 (SPD6) seeks to ensure that proposals for dormer/roof extensions preserve the character of the street scene, especially where dormers on existing neighbouring properties are absent.

The cul de sac has only one property extended with a front dormer, No.7, which has a dual pitched roof. Whilst this would be the second dormer on the cul de sac, and of a different design, the larger estate has many areas and properties containing dormers. They are seen on properties as both original and extensions and in various designs and materials. The dormer proposed would not occupy a disproportionate area of the front roof slope extending 3.2m across. It would be flat roofed and set back from the front wall by 1m and the walls tile hung in grey slate. The front would have one window which would be located in line with that to the ground floor elevation.

Both the porch and dormer are considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Residential amenity - The front porch would not be located in close proximity to the neighbouring properties either side.

The property opposite across the street does not directly face and there would be 18m to the front garden boundary.

There would then be no serious impact on the amenity of any adjacent neighbouring properties.

The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

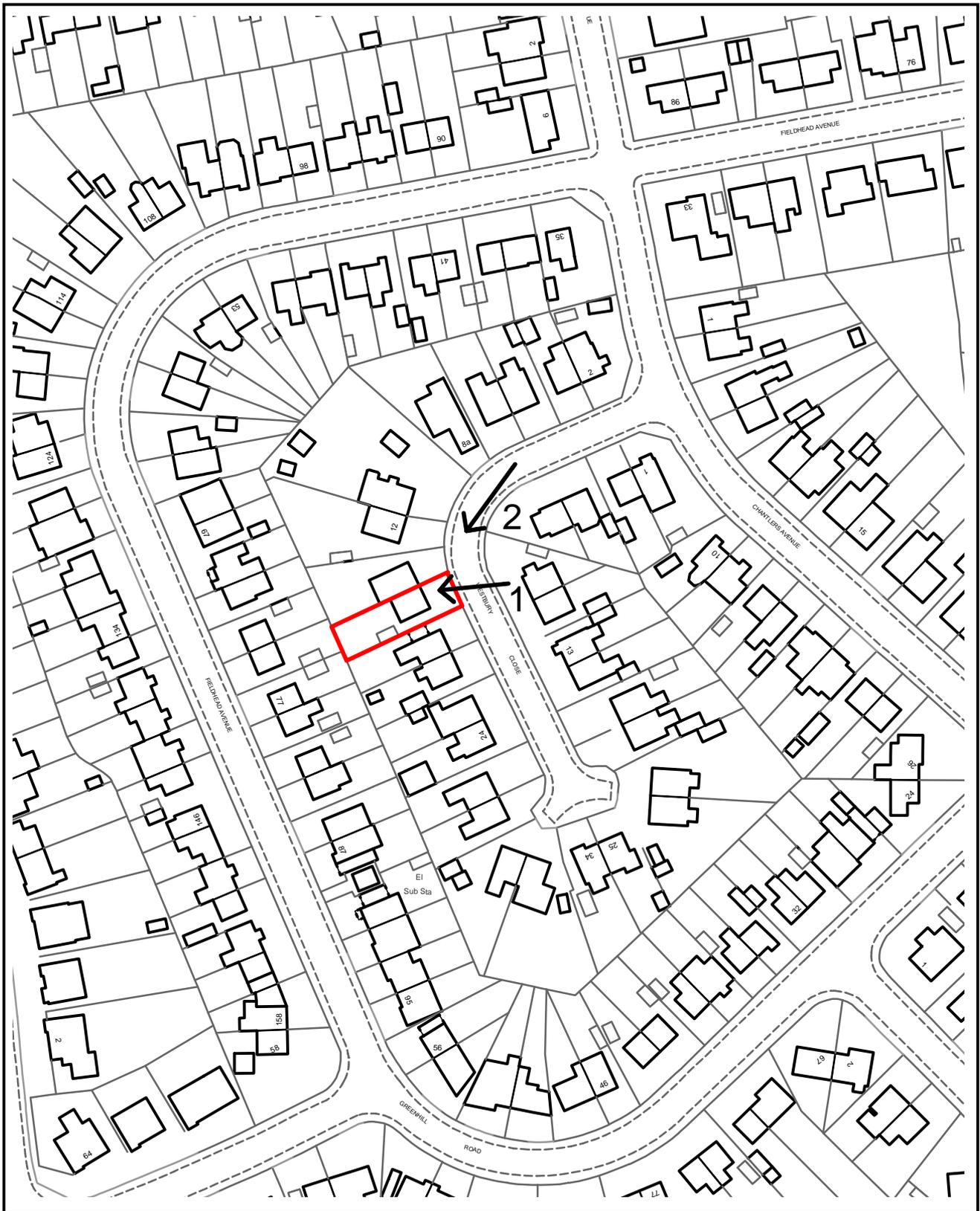
Recommendation: Approve with Conditions

Conditions/ Reasons

1. The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 16WC/200/PL Rev P2, 16WC/201/PL Rev P1, 16WC/202/PL Rev P2 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

For further information on the application please contact **Jane Langan** on **0161 253 5316**

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64766

**ADDRESS: 16 Westbury Close
Bury**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

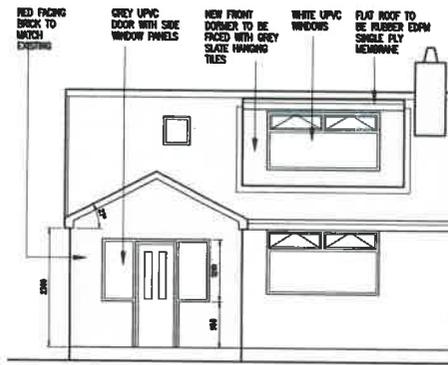
64766

Photo 1

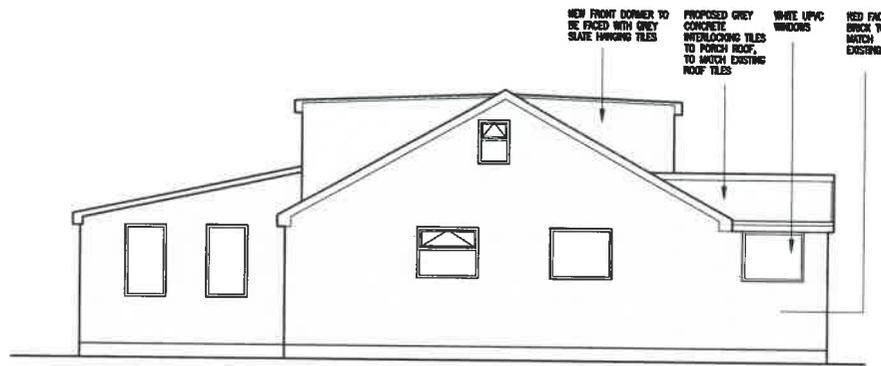


Photo 2





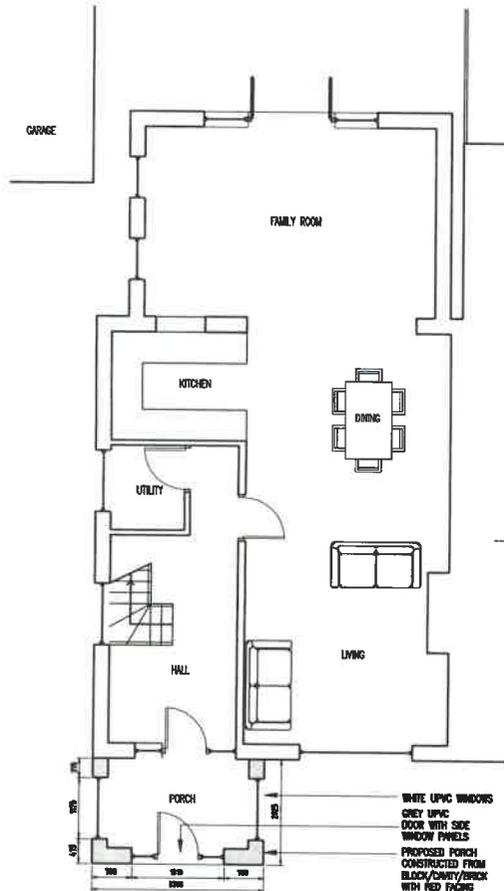
PROPOSED FRONT ELEVATION
1:100 @ A3



PROPOSED SIDE ELEVATION
1:100 @ A3



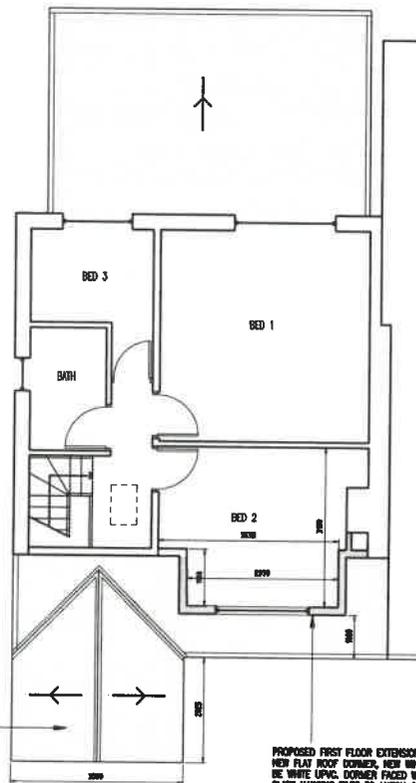
PROPOSED REAR ELEVATION
1:100 @ A3



PROPOSED GROUND FLOOR LAYOUT
1:100 @ A3

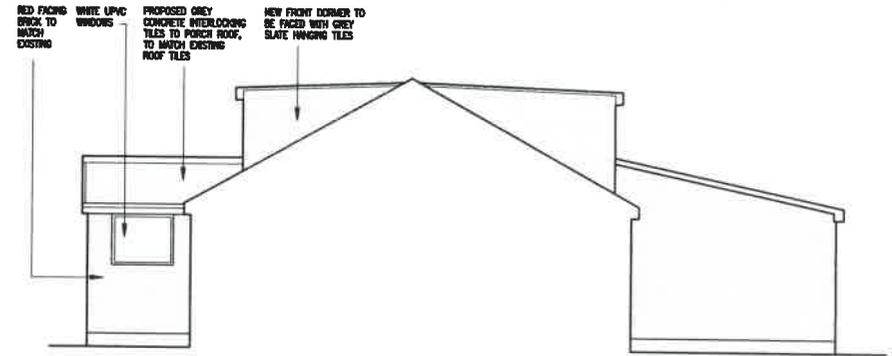
WHITE UPVC WINDOWS
GREY UPVC DOOR WITH SIDE WINDOW PANELS
PROPOSED PORCH CONSTRUCTED FROM BLOCK/CONCRETE/BRICK WITH RED FACING BRICK TO MATCH EXISTING

PROPOSED GREY CONCRETE INTERLOCKING TILES TO PORCH ROOF, TO MATCH EXISTING ROOF TILES



PROPOSED FIRST FLOOR LAYOUT
1:100 @ A3

PROPOSED FIRST FLOOR EXTENSION CREATING NEW FLAT ROOF DORMER, NEW WINDOW TO BE WHITE UPVC, DORMER FACED WITH GREY SLATE HANGING TILES TO MATCH COLOR OF EXISTING ROOF TILES.
NOTE: DORMER TO BE SET MIN 150 MINUTES FRONT FRONT FACING EXTERNAL WALL



PROPOSED SIDE ELEVATION FROM NO.14
1:100 @ A3

PL	Front dormer extension reduced in width	04.10.19	MC
PL	Roof of prop also alteration from no 14	08.10.19	MC
PL	Amendments	04.10	MC



Project
PROPOSED FRONT PORCH AND FRONT DORMER TO 16 WESTBURY CLOSE, BURY. BLB 2LW

Drawing Title
PROPOSED LAYOUTS

Drawn MC	Checked -
Date OCT 2019	Scale 1 : 100

Drawing No. **16WC/202/PL** **P2**

Ward: Bury East - Redvales

Item 05

Applicant: Environment Agency

Location: Land to west of Metrolink line at Warth Road; Land to west of Bury Road; Land to east of Whitefield Road; Land to west of Hardy's Gate Bridge and Land to north of York Street, Bury

Proposal: Proposal A - A series of sheet piled walls and concrete walls across 4 sites
Proposal B - Erection of an embankment and retaining wall at land to west of Metrolink line at Warth Road

Application Ref: 64790/Full

Target Date: 20/01/2020

Recommendation: Split Decision

Description

The application relates to 5 sites along the River Irwell:

Site 1 - Land to the west of Bury Road, Radcliffe (Bury Point)

Sites 2 & 3 - Land to the east of Whitefield Road connecting to Hardy's Gate Bridge

Site 4 - land to the north of York Street, Radcliffe

Site 5 - Land to the west of the Metrolink line at Warth Road

Site 1 - This site relates to land to the north and the south of the existing unit at Bury Point, which is used for storage and distribution by Wincanton. The building is located to the west of the River Irwell and there is a car park to the north of the building.

There are industrial buildings to the east, which are on the opposite bank to the River Irwell and there is open land to the north. To the south is a site, which is currently vacant, but has consent for a residential development.

Sites 2 and 3 - The application site relates to the northern bank of the land adjacent to River Irwell, which slopes steeply down to the river. The land contains vegetation, which consists of a variety of trees and shrubs. The site extends from the river bank near St Peters Primary School, past the rear of the industrial buildings and connects to Hardy's Gate Bridge.

To the east of the upper part of the site, there are playing fields to the school with residential properties beyond and an industrial storage area. There are industrial buildings to the east of the lower section of the site.

Site 4 - The application site relates to the southern bank of the River Irwell. There are industrial buildings and associated car parking located immediately to the south of the site, with residential properties beyond. The site extends from the site with consent for residential development and ties into Hardy's Gate Bridge.

Site 5 - The site relates to an area of land between the Metrolink line and the River Irwell. The land is mostly flat and grassed, with the exception of an embankment, which is located in the northern part of the site. The site contains vegetation, which consists of a variety of trees and shrubs and the site is lower than the adjacent tram line.

The site is accessed via a tunnel from Warth Road and there are residential properties and an industrial estate to the east and open land to all other boundaries.

Proposal

The proposed development forms part of a flood defence scheme for Radcliffe and Redvales. Phase 1 of the scheme, which involved the erection of bunds and walls at Close Park and Morris Street was approved in March 2019 and works have commenced. This scheme forms part of phase 2 and the works have been split into three applications, including this one. The other two applications cover works at Warth Business Park (64788), and land to the south of Central Avenue & Keswick Drive (64789) and these applications have been approved with conditions in December 2019.

The proposed development involves the erection of a series of sheet piled walls, concrete L walls and earth embankments to create a flood defence along the northern and southern banks of the River Irwell.

Proposal A

Site 1 - Land to the west of Bury Road, Radcliffe

The proposed development comprises:

- A retaining wall for 176 metres and between 1 - 2 metres in height. The proposed wall would be finished in plain finish concrete.
- A retaining wall for 10 metres at a height of 2 - 2.5 metres in height. The proposed wall would be finished with textured and coloured concrete on the dry side and exposed sheet pile wall at a lower level and plain finished coloured concrete above.

Sites 2 & 3 - Land to the east of Whitefield Road connecting to Warth Bridge

The proposed development comprises a series of retaining walls and sheet pile walls:

- In front of the school and along the sports field boundary, there would be a retaining wall for 117 metres at a height of 1 - 1.5 metres. The proposed wall would be finished with brick effect concrete with a coloured concrete coping.
- From the school continuing past the trailer park, there would be a retaining wall for 135 metres at a height of between 1 - 1.5 metres. The proposed wall would be finished in coloured concrete with a coloured concrete coping.
- From Redvales Business Park to Hardy's Gate Bridge, there would be a sheet pile retaining wall of 2 - 3 metres in height. The proposed wall would be exposed sheet piles with a U coping and an timber coping for the 50 metres adjacent to Hardy's Gate Bridge.

Site 4 - land to the north of York Street, Radcliffe

The proposed defence would consist of:

- A L shaped retaining wall for 18 metres and between 2 - 3 metres in height. It would be finished in plain finished concrete with a concrete coping.
- A combination of sheet pile wall and precast unit for 252 metres at a height of between 1.5 and 2.5 metres. The dry side would be plan finish concrete and the wet side would be exposed sheet pile at a low level and coloured concrete above with a concrete coping.

Proposal B

Site 5 - The proposed development comprises a series of grassed embankments to the west of the existing Metrolink line:

- The proposed defence would be an embankment for 50 metres at a height of 1 - 3 metres at land to the west of Derby High School. The proposed embankment would tie into existing high land and would be finished with grass.
- The proposed defence would be an embankment for 25 metres at a height of 2 - 2.5 metres on land to the west of No. 4 Milford Drive. The proposed embankment would connect into the existing high ground and would be grassed.
- The proposed defence would be an embankment, which would be the same height as the Metrolink embankment and would tie into it. It would be grassed.
- The proposed defence would be an embankment for 90 metres and would be between 2 - 3 metres in height. The proposed embankment would include a vehicle access ramp to maintain access to the land and it would be grassed.
- The remaining defence would be an embankment for 200 metres and would tie into the

existing Metrolink embankment. It would be grassed.

- The proposed defence would be a retaining wall for 10 metres at a height of 2 - 2.5 metres and would tie into the existing bridge abutment. The proposed wall would be constructed from textured and coloured concrete to match the existing bridge on the wet side and plain coloured concrete on the dry side.

There would be a storage compound at Morris Street and access for construction purposes would be taken from:

- The existing access road to Bury Point
- Whitefield Road and the existing industrial estate access from Dumers Lane for sites 2 and 3
- York Street for sites 4
- Warth Road for site 5

Relevant Planning History

Linked schemes

63559 - A series of sheet piled walls and embankments, on land within Close Park and land to the south of Morris Street, which form part of a wider scheme to improve flood protection along the River Irwell. Approved with conditions - 28 March 2019.

Works have commenced on phase 1.

64788 - Erection of retaining walls & sheet piled walls between 1m & 3m in height to form a flood defence between the Metrolink bridge and Warth Bridge at land to south of Warth Industrial Estate, Warth Road, Radcliffe. Approved with conditions - 17 December 2019.

64789 - A series of sheet piled walls, concrete walls and earth embankments across 5 sites at land to west of Metrolink line at Warth Road; land to west of Bury Road; land to east of Whitefield Road; land to west of Hardy's Gate Bridge and land to north of York Street, Bury. Approved with conditions - 17 December 2019.

Adjacent sites

56744 - Hybrid full planning application for the erection of 153 no. dwellings together with associated works including the laying out of public open space, and the undertaking of engineering operations to remediate the site, raise the levels, construct an emergency access and development platform for future commercial development; Outline planning application for erection of a Class B1/B2 & B8 development of 7435 m² at land at Bury Road/York Street, Radcliffe. Approved with conditions - 9 October 2015

60418 - Variation of conditions 20,27,28,29 & 35 of approved planning application 56744 relating to: 20 & 35- surface water drainage scheme, 27- samples of materials, 28- lifetime homes, 29- footpath and cycle route to vary the timing of submission for implementation at land at Bury Road/York Street, Radcliffe. Approved with conditions - 13 December 2018.

60424 - Residential development (Class C3) comprising 65 no. dwellings incorporating 4 no. four bed houses, 10 no. three bed houses, 21 no. two bed houses and 30 no. one bed apartments with associated infrastructure and incidental open space including a new estate road and vehicular and pedestrian access off Warth Road at land adjacent to Warth Road, Radcliffe. Approved with conditions - 20 December 2016

60482 - Proposed trailer storage area and open material storage, erection of landscaped perimeter bunding and acoustic/security fencing at Thumbs Up (Bury) Ltd, Greenfields, Dumers Lane, Bury. Approved with conditions - 25 October 2016

63200 - New sub station at land at Warth Road, Radcliffe. Approved with conditions - 17 October 2018

63361 - Reserved matters approval for the layout, appearance and landscaping (Matters of scale and access have already been approved) at land at Bury Road/York Street, Radcliffe. Approved with conditions - 15 March 2019

Publicity

182 neighbouring properties were notified by means of a letter on 24 October 2019 and a press notice was published in the Bury Times on 12 December 2019. Site notices were posted on 12 December 2019.

5 letters have been received from the occupiers of 18 Milford Drive, 30 Keswick Drive, Innovation Forum and 42 Buttermere Road, Burnley, which have raised the following issues:

- I object to the application for the sole reason of choice of materials/method.
- The use of sheet piling and concrete walls goes against the principles of river corridor re-naturalisation under the European Water Framework Directive legislation.
- There are alternatives, which could be used to protect areas from flooding and enhance wildlife.
- The proposed defences would be visually unappealing.
- A concern about the large number of trees that would be removed. How would replacing the trees on a like for like basis benefit the animals and mammals living along the river corridor?
- Will new habitats be created?
- We have fishing rights along stretches of the River Irwell and need access to fish near the waters edge. Ramps and paths would be required.
- Request answers to the following questions:
 - How long will the workforce require access for?
 - Would any damage to the road be our right?
 - Would there be any noise pollution?
 - What time of the day would the work be carried out?
 - Where would the security be located?
 - When is this phase due to start?
- Hydropower company have expressed concern at the first community drop in that the proposal would pose an increased risk of flooding to the hydropower site on the south bank of the river opposite Warth industrial estate. The scheme will increase the flood risk and meetings have been held with the Environment Agency (EA). We were assured that either flood mitigation measures would be included or appropriate compensation paid.
- On 10/10/19, we received notification that no flood mitigation measures would be included and no compensation paid.
- We were not fairly informed of the submission of the planning application. The EA have not informed us that the application was submitted. I discovered the application after an internet search on 9 November.
- We have been told we can only claim compensation once damage has occurred.
- The scheme dramatically increases the flood risk to the hydropower development. The EA's report is factually incorrect, logically incoherent and simply nonsensical. Using their data I have demonstrated that the scheme results in a 3-4 fold increase in the probability of a damaging flood event.
- With the effects of climate change and the proposed flood scheme, the hydropower plant is not viable over the longer term.
- The proposed scheme increases the risk to the land surrounding the hydropower development. The proposed scheme would increase the risk of flooding to the footpath adjacent to the hydropower plant.
- The FRA does not accurately represent the risks posed by the proposed scheme. The FRA is highly misleading.
- The modelled data used by the EA to inform the design is demonstrably incorrect and sometimes unfathomable. The EA's modelled data does not correspond to real life.
- The proposed scheme could lead to a flood surge. Concern that the Metrolink bridge is not capable of withstanding the increased lateral forces from the proposed scheme.

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

Statutory/Non-Statutory Consultations

Traffic Section - Further comments to be reported in the Supplementary Report.

Drainage Section - No objections.

Environmental Health - Contaminated Land - No objections in principle. More detailed comments will be reported in the Supplementary Report.

Environmental Health - Pollution Control - No comments.

Environment Agency - No objections in principle. More detailed comments will be reported in the Supplementary Report.

United Utilities - No objections, subject to the inclusion of informatives relating to drainage.

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

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to otters, nesting birds, invasive species, a construction environmental management plan and a landscape masterplan and an informative relating to bats.

Canal & River Trust - No objections.

Cadent Gas Ltd - Object. Recommend refusal as there is insufficient information to assess the impact of the proposed development upon infrastructure in relation to site 5.

Public Rights of Way Officer - No objections.

Metrolink - No objections, subject to the inclusion of conditions relating to maintenance of the structures on Metrolink land.

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

Unitary Development Plan and Policies

EC1/1	Land for Business (B1) (B2) (B8)
EC2/1	Employment Generating Areas
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/11	Public Utility Infrastructure
EN3	Archaeology
EN5	Flood Protection and Defence
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
OL5/2	Development in River Valleys
RT1/1	Protection of Recreation Provision in the Urban Area
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
NPPF	National Planning Policy Framework

Issues and Analysis

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

Principle (Employment) - Sites 2, 3 and 4 are located within an Employment Generating Area (EGA) or are allocated for employment use and the following policies of the UDP

apply.

Policy EC1/1 states that the site has been identified for business, general industrial and warehousing uses. Development for other business and industrial uses will only be permitted in exceptional circumstances and in accordance with other policies and proposals of the plan.

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

The proposed development involves the erection of a series of sheet piled walls, concrete L walls and earth embankments to create a flood defence along the northern and southern banks of the River Irwell. The proposed defences would be located on the perimeter of the respective employment land and EGAs and would not impact upon the industrial uses operating at the sites. As such, the proposed development would not detract from the area's value as an EGA or employment land and would be acceptable in principle. Therefore, the proposed development would be in accordance with Policies EC1/1 and EC2/1 of the Bury Unitary Development Plan.

Principle (River Valley) - Policy OL5/2 states that within the river valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below:

- where the area is designated as Green Belt the established Green Belt policies will apply:

or

- where the area does not form part of the Green Belt, at least one of the following circumstances is met:
 - that the development represents limited infilling to an established valley settlement or industrial area;
 - that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;
 - that the development is required in association with an outdoor recreation or appropriate tourist facility;
 - that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities;
 - any other development that would be appropriate in a Green Belt.

All of the sites are located in River Valley and the policy is clear that if the proposed development would be appropriate in the Green Belt, it would comply with the Policy regarding the river valley. The proposed development would involve the creation of a series of sheet piled walls, concrete L walls and earth embankments along the river embankment to act as a flood defence. As such, the proposed development would be an engineering operation and would be appropriate development within the Green Belt as defined in paragraph 146 of the NPPF.

Impact upon Public Utilities - A high pressure gas pipeline, which serves around 40,000 dwellings, passes through site 5 (land to the west of the Metrolink line) and would pass underneath the proposed embankments at 2 places. Cadent Gas Ltd have objected to the proposed development as there are concerns relating to the impact from the weight of the embankment upon the pipeline and how access to the pipeline could be maintained if repairs were necessary and potential degradation. Pre-application discussions have taken place between the applicant and Cadent Gas Ltd, but no conclusions have been agreed. As a result, there is insufficient detail within the application to be able to grant a 'approval in principle' on a major part of infrastructure and the Local Planning Authority cannot consider using a condition precedent in this instance. Cadent have recommended refusal of the

scheme as there is insufficient information to fully assess the impact of the scheme upon the pipeline, which is a necessary part of infrastructure maintaining a gas supply to residential properties. Therefore, the proposed development on site 5 would conflict with Policy EN1/11 of the Bury Unitary Development Plan.

Design and layout

SITE 1 - The proposed defence would consist of a retaining wall and a sheet piled wall which would vary between 1.5 and 3 metres in height. The height of the proposed defences is the minimum required to maintain an effective defence. The proposed retaining wall would be constructed from plain coloured concrete and the proposed sheet pile wall would be exposed sheet pile at the lower level on the wet side, to allow for inspections by the EA and plain finished coloured concrete on the dry side and above the exposed sheet pile on the wet side. There would be limited views of the lower level of the wall and as such, the proposed materials would be acceptable. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies EN1/2 and EN1/3 of the Bury Unitary Development Plan.

SITES 2 & 3 - The proposed defence would consist of a series of retaining walls and sheet pile walls which would vary between 1 and 3 metres in height. The height of the proposed defences is the minimum required to maintain an effective defence. The proposed retaining wall would be constructed from a variety of concrete finishes. There would be a brick effect concrete near the school and along the boundary with the sports field and a coloured concrete near the trailer park and residential properties. There would be an exposed sheet pile wall for the remainder of the defence around the industrial estate. The views of this section of wall would be oblique distant views from the public right of way on York Street (3SM), which would be viewed against the backdrop of industrial buildings. As such, this would be acceptable. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies EN1/2 and EN1/3 of the Bury Unitary Development Plan.

SITE 4 - The proposed defence would consist of a retaining wall and a sheet piled wall and pre-cast unit which would vary between 1.5 and 3 metres in height. The height of the proposed defences is the minimum required to maintain an effective defence. The proposed retaining wall would be constructed from plain coloured concrete and the proposed sheet pile wall/pre-cast unit would be exposed sheet pile at the lower level on the wet side, to allow for inspections by the EA and plain finished coloured concrete on the dry side and above the exposed sheet pile on the wet side. There would be limited views of the lower level of the wall and as such, the proposed materials would be acceptable. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies EN1/2 and EN1/3 of the Bury Unitary Development Plan.

SITE 5 - The proposed defence would be consist of a series of grassed bunds, embankments and a retaining wall, which would vary between 1 and 3 metres in height. The height of the proposed defences is the minimum required to maintain an effective defence. The proposed retaining wall would connect to the bridge over the Metrolink at the southern point of the site and would be constructed from textured and coloured concrete to match the existing bridge on the wet side and plain coloured concrete on the dry side. The proposed grassed bunds and embankments would be appropriate within the setting and as such, the proposed defences would be acceptable. Therefore, the proposed development would not be a prominent feature in the locality and would be in accordance with Policies EN1/2 and EN1/3 of the Bury Unitary Development Plan.

Impact on amenity - The residential properties on Whitefield Road would back onto the proposed defences on sites 2 and 3. The nearest residential properties would be at least 69 metres from the proposed wall, which would be between 1 - 1.5 metres in height. Given the distance of separation, there would be no significant adverse impact.

Nos 1 - 13 York Street would face the proposed defences on site 4. The residential properties would be a minimum of 26 metres from the proposed wall, which would be 2.7

metres in height. Given the distance of separation, there would be no significant adverse impact.

The proposed works associated with site 5 would be located on the opposite side of the Metrolink embankment and would be no higher than the existing Metrolink embankment. As such, the proposed development would not have any greater an impact upon the residential amenity of neighbouring properties than the existing situation

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

Noise - Access to the sites for the proposed development would be taken from Warth Road, Whitefield Road, York Street, Dumers Lane and the existing access to Bury Point. It is acknowledged that there would be some adverse impact upon the amenity of the neighbouring properties through noise and disturbance during implementation only. However, the potential for noise and disturbance would be mitigated by the restriction of the hours of delivery from 09.00 to 15.00 and hours of work between 08.00 and 18.00 on Monday to Friday. The Pollution Control Section has no objections to the proposal and conditions relating to the hours of operation would be imposed. As such, it is considered that the wider benefits of the flood defence scheme would outweigh the temporary disturbance to the amenity of the neighbouring properties during construction.

Flood risk - A flood risk assessment has been submitted as part of the application. The FRA responds to the wider flood defence scheme as well as the respective phases. The FRA indicates that the full scheme would provide significant benefits to 873 residential properties within the Radcliffe area. In addition, the raised defences to both sides of the river, particularly along side the existing business parks, would significantly reduce the risk of debris entering the watercourse during flood events and substantially reduce the risk of blockages at the bridge structures. There are some short terms risks during the delivery of phase 2 and methods for mitigation have been identified during this period.

The Environment Agency has no objections in principle and further comments will be reported in the Supplementary Report.

Therefore, the proposed development would not increase flood risk and would offer significant benefits to over 800 properties in Radcliffe. The proposed development would be in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the NPPF.

Ecology

Otters - An otter survey was carried out on the River Irwell and the otter technical note has been provided to GM Ecology Unit (GMEU). GMEU has no objections to the proposed development, subject to the inclusion of a condition requiring the recommendations of the otter technical note.

Bats - A bat survey was submitted and the proposed development was assessed as having negligible impact upon bats. GMEU has no objections, subject to the inclusion of an informative relating to bats.

Nesting birds - As a result of the proposed development, trees and scrub will be removed along the river bank and therefore, the removal of bird nesting habitat. GMEU has no objections, subject to the inclusion of a condition relating to nesting birds and a condition for landscaping to include mitigation for loss of nesting bird habitat.

Invasive species - A construction method statement has been provided in relation to the presence of Giant Hogweed, Himalayan Balsam and Japanese Knotweed. GMEU have assessed the statement and have no objections, subject to a condition relating to the implementation of the statement.

Protection of the River Irwell - During construction, the river would need to be protected to

minimise the risk of pollution and this would be secured by a condition relating to a construction and environmental management plan.

A Water Framework Directive Assessment has been provided, which has assessed the long term impact of the work as negligible with no significant impacts on the ecological potential of the river. GMEU agree with these findings and would recommend a condition requiring a landscaping masterplan for all mitigation for phase 2.

Overall, the proposed development would not cause harm to the protected species and GMEU has no objections, subject to the inclusion of conditions relating to reasonable avoidance measures, nesting birds, invasive species, a construction environmental management plan and a landscape masterplan. Therefore, the proposed development would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Trees - The proposed development would involve the removal of trees on the various sites to facilitate the development. All of the trees on all the sites have been surveyed and they are all of moderate to low quality trees. Of the trees on site, 5 trees and 3 groups of category B trees and 5 trees and 9 groups of category C trees would be removed. This would equate to 300 trees being removed and pruning works to a further 100 trees. It is acknowledged that there are a lot of trees to be removed, but the trees are located within the flood defence positions. In addition, the applicant has committed to planting 2 trees for each one removed in the locality. A condition securing this and tree protection measures would be included on any grant of planning permission. Therefore, the proposed development would not impact significantly upon the character of the area and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Highways issues - The proposed developments would be accessed from Warth Road, Whitefield Road, York Street, Dumers Lane and the existing access to Bury Point. Small compounds would be located at the respective sites, with a main compound located at Morris Street. Parking would be available for vehicles at the sites.

A public right of way (105BUR) would cross the proposed defences at the site to the west of Warth Road. The proposed development would include a 1:12 pedestrian access ramp over the proposed embankment to maintain access along the PROW following completion of the works. The Public Right of Way Officer has no objections, subject to access being maintained after construction has been completed.

The proposed flood defences for sites 2 & 3 and 4 would both tie into the road bridge (Hardy's Gate) at the junction of York Street and Dumers Lane. The Traffic Section has no objections in principle to the proposed development and further comments will be reported in the Supplementary Report.

Conclusion

The proposals put in place the final elements of the flood defence scheme, when read across all of the other related developments (63559, 64788, 64789).

Site 5 remains an outstanding issue. There has been much discussion between the Local Planning Authority, Cadent and the Environment Agency in seeking a way to grant a full consent, including site 5. However, the significance of this infrastructure is such that the EA cannot provide appropriate degrees of assurity at this stage that the proposal on this part of the site would not have a detrimental impact upon the high pressure gas pipeline, which serves many thousands of properties. The EA have therefore suggested that if this issue cannot be conditioned, a split decision, allowing site 5 to be revisited through a separate application, whilst permitting the remaining sites to proceed.

Response to objectors

- The ground conditions and limited space at the site have resulted in the use of sheet piles and concrete retaining walls being the only available option. The use of these has

minimised the tree loss in these areas.

- The impact of the proposal on ecology has been assessed by GMEU, who have no objections to the proposed development, subject to the inclusion of conditions, which the LPA supports.
- The impact of the proposed defences on the visual amenity of the area has been addressed in the report above.

The Environment Agency have provided the following responses to the questions raised:

- The works are due to begin in February 2020 and last until March 2021. However, the proposals on Milford Drive are expected to be completed in a shorter timeframe.
- The works would be restricted to the hours of 08.00 - 18.00, Monday to Friday and works would not take place at weekends.
- The majority of site cabins would be located at the compound at Morris Street with some smaller huts and individual cabins at the site. It is likely that these would be located on the opposite side of the Metrolink embankment to Milford Drive.
- There would be some noise impact, but the works would take place on the opposite side of the embankment, which would limit noise impacts upon residents.

The following points have been responded to by the Environment Agency in relation to the hydropower objection:

Objection: We were not fairly informed of the submission of this planning application.

Response: The Environment Agency has taken steps to hold direct discussions with Resolution Hydro Ltd prior to the formal application. Further discussions are planned to be held on 2nd December

Objection: The proposed scheme dramatically increases the flood risk to the hydropower development.

Response: The modelling done by the Environment Agency has shown that, in the area around the Hydropower plant control building, the relative change in level for a given return period flood is unlikely to significantly change the degree of damage caused. We are currently in the process of updating the model with final design defence levels which should improve the clarity of flood levels for events exceeding the 100yr event. We will advise of any changes to our predictions. Every effort has been made to minimise the impacts either by scheme design or alternative arrangements.

Objection: The proposed scheme increases the risk to the land surrounding the hydropower development.

Response: The proposed scheme will act to restrict flooding on the north bank, but changes to the south bank are limited to minor works to prevent extreme event overtopping onto Bury Road and prevent downstream flooding via Hutchinson's Goit. The works proposed on the entrance to the Hutchinson's Goit culvert under Bury Road will not block the culvert and are designed to limit flows during extreme events to no more than that which occurs under the 'no scheme' scenario. These flows are very small in comparison to the main river flows and have little impact on the overall flood levels in this area. As with the hydroplant control building, the frequency and routing of flood water in this area remains largely unchanged by the proposals. As such, there is not considered to be any significantly detrimental increase in the risk of erosion or to public safety as a result of the proposals.

Objection: The flood risk assessment does not accurately represent the risks posed by the proposed scheme.

Response: The reference to 940mm is only applicable to levels downstream of the large weir and is caused by the flow being constrained by Warth bridge. The level increases at the location of the hydropower plant control building are predicted to be much lower than this.

Objection: The modelled data used by the EA to inform the design of the whole scheme is demonstrably incorrect, and sometimes unfathomable.

Response: The modelling work carried out by the Environment Agency is based on a verified hydraulic model that has been developed and updated with recent site survey data

and hydrology based on long term river gauges.

Objection: The proposed scheme could lead to a flood surge.

Response: The predicted increases in flood levels upstream of the Metrolink bridge are relatively low and not expected to significantly change the risk to the bridge structure. All proposals are to be discussed and agreed with TfGM to ensure they are suitable and do not pose unacceptable risk of this nature.

Objection: FRA (downstream) - it demonstrates that for any given event, the probability has approximately doubled as a result of the flood defence scheme

Response: The probability has not doubled. The change and impact need to be considered relative to the baseline flood level and the relative building levels and the point at which damage may occur. Please refer to our previous responses.

Objection: FRA (upstream) - The EA data demonstrates the presence of the scheme will result in approximately a 3-fold increase in the probability of our defences being destroyed, and approximately 4-fold increase in the probability of a 'total loss' event occurring, in any given year

Response: The increased probability of a 'total loss' is not 3 or 4 fold. Please refer to our previous responses.

The hydropower station is located in an area that will flood and would suffer severe damage at a 1 in 100 year flood event with or without the flood defences being in place. It is accepted by the EA that the proposed development would increase the flow within the river by 200mm in a 1 in 100 year flood but the flood defences would control and retain this flow to protect the nearby properties. The issues raised in the representations have been directly responded to by the EA and the LPA and the Local Flood Authority would have no reason to assume otherwise given the responses given. The issue of compensation would be a private matter between the objector and the EA.

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

Proposal A

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions 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.

Proposal B

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Split Decision

Conditions/ Reasons

1. **Proposal A** - 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.

1. **Proposal B** - The application and submitted plans contain insufficient information to enable the impact of the proposed development upon the gas pipeline to be properly assessed. Therefore, the proposed development would conflict with the following Policies of the Bury Unitary Development Plan:
Policy EN1/11 - Public Utility Infrastructure.
2. **Proposal A** - This decision relates to drawings numbered
ENV0000389C-BMM-DZ-4ZZ-DR-T-0213365 P01,
ENV0000389C-BMM-DZ-4WN-DR-T-0213380 P02,
ENV0000389C-BMM-DZ-4WN-DR-L-0307021 P02,
ENV0000389C-BMM-DZ-4RV-DR-T-0213382 P02,
ENV0000389C-BMM-DZ-4RV-DR-T-0213383 P02,
ENV0000389C-BMM-DZ-4RV-DR-T-0213384 P02,
ENV0000389C-BMM-DZ-4RV-DR-T-0213385 P02,
ENV0000389C-BMM-DZ-4RV-DR-L-0307020 P02,
ENV0000389C-BMM-DZ-4BP-DR-T-0213387 P02,
ENV0000389C-BMM-DZ-4BP-DR-T-0213386 P02,
ENV0000389C-BMM-DZ-4BP-DR-L-0307022 P02,
ENV0000389C-BMM-DZ-4RV-DR-T-0213393 P01,
ENV0000389C-BMM-DZ-4BP-DR-T-0213395 P01,
ENV0000389C-BMM-DZ-4WN-DR-T-0213394 P01,
ENV0000389C-DZ-4ZZ-VS-C-0214012 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. **Proposal A** - Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. **Proposal A** - The development hereby approved shall be carried out in accordance with the recommendations of the Otter Technical Note, dated 4 December 2018.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
5. **Proposal A** - No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
6. **Proposal A** - The development hereby approved shall be carried out in accordance with the Construction method statement relating to Giant Hogweed, Himalayan Balsam and Japanese Knotweed.
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 -

Conserving and enhancing the natural environment.

7. **Proposal A** - Notwithstanding the information submitted, a Landscape and Environmental Management Plan, as part of the overall master plan for phase 2, shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development, excluding any tree and vegetation clearance. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date of substantial completion of the development or within the first available tree planting season; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. Information not submitted at application stage. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
8. **Proposal A** - No development other than tree and vegetation clearance shall take place or machinery brought on site unless and until a method statement to protect the River Irwell and riparian corridor from accidental spillages and from via existing drainage has been submitted to and approved by the Local Planning Authority. All approved measures shall be implemented and maintained for the duration of the construction period in accordance with the approved details, for all phases of the development.
Reason. Information not submitted at application stage. To ensure a safe and satisfactory development of the site and ensure the protection of the River Irwell and riparian corridor from any pollutants and construction disturbance which may cause risk, pursuant to chapter 15 - Conserving and enhancing the natural environment of the NPPF.
9. **Proposal A** - No development, other than tree clearance shall commence unless and until:-
- An appropriate scheme of intrusive site investigations has been undertaken and the report of the findings of the intrusive site investigations has been submitted to and approved in writing by the Local Planning Authority;
 - Where actual/potential risks from coal mining have been identified, a detailed scheme of remedial works shall be submitted to and approved in writing by the Local Planning Authority;
 - Where remedial works are required, 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. The scheme does not provide full details of the actual risk from coal mining 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.

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



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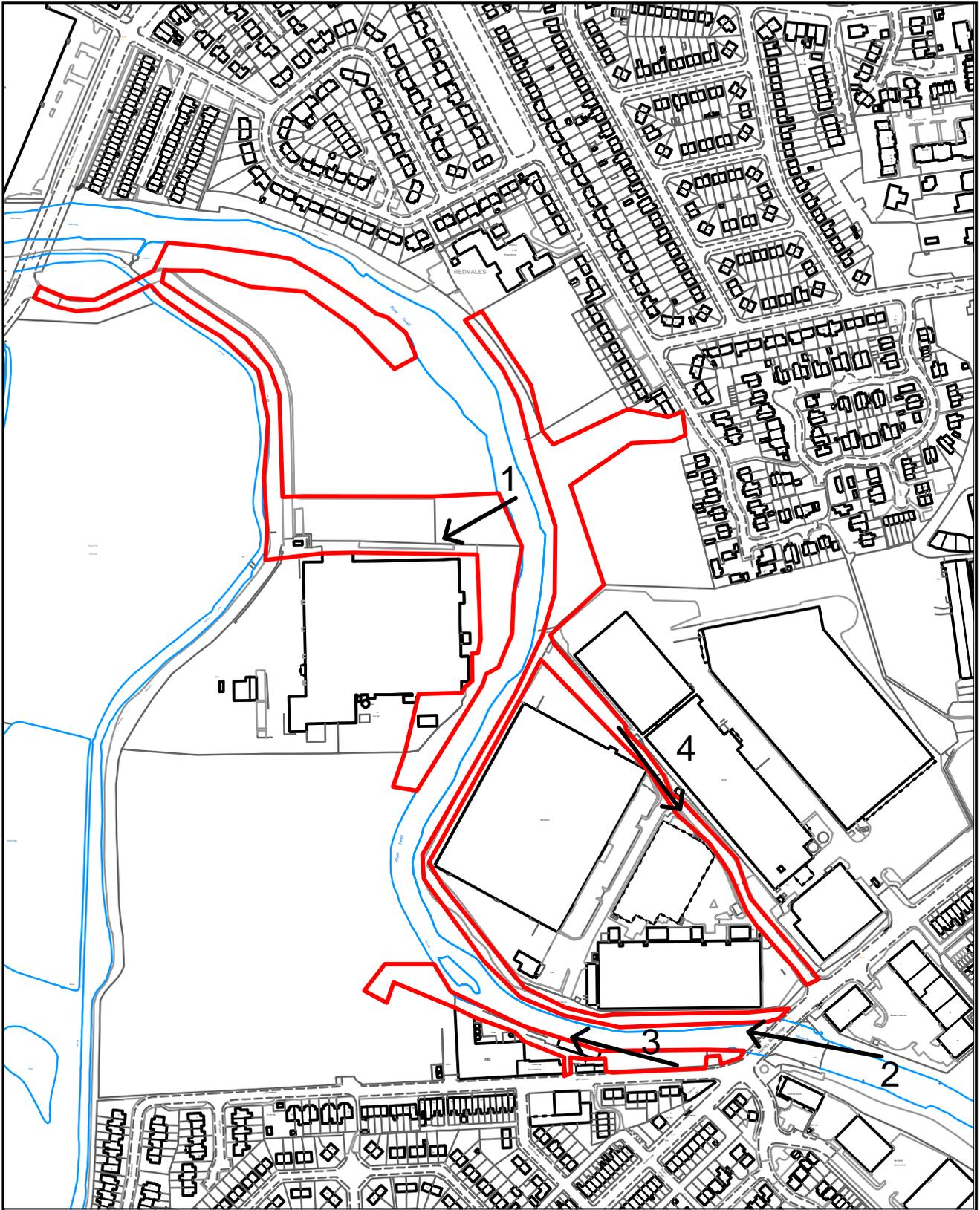
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Notes

Viewpoints Sites 1,2,3,4



PLANNING APPLICATION LOCATION PLAN

APP. NO 64790

ADDRESS: Land to south of Central Avenue & Keswick Drive
Bury

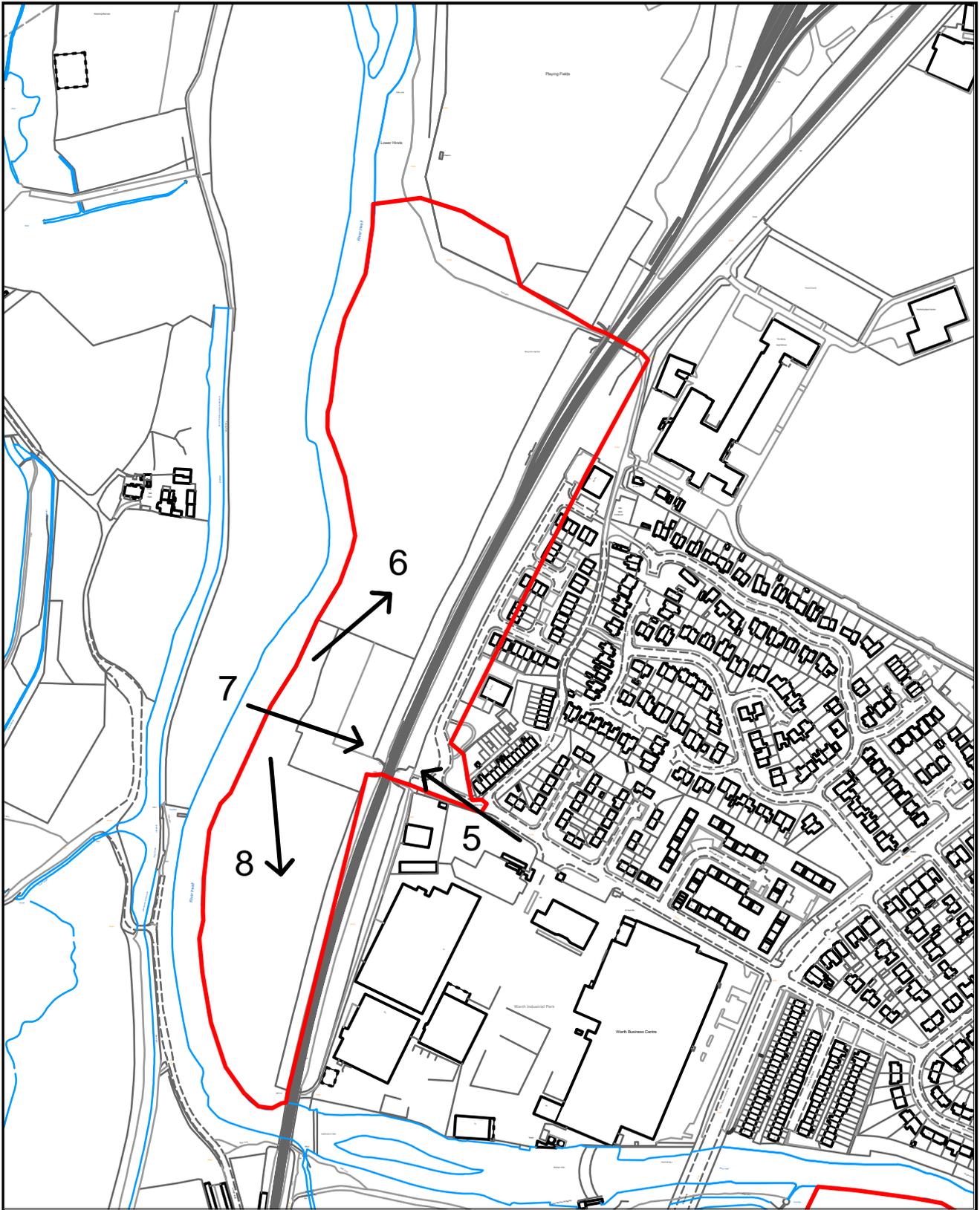


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Viewpoints Site 5



PLANNING APPLICATION LOCATION PLAN

APP. NO 64790

ADDRESS: Land to south of Central Avenue & Keswick Drive
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64790

Photo 1 (Site 1)



Photo 2 (Sites 2,3&4)



64790

Photo 3 (Site 2,3&4)



Photo 4 (sites 2,3&4)



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Photo 5 (Site 5)



Photo 6 (Site 5)



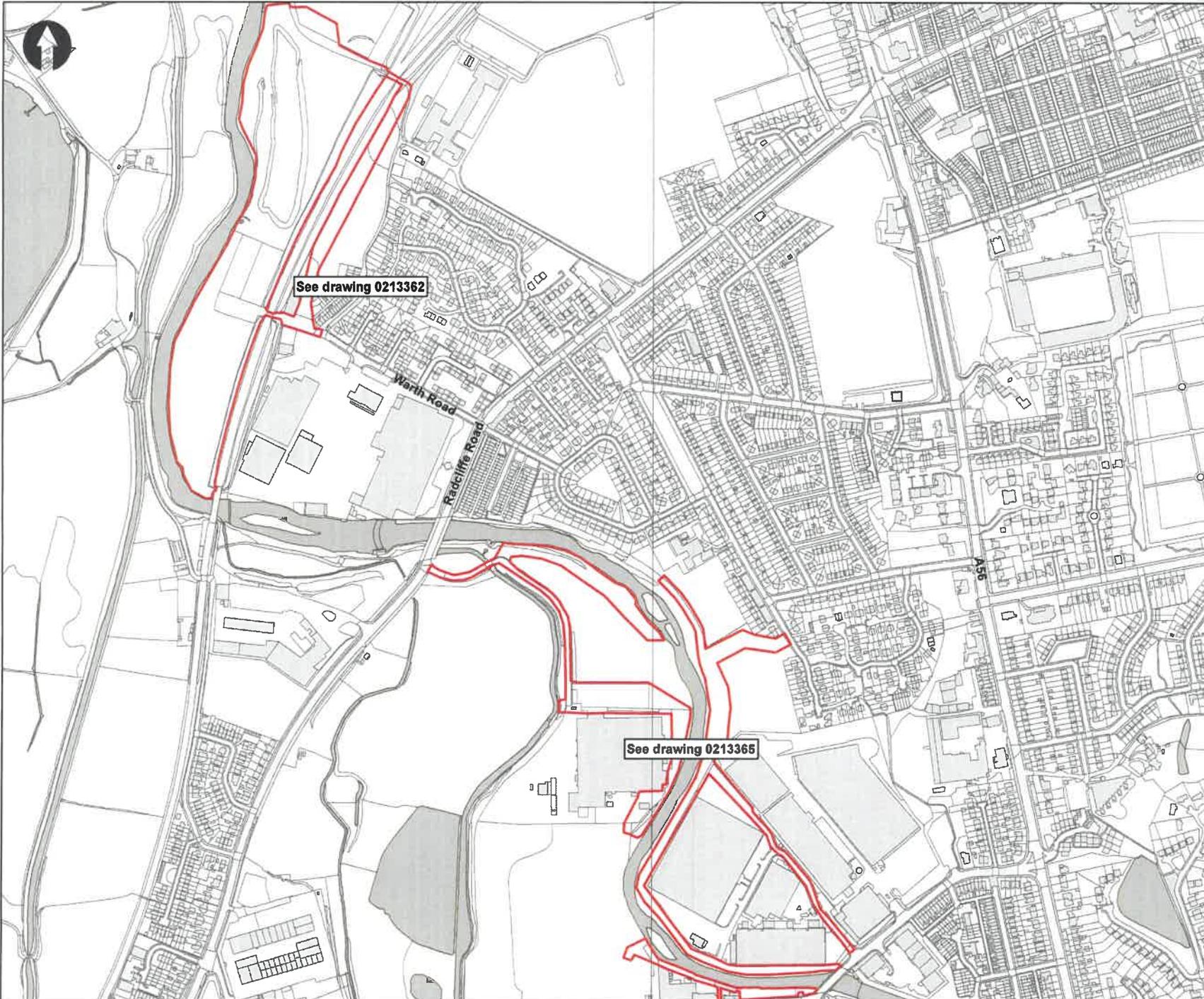
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Photo 7 (Site 5)



Photo 8 (Site 5)





Location Map

Key to Symbols

Planning Application Boundary

Notes

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P01	22/08/19	SP	First Issue	EW	JS
Rev	Date	Drawn	Description	CHK'd	App'd

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Client

Environment Agency

Title

ENV0000389C Radcliffe & Redvales FRMS
 Detailed Design Phase 2
 Planning Application Boundary
 Radcliffe Areas - Overview
 Sheet 01 of 03

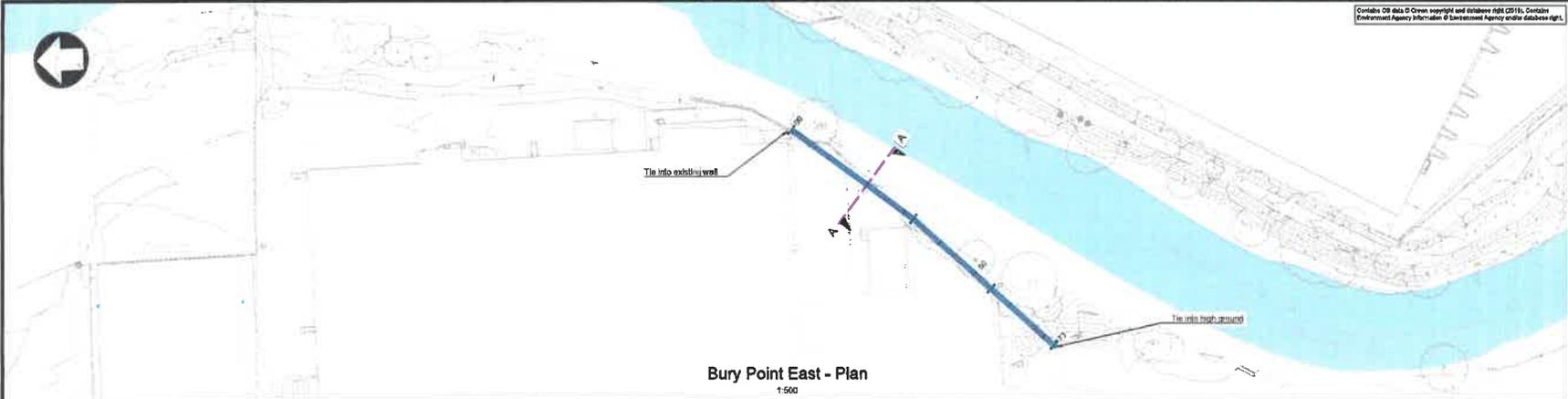
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Designed	S Parkinson	SP	Coordination	J Sterling	JS
GIS Check	E Waters	EW	Approved	J Sterling	JS

Scale of A3
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Status	Rev	Security
PRE	P01	STD

Drawing Number
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 P:\Manchester\Northwest\Projects (Even)\375916 EA Lot 3 GMMC7 Appraisal Package\Drawings and Maps\1.0 Radcliffe & Redvales\Detailed Design\ENV0000389C-BMM-DZ-4ZZ-DR-T-0213361-82-P01-Phase 2 Red Line Plan Radvales Areas Sheet 1.mxd



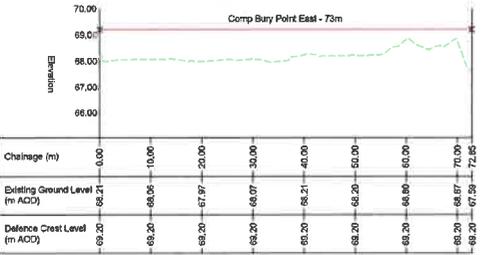
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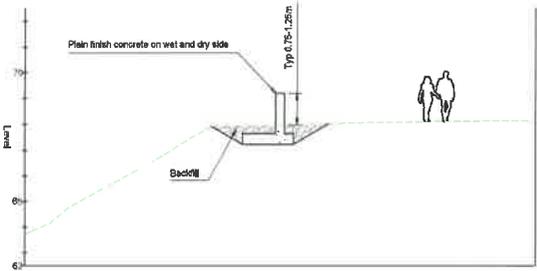
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Key to symbols

- Centreline of proposed defence
- Existing Ground Profile
- Retaining wall
- Sheet piles



Bury Point East - Profile
H1:500 V1:100



Section A - A
1:100

Reference Drawings

Rev	Date	Drawn	Description	CHK'd	App'd
P01	27/08/19	CC	Draft for EA review	JS	JS
P02	07/10/19	CC	For Planning Submission	JS	-

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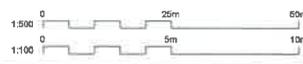
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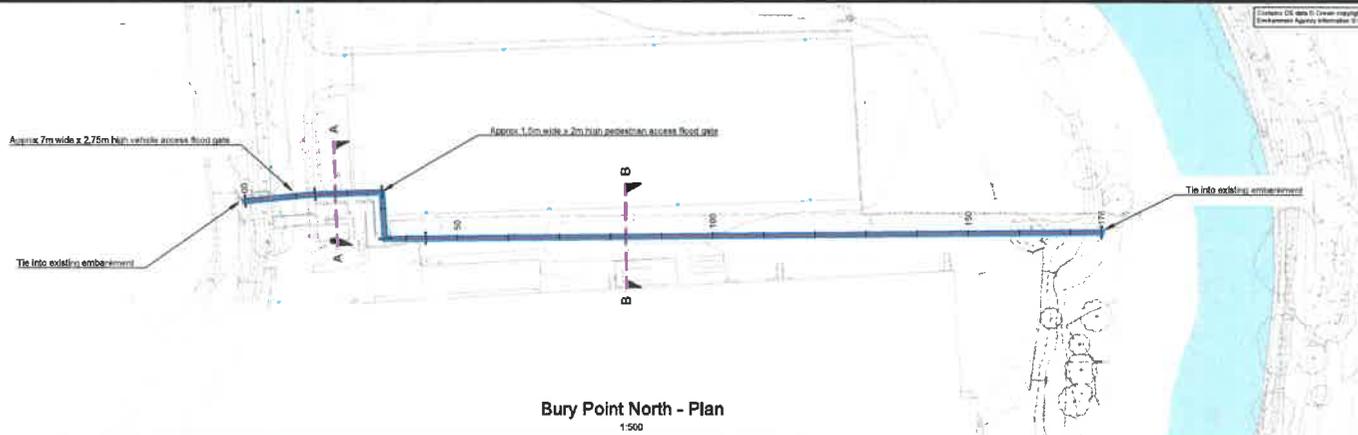
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WA4 1HG

Title
Raddcliffe & Redvales FRMS
Bury Point
Planned Development Area
East Defence Plan & Section
Sheet 1 of 1

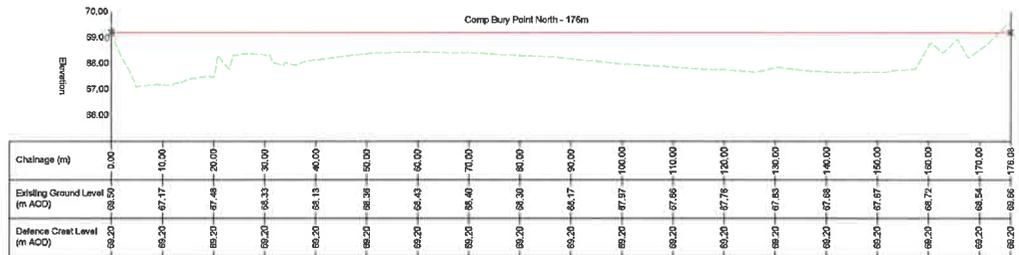
Designed	J.Holden	JH	Eng. check	J.Staring	JS
Drawn	C.Chau	CC	Coordination	S.Les	SL
Dwg. check	A.Burke	AB	Approved	J.Staring	JS
MMD Project Number	408463		Scale at A1	Security	STD
Fit for Information			As Shown	Suit. Code	S2
Project Code	ENV000389C-BMM-DZ-4BP-DR-1		Date	02/13/2019	Revision
					P02



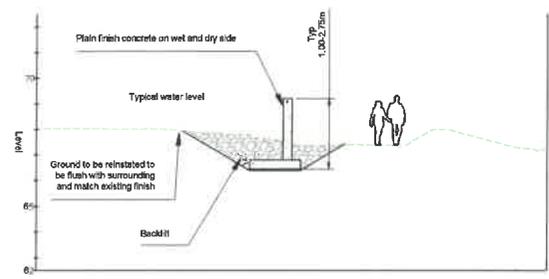
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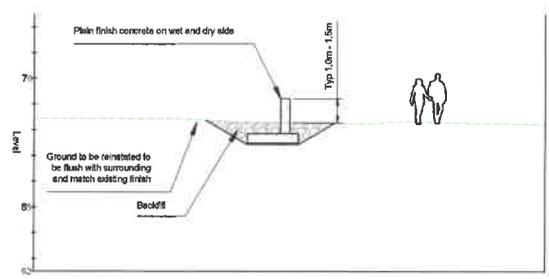
Bury Point North - Plan
1:500



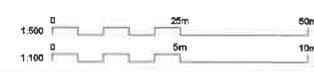
Bury Point North - Profile
H1:500 V1:100



Section A - A
1:100



Section B - B
1:100



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Key to symbols

- Centrelines of proposed defence
- - - Existing Ground Profile
- Retaining wall
- Sheet pile

Reference Drawings

Rev	Date	Drawn	Description	CHK'd	App'd
PO1	30/09/16	CC	Draft for EA review	JS	JS
PO2	07/10/16	CC	For Planning Submission	JS	-

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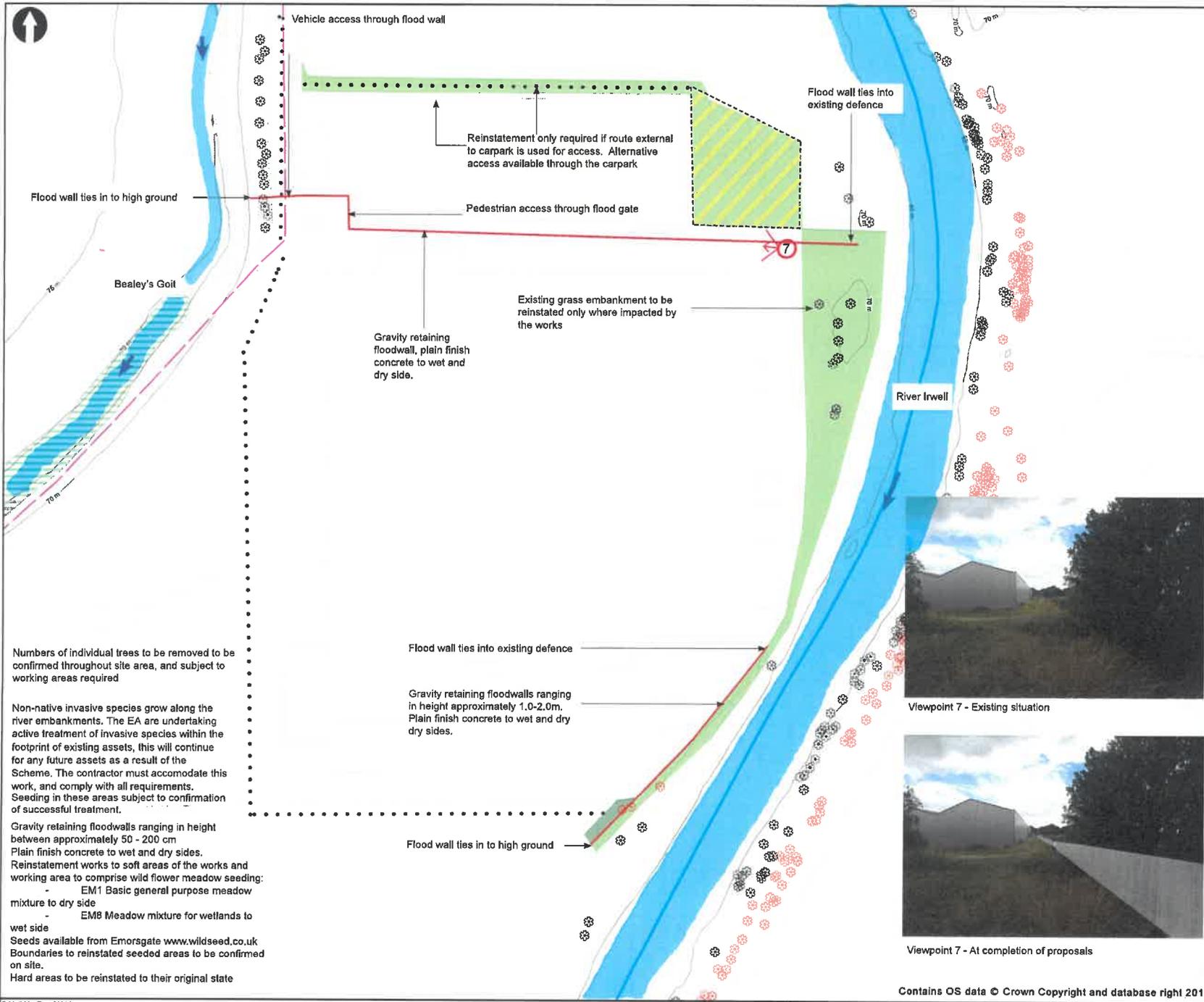
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Title
Radcliffe & Redvales FRMS
Bury Point
Planned Development Area
North Defence Plan & Section
Sheet 1 of 1

Designed	J.Holden	JH	Eng. check	J.Stirling	JS
Drawn	C.Chau	CC	Coordination	S.Lee	SL
Dwg. check	A.Burne	AB	Approved	J.Stirling	JS
MMD Project Number	408463		Scale at A1	Security	STD
			As Shown		S2
Suitability Description					Suit. Code
Fit for Information					S2
Project Code	Original Version	Location	Type	Date	Sheet Number
ENV000389C-BMM-DZ-4BP-DR-1	-	-	-	02/13/86	P02

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Numbers of individual trees to be removed to be confirmed throughout site area, and subject to working areas required

Non-native invasive species grow along the river embankments. The EA are undertaking active treatment of invasive species within the footprint of existing assets, this will continue for any future assets as a result of the Scheme. The contractor must accommodate this work, and comply with all requirements. Seeding in these areas subject to confirmation of successful treatment.

Gravity retaining floodwalls ranging in height approximately 1.0-2.0m. Plain finish concrete to wet and dry sides.

Reinstatement works to soft areas of the works and working area to comprise wild flower meadow seeding:

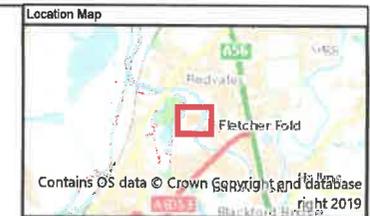
- EM1 Basic general purpose meadow mixture to dry side
- EM8 Meadow mixture for wetlands to wet side

Seeds available from Emorsgate www.wildseed.co.uk
Boundaries to reinstated seeded areas to be confirmed on site.
Hard areas to be reinstated to their original state

Flood wall ties into existing defence

Gravity retaining floodwalls ranging in height approximately 1.0-2.0m. Plain finish concrete to wet and dry sides.

Flood wall ties in to high ground



Key to Symbols

- Engineering measure
- Water and flow direction
- Public Rights of Way (PRoW)
- Site of biological interest
- Existing Data Terrain Model (DTM) - 5m contours
- Tree removed (indicative canopy)
- Tree retained (indicative canopy)
- Approx. area EG9 meadow seed
- Approx. area EM1 meadow seed
- Approx. area EM8 meadow seed
- Area of invasive species (treatment by others)
- Landscaping works as designed by Groundwork (see drawing reference GM 2228 03)
- Photograph/ visualisation location and direction
- Approx site compound location
- Construction site access

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 - To be read in conjunction with Arboricultural Survey Report ENV0000389C-BMM-DZ-2Z-RP-EN-0319033
 - Landscaping works designed by groundwork (see drawing reference GM 2228 03)

P02	04/10/18	GO	Update to Client Comments	MB	JS
P01	26/09/19	GO	Final Issue	MB	JS
Rev	Date	Drawn	Information	Chkd	App'd

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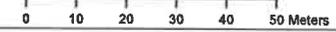
Environment Agency

Environment Agency
Richard Fairclough House
Knutsford Road
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Title

Radcliffe and Redvales FRMS
Phase 2 Detailed Design
Bury Point
Final Landscape Masterplan

Designed	R Costa	RC	Eng Check	M Brewster	MB
Drawn	G O'Donovan	GO	Coordination	M Brewster	MB
GIS Check	T Ruff	TR	Approved	J Starling	JS
Scale at A3	1:1,000	Status	S2	Rev	P02
Drawing Number	ENV0000389C-BMM-DZ-4BP-DR-L-0307022		Security	STD	





Continuous wall to into Component 49

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4. Existing trees shown as sawtooth. Some tree clearance will be required. Additional screening to be provided where indicated. For full details of tree clearance and planting refer to document reference ENV0000389C-BMM-DZ-4R-V-DR-0107029 - Final Landscape Masterplan.

Key to symbols

- Centreline of proposed defence
- Retaining wall
- Sheet pile

Reference Drawings

Rev	Date	Drawn	Description	Chk'd	App'd
P01	30/08/19	CC	Draft for EA review	JS	JS
P02	07/10/19	CC	For Planning Submission	JS	

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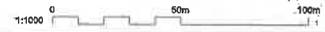
Environment Agency
 Richard Fairbairn House
 Knutsford Road
 Warrington
 WA4 11G

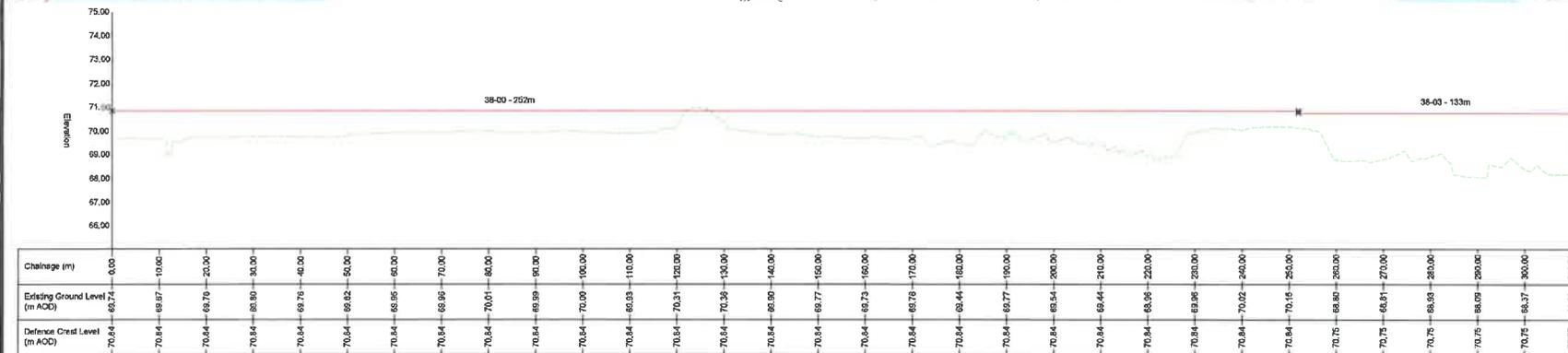
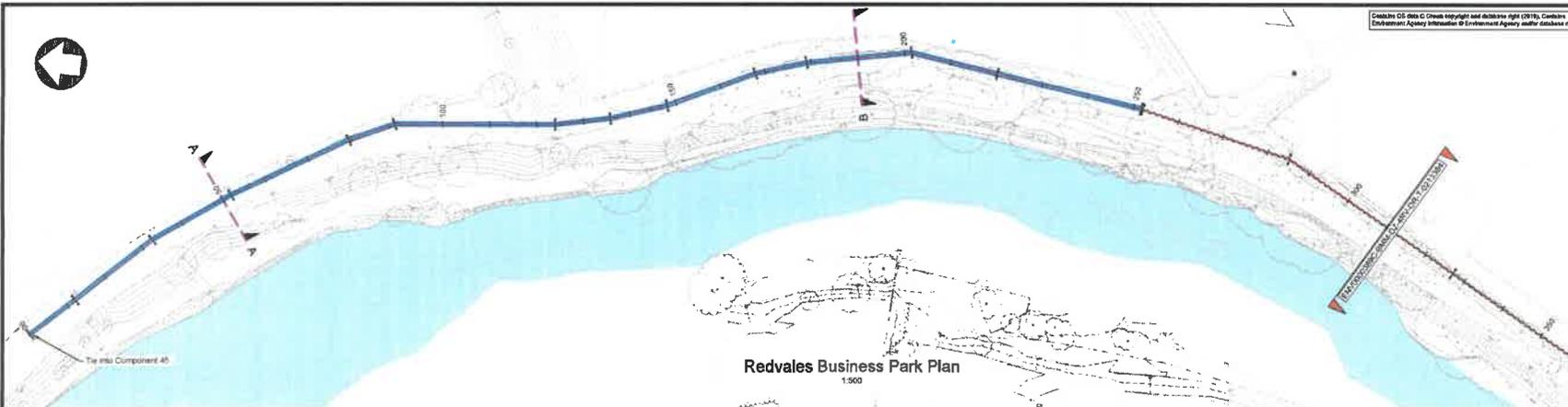
Title
**Raddcliffe & Redvales FRMS
 Component 38 Redvales Business Park
 Planned Development Area
 General Arrangement
 Sheet 1 of 4**

Designed	J.Holden	JH	Eng. check	J.Stirling	JS
Drawn	C.Chau	CC	Coordination	S.Lee	SL
Dwg. check	A.Burke	AB	Approved	J.Stirling	JS
NMD Project Number	408463		Scale at A1	As Shown	Security STD

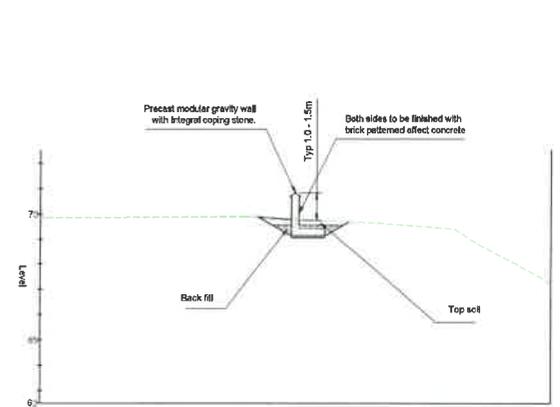
Suitability Description					Suit. Code
Fit for Information					S2
Print Code	Original Version	Location	Type	Date	Revised Number
ENV0000389C-BMM-DZ-4R-V-DR-	T	01-23382			P02

Redvales Business Park Plan

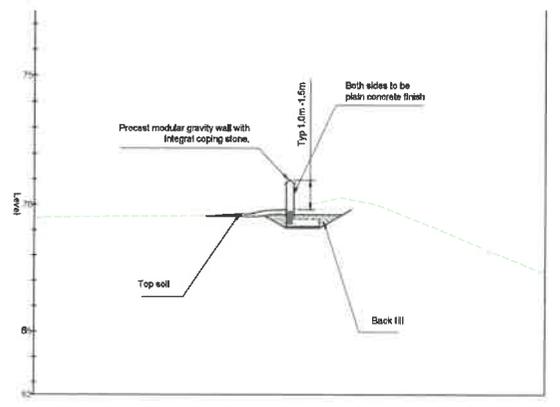




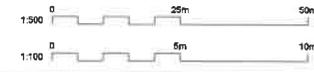
Redvales Business Park Profile
H1:500 V1:100



Section A - A
1:100



Section B - B
1:100



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Key to symbols

- Centreline of proposed defence
- Existing Ground Profile
- Retaining wall
- Sheet pile

Reference Drawings

Rev	Date	Drawn	Description	CHK'd	App'd
P01	27/09/19	CC	Draft for EA review	JS	JS
P02	07/10/19	CC	For Planning Submission	JS	-

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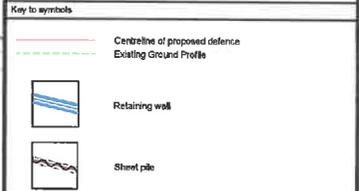
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W www.mottmac.com

Client
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Richard Fairbrough House
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WA4 1HG

Title
**Radcliffe & Redvales FRMS
Component 38 Redvales Business Park
Planned Development Area
Chainage 0-789 Plan & Section
Sheet 2 of 4**

Designed	J. Holden	JH	Eng. check	J. Starling	JS
Drawn	C. Chau	CC	Coordination	S. Lee	SL
Dwg. check	A. Burke	AB	Approved	J. Starling	JS
MMD Project Number	408483		Scale at A1	As Shown	Security STD
Suitability Description	Fit for Information				Suit. Code S2
Project Code	ENV000389C-BMM-DZ-4RV-DR- T - 0213383				Revision P02

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Reference Drawings

Rev	Date	Drawn	Description	CR/CL	App'd
PD1	27/09/19	CC	Draft for EA review	JS	JS
PD2	07/10/19	CC	For Planning Submission	JS	-

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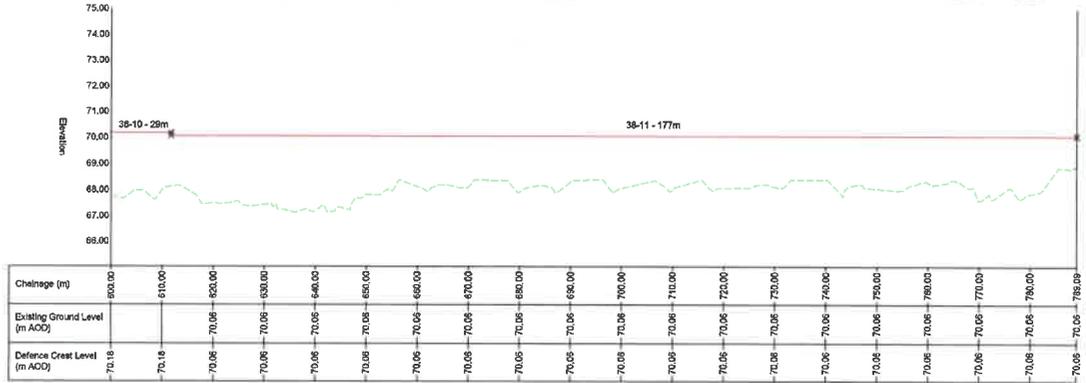
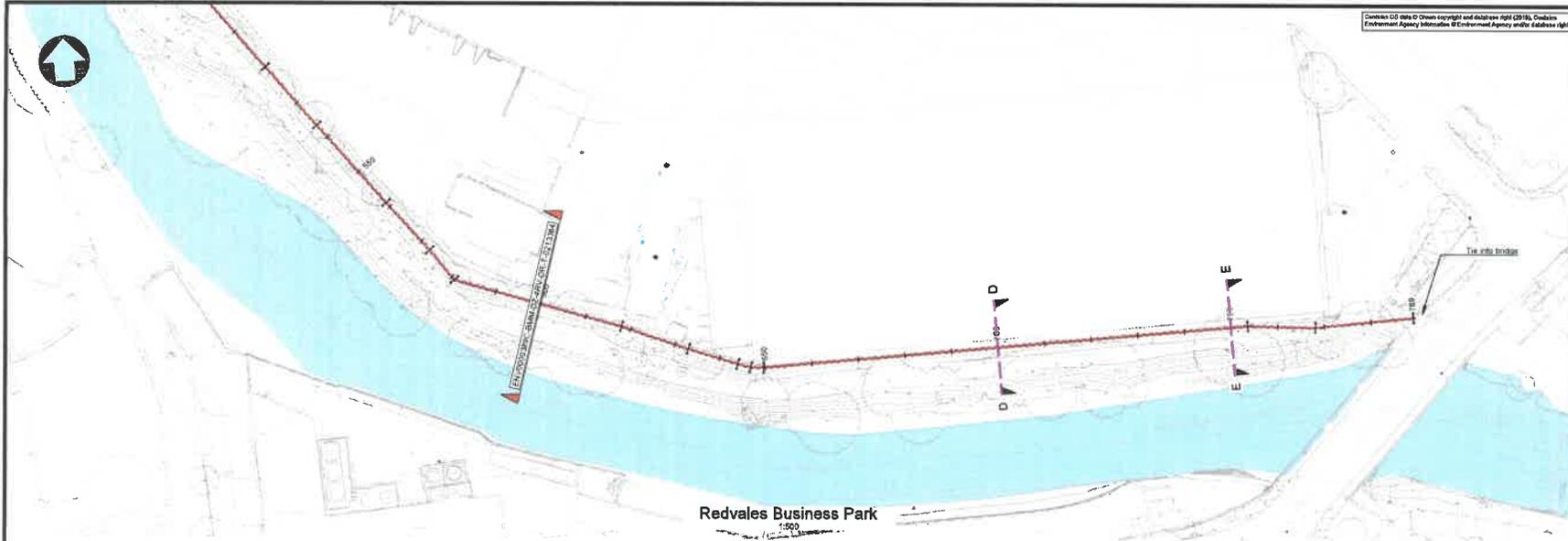
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Client

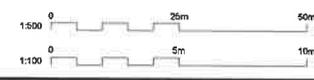
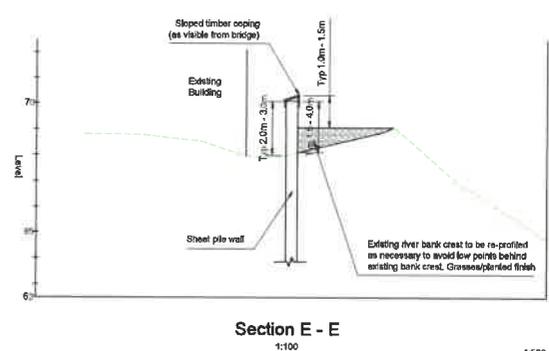
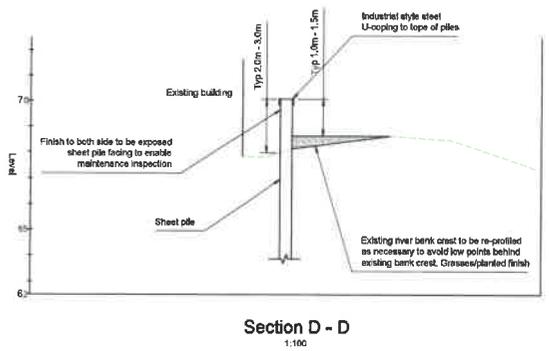
Environment Agency
 Richard Fairclough House
 Knarford Road
 Warrington
 WA4 1HG

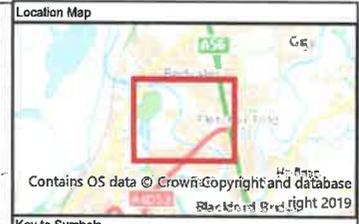
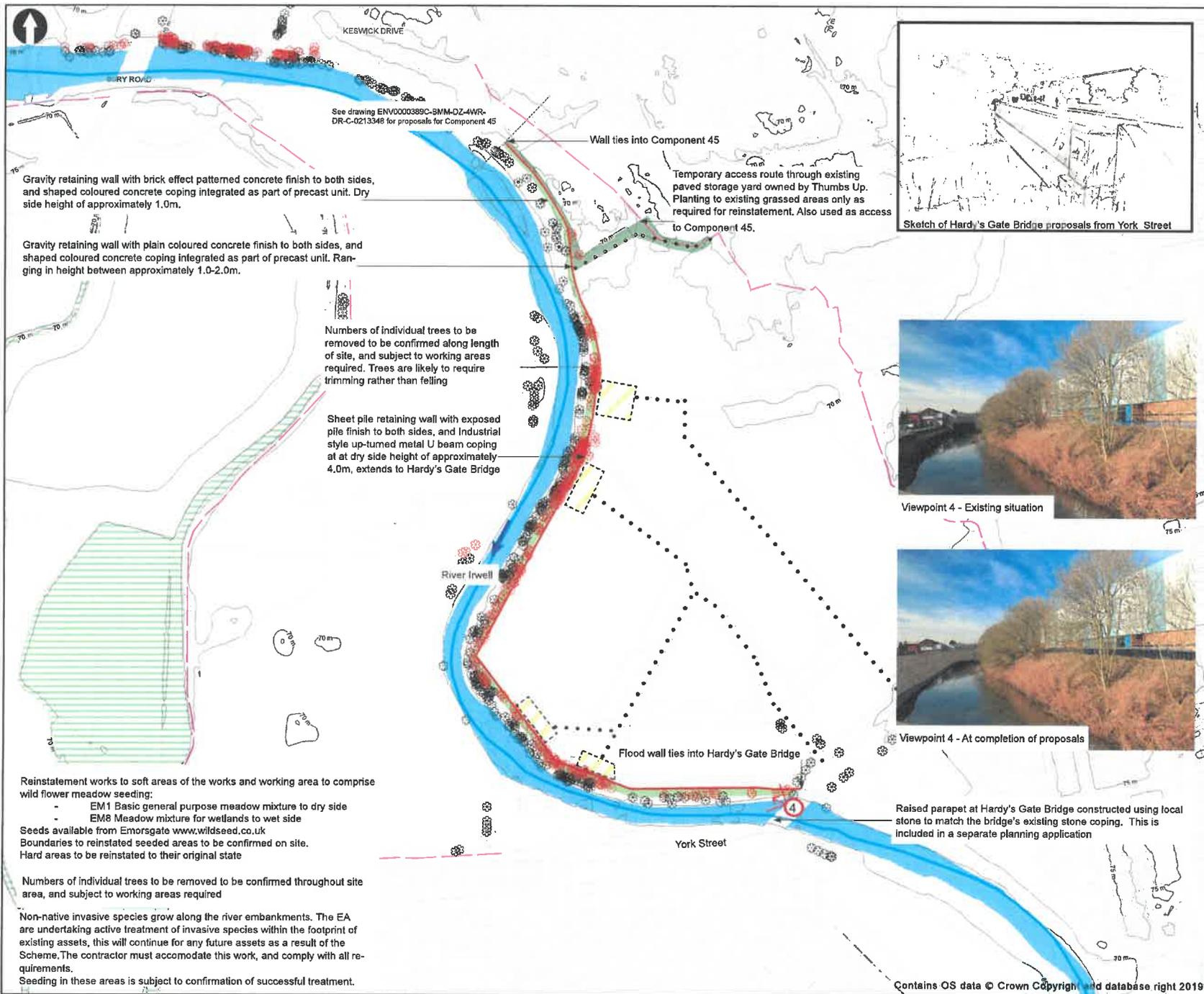
Title
 Raddcliffe & Redvales FRMS
 Component 38 Redvales Business Park
 Planned Development Area
 Chainage 0-789 Plan & Section
 Sheet 4 of 4

Designed	J.Halden	JH	Eng. check	J.Stalling	JS
Drawn	C.Chau	CC	Coordination	S.Lee	SL
Desig. check	A.Burke	AB	Approved	J.Stalling	JS
MMD Project Number	408463		Scale at A1	As Shown	Security STD
Suitability Description	Fit for Information				Suit. Code S2
Project Code	ENV00033893-BMM-DZ-4RV-DR-T		Revision		P02



Redvales Business Park
 H1:500 V1:100





Key to Symbols

- Engineering measure
- Water and flow direction
- Public Rights of Way (PRoW)
- Site of biological interest
- Existing Data Terrain Model (DTM) - 5m contours
- ✿ Tree removed (indicative canopy)
- ✿ Tree retained (indicative canopy)
- Approx. area EG9 meadow seed
- Approx. area EM1 meadow seed
- Approx. area EM8 meadow seed
- ▨ Area of invasive species (treatment by others)
- ▨ Landscaping works as designed by Groundwork (see drawing reference GM 2228 03)
- Approx site compound location
- Construction site access

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5. To be read in conjunction with Arboricultural Survey Report ENV000389C-BMM-DZ-ZR-EN-0310033.
6. Landscaping works designed by groundwork (see drawing reference GM 2228 03)

PO2	04/10/19	GO	Update to Client Comments	MB	JS
PO1	26/09/19	GO	First Issue	MB	JS
Rev	Date	Drawn	Information	Ch'kd	App'd

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Title

Radcliffe and Redvales FRMS
Phase 2 Detailed Design
Component 38
Final Landscape Masterplan

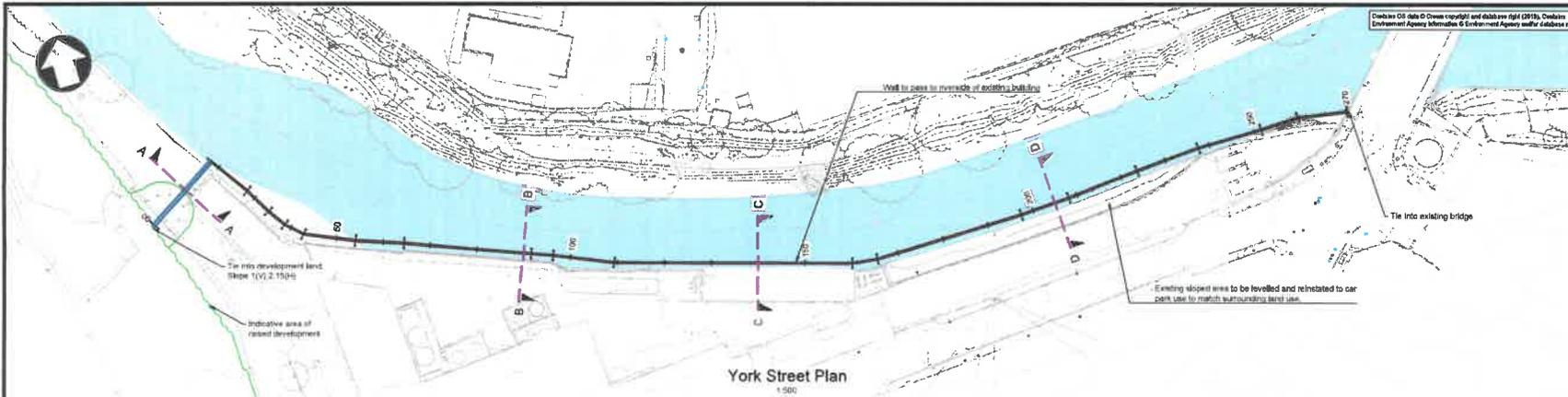
Designed	R Costa	RC	Eng Check	M Brewster	MB
Drawn	G O'Donovan	GO	Coordination	M Brewster	MB
GIS Check	T Ruff	TR	Approved	J Starling	JS

Scale at A3	1:3,000	Status	S2	Rev	P02	Security	STD
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Drawing Number
ENV000389C-BMM-DZ-4RV-DR-L-0307020

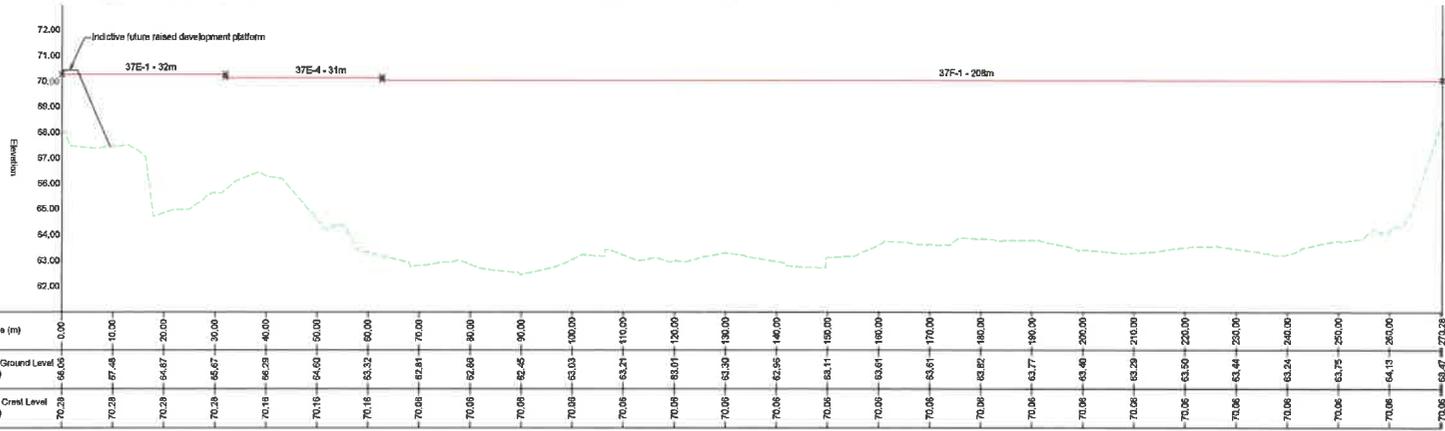


Drawn by: C. Chou, Checked by: J. Stirling, Date: 07/10/19, Scale: 1:500, Project: Raddiffe & Redvales FRMS Component 37 York Street Planned Development Area

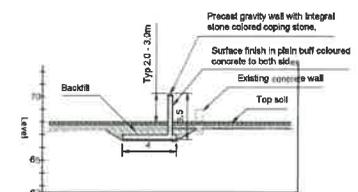
- Notes**
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Key to symbols

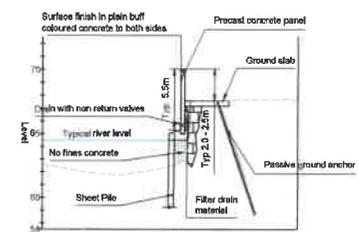
- Indicative boundary of future raised development area
- Centreline of proposed defence
- Existing Ground Profile
- Typical Water Level Profile
- Retaining wall
- Sheet pile



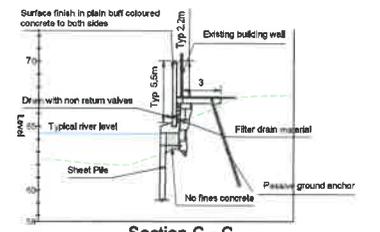
York Street Profile
H1:500 V1:100



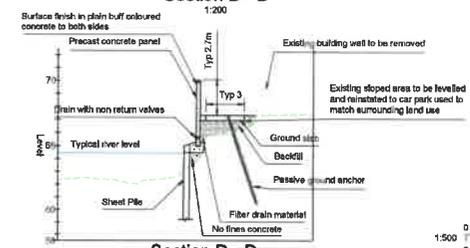
Section A - A
1:200



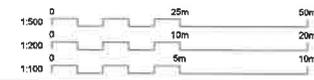
Section B - B
1:200



Section C - C
1:200



Section D - D
1:200



Reference Drawings

Rev	Date	Drawn	Description	Chk'd	App'd
P01	27/08/19	CC	Draft for EA review	JS	JB
P02	07/10/19	CC	For Planning Submission	JS	-

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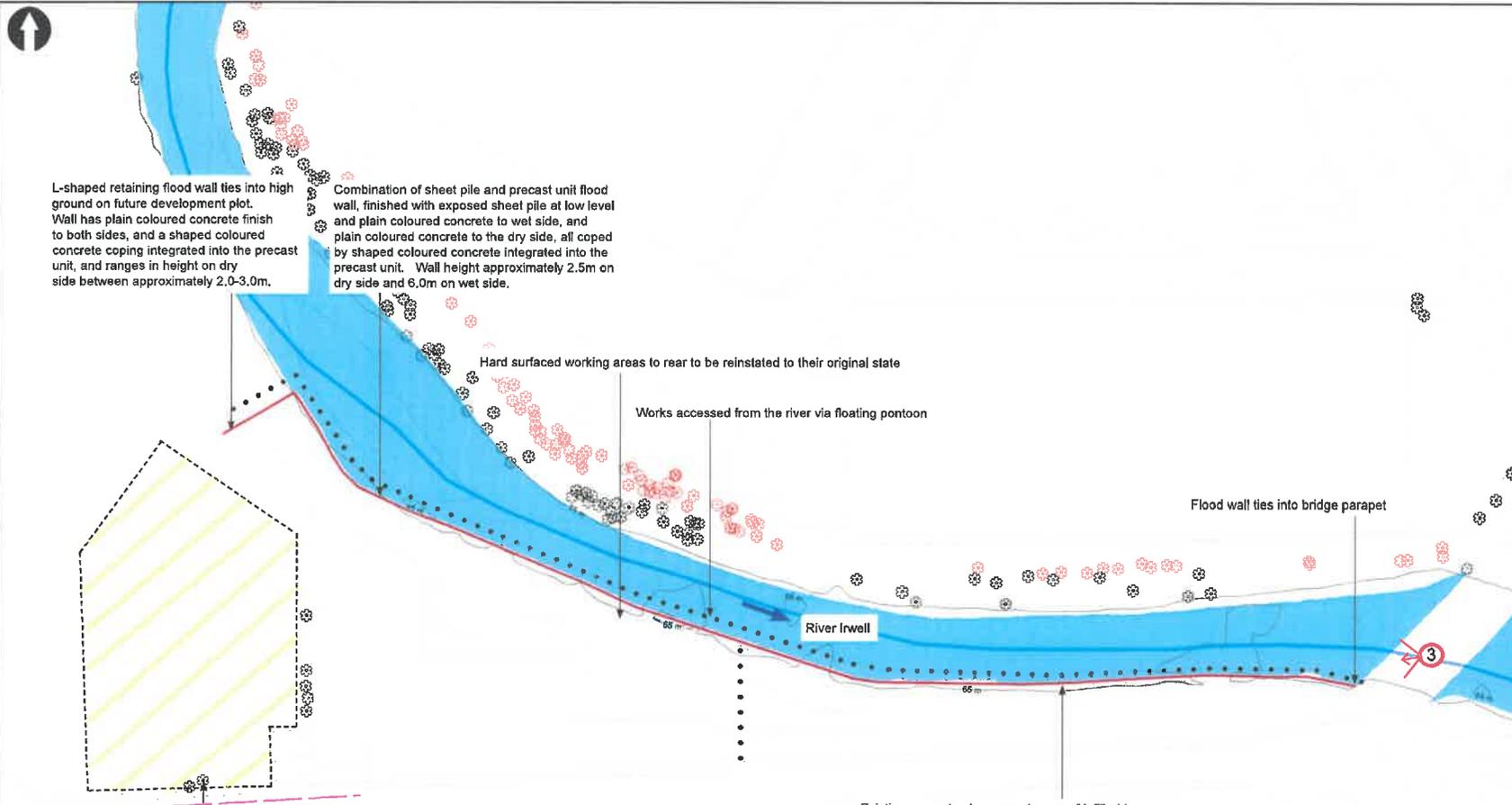
Environment Agency

Environment Agency
Richard Farndough House
Knudsford Road
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WA4 1HG

Title
Raddiffe & Redvales FRMS
Component 37 York Street
Planned Development Area
Chainage 0-270 Plan & Section
Sheet 1 of 1

Designed	J Holden	J1	Eng. check	J Stirling	JS
Drawn	C Chou	CC	Coordination	S Lee	SL
Eng. check	A Barlas	AB	Approved	J Stirling	JS
MMD Project Number	408463		Scale at A1	As Shown	Security STD
Sustainability Description					Sub. Code S2
Fit for Information					
Project Code	ENV0003389C-BMM-DZ-4WN-DR- T		Revision:		P02

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L-shaped retaining flood wall ties into high ground on future development plot. Wall has plain coloured concrete finish to both sides, and a shaped coloured concrete coping integrated into the precast unit, and ranges in height on dry side between approximately 2.0-3.0m.

Combination of sheet pile and precast unit flood wall, finished with exposed sheet pile at low level and plain coloured concrete to wet side, and plain coloured concrete to the dry side, all coped by shaped coloured concrete integrated into the precast unit. Wall height approximately 2.5m on dry side and 6.0m on wet side.

Hard surfaced working areas to rear to be reinstated to their original state

Works accessed from the river via floating pontoon

Flood wall ties into bridge parapet

River Irwell

Existing concrete slope area to rear of infilled to match surrounding ground level and reinstated to hardstanding

Protective fencing to be erected adjacent to trees at the edge of the site compound, maintained throughout the course of the works, in accordance with BS 5837:2012
Trees in relation to design, demolition and construction



Viewpoint 3 - Existing situation



Viewpoint 3 - At completion of proposals

Numbers of individual trees to be removed to be confirmed throughout site area, and subject to working areas required

Non-native invasive species grow along the river embankments. The Environment Agency are undertaking active treatment of invasive species within the footprint of existing assets, this will continue for any future assets as a result of the Scheme. The contractor must accommodate this work, and comply with all requirements. Seeding in these areas is subject to confirmation of successful treatment.

Location Map

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Key to Symbols

- Engineering measure
- Water and flow direction
- Public Rights of Way (PRoW)
- Site of biological interest
- Existing Data Terrain Model (DTM) - 5m contours
- Tree removed (indicative canopy)
- Tree retained (indicative canopy)
- Approx. area EG9 meadow seed
- Approx. area EM1 meadow seed
- Approx. area EM8 meadow seed
- Area of invasive species (treatment by others)
- Landscaping works as designed by Groundwork (see drawing reference GM 2228 03)
- Approx site compound
- Photograph/ visualisation location and direction
- Construction site access

Notes

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6. Landscape works designed by groundwork (see drawing reference GM 2228 03)

P02	04/10/19	GO	Update to Client Comments	MB	JS
P01	26/09/19	GO	First Issue	MB	JS
Rev	Date	Drawn	Information	CHK'd	App'd

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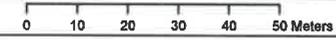
Client

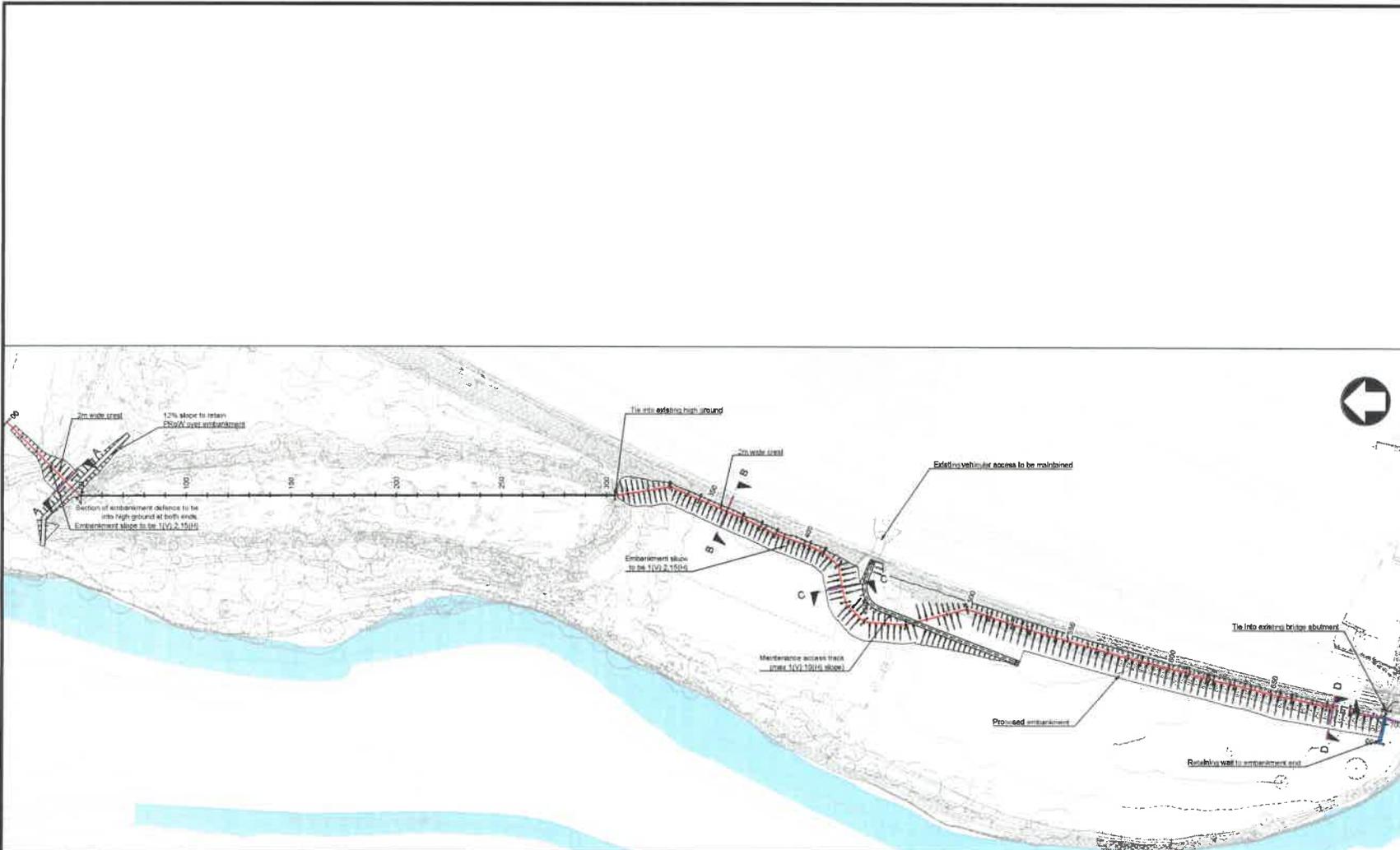
 Environment Agency
 Richard Fairclough House
 Knutsford Road
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 WA4 1HG

Title
 Raddiffe and Redvales FRMS
 Phase 2 Detailed Design
 Component 37
 Final Landscape Masterplan

Designed	R Costa	RC	Eng Check	M Brewster	MB
Drawn	G O'Donovan	GO	Coordination	M Brewster	MB
GIS Check	T Ruff	TR	Approved	J Stirling	JS

Scale at A3	Status	Rev	Security
1:1,000	S2	P02	STD
Drawing Number			
ENV000389C-BMM-DZ-4WN-DR-L-0307021			





Lower Hinds Plan
1:1000

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Key to symbols

- Centreline of proposed defence
- Centreline of defence - no formal defence required
- Embankment
- Retaining L wall

Reference Drawings

Rev	Date	Drawn	Description	Crtd/	App'd
P01	26/05/19	CC	Draft for EA review	JS	JS
P02	07/10/19	CC	For Planning Submission	JS	-

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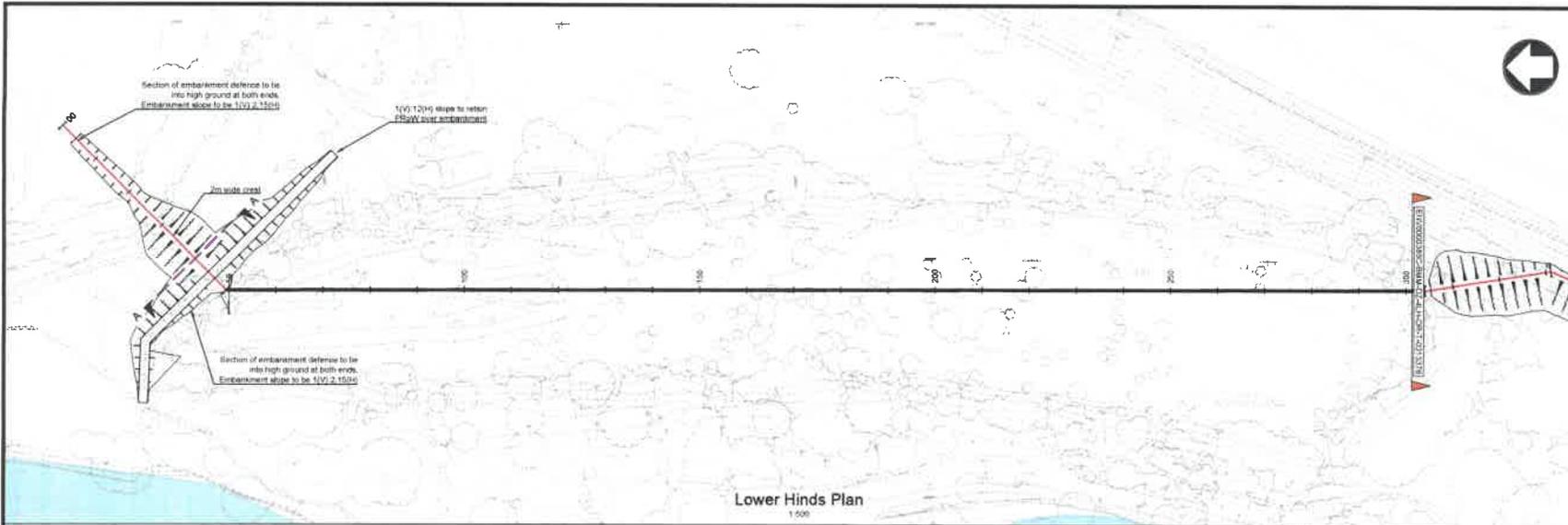
Title

**Radcliffe & Redvales FRMS
Component 6 Lower Hinds
Planned Development Area
General Arrangement
Sheet 1 of 4**

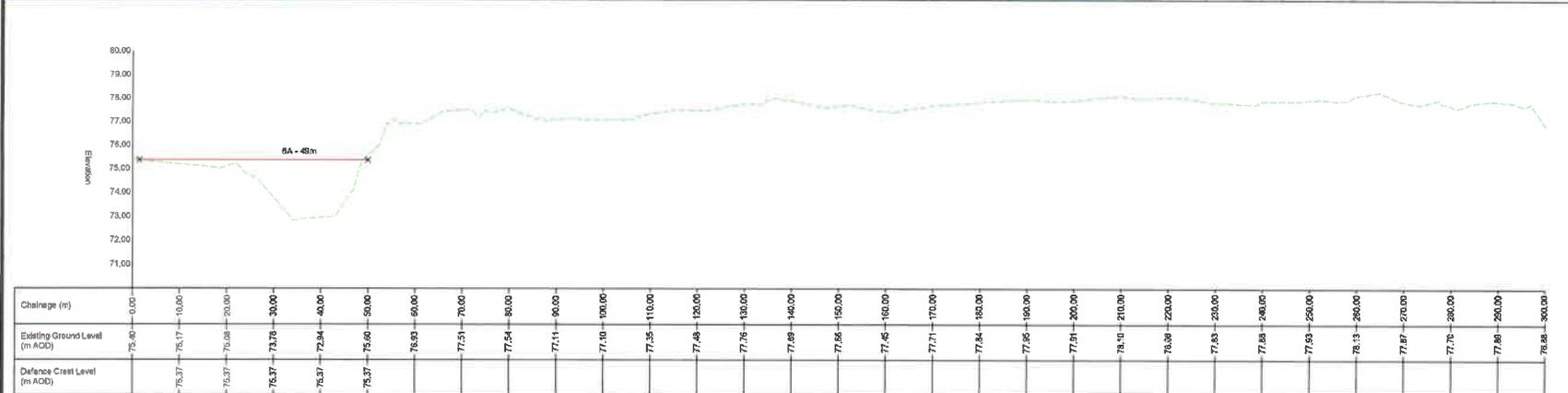
Designed	J.Holden	JH	Eng. check	J.Starling	JS
Drawn	C.Chau	CC	Coordination	S.Les	SL
Dwg. check	A.Burke	AB	Approved	J.Starling	JS
MMD Project Number	408463		Scale at A1	1:1000	
Suitability Description	Fit for Information		Suit. Code	S2	
Project Code	Originator Volume	Location	Type	Date	Sheet Number
ENV000389C-BMM-DZ-4LH-DR-	T	-	-	0213374	P02

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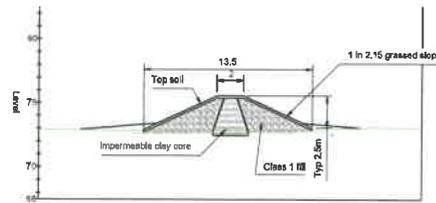




Lower Hinds Plan
1:500



Lower Hinds Profile
H:1:500 V:1:100



Section A - A
1:200



Notes

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Key to symbols

- Centreline of proposed defence
- Centreline of defence - no formal defence required
- Existing Ground Profile
- Embankment

Reference Drawings

Rev	Date	Drawn	Description	Chk'd	App'd
PO1	26/09/19	CC	Draft for EA review	JS	JS
PO2	07/10/19	CC	For Planning Submission	JS	-

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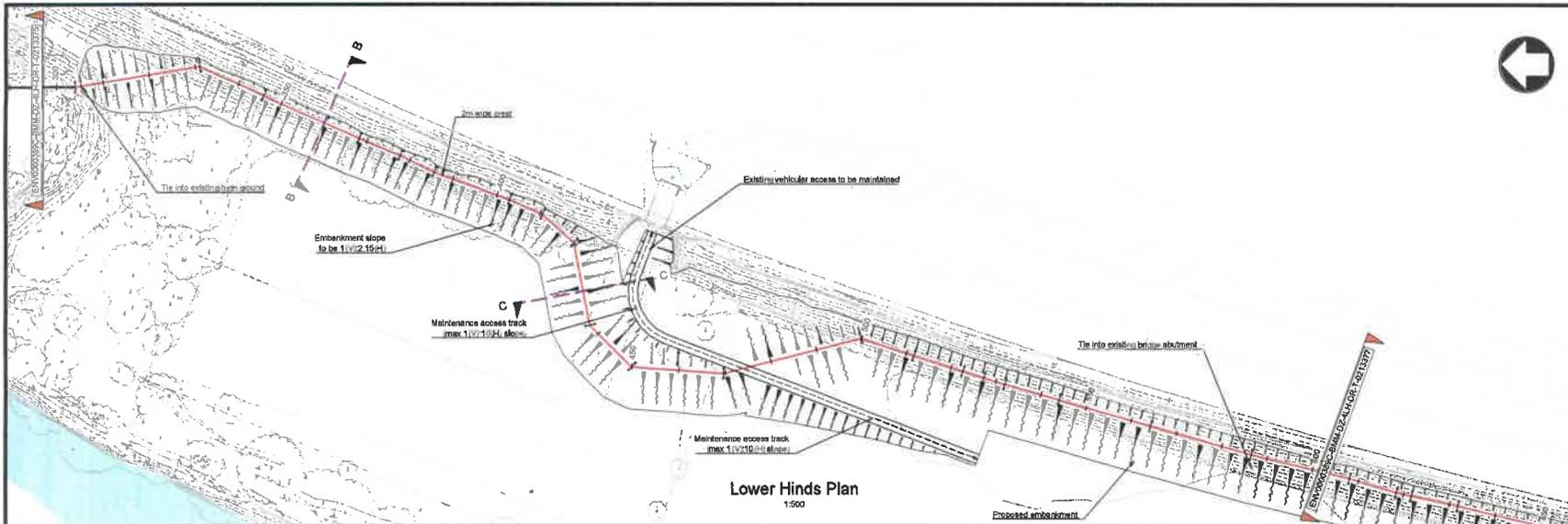
Title

**Raddiffe & Redvales FRMS
Component 6 Lower Hinds
Planned Development Area
Chainage 0-300 Plan & Section
Sheet 2 of 4**

Designed	J.Holden	JH	Eng. check	J.Starting	JS
Drawn	C.Chau	CC	Coordination	S.Lee	SL
Dwg. check	A.Barke	AD	Approved	J.Starting	JS
MMD Project Number	408463		Scale at A1	As Shown	Security STD
Suitability Description	Fit for Information		Rev'd		Rev'd
Printed Date	08/10/2019	08/10/2019	Time	10:10	Sheet Number
ENV0000389C-BMM-DZ-4LH-DR-1	T	02113375			P02

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- Key to symbols**
- Centreline of proposed defence
 - Centreline of defence - no formal defence required
 - Existing Ground Profile



Embankment

Reference Drawings

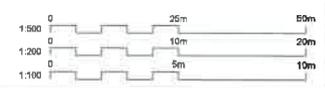
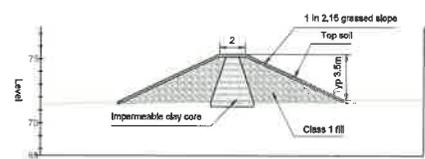
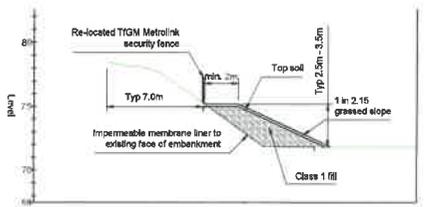
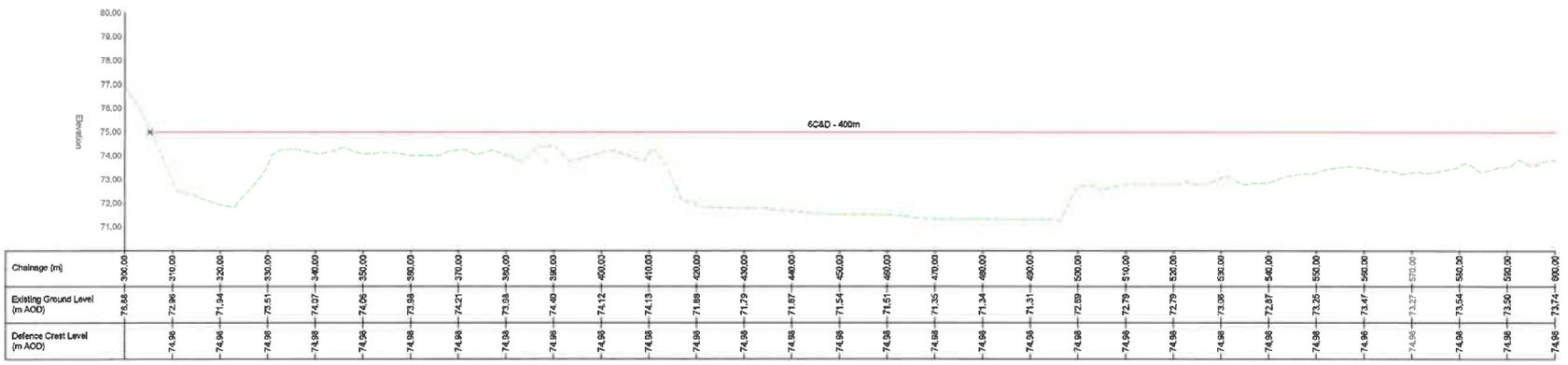
Rev	Date	Drawn	Description	CHK'd	App'd
P01	26/09/19	CC	Draft for EA Review	JS	JS
P02	07/10/19	CC	For Planning Submission	JS	-

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Title
Raddcliffe & Redvales FRMS
Component 6 Lower Hinds
Planned Development Area
Chainage 300-600 Plan & Section
Sheet 3 of 4

Designed	J. Holson	JH	Eng. check	J. Starling	JS
Drawn	C. Chau	CC	Coordination	B. Lee	SL
Dwg. check	A. Burke	AB	Approved	J. Starling	JS
MMD Project Number	408463		Scale at A1	As Shown	Security STD
Suitability Description					Suit. Code S2
Fit for Information					Revision P02



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Ward: Prestwich - St Mary's

Item 06

Applicant: Moxruby Ltd

Location: Land adjacent to 152 Butterstile Lane, Prestwich, Manchester, M25 9TJ

Proposal: Erection of attached 2 storey building comprising of ground floor retail unit with 1no. flat above

Application Ref: 64902/Full

Target Date: 20/01/2020

Recommendation: Approve with Conditions

Description

The application relates to a small rectangular plot (70sqm) of hardstanding at the southern end of the Neighbourhood Shopping Centre, on the corner of Butterstile Lane and Carr Avenue. The commercial centre, with some residential accommodation on the upper floors, is constructed of red brick and situated to the north and there are houses to the front, south side and rear. There is a service road to the rear, serving the shopping centre and there is on street parking along Butterstile Lane in front of the shopping centre. The land level gradually down Carr Avenue from Butterstile Lane.

The house immediately to the rear (No.2 Carr Avenue) has a driveway and carport along the boundary with the service road. Across Carr Avenue to the south, No.154 Butterstile Lane has a side garden with boundary hedge and a ground floor kitchen window, stairwell and bathroom windows in the side elevation facing the site.

The application proposes a two storey red brick building attached to the existing unit at 152 Butterstile Lane. The new build would have a retail unit (40sqm) at ground floor with a shopfront onto Butterstile Lane and a 2-bed flat at first floor level. The building would extend out 5.5m to the back of the footway on Carr Avenue and run back 8m before the building cuts back into the site to form the two storey flat roofed stairwell at the rear. There would be a secondary shop window at ground level on the Carr Avenue frontage and a lounge window to the flat at first floor. There would be a parking space and a bin storage area at the rear with access onto the service road.

Relevant Planning History

02073/E - Three storey commercial premises comprising of ground floor storage, first floor shop and second floor flat - Enquiry completed 09/01/2018

02321/E - Erection of 2/3 storey building comprising of ground floor shop and first floor flat - Enquiry completed 01/08/2019

63920 - Erection of attached 2/3 storey building comprising of ground floor retail unit with 2 no. flats to upper floors - Refused 16/05/2019

Publicity

Immediate neighbours notified by letter dated 26/11/19. Three objections have been received from the occupiers of Nos.2, 4 and 6 Carr Avenue

- It will cause more traffic and parking problems at an already bad spot. Shoppers frequently park on double yellow lines at the top of Carr Ave causing buses and cars unable to safely turn at this junction, it is a very narrow part of land for the build but it will change a busy junction for the worse.
- It will alter the line of sight for all vehicles approaching the junction.
- The building will block out light to house at the rear.
- There is no room for delivery vans.

The objectors have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Drainage Section - No objection.

Environmental Health - No objection subject to conditions

United Utilities - No objection.

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

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
S1/5	Neighbourhood Centres and Local Shops
S2/1	All New Retail Proposals: Assessment Criteria
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
EN1/8	Shop Fronts
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury
NPPF	National Planning Policy Framework
HT6/2	Pedestrian/Vehicular Conflict

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 - S1/5 - Neighbourhood Centres and Local Shops. The Council will seek to retain retailing (Class A1), as the predominant use in small neighbourhood centres and in new or existing local shops, to cater primarily for the day to day needs of residents and businesses.

S2/1 - All New Retail Proposals: Assessment Criteria. The Council will support new retail development proposals which accord satisfactorily with the following factors:

- a) are within or immediately adjoining the main shopping area of existing centres;
- b) sustain or enhance the vitality and viability of a centre;
- c) are accessible by and would encourage greater use of public transport;
- d) are in conformity with other policies and proposals of the Plan.

Having successfully established the principle of development, all retail proposals will be considered with regard to their environmental impact and must take account of the following factors:-

- e) they should have regard to their surroundings in terms of design, scale, height, bulk, use and colour of materials and landscaping;
- f) the effects on the environment of the area as a result of increased traffic generation and servicing;
- g) the design of the proposal with regard to safety and security for shoppers, workers, visitors and surrounding occupiers;
- h) the effects on the amenity of nearby residents or businesses by reason of noise, smell, litter or opening hours;
- i) access and, where appropriate through negotiation, facilities for the mobility impaired;

- j) the provision of associated facilities. Where applicable, proposals should attempt to provide an appropriate level of additional community benefit and/or offset the loss of or impact on any amenity or resource present on the site. The following facilities serve as examples; creche/children's play, baby changing and feeding, public conveniences (including provision for the disabled) and recycling facilities;
- k) the provision of adequate car parking and servicing.

EC4/1- Small Businesses. Proposals for small businesses will be acceptable when the scale of development is appropriate to, and the use is environmentally compatible with, the surrounding area in which it is to be located, and where they do not conflict with other policies and proposals of the Plan.

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.

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.

Principle - The site is within a Neighbourhood Centre and surrounded by residential development. The principle of some form of development on the site may be acceptable subject to design, siting and highway issues being appropriately addressed.

Visual amenity and Streetscape - The site has remained unused other than for occasional informal parking and bin storage. It has become overgrown and with concrete posts, the remnants of a previous fence, along the back of the footway, the sight appears somewhat unsightly.

Infilling the gap between the existing gable of the row of shops and the back of the footway would extend the commercial row without having a significantly detrimental impact on the commercial streetscape along Butterstile Lane. Although stepped down in height from the adjoining building, the new structure would have the effect of narrowing the space across Carr Avenue from 22m to 16.5m, between the gable of the shops and the side elevation of the house at No.154 Butterstile Lane. However, given the commercial nature of the site and with the building constructed in materials to match the adjoining commercial row and with an intervening service road between the site and the house immediately to the rear (No.2 Carr Avenue), it would not have a seriously detrimental impact on the character of the immediate locality.

Whilst in a purely residential setting, characterised by detached and semi-detached houses, there would be an argument to restrict building to the back of the footway, this particularly site has a distinctly commercial character which could accommodate some form of infill without appearing out of character. The shopfront design and the access to the shop at ground floor, whilst being set down from the existing shop frontages along the row, is generally acceptable and would not be out of keeping with the existing building and would not appear incongruous within the wider streetscape. The tiled pitched roof would also be in keeping with the general appearance of the surrounding properties.

The proposal would, in terms of visual amenity be acceptable and comply with the NPPF

and UDP Policies EN1/2 Townscape and Built Design and the guidance within SPD 16 Design and Layout of New Development in Bury.

Traffic and Parking - In terms of parking for the Neighbourhood Centre, there is on street parking in front of the shops along Butterstile Lane and Sandy Lane. The proposal itself includes a single parking space, together with bin storage at the rear of the site and also allows for adequate visibility out of the unadopted service road.

Whilst the proposal is likely to lead to customer and delivery vehicles parking and carrying out manoeuvres on the highway, customers visiting the centre and any delivery vehicles would do this in any case and existing residents above the shops, for the most part, do not have dedicated off-road parking. As such the proposals do not significantly alter the existing situation.

There are no objections from the Traffic Team and the proposal, with appropriate conditions, would comply with the NPPF and the following UDP Policies EN1/2 Townscape and Built Design, HT6/2 Pedestrian/Vehicular Conflict.

Residential Amenity - The proposed new building, extending off the existing row is not considered to be particularly large and, within the streetscape, the impact on neighbour amenity is negligible. The immediate neighbour at No.152 Butterstile Lane is a coffee/sandwich shop which has a flat above. The neighbour to the rear is set down at a lower level and has windows facing the site but these are either non-habitable or secondary/side windows that cannot be afforded significant weight in any assessment. The habitable windows in the first floor flat are a sufficient distance away from surrounding neighbours and as such there are no serious overlooking issues.

The proposal in terms of the residential amenity, would be acceptable and complies with UDP Policy H2/1 The Form of New Residential Development.

Objections - The issues raised by the objectors have been addressed in the above report.

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 BL/PL/19/101A 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. Details/Samples of the (materials/bricks) to be used in the external elevations,

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

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

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

- Foundation details for the proposed building confirming that there will be adverse impact on/no encroachment under the adjacent adopted highway;
- Finished floor slab and parking space levels relative to Carr Avenue and Butterstile Lane;
- A scheme of footway works on Carr Avenue and Butterstile Lane to a specification to be agreed, incorporating the reconstruction of the footway abutting the site required as a result of the construction of, and statutory undertakers connections to, the building, demarcation of the limits of the adopted highway and all associated highway remedial works required as a result of the removal of the existing boundary wall, including, if required, the relocation/replacement of the existing street nameplate;
- Measures at the interface with the adopted highway to ensure that there will be no level differences between the back of the footway and the site;
- Measures to prevent vehicles encroaching onto/vehicle doors opening into the path of pedestrian on, the adjacent footway;
- Bin storage arrangements within the curtilage of the property for the commercial and residential uses proposed in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

The details subsequently approved shall be implemented to the satisfaction of the Local Planning Authority prior to first occupation of the dwellings hereby approved.

Reason. To ensure good highway design, maintain the integrity of the adopted highway and ensure the intervisibility of the users of the site and the adjacent highways in the interests of highway safety.

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

- Hours of operation and number of vehicle movements;
- Storage of construction materials within the curtilage of the site;
- Method statement to cover the delivery and storage of materials and all works abutting the adopted highway, including the provision, where necessary, of site hoardings and safe temporary scaffolding arrangements and associated pedestrian protection measures on the adjacent adopted highways;
- Measures to ensure that all mud and other loose materials are not either carried on the wheels and chassis of any vehicles leaving the site or spread onto the adjacent highways as a result of the proposed groundwork operations, along with measures to minimise dust nuisance caused by the operations.

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

Reasons. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of

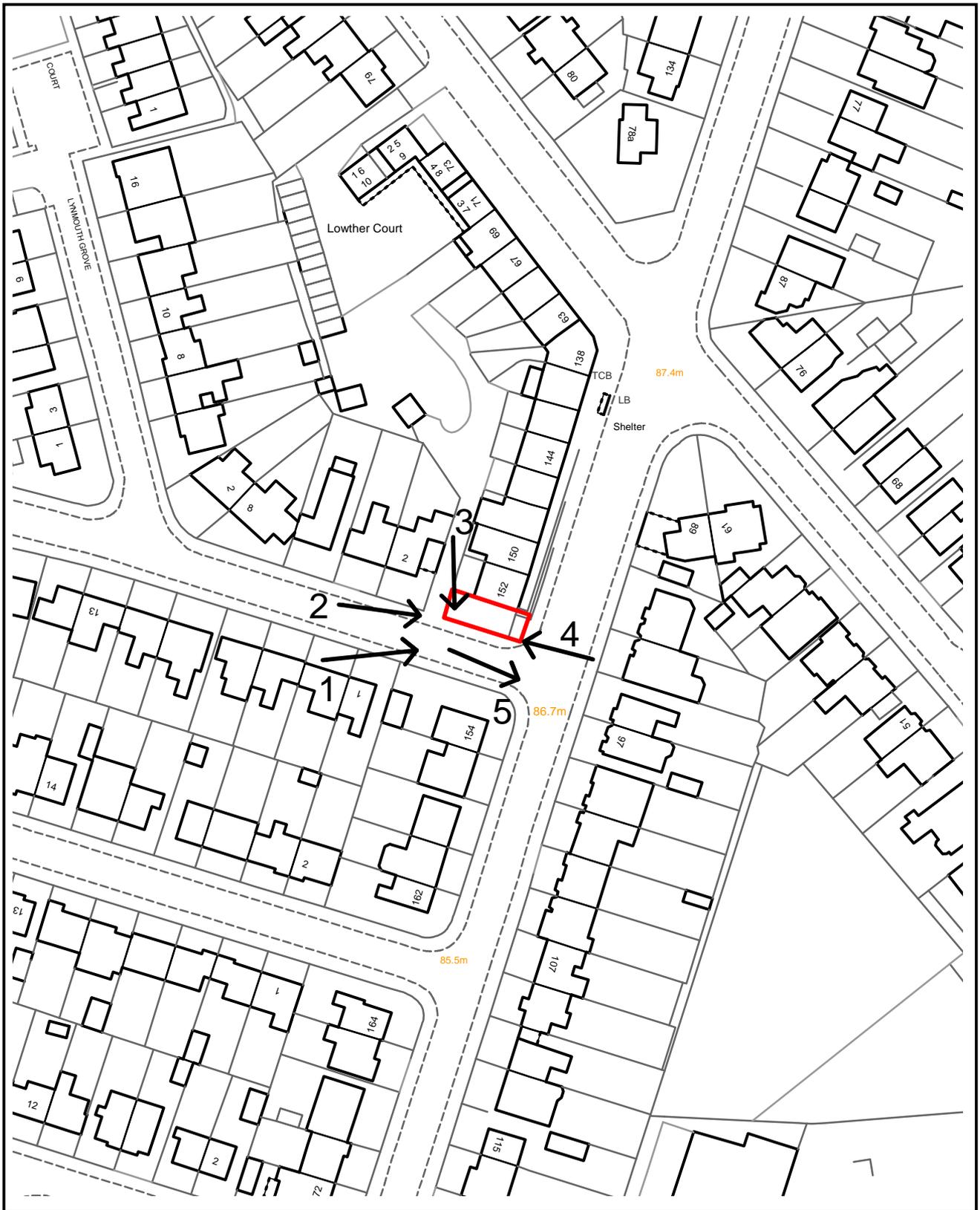
deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

6. Prior to the commencement of development, details of the boundary treatment along Carr Avenue shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.

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.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 64902

**ADDRESS: Land adj to 152 Butterstile Lane
Prestwich**

Planning, Environmental and Regulatory Services

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64902

Photo 1



Photo 2



64902

Photo 3

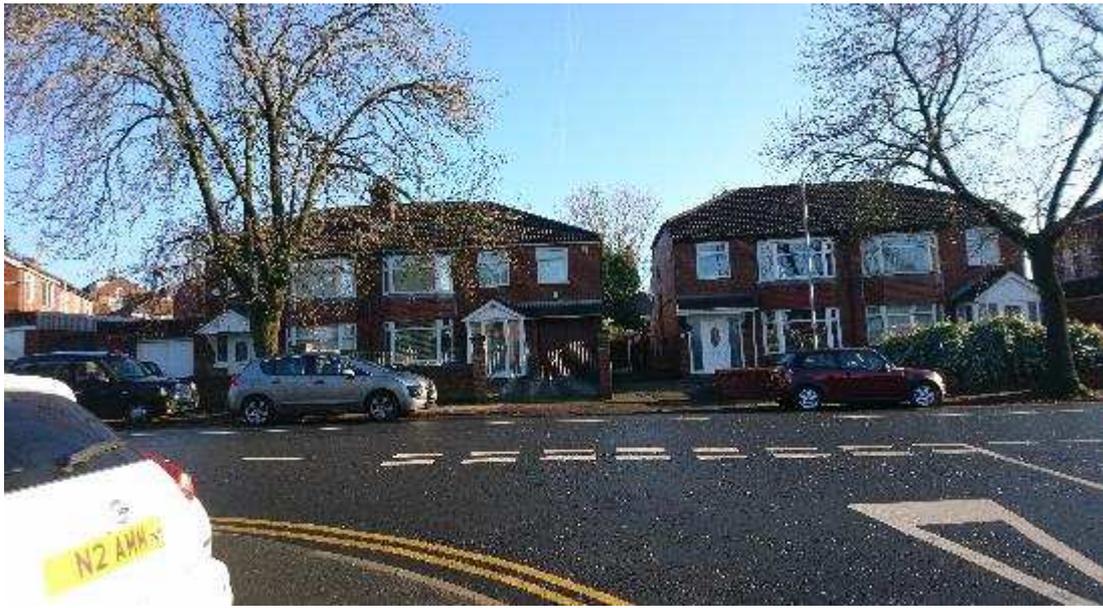


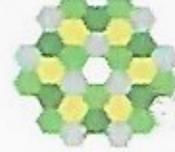
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64902

Photo 5

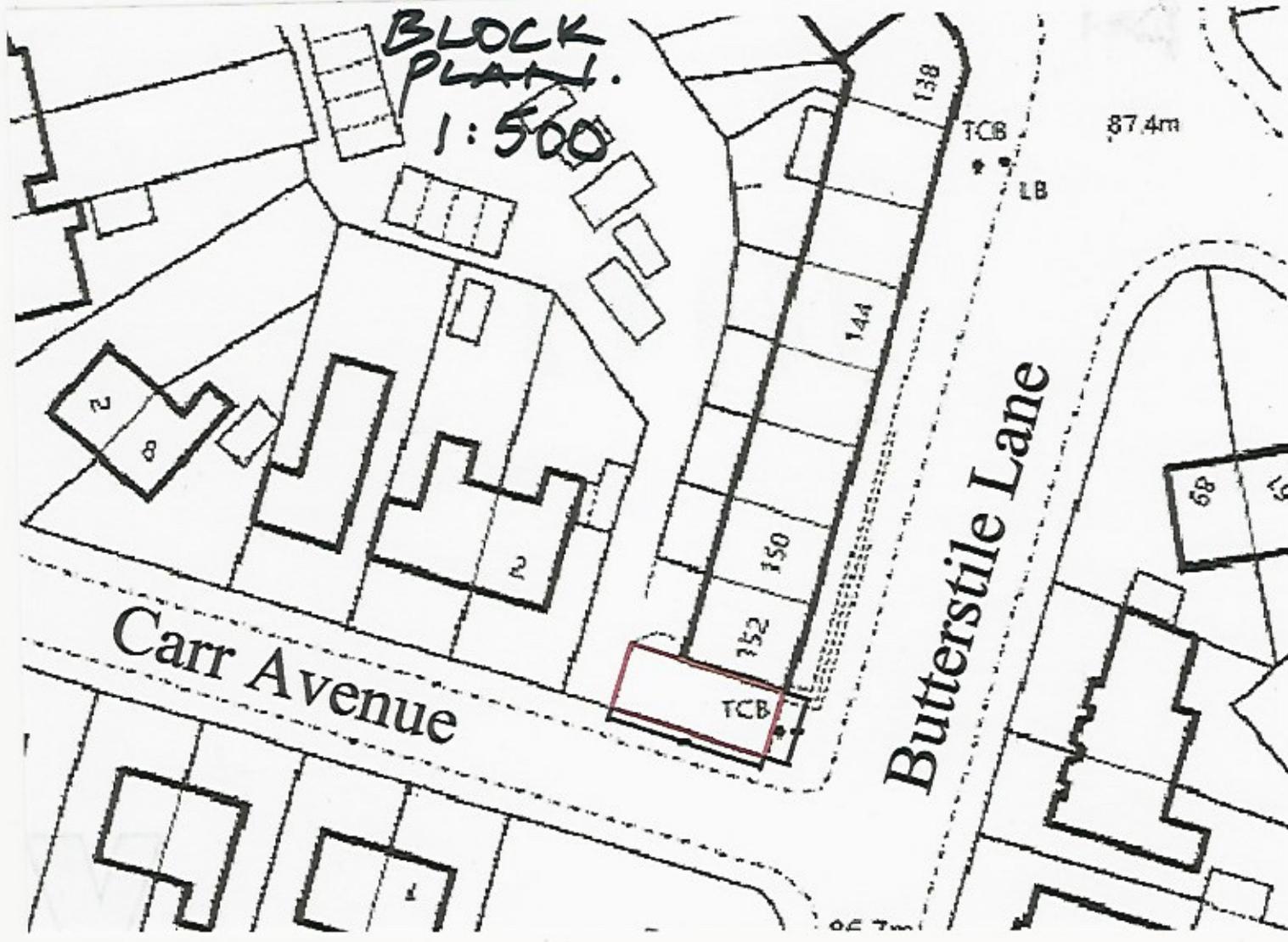




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BLOCK
PLAN 1.
1:500



87.4m

Carr Avenue

Butterstile Lane

TCB

TCB

LB

138

144

150

152

2

8

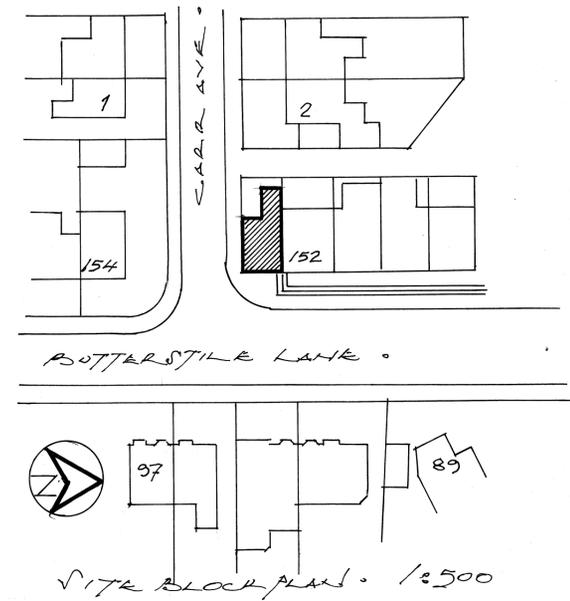
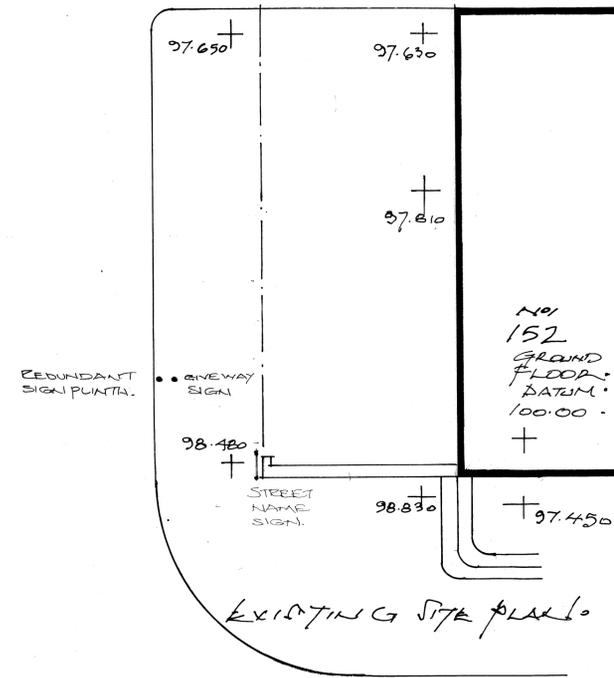
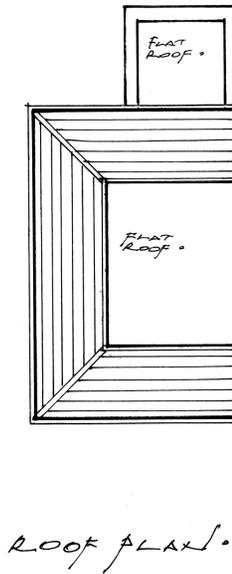
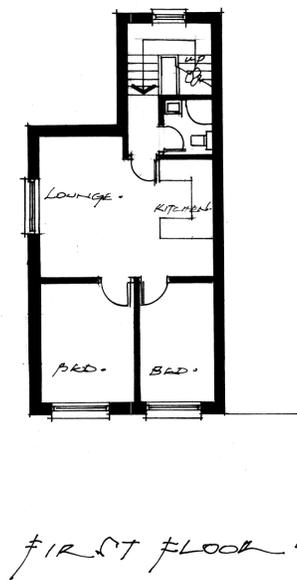
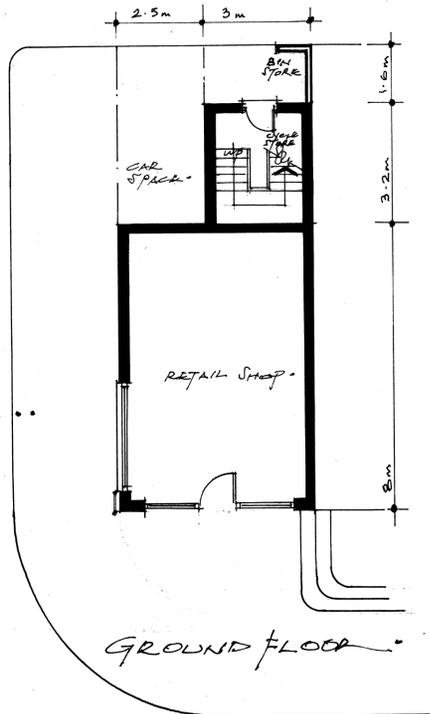
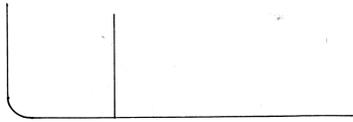
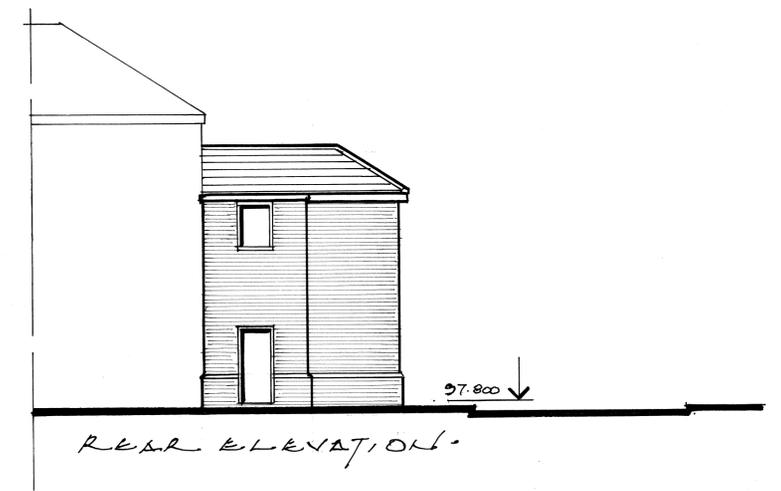
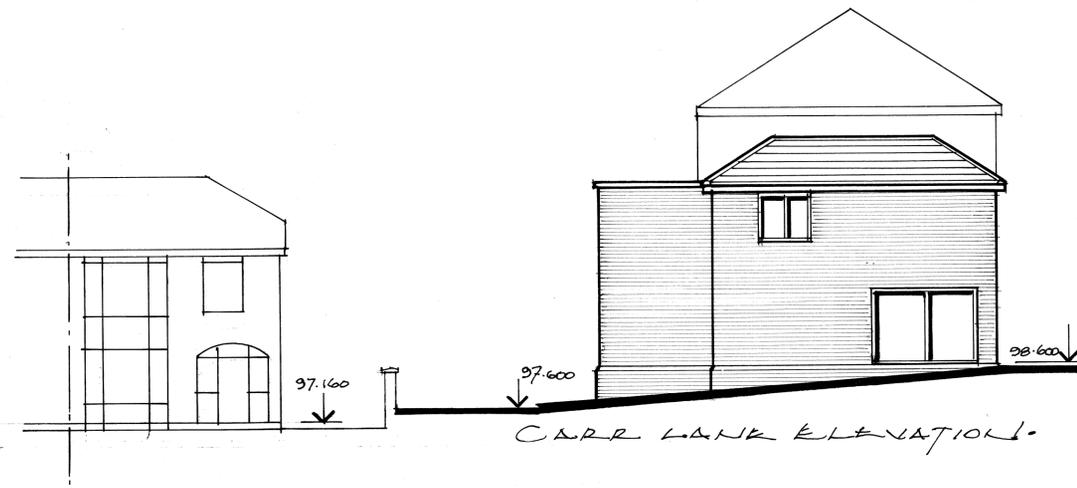
2

68

19

4

86.7m



REV A - STREET FURNITURE ADDED

SITE			
SITE ADJACENT 152 BUTTERSTILE LANE, PRESTWICH			
PROJECT			
NEW RETAIL WITH RESIDENTIAL UNIT OVER			
TITLE			
EXISTING AND PROPOSED PLANS AND ELEVATIONS			
SCALE	DATE	DRAWN	DRAWING NO.
1:100	Nov '19	RCR	BL/PL/19/101 REV A.

RT DESIGN
Architectural & Surveying Consultants

304 Valley Mill,
Cottonfields,
Eagley, Bolton,
BL7 9DY
Tel: 01204 591411

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