

BURY COUNCIL
DEPARTMENT OF OPERATIONS

REF NO: 25/092

FROM: Head of Engineering

TO: Head of Development Management

Planning Application No: 71615

Location: Performance House, Heywood Street, Bury, BL9 7DZ

Development: Variation of condition No. 2 (approved plans) following approval of planning permission 70977 - to extend the building by 4.25 metres to the side towards the associated car park

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 to and agreed in writing by the Local Authority:
 1. Submission of a photographic dilapidation survey of the existing adopted highway that abuts the site and the proposed development areas;
 2. Proposed alterations to the existing site access onto Heywood Street, incorporating a replacement sliding gate and all associated highway remedial works;
 3. Proposed extension foundations confirming no encroachment under the adjacent adopted highway;
 4. Extent of boundary wall alterations and replacement railings, demarcation of the limits of the adopted highway and all associated highway remedial works.

The details subsequently approved shall be implemented to an agreed programme and prior to the extension of the building hereby approved being brought into use.

2. The turning facilities indicated on approved plan reference 100/004 Revision -1 bounded by the proposed parking spaces shall be 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.
3. The car parking indicated on approved plan reference 100/004 Revision -1 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. (CAR1 Amended)

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4. The refuse storage and access arrangements to be provided within the curtilage of the site indicated on approved plan reference 100/004 Revision -1 shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.
5. The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reasons

1. To ensure good highway design and to maintain the integrity of the adopted highway, in the interests of highway safety.
2. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
3. To ensure adequate off street car parking provision in the interests of road safety.
4. To ensure that adequate bin storage arrangements are provided within the curtilage of the site, clear of the adopted highway.
5. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety.

Comments and Observations

1. This recommendation relates to the revised plans received by this Section on 14 May 2025, and, for the avoidance of doubt, this recommendation relates to approved plan reference 100/004 Revision -1 and not the additional plan submitted of the tracking of a refuse vehicle only (which has been superseded and is not the approved layout). (N025 Amended)
2. 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)
3. The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations required for the boundary fencing under the adjacent adopted highway.

Date: 14 May 2025

Signed: **A Southgate**

(pp) Head of Engineering