

BURY COUNCIL
DEPARTMENT OF OPERATIONS

REF NO: 23/248

FROM: Head of Engineering

TO: Head of Development Management

Planning Application No: 70053

Location: 8 Bell Lane, Bury, BL9 6AR

Development: Change of use of ground floor shop (Class E) to 1 No. self-contained flat (Class C3); alterations to front elevation including removal of existing shop front and installation of a window and door at front and 1 No. additional ground floor window at the rear

RECOMMENDATION

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

1. The new ground floor window on the front elevation shall be installed so it shall not open outwards over the adjacent adopted footway below a height of 2.4m.
2. The alterations to the shop front shall, if required, incorporate foundations that do not encroach under the adjacent adopted highway and all associated remedial works required to reinstate the footway to its former condition prior to commencement of the development. Any required highway remedial works shall be implemented to the satisfaction of the Local Planning Authority before the use hereby approved is commenced.
3. The bin storage facilities indicated on the approved plans shall be made available to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and maintained thereafter.

Reasons

1. To ensure compliance with the Highways Act 1980 and in the interests of pedestrian safety.
2. To maintain the integrity of the adopted highway.
3. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway.

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Comments and Observations

1. The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of any required highway works. The cost of the works will be the responsibility of the applicant. (N004 Amended)
2. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system. (N024)
3. The applicant's attention is drawn to the fact that the adopted highway should not be used for the storage of bins.
4. The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations that may be required for the alterations to the shop front under the adjacent adopted highway.

Date: 10 October 2023

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

HIGHWAYS ASPECTS ONLY