

BURY COUNCIL
DEPARTMENT OF OPERATIONS

REF NO: 23/100

FROM: Head of Engineering

TO: Head of Development Management

Planning Application No: 69535

Location: Land at Billberry Close & Albert Road, Whitefield, M45 8BL

Development: Erection of 7 No. bungalows with associated works

RECOMMENDATION

I recommend that any planning permission given shall include the following conditions:

1. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:
 - Formation of the replacement footway on the northerly side of Billberry Close to a scope and specification to be agreed, incorporating a minimum footway width of 2.0m, provision of footway crossings serving Plots 2 - 7, demarcation of the limits the adopted highway, relocation/replacement of the affected street lighting column, street nameplate at the back of the new footway in positions to be agreed, relocation/replacement of the affected dog waste bin in a position to be agreed, tactile paved crossing point at the Billberry Close/Albert Road junction, all associated highway and highway drainage remedial works and any alterations required to existing traffic calming features that may be required as a direct result of the proposed development;
 - Formation of the proposed footway crossing serving Plot 1 onto Albert Road to a scope and specification to be agreed, incorporating all necessary accommodation works at/extension of the existing crossing serving No. 38 Albert Road and demarcation of the limits the adopted highway all associated highway and highway drainage remedial works and any alterations required to existing traffic calming features that may be required as a direct result of the proposed development.

The details subsequently approved shall be implemented to an agreed phasing plan of both the highway works and housing element of the proposed development and to the satisfaction of the Local Planning Authority.

2. The development hereby approved shall not be commenced unless and until the required stopping-up/footpath diversion order has been secured and a programme of implementation for the replacement footway on Billberry Close has been agreed with the Local Planning Authority.

Cont/.....

The phasing plan shall incorporate the implementation of the replacement facility to basecourse level prior to the existing footpath route being affected by the construction of the development, with the facility fully implemented prior to first occupation of the development hereby approved.

3. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP) has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
- Dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of, and statutory undertakers connection to, the development;
 - Access route for vehicles from the Key Route Network;
 - Access point(s) to the site, including all temporary works and measures required to protect highway users and facilitate vehicular access;
 - Hours of operation and number of vehicle movements;
 - Proposed site hoarding/gate positions clear of appropriate visibility splays onto the adopted highway;
 - A scheme of appropriate warning/speed limit signage in the vicinity of the construction site access(es);
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
 - Parking on site of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
 - Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the ground work operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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

4. The car parking indicated on the approved plans, incorporating minimum hardstanding lengths of 5.5m minimum (11.0m at tandem driveway) and measures to prevent the discharge of surface water onto the adopted highway, shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.
(CAR1 Amended).

Cont/.....

5. Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reasons

- 1 & 2. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety.
3. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, 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.
4. To ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety.
5. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling.

Comments and Observations

1. This recommendation relates to the revised plan received by this Section on 13 June 2023. (N025 Amended)
2. This development affects a highway. This planning decision does not authorise the closure/diversion of the highway affected by the development. The applicant's attention is therefore drawn to the statutory procedures for obtaining a stopping-up/diversion order under Section 247 of the Town and Country Planning Act 1990 in order to authorise the removal ('stopping-up') of the affected highway and enable the development to be carried out in accordance with a valid and relevant planning permission. The Order will also provide for the provision of new/improved highways as long as these also form part of the planning permission (the replacement footway). Development affecting the highway should not be commenced until the statutory requirements have been complied with and the stopping-up/diversion order made. Enquiries regarding the necessary procedures should be made to the Department for Operations, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Telephone 0161 253 5788. (N002)
3. The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the required highway works. The cost of the works will be the responsibility of the developer. (N004 Amended)

Cont/.....

4. The applicant's attention is drawn to the need to complete a Section 278/38 Agreement under the Highways Act 1980 regarding the works affecting the existing adopted highway and the future adoption of the replacement footway. (N008 Amended)
5. It would be advantageous for the land affected by the highway proposals to be in the control of the Highway Authority. An appropriate course of action would be the free dedication of the land to the Highway Authority by the freeholder. (N021)
6. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system. (N024 Amended)

Date: 10 July 2023

Signed: **A Southgate**
(pp) Head of Engineering

HIGHWAYS ASPECTS ONLY