Ward: Bury East Item 05

Applicant: Bury Council

Location: Land & buildings at Murray Road/2-10 Princess Parade/47-51 Market Street & Bury

Market, Bury, BL9 0BJ

Proposal: 1. Demolition of buildings and erection of flexible events hall with associated

servicing, parking and landscaping:

2. New canopy structure to cover existing outdoor market;

3. Temporary permission sought for area of Bury Market car park to be utilised for

site cabins for the duration of the build

Application Ref: 69580/Full **Target Date:** 08/08/2023

Recommendation: Approve with Conditions

Description

The flexi hall/market application site is 1.31 hectares in size and includes the outdoor section of Bury market and buildings at 1 Murray Road, 47 - 51 Market Street and 2 - 10 Princess Parade. The buildings at Princess Parade and Market Street contain commercial and retail units and are two storeys in height. The building on Murray Road contains the market offices and is single storey.

Currently, the site is accessed from Angouleme Way via Murray Road and Hilton Road. There are a small number of parking spaces accessed from Hilton Road and a coach drop off on Murray Road, which connects to Angouleme Way.

There are commercial units to the north and west. Bury interchange is located to the east of the site and Angouleme Way forms the boundary to the south.

The proposed development involves:

- the demolition of the existing buildings (1 Murray Road, 47 51 Market Street and 2 10 Princess Parade);
- the erection of a new flexible events hall;
- the erection of a new canopy structure to cover the existing outdoor market;
- temporary permission for a construction compound on the Bury Market car park.

<u>Flexible events hall</u> - The proposed flexi hall would be located in the western part of the site and would contain two floors and would be three storeys in height. The proposed building would be constructed from brick and timber and would be accessed from Murray Road. The proposed flexi hall would be used for a variety of uses as follows:

- conferences, meetings and training;
- AGMs, business to business networking;
- banquets, awards dinners, drinks receptions;
- small trade exhibitions, public exhibitions
- weddings, private parties, christmas parties
- community use including support groups, hobby groups, indoor sports, well being and public information exhibitions;
- gigs, tribute nights, dance, boxing matches;
- festivals, pop up trading.
- offices for use by the market staff

New canopy structure - The proposed development involves the erection of a canopy above

the external market. The proposed canopy would be constructed from a membrane with polycarbonate panels and would consist of a canopy with a series of pitched roofs, which would be set above the existing market stalls.

Temporary construction compound - The proposed construction compound would be erected in the south eastern corner of the market car park, which is on the south side of Angouleme Way. The proposed compound would be in place for a temporary period of 21 months and would measure 54 metres by 34 metres. It would contain the market office (temporarily), Contractor offices and welfare facilities, storage containers, security point and staff parking. The proposed compound would have solid hoardings (3 metres in height) on the perimeter with gates for access. The proposed development would be accessed from Spring Street. The cabins would be double stacked and would be two storeys in height.

The vehicular access would be from Angouleme Way and a car park containing 6 disabled parking bays would be provided. The existing coach drop off point and access to the external market would be retained.

Relevant Planning History

Pre-application enquiry

02759/E - Demolition of existing building and creation of new flexi hall, market canopy and associated external works, parking and servicing at Bury Market, 1 Murray Road, Bury> Enquiry completed - 17 October 2022.

Planning applications

47600 - Provision of two new market stalls at Bury Market, Market Square, Bury. Approved with conditions - 29 March 2007

48058 - Provision of security gates and railings to existing outdoor market (resubmission) at Bury Market, off Market Square, Bury. Approved with conditions - 13 June 2007.

56476 - Demolition of disused toilet block and modification to interchange structure to create a bus-only access onto Angouleme Way and associated works at Bury Interchange, Haymarket Street, Bury. Approved with conditions - 14 August 2013.

57862 - Change of use of land from vacant former PFS site to a temporary coach drop-off facility for Bury Markets, including a new access to the site from Murray Road and a new exit onto Angouleme Way. Surfacing works to create a uniform surface for coach passengers to alight/board at site of former fuel station, junction of Angouleme Way/Murray Road, Bury. Approved with conditions - 9 October 2014.

63318 - Change of use from bank (Class A2) to restaurant (Class A3) with ancillary children's play area on first floor and exterior alterations including 2 no. flues at rear at 51 Market Street, Bury. Approved with conditions - 4 December 2018

64288 - Addition of new curved roof section to the Edward Stall block 'A' at Bury Market, Angouleme Way, Bury. Approved with conditions - 5 September 2019.

69323 - Prior approval for proposed demolition of 3 no. existing buildings and removal of market canopies (enabling works for proposed new Flexi hall and market canopy and associated landscaping and servicing) at Bury Market, Murray Road, Bury. Prior approval required and granted - 2 March 2023.

Publicity

The neighbouring properties were notified by means of a letter on 11 May 2023 and a press notice was published in the Bury Times on 18 May 2023. Site notices were posted on 18 May 2023.

- 1 letter has been received, which has raised the following issues:
- Millgate Management have not been very clear with what the plans are and many

retailers in the area are extremely concerned and worried by the uncertainty. Many retailers have been given different or contradicting information resulting in uncertainty such as extending lease agreements or making business forecasts. Though we appreciate they can only tell so much, a clearer and more transparent approach by The Millgate Shopping Centre and Bury council would be appreciated.

- Talks of town centre changes and funding have been going on since around 2021, therefore, for the Millgate to sign retailers up for leases or long term leases at least, is unfair. Retailers spend a lot of time, effort and finance to set up.
- With many areas and buildings being knocked down including much of princess parade, we are concerned that this will make bury town centre an inaccessible place. Visitors are reliant on certain routes and particular modes of transport to enter the parade. Knocking down part of Princess Parade and work in the surrounding area, will make this area inaccessible by foot or by bus.
- Concern that footfall floor to the area resulting in a massive downfall of customers, thus
 resulting in massive loss of trading. Less shops on the parade mean less customers
 interested in the area.
- We would expect for retailers on the parade to be compensated for loss of earnings whether that be while work is taking place or after as foot floor will be reduced.
- Business rates are paid to Bury Council, however, with the planned disruption, we would expect for retailers to be refunded or made exempt.
- When will a feasibility study be conducted for the works? As seen in many town centres
 that have been through similar changes, there are empty spaces and units as trading in
 todays world is difficult and expensive with rates, bills, etc. Is it all going to be prove a
 waste?
- How long is the work expected to take bearing in mind delays, etc?

The objector has been notified of the Planning Control Committee meeting.

Statutory/Non-Statutory Consultations

Traffic Section - No objections in principle. Conditions will be reported in the Supplementary Report.

Drainage Section - No objections, subject to the inclusion of a condition relating to surfacet water drainage.

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

Environmental Health - Air Quality - No objections, subject to the inclusion of a condition relating to dust measures.

Environmental Health - Pollution Control - No comments.

Environmental Health - Commercial Section - No response.

Public Rights of Way Officer - No objections.

Conservation Officer - No objections.

Waste Management - No response.

GM Ecology Unit - No objections, subject to the inclusion of conditions relating to bats, nesting birds and landscaping.

G M Archaeological Advisory Service - No objections.

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

The Coal Authority - No objections, subject to the inclusion of informatives relating to coal. **Transport for GM** - No objections.

Environment Agency - No objections.

Cadent Gas Ltd - No objections, subject to the inclusion of informative relating to gas infrastructure.

Designforsecurity - No response.

Pre-start Conditions - Awaiting confirmation that Applicant/Agent agrees with pre-start conditions.

Unitary Development Plan and Policies

EN1/1 Visual Amenity

EN1/2 Townscape and Built Design	
EN1/3 Landscaping Provision	
EN1/4 Street Furniture	
EN1/5 Crime Prevention	
EN1/7 Throughroutes and Gateways	
EN1/8 Shop Fronts	
EN2 Conservation and Listed Buildings	
EN2/1 Character of Conservation Areas	
EN2/2 Conservation Area Control	
EN2/3 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	
EN7/2 Noise Pollution	
EN7/5 Waste Water Management	
EN8 Woodland and Trees	
RT3/4 Recreational Routes	
RT4/1 Tourism Development	
S1/1 Shopping in Bury Town Centre	
S2/4 Control of Non-Retail Uses in All Other Areas	
S2/6 Food and Drink	
S3/4 Markets	
HT2/4 Car Parking and New Development	
HT4 New Development	
HT5/1 Access For Those with Special Needs	
HT6/1 Pedestrian and Cyclist Movement	
HT6/2 Pedestrian/Vehicular Conflict	
CF1/1 Location of New Community Facilities	
TC1/1 Open Space in Town Centres	
TC1/2 Pedestrian/Vehicular Conflict in Town Centres	
TC2/2 Mixed Use Development	
Area Central Shopping Area	
BY6	
SPD3 DC Policy Guidance Note 3: Planning Out Crime	
SPD6 Supplementary Planning Document 6: Alterations & Extension	ns
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 - Community facilities - Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

impact on residential amenity and the local environment;

- traffic generation and car parking provision;
- the scale and size of the development;
- where applicable, access to shops and other services;
- if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- accessibility by public and private transport;

the needs and requirements of the disabled.

The proposed development includes the provision of a flexi hall for use in conjunction with the market and to enable the market to host events. The proposed development would have good access to shops and other services and would serve the catchment area of the market well. The site has good access to public transport and there are several car parks nearby. As such, the proposed use would be a community facility and would be in accordance with Policy CF1/1 of the Bury Unitary Development Plan.

Principle - Town centre - Paragraph 81 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. 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. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

The proposed development was successful in securing funding for this project from the Levelling Up fund to support improvements at Bury Market, the development of a new flexi hall and enhanced public realm improvements. This scheme forms part of wider plans to transform and regenerate the town centre, which include a new transport interchange and a redeveloped Mill Gate centre. It is recognised that the market plays a vital role for local customers and traders, while also drawing visitors from afar.

Paragraph 86 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

- a. define a network and hierarchy of town centres and promote their long-term vitality and viability by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
- define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
- c. retain and enhance existing markets and, where appropriate, re-introduce or create new ones:
- d. allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
- e. where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
- f. recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Policy S2/4 states that when considering proposals for a non-retail use, the following factors will be taken into account:

- that the proposal is appropriate in scale and character to the requirements of the area and necessary to serve the local needs which would not otherwise be met;
- that the new non-retail use would not result in an over concentration or grouping of uses which could result in a long term loss of trade from a centre compared with a continued Class A1 use;
- whether or not the locality is adequately served by alternative local shopping facilities within reasonable walking distance;
- that a display window is retained or provided, where appropriate:
- that access is provided for the mobility impaired, where appropriate;

that adequate provision is made for car parking and servicing.

Policy S3/4 states that the Council will encourage and support proposals which seek to consolidate and enhance existing market facilities in Bury, Ramsbottom and Radcliffe town centres through environmental and physical improvements.

The proposed flexi hall would provide a flexible space, which would help to diversify the uses within the town centre and allow the town centre to provide a adaptable space. The proposed development would bring footfall into the town centre, which would be of benefit to the market and existing retailers. Overall, the proposed development would have a positive impact upon the vitality and viablity of the town centre and would be in accordance with paragraphs 81 and 86 of the NPPF.

The proposed development would provide a flexible civic space for use in conjunction with the market and a canopy to the existing outdoor stalls on the market. The proposed flexi hall would contain a multi functional space for events, pop up trading, live performance and community events, a cafe, offices for the market and toilets and storage etc. While the proposed development would not be a retail use (Class E), it would complement the market and the surrounding retail units by increasing footfall. through diversification. As such, the proposed development would not harm the existing retail offer and would enhance the market facilities. Therefore, the proposed development would be in accordance with Policies S2/4 and S3/4 of the Bury Unitary Development Plan.

Heritage - The application site is outside Bury Town Centre Conservation Area but the tip of the north west boundary of the site is adjacent to the south east tip of the conservation area boundary. There are some designated and non-designated heritage assets in proximity to the application site, in particular the Grade II listed Kay Monument and Bury College Woodbury Centre, which is a Non-Designated Heritage Asset.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in the exercise of their planning functions to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 199 of the National Planning Policy Framework (NPPF) states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 202 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy EN2/3 states that the Council will actively safeguard the character and setting of

Listed Buildings by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features. Proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained.

This application is part of the wider Bury Town Centre Master Plan for regeneration which includes further re-development of Princess Parade and a new bus station, both of which by virtue of their 1960s and 80's design / materials represent negative features within the setting of the conservation area and other designated and non-designated assets. Opposite Princess Parade is a 19th century Mill Gate building of red brick with stone dressings that elegantly curves around the corner. This forms the southern edge of the Bury Town Centre Conservation Area. It has modern casement windows, 21st century shopfronts and a ground floor metal canopy, as the canopy continues along the modern shopping centre adjacent, it is considered to be a modern addition of no interest.

North from the application site is the Kay Monument, which is a stone structure sat on a series of steps at the centre of a triangular park. The Monument is an attractive feature and due to its prominence and setting is a focal point for the immediate area. The setting of the Grade II listed Kay Monument is intimate and defined by its curtilage constrained by the bus station to the south and Haymarket and Market Street to the west and east respectively.

Bury College Woodbury House is a Non-Designated Heritage Asset sited to the south of the application site, south of Angouleme Way.

The proposed building would not dominate the surrounding built environment being at a similar height to nearby buildings such as the Mill Gate fronting Market Street and the Woodbury Centre. Due to its strong vertical emphasis, the proposed development would represent architectural cohesion with these and other nearby buildings such as the Townside development.

The proposed building would not disrupt key viewpoints into and out of the setting of the Grade II listed Kay Monument and Garden and as such, would have a neutral impact on its setting. It is not considered the proposed building would have such an impact on the setting of the conservation area as to cause harm to its significance. As such, it would preserve the character and appearance of the conservation area.

The proposed development would not be viewed within the setting of the Woodbury Centre. The proposed replacement canopy to the outdoor market would not be visible in the conservation area.

The Conservation Officer has no objections to the proposed development.

Therefore, the proposed development would preserve the character and appearance of the Conservation Area and would have a neutral impact upon the character of the Grade II listed Kay Monument. The proposed development would be in accordance with Policies EN2/1, EN2/2 and EN2/3 of the Bury Unitary Development Plan and paragraphs 199, 200 and 202 of the NPPF.

Design and layout - The proposed scheme has been presented to Places Matter for a design review. There were no objections in principle, but the main concern was centred on a small scale space/square. The design panel did not understand the diagonal axis / importance to the outdoor market area and preferred a simplification of the external design.

The proposed scheme has responded by improving the landscaping and by working towards a longer term plan which would seek to create a larger open space/square so the flexi hall can stand as a key focal point/way finding building. The proposed flexi hall would be a focal point and has been designed to have an active frontage to all boundaries, which would provide a good relationship to the interchange and its subsequent redevelopment.

<u>Flexi hall</u> - The proposed flexi hall would be located so as to create a focal point and would act as a gateway feature to Bury town centre. The location of the proposed hub has been set by analysing the main pedestrian routes from Kay Gardens to the market and along Haymarket Street. The proposed building has been designed so as to create an active frontage to all sides and would be a welcoming, inclusive feature.

The proposed building would be two to three storeys in height and has been designed in two halves. The triangular section of the proposed building would be constructed from timber with three storey high glazing to create the triple height flexi hall. The proposed hall would be multi functional and would be able to accommodate market stalls, pop up trading, live events and community events. The rectangular section of the proposed building would be two storeys in height and would have a more traditional brick construction. This part of the building would contain meeting spaces and offices for the market management team, storage, toilets, staircases and a cafe/bar area.

Overall, the proposed flexi hall would be of a modern design with a strong vertical emphasis to the windows and openings. The proposed materials of brick with timber cladding would b complement the nearby buildings, including those within the Conservation area in colour, whilst providing a contemporary structural element in timber. Therefore, the proposed building would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/1, EN1/2, EN2/1 and EN2/2 of the Bury Unitary Development Plan.

<u>Canopy</u> - The existing canopy, which is constructed from polycarbonate, covers the walkways and would be demolished. The existing market stalls would be retained. The proposed canopy would cover the two areas of the outdoor market and would be constructed from polycarbonate panels with a single ply membrane roof. The proposed canopy would have polycarbonate infill panels and timber facings/soffits on the external face, where signage could be added at a later date.

The design of the proposed canopy has evolved from a sculptural wave with curved glass elements to the current design, which involves the provision of a canopy with a series of pitched roofs. The current design combines the more sculptural form of the original canopy with a simpler geometry, incorporating translucent roof sections and fewer columns. The proposed design would would ensure good light levels within the market and provide weather protection to the users.

The proposed canopy would present a traditional roof form with modern materials and would draw attention to the entrance to the market. The proposed development, including the removal of the existing canopy and the installation of the new canopy would be installed above the existing external market stalls, which would be open during the construction period.

Therefore, the proposed development would not be an unduly prominent feature in the streetscene and would be in accordance with Policies EN1/1 and EN1/2 of the Bury Unitary Development Plan.

<u>Temporary construction compound</u> - The proposed compound would consist of double and single height containers, which would contain offices, meeting rooms and toilet/showering facilities. A security point would be provided and there would be storage containers and a storage area provided as well as an area for staff parking.

The proposed buildings would be temporary and would be located on the eastern part of the site, which would result in the temporary loss of 116 parking spaces. A 3 metre high hoarding would be provided on the perimeter of the site, which would help to screen the proposed buildings. Given the temporary nature of the facility and its location within a commercial part of the town centre and the timber hoarding, it is considered that the proposed development would not be significantly harmful to the visual amenity of the area. Therefore, the proposed development would be in accordance with Policy EN1/2 of the Bury Unitary Development Plan.

Impact upon residential amenity

<u>Flexi hall</u> - Aspect standards (from SPD6) are not relevant in a town centre location. The proposed flexi hall is largely replacing existing built form and outlooks from the existing residential properties would maintain oblique or onward views.

The floor layout of the proposed flexi hall is such that there would only be limited views out from the building at an elevated position and then across internal space within the proposed building. It will have a similar relationship to existing buildings with only a marginal overlooking relationship. However, this is expected in town centre locations. Despite this, the overlooking is considered not to be of any significant concern.

<u>Canopy</u> - The proposed market canopy would be between 4.4 and 5.9 metres in height and the residential properties are at first floor level. By providing a minimum of 9.1 metres between the proposed canopy and the residential dwellings, (which for reference would exceed the aspect standard of 6.5 metres), the proposed canopy would not have a significant adverse impact upon the amenity of the neighbouring properties.

Noise - A noise survey was submitted with the application. The report concludes that the background noise levels for the day, evening and night are 53dB, 48dB and 38dB respectively. The plant for the proposed building would be located on a rectangular area of the roof, which would have a full storey of the rectangular roof space between the plant and the existing dwellings. As such, any noise would be directed towards the interchange and the town centre. The report recommends that any plant should be 5dB below the background noise level, which would be conditioned.

The proposed flexi hall would be used as a venue for events, which may include the use of amplified music. A noise report has been submitted, which has assessed the background noise levels. Technical guidance states that the 'entertainment noise should be controlled to 10dB below the background noise level without the entertainment noise present, in each octave band at the nearest noise sensitive location.' The nearest noise sensitive locations would be the residential properties above Princess Parade.

The report concludes that the criteria for internal sound levels can be achieved in the residential properties, subject to mitigation measures. The mitigation measures would include double glazed window units, cladded walls, ventilators and a sound level monitor or noise limiter within the flexi hall building and a noise management plan, which could include permitted operational hours for amplified music, sound level limits for amplified music and a clear noise complaints and monitoring procedure. All of the mitigation measures would be conditioned. Therefore, the proposed development would not have a significantly adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policy EN7/2 of the Bury Unitary Development Plan.

Ecology - An ecological survey was submitted with the application and the main issues relate to bats, nesting birds and biodiversity mitigation.

<u>Bats</u> - Bat surveys were provided for the prior approval application for demolition, which confirmed that there were no bats found within the buildings. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to bats. Therefore, the proposed development would not have an adverse impact upon a protected species.

Nesting birds - Two breeds of birds (feral pigeon and pied wagtail) were suspected of nesting across the site. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. It should be noted that pigeons are capable of breeding throughout the year and whilst protected on the nest like any birds, they are also listed as a pest species and a 'general license' can be applied for from Natural England to allow work to proceed that would damage pigeon's nests, if present. GM Ecology Unit has no objections, subject to the inclusion of a condition relating to nesting birds.

<u>Contributing to and Enhancing the Natural Environment</u> - Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment.

The existing site is primarily hardstanding with a few young mature trees to the north and south and a small area of amenity grassland. The trees to the south would be lost as part of the proposed development and 1 tree to the north would be removed. The five trees lost would be replaced with around 20 small and medium sized trees, with an increase overall of vegetated land. Given the increase in the number of trees on site and the increased vegetation, the proposed development would be able to enhance the local environment. GM Ecology Unit have no objections, subject to the inclusion of condition relating to landscaping, which would include provision for nesting birds.

Therefore, the proposed development would not have an adverse impact upon a protected species and would be in accordance with Policies EN6 and EN6/3 of the Bury Unitary Development Plan.

Drainage/Flood risk - The existing site consists of predominantly hardstanding and buildings and is located within flood zone 1, which is at low risk of flooding. The proposed redevelopment would include the use of sustainable urban drainage systems. These would include the use of an attenuation tank and rain gardens, which would be landscaped areas. Both of which would contain water and slowly feed it back into the drainage system. The Drainage Officer has no objections, subject to the inclusion of conditions relating to surface water drainage and the location of the columns. As such, the proposed development would not have an adverse impact upon the drainage system and would not increase flood risk to the site or downstream. Therefore, the proposed development would be in accordance with Policy EN5/1 and EN7/5 of the Bury Unitary Development Plan.

Air quality - A air quality assessment was submitted with the application and the impacts to air quality would be from the construction and operational phases.

During the construction phase, the potential impacts to air quality would be from dust emissions. The report states that the use of good practice control measures would mitigate the impacts and reduce air quality impacts to an acceptable level.

During the operational phase, there is the potential for negative air quality impacts as a result of traffic exhaust emissions associated with vehicles driving to and from the site. However, there would be a relatively low number of vehicle trips and the existing provision of electric vehicle charging points on the market car park would ensure that there would not be a significant impact.

Environmental Health - Air Quality have no objections, subject to the inclusion of conditions relating to dust measures.

Therefore, the proposed development would not have a significant adverse impact upon air quality and would be in accordance with Policy EN7/1 of the Bury Unitary Development Plan.

Highways issues - The proposed development would be accessed from Murray Road via the existing vehicular access and there would be acceptable levels of inter visibility. The proposed development would provide a turning area adjacent to 6 disabled parking bays and would maintain access to the existing coach drop off point.

Pedestrian access along the adopted highway would be maintained along Princess Parade, Haymarket Street and Murray Road and pedestrian access would be maintained under the proposed canopy. Revised plans have been provided, which would ensure that the materials used would be paviours which would match the existing town centre. The Traffic Section has no objections in principle and conditions will be reported in the Supplementary

Report.

Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, HT4 and HT6/2 of the Bury Unitary Development Plan.

Parking/Construction compound

Flexi hall - With regard to parking provision, there is no maximum standard within SPD 11.

The current use of the site includes retail units and the market offices, which is served by town centre parking with 5 disabled parking bays located off Murray Road.

The proposed development would provide 6 disabled parking bays adjacent to the proposed flexi hall, which would be 1 more than the current provision. The proposed development would be located next to the interchange and would be accessible for any bus and tram users. In addition, there are public car parks (Trinity Street & Bury Market car parks) on the opposite side of Angouleme Way, which are within walking distance of the proposed development. As such, given the very sustainable location, the level of parking provision would be acceptable in this instance and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan.

<u>Construction compound</u> - The proposed construction compound would be located on 116 spaces within the Bury market car park for a period of 21 months.

A parking strategy was undertaken in November 2022 by Bury Council and states that the car park near the market is 'extremely underutilised on non-market days.' As such, there would be sufficient parking available on non-market days (Sunday - Tuesday and Thursday).

On market days (Wednesday, Friday and Saturday), the market car park is utilised and is almost at capacity. However, the car parks on George Street and Trinity Street and all within walking distance of the market/town centre and would be able to accommodate any parking displaced from the market car park. Therefore, the proposed construction compound would not have an adverse impact upon the level of parking available in the town centre.

Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Community consultation - A series of consultations took place including face to face 'drop in' sessions, meetings with various stakeholders and a webpage where people were able to comment on the proposals prior to the submission of the planning application.

Various meetings have been held with the Bury market Traders Association and discussions have been held with the stakeholders involved in the schemes relating to the adjacent interchange and the Millgate centre.

From Monday 9 January 2023 to Sunday 29 January, a comprehensive public consultation took place, which incorporated an array of approaches, including 'drop in' sessions and online engagement. Presentations were provided at the Bury Town Centre Advisory Board and at the Bury East Community Groups in January.

55 survey responses were received forms after the public consultation.

The feedback from the public consultation and meetings has resulted in several changes to the scheme.

The Council have adopted a town centre masterplan recognising the importance of large stakeholders and their significnat land holdings in the town centre working/knitting together. Each stakeholder will, has or is undertaking further consultation. More consultation will

ensue, but the part for the flexi hall has now reached application stage and requires determination.

The interface between the proposed flexi hall, interchange scheme by Transport for GM and the Millgate proposals has been key and a fundamental part of the proposals, which have evolved collaboratively.

Conclusion

A significant regeneration proposal that has been formulated to work in with wider regeneration proposals will further enhance the town centre viability and vitality and would be an additional functional contribution to the longevity of the outdoor market.

Bold and contemporary in design, the building would replace existing poor buildings within the town centre and would be the first part of major proposals coming forward in due course.

The development would be compliant with planning policy and relationships to pre-existing but limited residential uses would be appropriately maintained.

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

- 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 BURMAR-JHA-V6-XX-DR-A-0145 Rev P02, BURMAR-JHA-00-XX-DR-A-0001 Rev P06, BURMAR-JHA-V6-XX-DR-A-0003 Rev P23, BURMAR-JHA-V6-XX-DR-A-0112 Rev P11, BURMAR-JHA-V5-02-XX-A-0017 Rev P01, BURMAR-JHA-XX-02-DR-A-0015 Rev P14, BURMAR-JHA-V2-02-DR-A-0102 Rev P06, BURMAR-JHA-V2-ZZ-DR-A-0009 Rev P12, BURMAR-JHA-XX-DR-A-0035 Rev P07, BURMAR-JHA-V2-ZZ-DR-A-0029 REV P09, BURMAR-JHA-V2-ZZ-DR-A-0038 Rev P08, BURMAR-JHA-XX-02-DR-A-0034 Rev P10, BURMAR-JHA-XX-02-DR-A-0063 Rev P09. BURMAR-JHA-V2-ZZ-DR-A-0007 Rev P12, BURMAR-JHA-V2-ZZ-DR-A-0008 Rev P12, BURMAR-JHA-V2-ZZ-DR-A-0009 Rev P13, BURMAR-JHA-V2-ZZ-DR-A-0010 Rev P11, BURMAR-JHA-V2-ZZ-DR-A-0042 Rev P11, BURMAR-JHA-V2-ZZ-DR-A-0111 Rev P03, BURMAR-JHA-VS-XX-DR-A-0136 REV P04, BURMAR-JHA-V5-02-DR-A-0013 Rev P11, BURMAR-JHA-V5-XX-DR-A-0162 Rev P01, BURMAR-JHA-V6-ZZ-DR-A-0154 Rev P01. BURMAR-CWC-V2-04-DR-M-5701 P05, BURMAR-CWC-V2-00-DR-M-5701 P4, BURNAR-CWC-V2-ZZ-DR-E-6301 P2, BURMAR-CWC-V2-01-DR-M-5701 P4, BURMAR-JHA-XX-DR-A-0064 Rev P06, BURMAR-JHA-V2-ZZ-DR-A-0023 Rev P08, BURMAR-JHA-XX-DR-A-0016 Rev P13, BURMAR-JHA-V5-02-XX-A-0017 Rev P20, BURMAR-JHA-V5-XX-DR-A-0036 Rev P11, BURMAR-JHA-V5-XX-DR-A-0151

Rev P01. BURMAR-JHA-V5-XX-DR-A-0152 Rev P01. BURMAR-JHA-V6-ZZ-DR-A-0153 Rev P01, BURMAR-JHA-V2-02-DR-A-0004 Rev P22, BURMAR-JHA-V2-02-DR-A-0005 Rev P25, BURMAR-JHA-V2-02-DR-A-0006 Rev P13, BURMAR-JHA-V2-ZZ-DR-A-0042 Rev P10, BURMAR-GLL-V6-00-DR-L-0100 08, BURMAR-GLL-V6-00-DR-L-0102 05, BURMAR-GLL-V6-00-DR-L-0103 05, BURMAR-GLL-V6-00-DR-L-0104 05, BURMAR-GLL-V6-00-DR-L-0105 05, BURMAR-GLL-V6-00-DR-L-0106 05, BURMAR-GLL-V6-00-DR-L-0107 05, BURMAR-GLL-V6-00-DR-L-0108 06, BURMAR-GLL-V6-00-DR-L-0109 04. BURMAR-GLL-V6-00-DR-L-0110 03. BURMAR-GLL-V6-00-DR-L-0112 03, BURMAR-GLL-V6-00-DR-L-0113 03, BURMAR-GLL-V6-00-DR-L-0114 03, BURMAR-GLL-V6-00-DR-L-0115 03, BURMAR-GLL-V6-00-DR-L-0116 04, BURMAR-GLL-V6-00-DR-L-0117 04, BURMAR-GLL-V6-00-DR-L-0300 02, BURMAR-GLL-V6-00-DR-L-0302 03, BURMAR-GLL-V6-00-DR-L-0303 01, BURMAR-GLL-V6-00-DR-L-0304 01, BURMAR-GLL-V6-00-DR-L-0305 01. BURMAR-GLL-V6-00-DR-L-0401 02. BURMAR-GLL-V6-00-DR-L-0402 02, BURMAR-GLL-V6-00-DR-L-0403 00, BURMAR-GLL-V6-00-DR-L-0404 00, BURMAR-AJP-V2-ZZ-DR-C-0001 P04, Proposed site office and welfare compound, 70092924-TP-009 P01, 57968/1, 57968/2, 57968/3 and the development shall not be carried out except in accordance with the drawings hereby approved. Reason. For the avoidance of doubt and to ensure a satisfactory standard of

design pursuant to the policies of the Bury Unitary Development Plan listed.

- 3. No development other than demolition, shall commence unless or until details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, have been submitted to and approved in writing by the Local Planning Authority. Only the approved materials/bricks shall be used for the construction of the development. Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
- 4. No development, other than demolition shall commence, unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 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. No development shall commence unless and until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust [and odour] control measures and the methods to monitor emissions of dust [and odour] arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

<u>Reason.</u> The information is required to reduce the impacts of dust disturbance from the site on the local environment, pursuant to chapter 11 of the NPPF - Conserving and enhancing the natural environment.

- 7. If the demolitions hereby approved does not commence before 30th April 2025, the building must be reassessed for bat roosting potential and the finding supplied to and approved in writing by the Local Planning Authority prior to demolition works commencing.
 - 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.
- 8. No demolition shall occur unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to demolition and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority, unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the Local Planning Authority.

 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.
- 9. No development, other than demolition, shall commence unless or until a landscaping scheme of soft and hard landscaping, planting, materials and maintenance has been submitted to, and approved in writing by the Local Planning Authority. 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 the building(s) is first occupied 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.

<u>Reason</u>. 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.

- 10. No development, other than demolition, shall commence unless or until details of the final design of surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme shall 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) and in line with the principles outlined on submitted drawing ref BURMAR-GLL-V6-00-DR-L-0108. Final design details shall include:
 - 1. Appropriate calculations, up to 1:100 year storm event with 40% addition for

Climate chang:

- 2. Test results to support the chosen solution;
- 3. The design and location of attenuation tanks;
- 4. Details of proposed maintenance arrangements;
- 5. A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);

Only the approved details shall be implemented prior to first occupation and thereafter maintained.

<u>Reason</u>. 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.

11. No development other than demolition shall commence unless or until a scheme of noise mititgation measures, including a noise management plan has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the building hereby approved and the noise management plan shall be adhered to while the building is in use.

<u>Reason.</u> To reduce nuisance from noise to the occupiers of the nearby dwelling pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.

- 12. 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:
 - 1. Hours of operation and number of vehicle movements;
 - 2. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - 3. Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
 - 4. 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

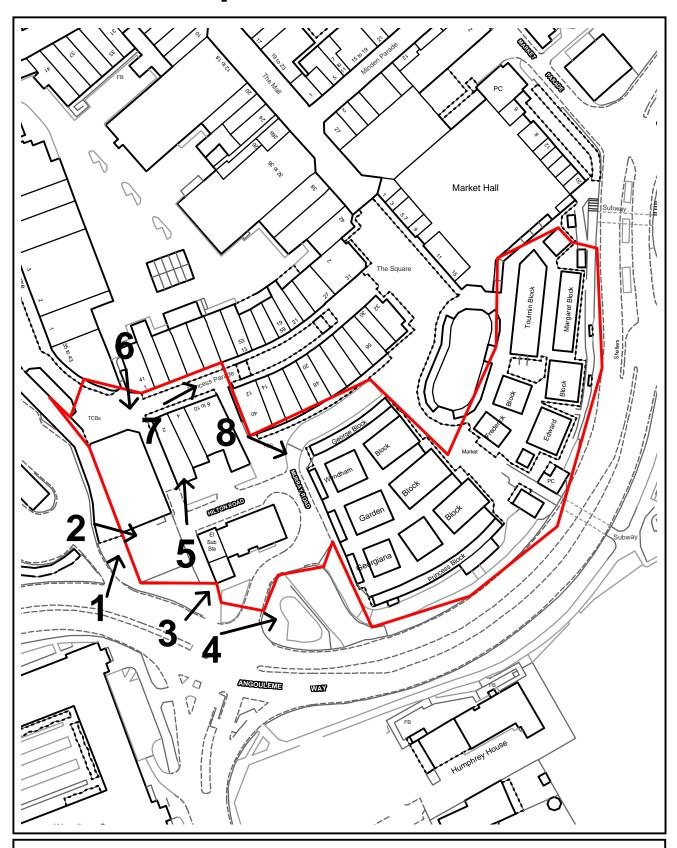
The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the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

This condition can be satisfied in phases.

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.

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

Viewpoints - 69580



PLANNING APPLICATION LOCATION PLAN

APP. NO 69580

ADDRESS: Land & buildings at Murray Road/ 2-10 Princess Parade/47-51 Market

Street & Bury Market

Planning, Environmental and Regulatory Services





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Photo 2





Photo 4





Photo 6





Photo 8



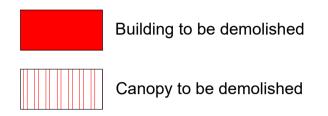


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25.01.23 CT

21.04.23 CT

DEMOLITION KEY PLAN



EXISTING MATERIALS OF BUILDINGS TO BE DEMOLISHED.

EXISTING BUILDING 1:

Existing two storey building with brick façades incorporating timber framed glazed shop fronts at ground floor and small timber frame windows to first floor, with metal security roller shutters. Building has existing flat roof with brick parapets at roof edges and a partial slate pitched roof to the north end.

EXISTING BUILDING 2:

Existing two storey building with brick façades and a pebble dash render mid band to the side elevations and parapet band detail to all elevations. Metal framed glazed shop fronts at ground floor to north elevation with metal security roller shutters and metal frame windows to first floor. Projecting panel clad canopy over shopfronts on north elevation. Building has existing flat roof with parapet upstand at roof edges.

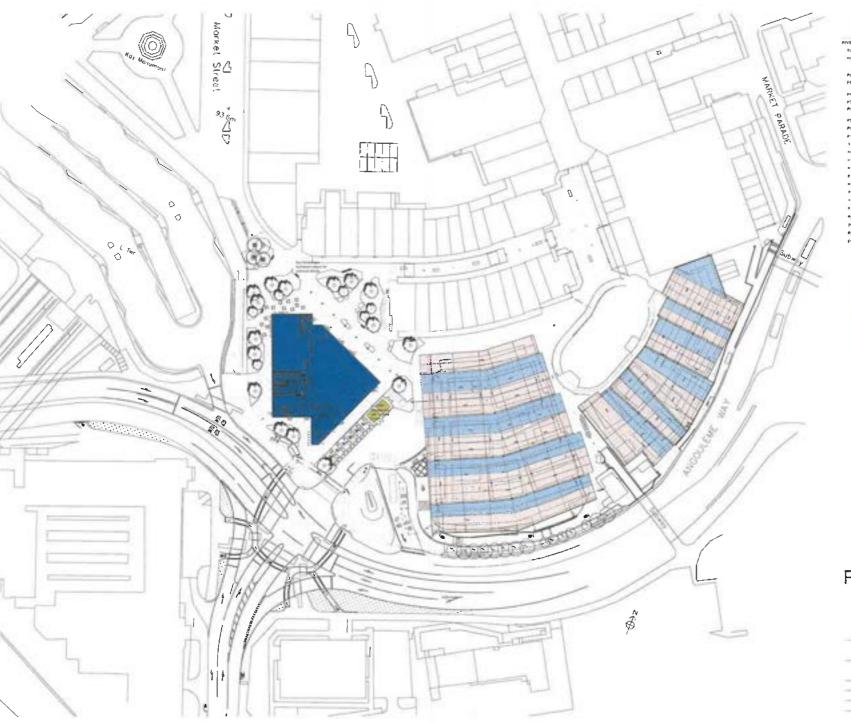
EXISTING BUILDING 3:

Existing single storey building with brick façades and part rendered façade with signage to south elevation above windows. UPVC framed full height windows to three elevations with metal security roller shutters. Building has existing flat roof and brick parapets at roof edges.

EXISTING MARKET CANOPIES:

Existing secondary pitched canopy roofs spanning between existing market stall buildings made up of lightweight clear polycarbonate panels supported on metal frames, metal ridge beams and steel tie rods.

BURY COUNCIL	client	
BURY MARKET MASTERPLAN	project	
PROPOSED DEMOLITION PLAN		
	title	Just H
BCO1	job No.	Architects
BURMAR-JHA-V6-XX-DR-A-0112 Rev P11	dwg No.	107 Timber Wharf 32 Worsley Street
1:500 @ A1	scale	Castlefield, Manchester M15 4NX
RCO	drawn	0161 237 5500 info@justharchitects.co.uk

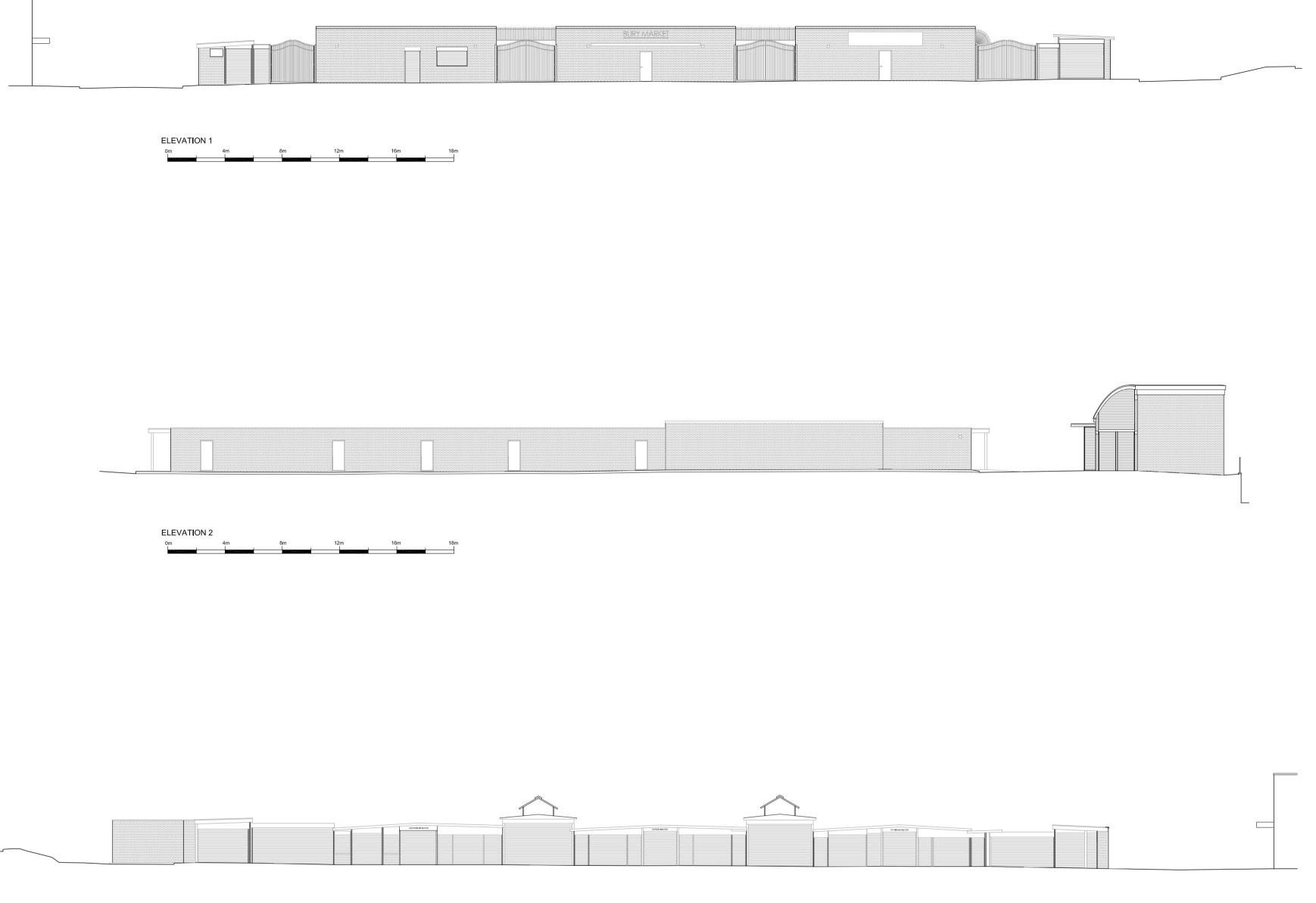


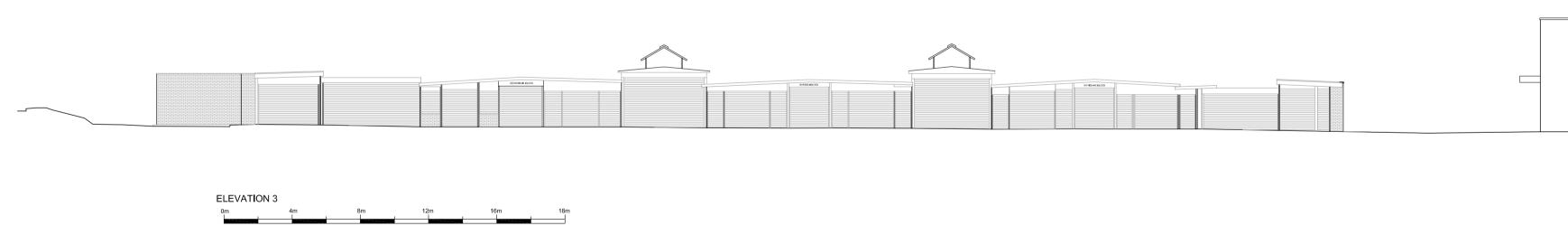
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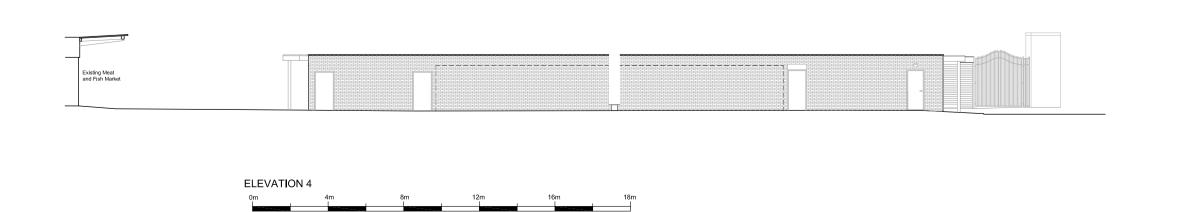


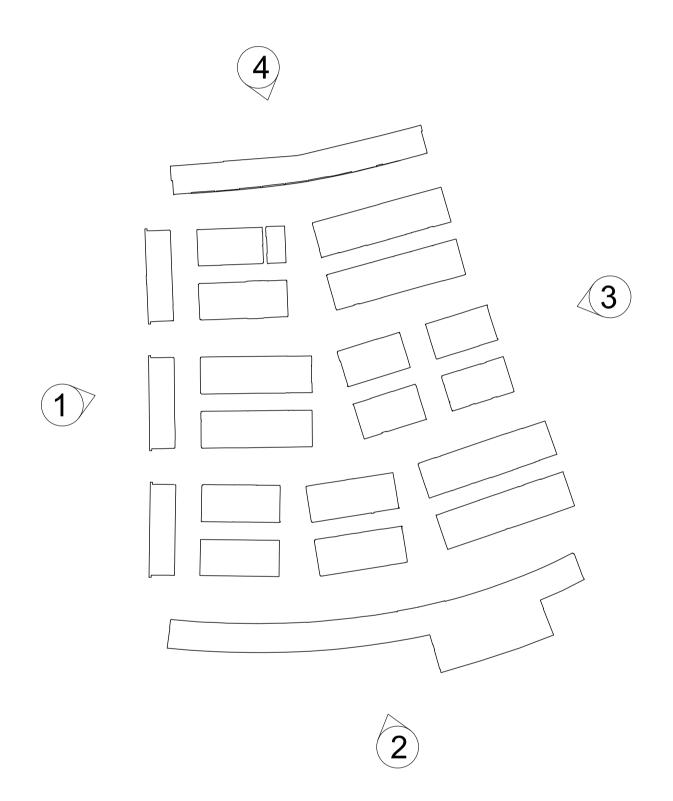
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PROPOSED SITE PLAN	title	Just H
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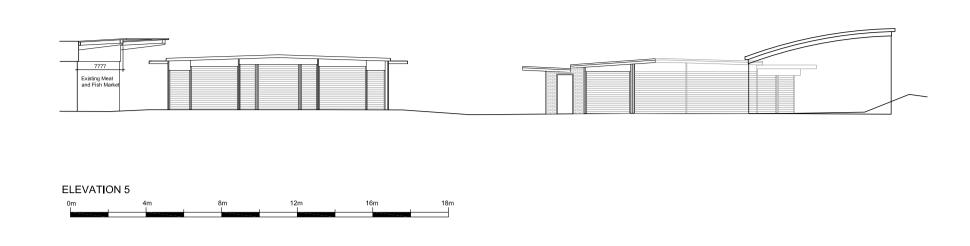


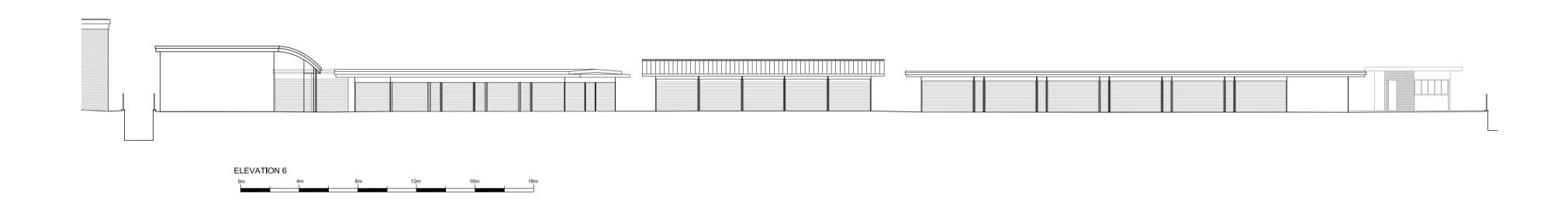


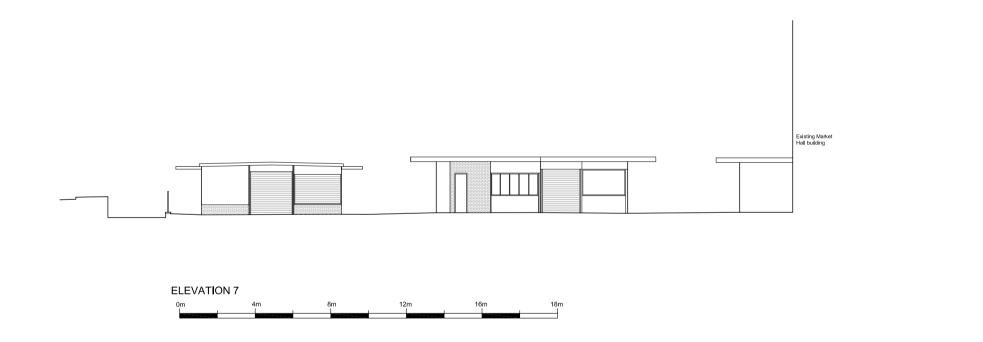


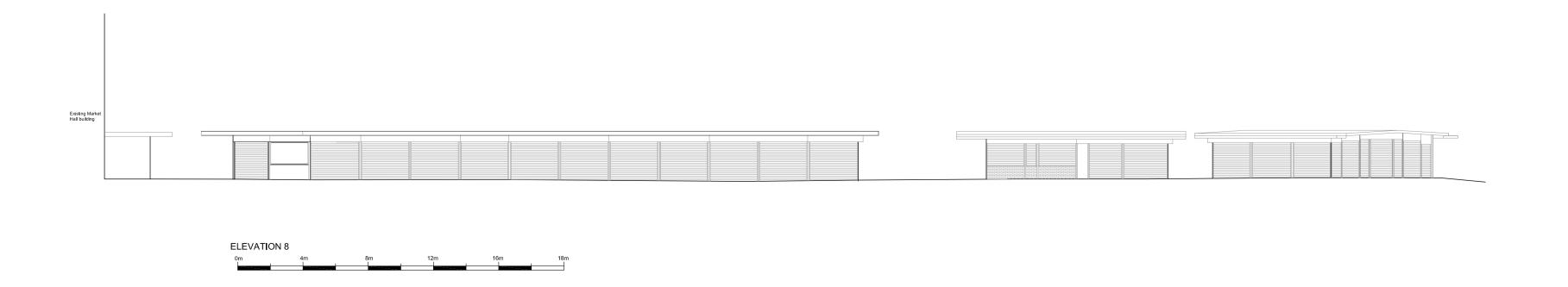


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BURY MARKET MASTERPLAN	project	
EXISTING MARKET CANOPY ELEVATIONS - SHEET 1	title	Just H
BCO1	job No.	Architects
BURMAR-JHA-V5-XX-DR-A-0151 Rev P01	dwg No.	107 Timber Wharf 32 Worsley Street
1:200 @ A1	scale	Castlefield, Manchester M15 4NX
RCO	drawn	0161 237 5500 info@justharchitects.co.uk







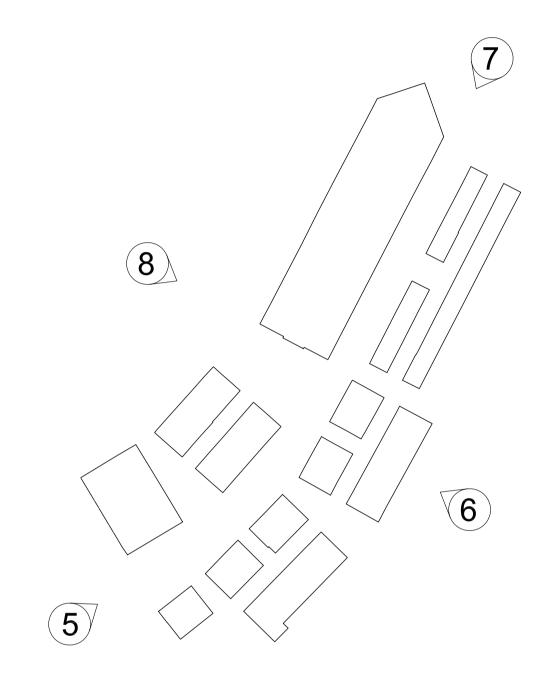


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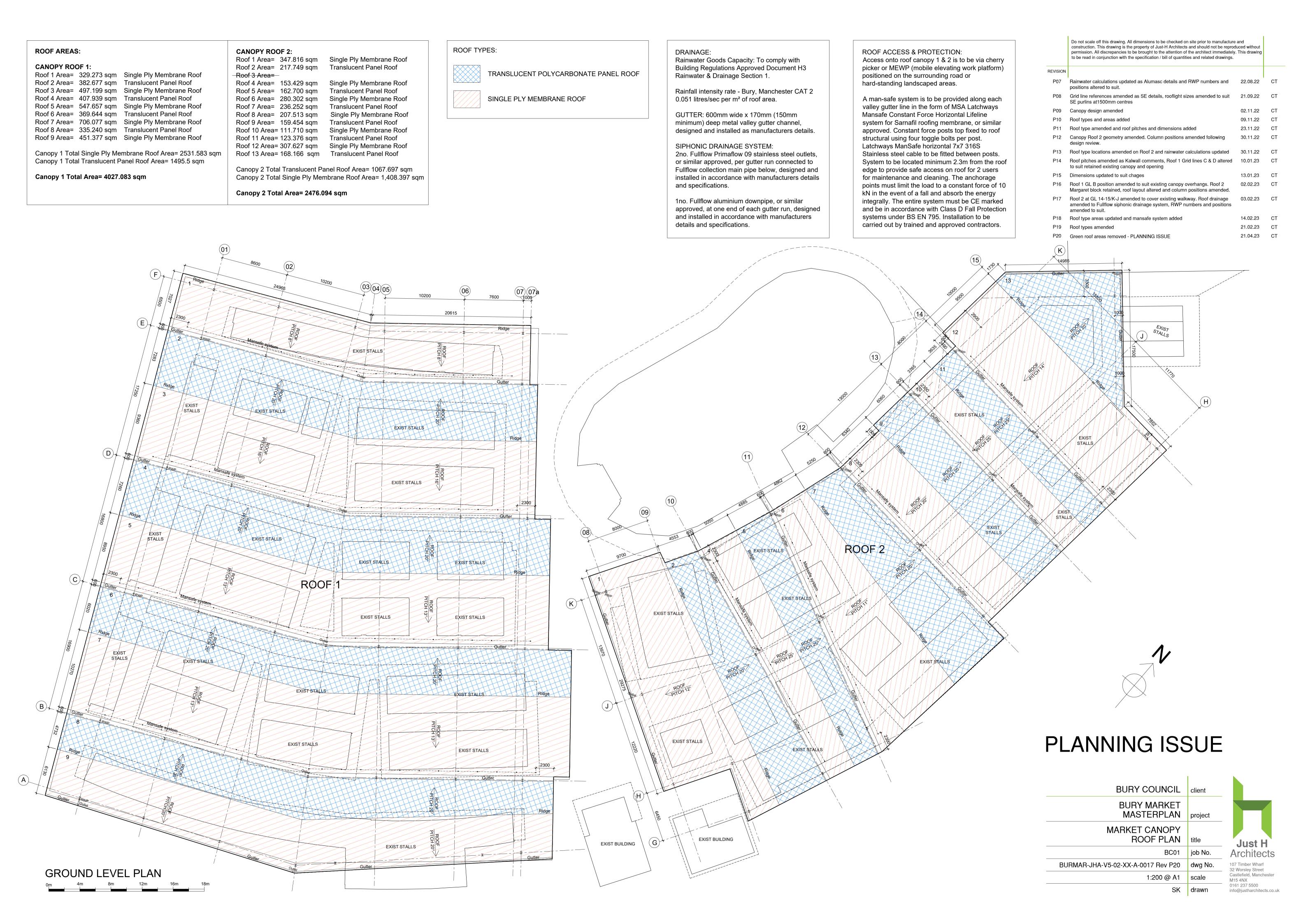
REVISION

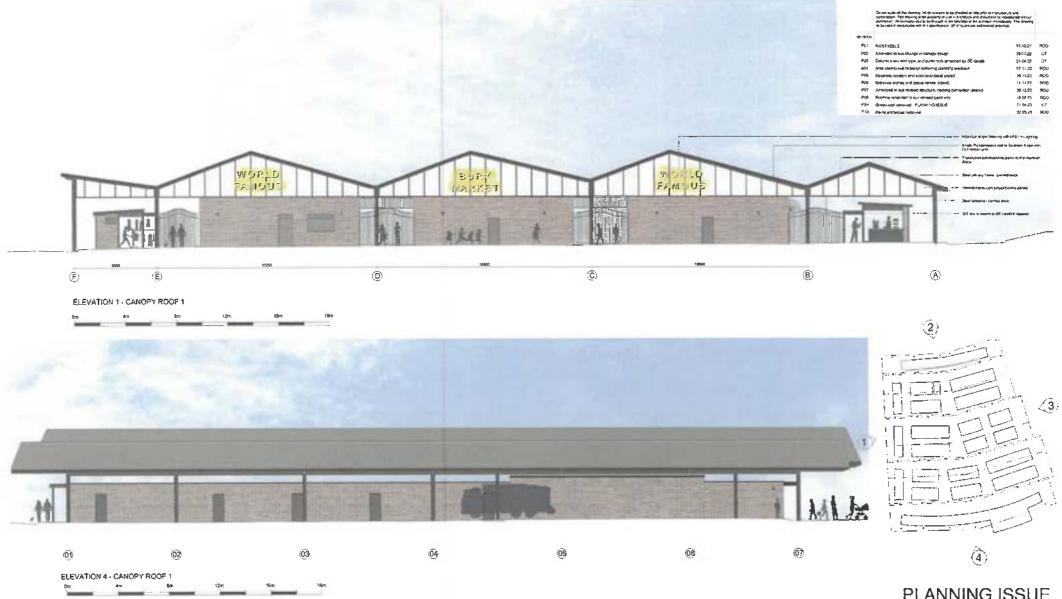
P01 FIRST ISSUE

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BCO1	job No.	Architects
BURMAR-JHA-V5-XX-DR-A-0152 Rev P01	dwg No.	107 Timber Wharf 32 Worsley Street
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PLANNING ISSUE

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PROPOSED MARKET CANOPY ROOF 1 ELEVATIONS SHEET 1 PRO

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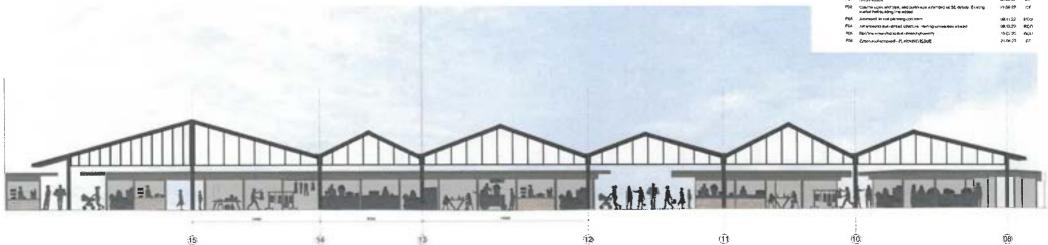


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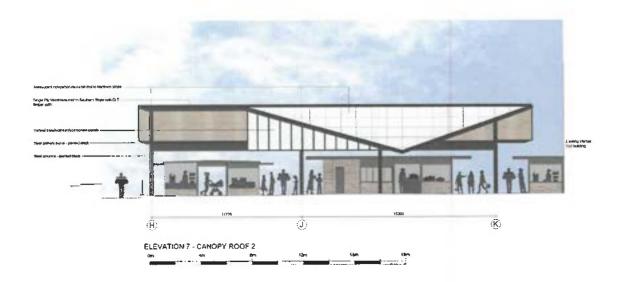
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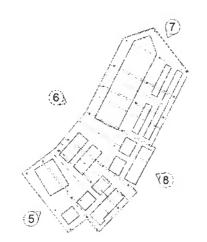
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ELEVATION 6 - CANOPY ROOF 2





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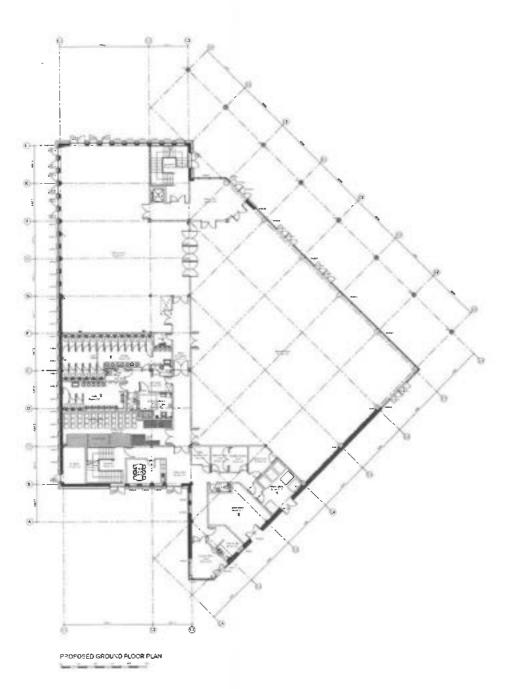
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PROPOSED MARKET CANOPY ROOF 2 ELEVATIONS - SHEET 2 15%

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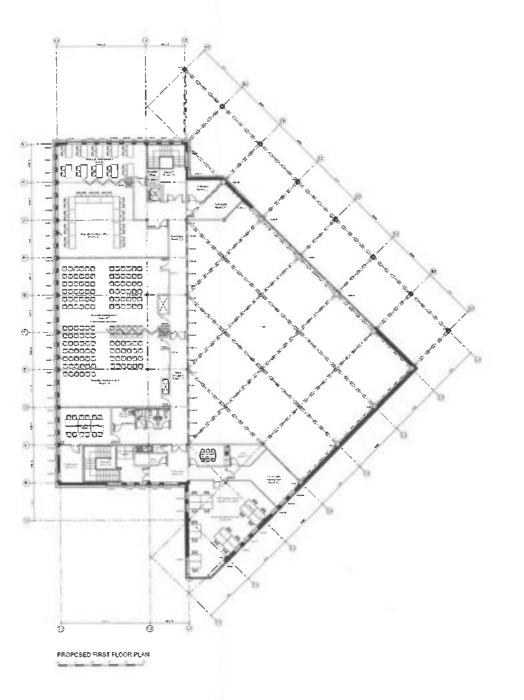
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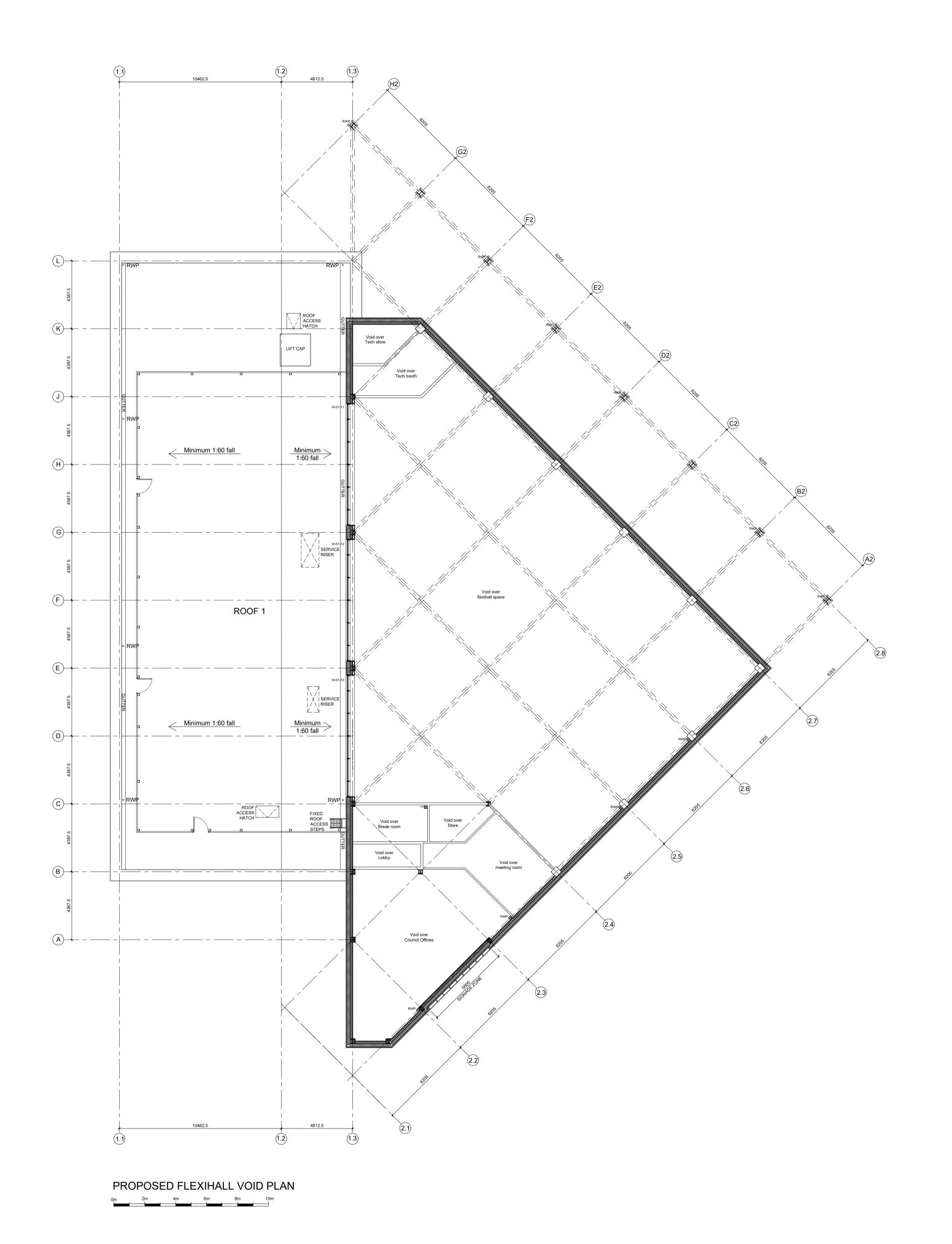
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Do not scale off this drawing. All dimensions to be checked on site prior to manufacture and construction. This drawing is the property of Just-H Architects and should not be reproduced without permission. All discrepancies to be brought to the attention of the architect immediately. This drawing to be read in conjunction with the specification / bill of quantities and related drawings.

P01 FIRST ISSUE

P02 Cantilever area noted as in abeyance

P03 Plant room added over council offices

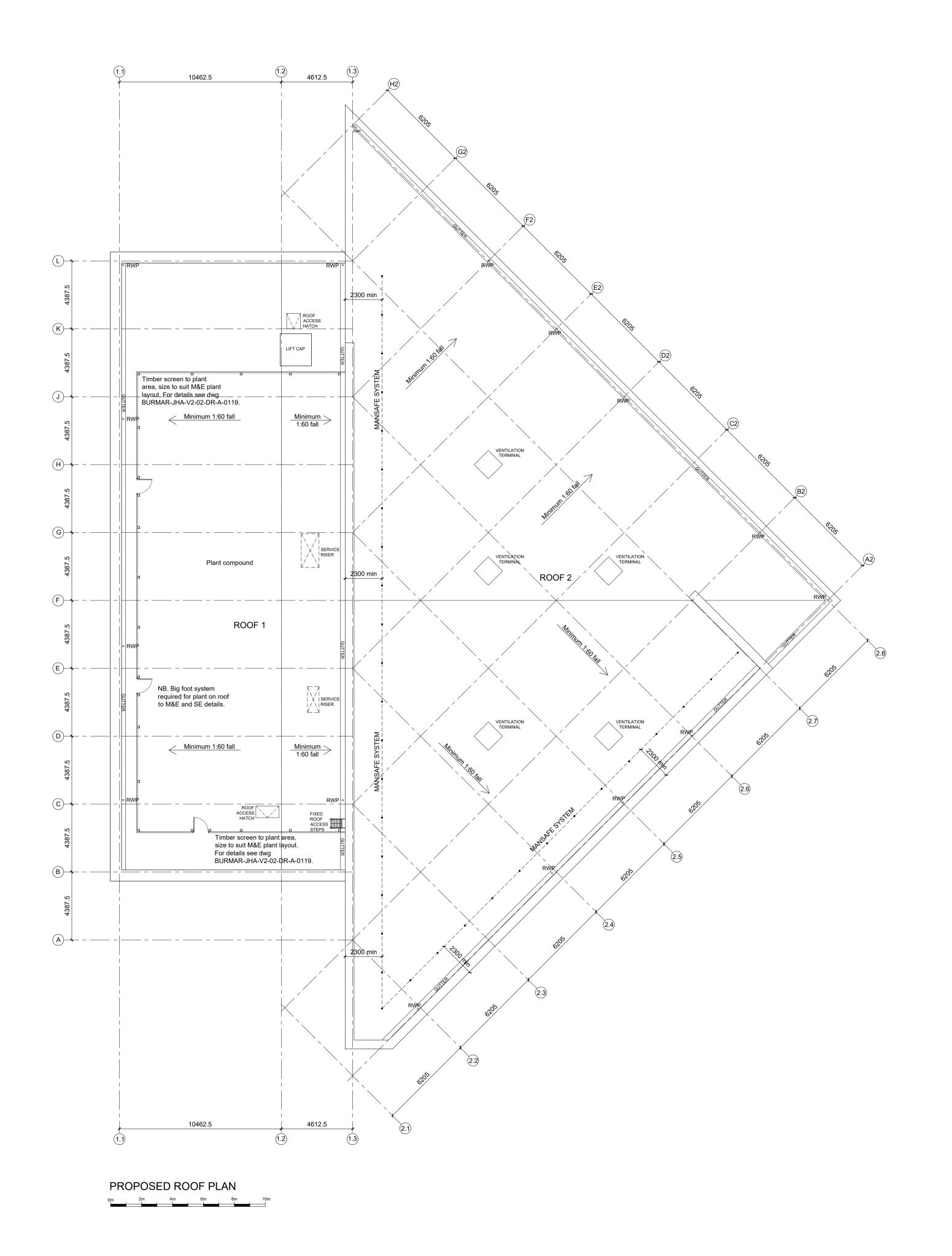
P04 Plant room removed and void over rooms below reinstated. External wall at grid lines K/1.3 - F2 updated to suit first floor alterations and void over tech booth added. Cantilever area at grid lines 1.3/2.1 removed.

P05 Wall amended at GL A2/2.2-2.3 to include signage zone

P06 PLANNING ISSUE

CT

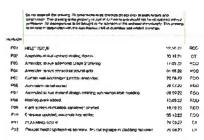
client	
project	
title	Just H
job No.	Architects
dwg No.	107 Timber Wharf 32 Worsley Street
scale	Castlefield, Manchester M15 4NX
drawn	0161 237 5500 info@justharchitects.co.
	project title job No. dwg No. scale



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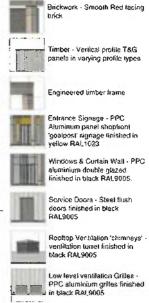
Access steps between lower roof and Flexihall roof added P07 Roof access hatch position amended as M&E comments. Plant enclosure 06.09.22 CT 30.09.22 RCO P08 Cantilever area noted as in abeyance P09 50sqm meters of PV panels added to roof over council offices. Cantilever 06.01.23 CT area at grid lines 1.3/2.1 removed. P10 Roof Access hatch location amended due to services as M&E engineers 08.02.23 CT P11 Possible additional PV panel locations and areas added to achieve a total of 23.02.23 CT 170 sqm as M&E engineers report. P12 Lower Roof 1 plant equipment added as M&E details and walkway positions 23.03.23 CT added and plant enclosure screen amended to suit. P13 PLANNING ISSUE 20.04.23 CT

BURY COUNCIL	client	
BURY MARKET MASTERPLAN	project	
FLEXIHALL ROOF PLAN	title	Just H
BCO1	job No.	Architects
BURMAR-JHA-V2-02-DR-A-0006 Rev P13	dwg No.	107 Timber Wharf 32 Worsley Street
1:150 @ A1	scale	Castlefield, Manchester M15 4NX
RCO	drawn	0161 237 5500 info@justharchitects.co.u

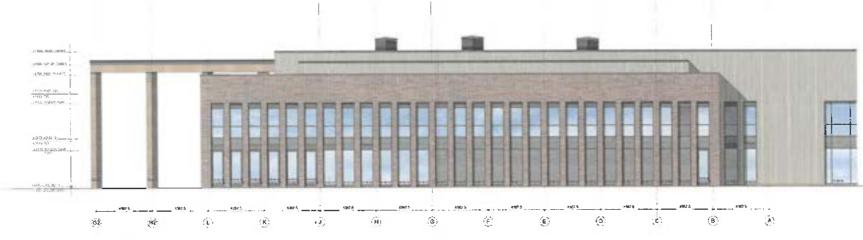


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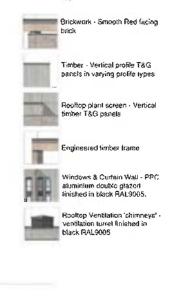


PROPOSED WEST ELEVATION

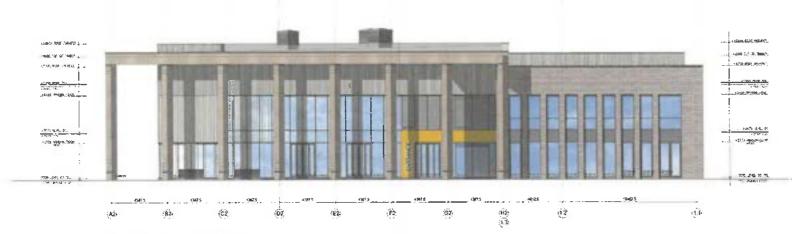
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PROPOSED NORTH ELEVATION

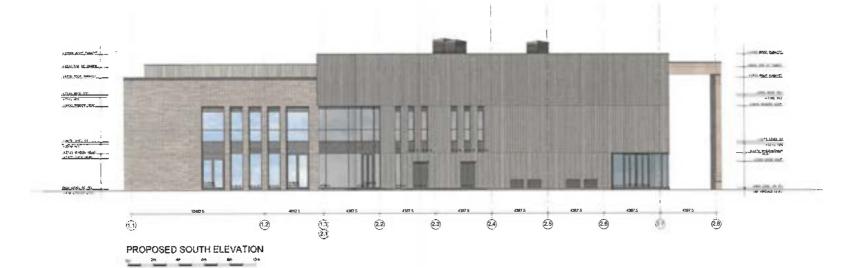
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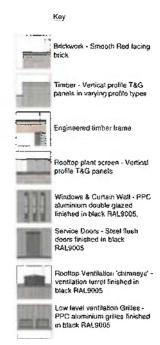




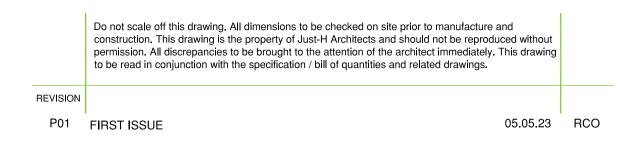


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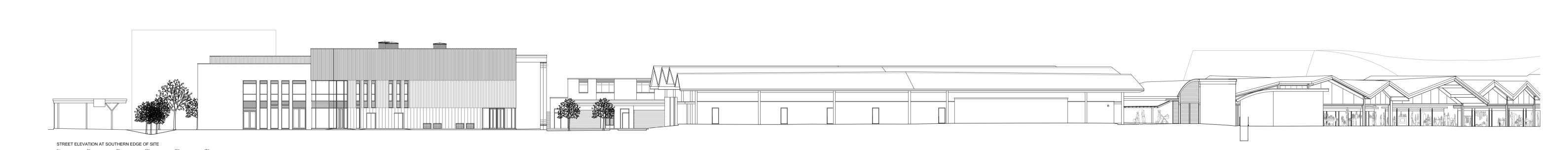






 STREET ELEVATION AT WESTERN EDGE OF SITE

 0m
 4m
 8m
 12m
 16m
 18m









LEGEND:

Market Office (single stack)

(single stack)

VINCI Office & Welfare (double stack)

Subcontractor Office/Stores (double stack)

Storage Containers (single stack)

Security Point

Pedestrian Route

→ Vehicle Route

VINCI Compound Approx 54 x 34m Loss of 116 spaces Solid Hoardings with Gates

Project: Bury Market

itle: Proposed Site Office &

Welfare Compound

Date: March 23





Build on trust

REV C