

BURY COUNCIL
DEPARTMENT FOR RESOURCES AND REGULATION
PLANNING SERVICES

PLANNING CONTROL COMMITTEE

30 September 2014

SUPPLEMENTARY INFORMATION

**Item:01 Land at Bury Road/York Street, Radcliffe, Manchester, M26 2WH
Application No. 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

The recommendation should read "minded to approve".

Consultations

Drainage Section - have no objections subject to the inclusion of conditions relating to the provision of a surface water regulation scheme.

The conditions have been amended and additional ones relating to the requirements of the Drainage Team and the Environment Agency have been added. As such, the conditions have been re-written and renumbered accordingly and for the avoidance of doubt, have been reproduced in this supplementary.

Item:02 Walshaw Motorbodies, Walshaw Road, Bury, BL8 1PL Application No. 57669

Single storey side extension and single storey spray booth at the rear

Additional Comment

One of the objectors refers to conifer trees being cut down. These were along the side boundary with Bolholt Terrace and permission was not required for the removal. No trees are due to be removed in relation to this proposal. There is boundary planting within the neighbour's garden along the rear boundary.

**Item:03 Site of Wesley House, Wesley Street, Tottington, Bury, BL8 3NW
Application No. 57797**

Repositioning of 2 no. bungalows (plots 4 and 5) with associated external works (retrospective)

Publicity

Further objection received from Mysons Associates on behalf of residents at Nos 13 and 13A Wesley Street and No 11 Spring Street which is summarised as follows:

- The development has not been constructed in accordance with the current planning approval reference 54740;
- Without permission, the incongruous construction of a substantial and overbearing caged gabion retaining wall of some 2.5 to 3m in height (refers to photograph in their submitted appendix A). Should be appreciated that there would also be an additional fence together with the height of material extending up to plots 4 and 5. The wall also needs adequate drainage otherwise hydrostatic pressure can push the wall over.
- Should be particularly noted that it is understood the wall in question has no drainage to relieve the additional loading of subsequent ground water to the rear with the consequence of possible failure and/or flooding of the residents properties.

- Extensive ground engineering and topographic remodelling resulting in the raising of the site some 2.5 to 3m immediately adjacent to and/or having a huge detrimental and domineering effect of the objectors properties;
- The plan has not been designed to suite the existing features of the land. Blocks of properties have been positioned at right angles to the contours which will always result in situations here. The plans have been laid out to suit a relatively level site only, in this case there is the order of 4m of fall in ground level across the site.
- Has also resulted in the knee jerk reaction of obliterating the previously proposed and substantial 'construction exclusion zone' at the lower area of the site where trees were to be retained. This is now occupied by the wall and the substantial infilling by building up this area by some 3m at least. This overburden has then been supported by the new gabion wall which affects the residents by its overbearing nature and inevitable flooding;
- The development is at odds with the Council's SPD16 Design Guidance - no account has been taken of the significant variation in existing land levels; it is a standard layout which bears no relation to local character and should not have been accepted and appears to have been taken from another site and dropped onto this land, apparent where the notation is mirrored and unreadable; relationship of the site to Nos 13 and 13A not been duly considered or taken proper account of, particular the loss of privacy due to close proximity of Plot 1 resulting in overshadowing and loss of light, nor account taken of privacy and overlooking effect of elevated plots 4 and 5 on their gardens or 11 Spring Street due to plot 5 a storey higher above original level; the unauthorised engineering work has obliterated established trees within the site which formed part of a designated non-construction zone; the character of Nos 13 and 13A Wesley Street have not been considered in terms of materials, height, scale, form, massing and architecture of the new development; the local context has not been considered; does not create an appropriate building relationship that strengthens the character of adjacent properties; does not respect, enhance or create a relationship between the adjoining buildings; privacy has not been safeguarded; despite the plans stating no loss of light due to orientation and nature of the design this is flawed and misleading; there is a clear loss of amenity.
- The planning department have used SPD6 as their yardstick in assessing new development which should be aimed at simple applications for domestic extensions and alterations not new development.
- Erroneous mistakes made by the developer and assumptions of siting and land levels;
- Serious degree of overlooking of the private garden area of No 13 and 13A Wesley Street which is detrimental to privacy and contrary to policy;
- Appearance of the wall detrimental to visual amenity of the neighbours;
- Gabion wall constructed without land drainage affecting stability of the wall and potential flooding;
- Grounds for the objection - doubt original permission ref 54740 is valid when it has been necessary to encroach onto adjoining land. Certificate B should have been signed and Notice 1 served, a reason why whole development should be re submitted; unauthorised and extensive ground engineering works;
- Creation of 3m high gabion wall;
- Unsanctioned removal of trees, understand owned by neighbour and unauthorised removal;
- Requests have been made to reconsider whole development back to Committee;
- The developer is intent on completing this detrimental, ill thought out and completely unsuitable scheme at a pace and whatever varied and modified form they see fit;

- Less serious discrepancies would have resulted in Enforcement Action, noticeably not the case here. Instead the developers have been encouraged to submit revised plans to provide for previous transgressions;
- Effects on 13 and 13A include detrimental impact on residential amenities, adverse impact on trees and hedging, overshadowing/loss of light, ground stability and drainage, non compliance with local and government policies; close proximity of plot 1 and the use of inferior substandard separation distances;
- Effects on No 11 Spring Street include sub standard privacy distances, overbearing and detrimental impact on residential amenities, loss of privacy and overlooking, non compliance with local and government policies, non compliance with separation distances in relation to what in effect is an additional storey in height of the bungalows.
- Formally request the inappropriate and substantial unauthorised land engineering works are removed and reinstated as before and the similarly unauthorised gabion wall removed from site. A new application for the whole site should be submitted to regularise the situation.

Appendix A attached to the letter of objection with 3 photographs showing the height of the gabion wall and position of plot 1.

Objection received from Councillor Gartside, as the Ward Councillor, with the following issues:

- Whilst appreciating the application 57797 seeks to reduce the size of the gabion wall, believe that raising the natural level of the land will cause unreasonable intrusion of privacy on a number of residential properties on Wesley Street (13 and 13A in particular) and Spring Vale Drive;
- Will cause drainage and flooding problems to 13 and 13A Wesley Street;
- The application does not go far enough to rectify these and other issues that residents have already raised, and therefore together with the residents, register an objection.

Response to objections -

- The application seeks to amend the works which that been carried out on this part of the site, to reduce the height of the gabion wall and lower the land levels adjacent to No 13 Wesley Street. It is not proposed to maintain the existing situation, and details of the proposal can be found in the officer report.
- A drainage scheme is required to be submitted for approval and has been included as a condition. Consultation with Building Regulations team and Drainage Team confirm this. It should also be noted that the gabion wall is permeable and not a sealed solid mass and therefore allows natural percolation of surface water.
- This application is for plots 4 and 5 only, the remainder of the development is being carried out in accordance with the approved planning permission 54740. The objections that refer to any other part of the site other than plots 4 and 5 are not relevant or material to this planning application.
- The development does not encroach beyond land within the red edge application site of approved planning permission 54740.
- Issues of access onto neighbouring land and property are private matters and not a material planning consideration.
- Enforcement action was taken in relation to plots 4 and 5 and a temporary stop notice served.
- All other issues raised with regards to privacy, overlooking, aspect standards and relationship to properties have been covered in the officer report.

**Item:04 Walmersley Post Office, 678 Walmersley Road, Bury, BL9 6RN
Application No. 57825**

Conversion of dwelling (C3) to Shop (A1); 2 bed flat at first floor level; New shop front and roller shutters

Unitary Development Plan and Policies

The first items should be NPPF National Planning Policy Framework, not NPPG National Planning Policy Guide.

Item:05 The Trafalgar, Manchester Old Road, Bury, BL9 0TB Application No. 57830

Change of use from public house to 5 no. flats with first floor extensions to side and rear and new access from Baron Street for parking (resubmission)

Nothing further to report.

Item:06 Old County Court, Tenterden Street, Bury, BL9 0HJ Application No. 57841

Change of use from Office (B1) to Support and Counselling Centre (D1)

Publicity

Two letters have been received from the Fold Street Residents Group and 55 Millett Street, which have raised the following issues:

- The proposal would be detrimental to this quiet residential area.
- It is inappropriate to have a drug and alcohol centre nearby to schools, nurseries and a park.

The objectors have been notified of the Planning Control Committee.

Consultations

Traffic Section - No objections, subject to the inclusion of a condition relating to car parking.

Therefore condition 2 should be amended to reflect the revised parking plan and condition 3 should be added in relation to car parking.

2. This decision relates to the drawings received on 30 July 2014 and 25 September 2014 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 car parking indicated on approved 'Location Plan' shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the dwellings hereby approved being occupied and thereafter maintained at all times.

Reason. To ensure adequate off-street car parking provision in the interests of road safety pursuant to Policy CF1/1 - Location of New Community Facilities and Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

Item:07 Land at 2 Kestrel Close, Whitefield, Manchester, M45 6SB Application No. 57852

Erection of new two storey dwelling (resubmission)

Publicity -

Letter of objection received from No 24 Ash Grove with the following comments -

- The proposed development would represent an infringement on the privacy of our back garden.

Letter of objection received from No 28 Ash Grove with the following comments -

- As part - owner of No 28, strongly object to the proposal on the grounds that it will be extremely intrusive and represent an infringement of privacy, as the proposed new dwelling will directly overlook the bedroom, kitchen and back garden of No 28, which is a bungalow. This would be totally unacceptable.

The objections relating to privacy and relationship of the proposed dwelling to the properties on Ash Grove have been covered in the main report.

Consultations -

Environmental Health Contaminated Land - Informaion has been submitted by the applicant with regards to contaminated land issues. The EH Section are satisfied that the contaminated land issues have been satisfactorily dealt with and as such conditions will not be recommended in this regard. Therefore conditons 3,4,5 and 6 have been deleted and the conditions re numbered.

Drainage section - No objection subject to a condition to provide details of foul and surface water drainage for approval.

Condition 4 added to read:

No development shall commence unless and until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include an assessment of potential SuDS options for surface water drainage with appropriate calculations to support the chosen solution. The approved scheme only shall be implemented prior to first occupation of the dwelling hereby approved.

Reason. To reduce the risk of flooding and ensure the satisfactory treatment of surface water drainage pursuant to Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

ITEM 01

Land at Bury Road/York Street, Radcliffe, Manchester, M26 2WH

Reference 56744

Recommendation: Minded to Approve

Conditions/ Reasons

1. **Conditions Relating to the OUTLINE PLANNING PERMISSION for the Employment Provision Part of the Site**
2. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

3. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, appearance and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.
4. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
- details of how the scheme shall be maintained and managed after completion

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

5. As part of the submission of the first reserved matters for the employment site, an Air Quality Assessment report of the impact of the development both during and after the construction phase on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The report shall determine measures to minimise the impacts upon air quality arising from the development and the measures as approved shall be incorporated into the development.
Reason - The roads leading to the planned development are within the Air Quality Management Area (AQMA). The AQMA in this locality is an area predicted to exceed the objectives for nitrogen dioxide as detailed in the Air Quality Regulations 2000 and (Amendment) Regulations 2002. UDP Policy EN 7/1 - Atmospheric Pollution considers that it is a requirement that this development does not lead to, or significantly add to predicted exceedences of any of the objectives detailed in the Air Quality Regulations 2000 and (Amendment) Regulations 2002.
6. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) and Giant Hogweed (*Heracleum Mantegazzianum*) including measures to ensure that no harm occurs to otters, is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority. This condition can be satisfied in phases.
Reason. To ensure that the site is free from Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape.
7. No development shall take place until an area of land has been defined and an otter habitat enhancement plan produced for otters. The scheme including details of holt construction, timing for implementation and maintenance thereof shall be submitted before any groundworks to the employment platform are commenced and the holt shall be available for use in accordance with the approved timetable.
Reason - To ensure that appropriate steps are employed to mitigate any potential impacts upon otters their resting points, habitat and wellbeing pursuant policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
8. No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year unless otherwise agreed in writing with 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 11 - Conserving and enhancing the natural environment.

9. No development shall take place until a detailed biodiversity mitigation and enhancement proposal and master plan including avoidance, timing of implementation and habitat creation and enhancement has been submitted and approved in writing by the Local Planning Authority. The plan shall include:
- Details of replacement water bodies including location design, construction and landscaping;
 - Details of proposed grassland, scrub, and woodland enhancement and creation for the entire site including large scale plan and species composition;
 - Measures to protect and enhance the local amphibian population including timing of works and habitat creation;
 - The design, quantity, location and implementation of artificial bat roosts;
 - Specific species measures including kestrel nesting sites, translocation of soft shield fern, introduction of black poplars and habitat management for reed bunting;
 - Measures to ensure the integrity of the wildlife corridor is maintained; and
 - Buffering of the Site of Biological Importance.

Reason - To ensure that appropriate steps are taken to mitigate any potential impacts upon the ecological habitat and that the enhanced ecological biodiversity proposals are carried out pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

10. No development shall take place including demolition, earth works and site clearance associated with the employment platform shall take place until a scheme and plan for the protection of ecological features to be retained has been produced and implemented in accordance with details approved in writing by the Local Planning Authority.

Reason - to ensure that measures and mitigations are in place to deal with ecology and wildlife enhancement pursuant to UDP Policies EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors and National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

11. No development or land works for the employment building platform shall take place until a biodiversity management and monitoring plan has been produced for the agreed biodiversity mitigation and enhancement plan and agreed in writing by the local authority. The plan will include:

- Monitoring of pond establishment and water levels
- Grassland mowing regimes
- Woodland establishment, beating up and thinning
- Monitoring of species with specific enhancement proposals such as otter, kestrel and soft shield fern.
- Monitoring of invasive species.

Reason - To ensure the longevity of the ecological enhancement areas pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

12. Details relating to a scheme for a travel plan shall be submitted as part of the reserved matters relating to the layout of the site. The development shall be carried out in accordance with the approved scheme and the travel plan shall accord with the Travel Plan Frameworks, which establishes the developer and occupier travel plan objectives and targets and includes an implementation programme. The approved scheme and its measures shall be implemented before each phase of the development is brought into use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority. This condition can be satisfied in phases.

Reason - In order to deliver sustainable transport objectives in pursuant to NPPF Chapter 4 - Promoting sustainable transport.

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:

- The buildings are located away from the 20 metre easement as per section 3.1.2.
- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
- Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
- Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant to UDP Policy EN5/1 - New Development and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

14. No development shall take place until a scheme for the provision and management of an 20 metre wide undeveloped buffer zone alongside the River Irwell shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be approved in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme including planting schedule largely based on native species.
- details demonstrating how the buffer zone will be protected during development
- details of any proposed footpaths, fencing, lighting etc.

Reasons - Development that encroaches on watercourses and linking riparian greenspace has a potentially severe impact on their ecological value. New built encroachment of river corridor can inhibit riparian species movement along key ecological network pursuant to UDP Policy EN5/1 - New Development and flood

risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

15. No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail of all land reprofiling works within existing greenspace and riparian corridor to accommodate flood risk issues.
- detailed site soil management strategy which integrates the ecological, recreational and flood risk issues of site.
- details of maintenance regimes
- details of any new habitat created on site
- details of any new surface water treatment from commercial site that is preferably based on Sustainable Urban Drainage principles.
- details of long term management responsibilities including adequate financial provision and named body responsible for management plus production of detailed conservation management plan.

Reason - To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

16. **Conditions relating to the FULL PLANNING PERMISSION relating to the Housing Site and Employment Platform**
17. In relation to the proposed housing part of the site and the employment platform, 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.
18. No development shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) and Giant Hogweed (*Heracleum Mantegazzianum*) including measures to ensure that no harm occurs to others, is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority. This condition can be satisfied in phases.
Reason. To ensure that the site is free from Japanese Knotweed and Himalayan

Balsam in the interest of UDP Policy EN9 - Landscape.

19. The employment platform shall be implemented and available for unit construction and its services before the commencement of housing development.
Reason - To ensure the employment proposals are brought forward at the earliest stage in relation to the case argued by the planning proposals and the designation of the land pursuant to UDP Policy EC2/1 - Employment Generating Areas.

20. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
- details of how the scheme shall be maintained and managed after completion

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

21. • The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:
- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
 - Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
 - The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
 - Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant Chapter 10 of the National Planning Policy Framework and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk.

22. Notwithstanding the submitted proposals, no housing development shall commence unless and until full details of the emergency access route through the Wincanton site from the junction with Bury Road to its junction with the proposed

estate loop road adjacent to Plots 35 & 36, so designed to ensure that it is capable of carrying fire tender vehicles to carry out emergency operations and emergency general usage for the housing estate, have been submitted to and approved in writing with the Local Planning Authority. Its specification and details relating to the construction, security of the route, continued availability of the route to and from the Wincanton site shall also form part of the submitted details.

The approved emergency route shall be available for use on first occupation of any dwellings and it shall be available for use at all times whilst the residential development is reliant upon this access for an emergency purpose.

Reason - To ensure that the emergency access route is delivered to serve the residential development hereby approved, pursuant to UDP Policies EN1/5 - Crime Prevention and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

23. The site shall be developed in relation to the ecology proposals in the following manner :
- The phasing in relation to the ecology shall be implemented in accordance with the provisions to be satisfied within conditions 7 to 11 inclusive;
 - The phasing in relation to the remediation of the existing former Unify Dyeing Site and land raising thereto, shall be implemented in accordance with the provisions to be satisfied within conditions 7 to 11 inclusive;
- Reason - To ensure that measures and mitigations are in place to deal with ecology and wildlife enhancement pursuant to UDP Policies EN6/3 - Features of Ecological Value, EN6/4 - Wildlife Links and Corridors and PPS9 - Biodiversity and Geological Conservation.
24. The residential development hereby approved shall not be occupied unless and until the site access improvements to York Street have been implemented to an approved specification and to the written approval of the Local Planning Authority.
Reason - To ensure good highway design in the interests of road and pedestrian safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.
25. The visibility splays indicated on the approved plans, shall be implemented and be available for use before first occupation of the housing hereby approved and subsequently be maintained free of obstruction above the height of 0.6m.
Reason - To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.
26. Notwithstanding the provisions of the approved plans, the timber fencing between the residential plots and the open space only (all other fencing otherwise is as proposed) shall be 2.1m high and not 1.8m as shown.
Reason - To minimise the effects of crime upon residential plots that adjoin the open space pursuant to NPPF Chapter and UDP Policy EN1/5 - Crime Prevention and SPG3 - Planning out Crime in new Development.

27. 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. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
28. Provision for lifetime homes shall be incorporated into the development in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved commencing. The development shall then be carried out incorporating the measures in accordance with the approved scheme.
Reason. To ensure that the development is fully accessible to disabled persons pursuant to Policies UDP policies HT5/1 – Access for Those with Special Needs, PPS25 - Development and Flood Risk (exceptions test) and SPD 16 Design and Layout of New Development.
29. Notwithstanding the submitted proposals, no development shall commence unless and until full details of the proposed mitigation measures comprising of the upgrading of the definitive footpath to a cycle route and new connection onto Bury Road have been submitted to and approved in writing with the Local Planning Authority. The approved measures shall be implemented before the development hereby approved is first brought into use.
Reason - To ensure that the development provides for sustainable transport objectives in pursuant to NPPF Chapter 4 - promoting Sustainable Transport and in the interests of highway safety pursuant Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.
30. Notwithstanding the details indicated on approved plan reference SK346-PL01 Revision E, no development shall commence unless and until full details of the following have been submitted to and agreed in writing with the Local Planning Authority:
- Timing, routeing and access arrangements for construction traffic associated with the land raising operation;
 - Visibility splays appropriate for a speed of 20mph in accordance with the standards in Manual for Streets at the junctions of the site accesses with York Street, at all internal junctions and at the junctions of the driveways serving Plots 140 - 150 with the proposed estate roads, with no obstructions above the height of 0.6m within the splays;
 - A 20mph traffic calming and white lining scheme on the proposed estate roads including the existing adopted highways used to access the site (York Street & Bealey Avenue);
 - Vehicle restraint measures/barriers between the turning head/private driveways fronting York Street and the amenity land/adopted highway in view of the anticipated level differences;
 - Long sections through the proposed accesses onto York Street

confirming gradients on and at the interface with the adopted highway.

- Street lighting scheme for the residential development and the section of York Street abutting the development;
- Swept path analysis of the proposed estate roads to ensure a refuse collection vehicle can pass a private car.

The details subsequently approved shall be implemented to the written satisfaction of, and to a programme approved by, the Local Planning Authority.

Reason - To ensure the intervisibility of the users of the site and the adjacent highways, to ensure good highway design and to maintain the integrity of the adopted highway in the interests of highway safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

31. The car parking indicated on the approved plan SK346-PL01 Rev. E received 23/9/14 shall be surfaced, demarcated and made available for use prior to the extension hereby approved being brought into use.
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.
32. For dwellings with a garage, a minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors. In the event of no garage being constructed, a minimum hardstanding length of 5.0m, sufficient to accommodate a vehicle clear of the adjacent footway, shall be provided within the curtilage of each dwelling.
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.
33. The turning facilities indicated on the approved plans (or similar alternative provision that enables construction traffic to enter and leave the site in a forward gear agreed in writing with the Local Planning Authority) shall be provided before construction of the dwellings is commenced and shall subsequently be maintained free of obstruction at all times.
Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.
34. The Developer, within one week of the commencement of development, shall ensure that there is provision to be made for the parking on site of operatives' and construction vehicles together with storage on site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and that area shall not be used for any other purposes other than the parking of vehicles and storage of construction materials respectively.
Reason - To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Unitary Development Plan

Policy HT6/1 - Pedestrian and Cyclist Movement and H2/2 - The Layout of New Residential Development.

35. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- *details of exceedence event up to a 1 in 100 year including climate change allowance*
- *details of how the scheme shall be maintained and managed after completion*

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

36. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from Weetwood (Ref 1510/FRA_v1.3 dated 4 February 2011) and the following mitigation measures detailed within the FRA:
- The external and internal levels are set as per sections 4.1.2 and 4.1.3.
 - Identification and provision of safe routes into and out of the site to an appropriate safe haven as per section 4.1.4.
 - The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning as per section 4.1.5.
 - Flood-proofing measures as per section 4.3.

Reason - To reduce the risk of flooding to the proposed development and future occupants, to ensure safe access and egress from and to the site and to reduce the impact of flooding on the proposed development and future occupants pursuant to UDP Policy EN5/1 - New Development and flood risk, EN6/4 - Wildlife links and corridors and Flood Risk and NPPF Chapter 10 Meeting the challenge of climate change, flooding and coastal change.

37. No development shall take place until a scheme for the provision of a minimum 12 metre wide buffer zone alongside the River Irwell shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer

zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the greenspace buffer zone
- details of all riverside works including land reprofiling to accommodate flood risk and/or invasive remediation requirements that shall include a minimum of 3 cross sections through River Irwell corridor and adjoining new residential development.
- details of any land remediation of old mill site to accommodate new riparian greenspace.
- details demonstrating how the buffer zone will be protected during development
- details of any proposed footpaths, fencing, lighting etc along riparian wildlife corridor.

Reason - Development that encroaches on watercourses has a potentially severe impact on their ecological value by impacting on key ecological networks and reducing its value as a key wildlife corridor pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment and EN6/4 - Wildlife Links and Corridors.

38. **CONDITIONS IN RELATION TO ALL PARTS OF THE PLANNING APPLICATION SITE**

39. 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.

This condition can be satisfied in phases.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

40. Following the provisions of Condition 39 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.

This condition can be satisfied in phases.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

41. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use. This condition can be satisfied in phases.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

42. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

This condition can be satisfied in phases.

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 11 - Conserving and enhancing the natural environment.

43. No development shall commence unless and until a Preliminary Risk Assessment report to assess the actual/potential ground gas / landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority.

- Where actual/potential ground gas/landfill gas risks have been identified, a detailed site investigation(s), ground gas monitoring and suitable risk assessment(s) shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation / protection measures are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning

Authority.

This condition can be satisfied in phases.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

44. Following the provisions of Conditions 39 to 44 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and

A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

This condition can be satisfied in phases.

Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

45. In relation to both the residential and employment sites, before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction unless otherwise agreed in writing by the Local Planning Authority.

This condition can be satisfied in phases.

Reason - To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant Unitary Development Plan Policy HT6/1 - Pedestrian and Cyclist Movement.

46. This decision relates to reports and drawings numbered

Reports

SK346-SS-01 - Proposed Street scenes - REV A

Proposed site plan and sections- PPC_02-AS227-02

Existing Site plan and Sections - PPC_01-AS227-01

Proposed site plan and levels - PPC_04-AS227-04

Access and egress levels and sections - PPC_05-AS227-05

Proposed new build scheme (dwg no. PPC74-01)

Flood risk assessment

Flood Risk Assessment - 03/04/2014

Proposed site plan (dwg no. SK346-PL01 rev E)

Planning Statement

Geo-Environmental Assessment, May 2007

Geo-Environmental Assessment, Rev A, January 2011

Extended Phase I Habitat Survey 03/04/2014

Proposed Site Levels (Dwg No: PPC87_04)

Phase I & Phase II Geo-Environmental Site Investigation

Existing Site Plan and Sections (Dwg No: PPC87_01 Rev: A
Coal Mining Risk Assessment (Residential)
Access and Egress Sections (Dwg No: PPC87_05)
Phase II Remediation Specification
Air Quality Assessment
Coal Mining Risk Assessment (Commercial) - 03/04/2014
Transport Assessment Appendices - 06/12/2013
Crime Impact Statement
Noise impact assessment - residential
Noise impact assessment - commercial
Invasive species remediation method statement
Ground investigation - residential area
Supporting Document, Design and Access statement

Plans

Location Plan, SK346-LOC-01
Proposed street scenes; SK346-SS-01 Rev B
Topographical survey; SK346-TOPO-01
Ecological enhancements & monitoring plan

LIFE - 3B5P(90) ELEVATIONS 6.0; LIFE-3B5P(90)6.0/04
LIFE FLOOR PLANS; LIFE 3B5P(90)01
LIFE ELEVATIONS; LIFE-2B4P(77)05
LIFE ELEVATIONS; LIFE 3B5P(90)02.SA
LIFE FLOOR PLANS; LIFE3B5P(90)01.SA
Life floor plans; LIFE 2B4P(77)01 Rev A

The Lyn Elevations
The Lyn floor plans; LYN 01
The Lyn Elevations 6.0 Brick (Detached); LYN-6.0-DET
The Lyn Elevations 6.1 (Semi); LYN-6.1(SEMI)(A)

Nash (14)- 6.1 FCT brick render elevations
Nash (14) 01 ground floor plan
Nash (14) 02 first floor plan
Nash (14)6.1 FCT brick render elevations
Nash (14)6.01 semi (A)
Nash(14)6.1 brick render elevations

The Weaver elevations; WEAV-6.1-SEMI
The Weaver floor plans; WEAV-01
The Weaver elevations; WEAV-6.0-DET
The Weaver elevations semi; WEAV-6.0-SEMI

Long (14)-6.0 brick elevation
Long (14)-6.1 semi A Render elevation

The Longford 6.2 Elevations (Detached); LONG/6.2/D/02 Rev C
The Longford 6.0 elevations (Detached); LONG/6.0/D/04 Rev B
Long(14)-6.1 render elevation
Long (14)-6.0 brick elevation semi

LONG(14)-01 FLOOR PLANS

The Wallbrook elevations; WALB-6.0-SEMI
The Wallbrook elevations; WALB-6.0-4MEWS(A)
The Wallbrook elevations; WALB-6.0-3MEWS(A)
The Wallbrook floor plans; WALB-01

COLN (14)-01 floor plans
COLN (14)-6.0 BRICK ELEVATION

The New Severn FCT 6.1 Elevations; NEWSEV/FCT/6.1 Rev C
The New Severn FCT 1st floor plan; NEWSEV/FCT/02 Rev C
The New Severn FCT Ground Floor Plan; NEW SEV/FCT/01 Rev B

Ashwood (14)-01 FCT Ground floor plan
Ashwood (14)-6.1 FCT Render elevation
Ashwood - 02 (SIG) 1st floor plan

Ashwell elevations; Drawing no. ASH/03/6.1 Rev B
Ashwell 04 (first floor plan); Ashwell 04 Rev A
Ashwell FCT (and; bay)- ground floor plan; Drawing no. Ashwell 03 Rev A
Ashwell elevations 6.0; Ashwell/07 Rev A

Ellesmere floor plans; 14-01
Ellesmere elevations 6.1;
Ellesmere 6.1 SEMI (A)
Ellesmere (14)-6.01 SEMI (A)

Dunham ground and first floor plan; DUN/01 Rev C
Dunham 2nd floor plan; DUN/02 Rev D

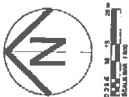
Grantham elevations 6.1; GRANT-6.1-DET
Grantham; GRANT 01
Grantham elevations 6.1; GRANT-6.1-SEMI

Dunham 6.2 Elevations; DUN/04 Rev A
Dun(14) - 01
DUN(14)-02

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 **Dave Marno** on **0161 253 5291**



LEGEND

	1. Proposed Street
	2. Proposed Footway
	3. Proposed Footway/Pathway
	4. Proposed Footway/Pathway (with Greenway)
	5. Proposed Footway/Pathway (with Greenway and Utility)
	6. Proposed Footway/Pathway (with Greenway and Utility and Stormwater)
	7. Proposed Footway/Pathway (with Greenway and Utility and Stormwater and Landmark)
	8. Proposed Footway/Pathway (with Greenway and Utility and Stormwater and Landmark and Utility)
	9. Proposed Footway/Pathway (with Greenway and Utility and Stormwater and Landmark and Utility and Stormwater)
	10. Proposed Footway/Pathway (with Greenway and Utility and Stormwater and Landmark and Utility and Stormwater and Landmark)
	11. Proposed Footway/Pathway (with Greenway and Utility and Stormwater and Landmark and Utility and Stormwater and Landmark and Utility)
	12. Proposed Footway/Pathway (with Greenway and Utility and Stormwater and Landmark and Utility and Stormwater and Landmark and Utility and Stormwater)

- NOTES**
- 1. ALL PROPOSED STREETS AND FOOTWAYS SHALL BE CONSTRUCTED TO THE STANDARDS SET OUT IN THE TRUNKS AND BRANCHES MANUAL, PART 8, CHAPTER 5, 6 AND 7.
 - 2. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN SPEED OF 30KM/H.
 - 3. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN WIDTH OF 3.0M FOR FOOTWAYS AND 3.5M FOR STREETS.
 - 4. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN GRADE OF 1:100.
 - 5. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN SURFACE DRAINAGE OF 10%.
 - 6. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN PAVEMENT TYPE OF TYPICAL PAVED FOOTWAY.
 - 7. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN PAVEMENT TYPE OF TYPICAL PAVED STREET.
 - 8. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN PAVEMENT TYPE OF TYPICAL PAVED STREET WITH GREENWAY.
 - 9. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN PAVEMENT TYPE OF TYPICAL PAVED STREET WITH GREENWAY AND UTILITY.
 - 10. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN PAVEMENT TYPE OF TYPICAL PAVED STREET WITH GREENWAY AND UTILITY AND STORMWATER.
 - 11. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN PAVEMENT TYPE OF TYPICAL PAVED STREET WITH GREENWAY AND UTILITY AND STORMWATER AND LANDMARK.
 - 12. ALL PROPOSED STREETS SHALL BE DESIGNED TO ACCOMMODATE A DESIGN PAVEMENT TYPE OF TYPICAL PAVED STREET WITH GREENWAY AND UTILITY AND STORMWATER AND LANDMARK AND UTILITY.



Countrywide Proposed	
YORK STREET RESERVE	
Proposed Site Plan	
FORMA VERSION - INTERNAL USE ONLY	
DATE 10/10/2015	COMP CWP
PROJECT SK3146-PL01	REVISED E