

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 29/04/2024	Ref: 70218/FUL
Registration: 30/11/2023	LDfC: 21/12/2023	Expiry Date: 29/02/2024
Site Visit: 13/12/2023	Site Notice: 13/12/2023	Press Date: 07/12/2023
Objections: 0	Con Area: N/A	Adv Type: MD
Reason for Delay: N/A		EIA: S2NR
		Dec Level: DEL
		Stat Class: MAMW

Proposal: Single storey extension of existing industrial unit (Class B2/B8) including recladding of the existing building roof; Externally will include storage tanks, extension to existing site access points, new service yard, additional cycle and car parking with electrical vehicle charging spaces with associated infrastructure and new external seating area

Location: Gateway House, Pilsworth Road, Bury, BL9 8RD

Description

The application relates to an industrial unit which occupies a 1.52 ha site at Pilsworth Industrial Estate. The site is accessed via a service road which leads from Pilsworth Road to a barrier controlled entrance and car park which provides 140 spaces. There is a separate service yard area to the north of the building for HGV's, deliveries and the associated servicing operations of the business.

To the north of the site is a retail park which comprises a mix of business and large retail stores, to the east is the M66 motorway and beyond the southern boundary at a lower level is Aviation Road and land designated as River Valley and Wildlife Corridor and Hollins Local Nature Reserve.

The application proposes a single storey extension to the existing industrial unit (Class B2/B8) and the recladding of the existing building. Externally, new storage tanks would be erected, with an additional service yard, parking and cycle facilities and new external seating area.

The proposed extension would provide 3,990 sqm of floor space (a 43% uplift of existing floorspace) and would be located on the southern side of the warehouse on a piece of land which currently comprises scrub, vegetation and trees. The building would be constructed in a light grey/silver cladding to match the existing building, photovoltaic panels to the roof and the recladding of the existing building roof. The proposed extension would increase the warehouse and R&D areas of the business.

The storage tanks would be located on the western side of the building next to a new service yard area which would be provided for emergency vehicles. The tanks and new yard would be accessed via an existing track which would be upgraded and tarmaced.

The existing car park currently provides 150 spaces and it is proposed to add a new 16 no. EV space car park to the eastern side of the new warehouse. The existing parking spaces next to the main entrance would be re-configured to provide 4 accessible EV chargepoints. The new parking and reorganisation of the existing arrangements would result in an overall net parking provision of 162 spaces, 7 disabled spaces and 4 motorcycle spaces.

A new external seating area would be located next to the car park and new cycle store would also be provided opposite the main entrance.

Ecological enhancement proposals for the site include planting to the southern perimeter of the site and a landscaping and management plan for the land to the east of the built development.

Relevant Planning History

54277 - External alterations of existing warehouse; conversion of part of service yard to provide additional car parking; provision of a liquid tank compound with associated alterations to external pump room and store; new 2.4M high boundary fence and entrance gates - Approve with Conditions 14/09/2011
55049 - Hazardous substances consent: Storage of LPG; Diesel; Detergents/Disinfectants Part B2; Oxidising Agents Part B3 (49 Tonnes); Flammable Part B6 (R10) agents (45 tonnes) and Flammable Part B8 (R11) agents 20 Tonnes; Dangerous to the Environment Agents Part B10 (ii) R51 and R53 (10 tonnes) and Part B10 (i) R50 (850 tonnes) - Approve with Conditions 19/07/2012
55364 - 3 No. internally illuminated fascia signs; 1 No internally illuminated free standing totem sign - Approve with Conditions 07/08/2012
57007 - Relocation of existing freestanding sign on 10 metre pole (resubmission) - Approve with Conditions 10/01/2014
59474 - Creation of 75 no. additional car parking spaces (resubmission) - Approve with Conditions 08/01/2016
60101 - Article 18 consultation from Rochdale Council (ref.16/00455/FUL) for the erection of detached building for use as a garage and equipment store (resubmission of 15/00641/FUL) - Raise No Objection 01/06/2016
60861 - Article 18 consultation from Rochdale Council (ref.16/01399/HYBR) for part full / part outline planning application for the redevelopment of land at South Heywood including demolition works. Full application includes new link road between junction 19 of M62 and Pilsworth Road, widening of Pilsworth Rd. and junction improvements. Outline application (all matters reserved except access) includes mixed use development up to 1000 dwellings (Class C3), employment uses Classes B2/B8) up to 135,460m2, new primary school (Class D1), up to 2500 m2 Classes A1/A2/A3/A5 use (including up to 2500m2 Class A1 use) and associated works - Raise No Objection 23/01/2017

Publicity

Letters sent to 5 properties on 30/11/23.
Site notices posted 13/12/23
Press advert 7/12/23

No responses received

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - No objection subject to conditions.

Environmental Health - Pollution Control - No response received.

Health & Safety Executive - Hazardous substances consent

Rochdale MBC - No response received

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)

- Advise the development meets the requirements of the Fire Service

Borough Engineer - Drainage Section - No response received

United Utilities - No objection subject to conditions

Traffic Section - No objection subject to conditions

Transport for Greater Manchester - No objection in principle.

Public Rights of Way Officer - No objection.

GMEU - No objection subject to conditions.

Greater Manchester Minerals and Waste - No comments to make

Environment Agency - No objection subject to conditions

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

Unitary Development Plan and Policies

DELEGATED REPORT

NPPF	National Planning Policy Framework
EC2/1	Employment Generating Areas
EC6/1	New Business, Industrial and Commercial
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
EN6/2	Sites of Nature Conservation Interest LNR's
EN6/4	Wildlife Links and Corridors
HT2/4	Car Parking and New Development
OL5/2	Development in River Valleys
SPD11	Parking Standards in Bury
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-J2	Employment Sites and Premises
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-P6	Health
JP-C2	Digital Connectivity
JP-C4	Strategic Road Network
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

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

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

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

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

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

Policy principle

Unitary Development Plan (UDP)

The site is located within the Pilsworth Employment Generating Area (EGA) (EC2/1/2). Policy EC2/1 states that in EGAs, the Council will only allow development for the uses specified (B1, B2, B8 and Leisure and Tourism Uses). Other uses will only be permitted where they constitute limited development or not substantially detract from an area's value as an EGA. The policy further states that a Traffic Impact Assessment may be required for any development proposals within the Pilsworth EGA.

As the application is an extension to an existing industrial unit and subject to the detail regarding a traffic impact assessment, the principle of the proposal would be in accordance with Policy EC2/1.

Places for Everyone

Policy JP-J1 supports long term economic growth and Policy JP-J2 Employment Sites and Premises states that existing employment areas that are important to maintaining a strong and diverse supply of sites and premises in our boroughs will be protected from redevelopment to other uses, nurtured to ensure they remain competitive, and their accessibility improved where necessary.

As noted above, the proposal is for an extension to an existing industrial unit to allow an expansion of the existing business. The principle of this application is in conformity with Policy JP-J2.

Layout

The existing site comprises the access road to the industrial unit, servicing area and car parking which are primarily formed in the northern part of the site area. There is a large area of overgrown and self seeded land directly to the south of the site where it is proposed to locate the new extension.

The scheme involves the part removal of the existing southern wall to allow for an internal connection from the unit to the new extension and the works also include the re-cladding of the existing roof.

The extension would comprise 3,990 sqm of additional floor area and the footprint would cover the majority of the remaining parcel of land to the southern boundary of the site which forms an embankment above Aviation Road and beyond.

The additional parking area for 16 cars would be integrated within the eastern side of the

extension which would be close to the main entrance of the main building.

On the western side an existing track would be re-laid in tarmac to provide an access to a new servicing yard and emergency vehicle turning circle and behind this would be new storage tanks.

The site would be cleared of most of the vegetation but this comprises primarily of self-seeded trees and scrub. A landscaping plan has been submitted which shows there would be tree planting and native shrubs planted along the southern boundary of the site which would help mitigate towards the loss of natural habitat and also help screen the development from views outside the site. Further ecological mitigation is proposed to the land to the west (see details in Ecology Section below).

Whilst the proposed extension would be a substantial addition to the existing unit, the siting of the new unit would make efficient use of the land available without compromising the existing access or parking arrangements. The development would provide additional parking spaces with EV chargepoints, a cycle store area and would formalise an emergency access which would be of benefit to the site.

It is therefore considered that the proposed layout would be acceptable and would comply with UDP Policies EC2/1, EC6/1 and EN1/2.

Design and appearance

The proposed extension would connect to the existing warehouse building and would follow the same height and roof form and this would allow for safe manoeuvrability within the site for machinery and the day to day operations of the business.

The design philosophy is to construct a modern building and high quality facility to reflect and comply with up to date industrial and logistics standards.

The proposed elevations would be a light grey/silver cladding which would match the external appearance of the existing building with a horizontal banding to tie in with the existing design and the corporate logo. The roof would be clad in a profiled light grey colour.

The building would be designed to meet Approved Document M of Building regulations by providing level access to all entrances and exits and internal access to welfare and office areas.

Within the setting of the industrial estate and the site itself, the approach to clad the exterior of the extension would be considered acceptable and would comply with policies EC6/1 and EN1/2.

Impact on surrounding area

In the context of the surrounding area, the site is located in the eastern part of the industrial estate approx 250m away from the main throughroute.

Park 66 is located to the north approx 50m away and separated by the site's access road. The extension would be located on the southern side of the existing warehouse and as such it is considered these businesses would not be significantly affected by the siting or associated operations in the extension.

The southern boundary of the site forms an embankment to the land and Aviation Road beyond which is set at a lower level. The proposed extension would be close to the boundary but there would be a landscape buffer and boundary treatment which would provide a degree of separation and as such it is considered the area to the south would not be unduly affected.

To the west of the site is an industrial unit with their servicing and yard area adjacent to the boundary of the site. The proposed extension would be no closer to the adjacent site than the existing building. The proposed new access would be located along the western boundary but this would generally be used for emergency purposes only. The existing fence would be retained along the boundary. It is therefore considered the adjacent business would not be significantly affected by the proposed extension or associated operations.

To the eastern side of the site is the parking beyond which the land elevates away from the built development with the M66 motorway beyond. The footprint of the proposed extension would not extend beyond the current building line towards the western area and as such it is considered this area would be unaffected by the development.

The site is served by its own access and service yard area for the unloading and loading of goods and the operations would continue to be carried out within the site area without detriment to the adjacent units.

It is therefore considered that the proposed development would not significantly impact on the surrounding commercial businesses or Pilsworth Industrial estate in terms of the siting of the proposed extension and would comply with Policies EC6/1 and EN1/2.

Impacts of traffic generation in the area are considered below.

Highways

Parking and access

The site is served by its own 2 way access which leads from Pilsworth Road directly to the site entrance which is controlled by a barrier.

The existing parking is arranged in a linear formation along the eastern side of the site and currently provides 150 standard spaces and 5 disabled spaces and includes 14 EV chargepoints.

It is proposed to add a new parking area between the existing building and the extension to provide 16 EV chargepoint spaces. With a slight re-configuration of the existing parking the development would result in an overall net parking provision of 162 spaces, 7 disabled spaces and 4 motorcycle spaces.

For the increase in staff of up to 20 employees it is considered that the proposed parking is acceptable.

There is a separate service yard area to the north of the building which is accessed directly from the access road and where deliveries and servicing of the business are carried out which do not affect or conflict with other users of the building. This would remain as existing.

It is also proposed to provide a new emergency access route to the western side of the building with a turning area.

The site is well served by the access route and this would continue to facilitate the additional transport movements without conflicts on the main highway.

The proposed increase parking provision is also considered to be adequate to meet the needs of the business.

It is therefore considered the proposed development would comply with EC6/1, HT2/4 and JP-C8.

Traffic generation

Policy JP-C8 covers transport requirements for new development. The policy states new development will be required to be located and designed to enable and encourage

walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments.

The application has been supported by a Transport Statement. In terms of traffic impacts on Pilsworth Road, the TS predicts that the proposed development would not significantly increase traffic on Pilsworth Road, with most of the traffic accessing the site via junction 3 of the M66.

The Transport Statement concluded that traffic impacts as a result of the development would not be material and no further assessment is required.

TfGM have been consulted on the proposals and have reviewed the Transport Statement. In terms of quantitative analysis of the M66 J3, this should be considered by the local authority in the context of committed developments which together with this development could cause capacity issues should the junction already be congested.

The traffic at Pilsworth Industrial Estate is already problematic, particularly at peak morning and evening times and as one of the employers in the area, the existing business and its operations is a contributing factor to the traffic which builds up around the junction and the local highway network.

Regardless of the number of additional vehicles, there would be some uplift in traffic to the site and area in general as a result of the development.

The TS estimates that the number of HGV's arriving and departing the site would increase following the completion of the extension - a 15% increase in HGV's for incoming goods and 20-25% increase in HGV's for outgoing goods.

In terms of this development, it is likely that the majority of the traffic would use J3. This junction already operates to capacity so any additional vehicles would add to congestion in this area and on Pilsworth Road with the potential for some traffic to use the Hollins Brook/Manchester Road junction.

There is a major scheme of works planned for J3 but this is not expected to come forward or materialise at any time soon.

TfGM are currently working up a number of vehicle, cycle and pedestrian improvement schemes around the A56/Hollins/Pilsworth corridor and Pilsworth Road which would provide more immediate benefits to all the businesses operating in the area.

It is therefore recommended that the applicant provides a contribution towards one such improvement scheme in the locality given the development would contribute to an increase in traffic movement in the Pilsworth area.

The applicant has agreed to a contribution of £28,000 which has been calculated using the same formula used for other developments in the area which have required a contribution to highway improvements due to traffic generation. This has been secured by a section 106 Agreement. The monies would be returned if unspent within 10 years.

Policy JP-C8 requires an assessment of the development traffic at Holcroft Moss which is in the Manchester Mosses Special Area of Conservation (SAC). Any proposals that would result in increased traffic flows on the M62 past Holcroft Moss of more than 100 vehicles per day or 20 HGV's per day must devise a scheme-specific range of measures to reduce reliance on cars, reduce trip generation and promote ultra-low emission vehicles and provide a contribution towards restoration measures in accordance with the Holcroft Moss Habitat Mitigation Plan.

The TA has concluded that the scale of development would not meet the threshold of traffic generation to impact Holcroft Moss or require a contribution towards restoration measures.

As such, it is considered that the proposed development would be acceptable and comply

with policies EC6/1 and JP-C8.

Public Rights of Way

A Public Right of Way (79BUR) runs to the south of the site on Aviation Road. There is no objection in principle and advise an informative to the applicant as follows -

The applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered, gates erected across their width (unless authorised by Bury Council the Highway Authority) or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels/surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made available.

Fire safety

Greater Manchester Fire and Rescue Services have been consulted on the application and advise the following -

The proposal should meet the requirements for Fire Service access and the requirements of B5, Approved Document B Volume 2.

The access road should comply with Table 15.2 of Approved Document B, Volume 2 - be a minimum width of 3.7m and capable of carrying 12.5 tonnes.

Where a building, which has a compartment of 280m² or more in area, is being erected more than 100m from an existing fire-hydrant additional hydrants should be provided as follows;

- Buildings provided with fire mains – hydrants should be provided within 90m of dry fire main inlets
- Buildings not provided with fire mains – hydrants should be provided within 90m of an entry point to the building and not more than 90m apart.

If the provisions in a building vary from those in Approved Document B, sprinkler protection can sometimes be used as a compensatory feature. The provision of a sprinkler system may also result in long term savings on insurance premiums.

The Fire Service strongly supports the installation of sprinkler systems as a positive measure to protect persons. The provision of a sprinkler fire suppression system would have significant benefits for the development. It would ensure that any fire would be quickly controlled and would significantly reduce any fire damage to the building. This is particularly important as business continuity following a fire as an important factor in the ongoing viability of an organisation.

It is strongly advised that the developer consult their insurance company to discuss the advantages of installing a sprinkler protection.

The applicant has provided a site wide Fire Strategy plan showing the location of existing fire hydrants and a new hydrant proposed close to the new extension. The new access proposed to the western side of the site would also serve as an additional access for emergency vehicles.

The requirements of the fire service would be included an informative to the applicant.

Ecology

Summary

GMEU recommend a biodiversity net gain assessment prior to determination. Other potential ecological issues can be dealt with via condition and informative.

Bats

The buildings on site were assessed as having negligible bat roosting potential. GMEU have no reason to doubt the findings of the report. No further information or measures are required.

Other Protected Species

GMEU accept that it is very unlikely that there are any other protected species issues associated with this site and are aware that the site has been well surveyed historically for such species and no evidence found. No further information or measures are required.

Nesting Birds

Tree and scrub will be lost, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition is applied to restrict the removal of vegetation.

Other Wildlife

Evidence of fox and rabbit was recorded with the site assessed as suitable for hedgehog, a UK Biodiversity Priority Species. All mammals are protected under the Wild Mammal (Protection) Act 1996. It is an offence to inflict unnecessary suffering to wild mammals such as indiscriminate clearance with machinery. Common toad another UK Biodiversity Priority species have been recorded from the mill lodge to the south. GMEU therefore agree with the consultant that the site should be cleared sensitively. GMEU recommend a condition that prior to any vegetation clearance a reasonable avoidance measures method statement for mammals and amphibians, covering site clearance and construction phases, shall be submitted to and agreed in writing by the LPA.

Invasive Species

Himalayan balsam was relatively abundant in the scrub, with rhododendron rare. Both species are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to introduce or cause to grow wild any plant listed under this schedule. Given the extent of earthworks and as himalayan balsam spreads by seed, there will be a risk of spreading this species further during the development. GMEU therefore recommend a condition for a method statement detailing control measures for himalayan balsam and rhododendron should be supplied.

Proximity to Hollins Vale SBI and Local Nature Reserve

Whilst direct adverse effects are unlikely, there are risks during and post construction of overland flow in to the SBI, given the site is perched above the mill lodge. GMEU recommend measures are put in place to ensure surface water is retained on the site. These measures should form part of the construction and environmental management plan, which can be provided via condition.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment.

The development would result in the loss of primarily moderate ecological value habitats to building a negligible value habitat.

A biodiversity net gain assessment of the site has been carried out and the findings supplied to the LPA.

The applicant is proposing on-site mitigation (ie the site of the proposed extension) comprising tree planting. GMEU are satisfied with this level of mitigation given the constraint of the size of the remaining area subject to a condition requiring a BNG management plan.

As the proposed development would result in a significant loss of biodiversity, an off-site

proposal immediately adjacent to the development has therefore been identified to make up the shortfall. This land is within the ownership of the applicant and included within their blue edge plan.

The ecological consultant is confident that good condition where stated in the metric can be achieved and have provided a justification. GMEU have no further issues with the metric and are satisfied the details and a management plan for the area can be secured by condition.

The development would also provide mitigation for nesting birds and other mammals by the provision of bird boxes on the few retained trees around the perimeter and brush piles for amphibians and hedgehog. The details can be conditioned.

It is therefore considered the proposed development would satisfy the requirements for biodiversity net gain on the site and be in compliance with PfE Policy JP-G8.

Drainage - A Drainage Strategy has been submitted and United Utilities (UU) have confirmed there is no objection subject to a condition for the implementation of the details. UU have identified that a water main crosses the site and therefore recommend a condition for the submission of details to ensure the water main is protected from damage as a result of the development.

As such it is considered that with appropriate conditions the proposed development would comply with Policies JP-S4 and the principles of the NPPF.

Environment Agency

No objection in principle to the proposed development, but would make the following comments -

The proposed development would be acceptable if the following measure(s) are implemented and secured by way of a planning condition on any planning permission.

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

The EA have also commented that the site is an upper-tier COMAH establishment and subject to the provisions of the COMAH Regulations 2015, which are enforced by the COMAH Competent Authority (CA).

An advisory note to the applicant would be included to inform the applicant of COMAH regulations.

Health and Safety Executive (HSE)

The HSE have been consulted on the application and have raised no objection to the location of the proposed extension.

Greater Manchester Minerals and Waste

Due to the nature of this development and supporting information provided in the Mineral Resource Assessment, there are no comments to make.

Digital Connectivity

JP-C2 - Digital Connectivity supports the provision of affordable, high quality, digital infrastructure.

The applicant states that as the development would comprise an extension for storage purposes only, this policy would not be relevant to the development. The existing data

connections would be suitable for the existing and proposed uses.

This approach is considered acceptable.

Carbon and Energy

JP-S2 - Carbon and Energy requires new development to be net zero carbon in relation to regulated operational carbon emissions unless it can be demonstrated that it is not practicable or financially viable.

The applicant have committed to a large solar array and air source heat pumps for heating and hot water and proposals for fabric improvements to the building and would provide EV chargepoints to 20% of the parking spaces on site.

It is therefore considered that the proposed development would comply with Policy JP-S2.

Health

JP-P6 - Health requires new development to maximise positive contribution to health and well being, support healthy lifestyles and where proposals are likely to have a notable impact on health and well being.

The applicant has provided a statement titled 'Improving supporting 'Health' in the Locality which would be compliant with Policy JP-P6: Health.

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

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

Recommendation: Approve with Conditions

Conditions and Reasons:

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

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

- 2 This decision relates to drawings -
Drawing refs nos - 23026-HFR-AV-ZZ-DR-A-

PL00 P5 - Location plan
PL01 P6 - Existing site plan
PL02 P3 - Demolition Plan
PL03 P4 - Existing elevations
PL04 P4 - Existing site sections
PL05 P4 - Existing ground floor
PL07 P3 - Existing roof plan
PL10 P4 - Proposed site plan
PL11 P5 - Proposed ground floor
PL12 P1 - Proposed first floor
PL13 P3 - Proposed elevations
PL15 P3 - Site wide fire strategy

PL16 P3 - Proposed roof plan
PL17 P1 - Proposed GEA plan
6200 P3 - Site wide fire strategy

4496 102 - Tree Survey
4496 103 B - Tree protection and retention plan
4496 201 C - Revised Planting plan
4496 202 - Planting plan

Ecological Survey and Assessment November 2023 by Arap ref 2023-026
Tree Survey and Constraints Report by Amenitytree
Biodiversity metric 4.0 dated 1.4.24 Version 2
Assessment of Biodiversity net gain April 2024 version 2
Transport Statement by Ashley Helme April 2024 report ref 1858/1/C
Technical Note 3 by Ashley Helme.
Travel Plan by Ashley Helme November 2023 Report ref 1858/2/B
Mineral Statement by Groundtech Consulting October 2023
Ground gas risk assessment by Groundtech October 2022
Geo Reports - British Geological Survey
Geo-Environmental appraisal by Groundtech 16th September 2022
Drainage Strategy and Drainage Design Drawing 22040235-022, Rev P2 - Dated 10.11.23 by Brian Clancy Higby Partnership Rev A.
Carbon and Energy Statement dated 5/4/24 Doc no. P2346-MA-ES-KRS-001
Health Statement 25.3.24 Statement - supporting long term growth - 25th March 2024
Carbon and Energy Statement by McKee Associates 5/4/24 rev 001 P2346, Doc P2346-MA-ES-KRS-001
Digital Connectivity by McKee Associates 5th April 2024

and the development shall not be carried out except in accordance with the drawings hereby approved.

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

- 3 No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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

- 4 Following the provisions of Condition 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.

- 5 The proposed EV chargepoints shall be 7kW* as a minimum. Photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted following installation.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

- 6 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 22040235-022, Rev P2 - Dated 10.11.23 by Brian Clancy Higby Partnership. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding pursuant to Policies JP-S4, EN7/3, EN7/5 and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 7 No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason. Information not submitted at application stage. In the interest of public health and to ensure protection of the public water supply pursuant to chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 8 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by 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 Prior to any vegetation clearance a reasonable avoidance measures method statement for mammals and amphibians, covering site clearance and construction phases, shall be supplied to and agreed in writing by the Local Planning Authority. The approved reasonable avoidance measures and timetable shall thereafter be

implemented.

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.

- 10 Prior to any vegetation clearance or earthworks a method statement detailing control measures for Himalayan balsam and rhododendron should be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Reason. The scheme does not provide full details of the actual extent of invasive species. To ensure the safe and satisfactory development of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 11 No development shall commence unless and until a construction and environmental management plan to include a scheme to treat and remove suspended solids from surface water run-off during construction works and measures to ensure surface water is retained on site during and post construction has been submitted to and approved by the Local Planning Authority. The approved plan only shall be implemented prior to the commencement of any works and maintained for the duration of the build out of the development.

Reason. Information not submitted at application stage. To ensure a safe and satisfactory development of the site in relation to the protection of the adjacent SBI from any pollutants and construction disturbance which may cause risk, pursuant to chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 12 Prior to the construction of the extension hereby approved, details/samples of the materials 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 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 EN1/2 - Townscape and Built Design.

- 13 Notwithstanding the approved plans - 4496 201 C - Revised Planting plan and 4496 202 - Planting plan, prior to commencement of development a biodiversity mitigation plan for the on-site and off-site proposals shall be submitted to and approved in writing by the Local Planning Authority. The mitigation plan and net gain report shall include:

- Aims and objectives of the plan;
- An updated post development habitat and condition proposal (if required);
- Management Proposals for each habitat to be created and or enhanced (including but not limited to provision of bird boxes and brush piles for amphibians and hedgehogs) ;
- Potential management constraints;
- A 30 year management and monitoring schedule;
- Milestones and Risk Assessment and;
- Details of the organisation(s) responsible for implementation, management and monitoring.

The details shall thereafter be implemented to the agreed timetable

Reason. To secure the satisfactory development of the site in the interests of visual amenity and a net enhancement of biodiversity resources pursuant to Policies EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan, Policy JP-G7 - Trees and Woodland, Policy JP-G8: A Net Enhancement of Biodiversity and

Geodiversity of Places for Everyone Joint Development Plan and Chapter 15 -
Conserving and enhancing the natural environment of the NPPF.

- 14 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:
- Photographic dilapidation survey of the footways and carriageways leading to and abutting the junction of the site access with Pilsworth Road in the event that subsequent remedial works are required following construction of the development;
 - Access route for all construction vehicles to the site from the Key Route Network taking into consideration the 7.5T weight restriction on Pilsworth Road;
 - Access point/arrangements for construction traffic from the unadopted site access road, taking into consideration the need to maintain safe pedestrian/vehicular access to the existing site and all temporary works required to facilitate access for demolition/construction vehicles;
 - If proposed, details of site hoarding/gate positions;
 - The provision, where necessary, of temporary pedestrian facilities/protection measures;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Pilsworth Road;
 - Confirmation of hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
 - Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials clear of existing parking facilities;
 - Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks 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.

Reason. Information not submitted at application stage. 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 in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design and JP-C5.

- 15 The turning and servicing facilities indicated on the approved plans shall be retained/provided before the development hereby approved is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
- Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Policies EC6/1 and JP-C5.
- 16 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
- Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EC6/1 and HT2/4.

DELEGATED REPORT

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	29/4/24		