

BURY COUNCIL
DEPARTMENT OF OPERATIONS

REF NO: 22/023

FROM: Head of Engineering

TO: Head of Development Management

Planning Application No: 67965

Location: East Lancs Paper Site/Land between Cock Clod Street/Cunliffe Street/Howard Street/Pollitt Street, Radcliffe

Development: Residential development of 27 No. houses and apartments with car parking, landscaped areas and 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 survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:
 - Reconstruction of all affected footways/provision of 2.0m (minimum) new footways abutting the site on Cross Lane, Church Street East, Rectory Lane, Pollitt Street and Howard Street to a scope and specification to be agreed, incorporating the removal of the affected boundary fencing and landscaping features at the junction of Cock Clod Street with Cross Lane, demarcation of the limits of the existing/future adopted highway with flush (at all pedestrian/vehicular access points)/50mm upstand edgings (adjacent to all landscaped amenity areas) and all associated highway and highway drainage remedial works required as a result of the development;
 - Provision of adoptable parallel parking lay-by arrangements on Pollitt Street to dimensions, and with entry/exit kerblines, to be agreed and all associated highway and highway drainage remedial works required as a result of the development;
 - Revised arrangements at the junction of the un-named back street with Rectory Lane to form a 90 degree junction adjacent to the rear of Plot 7, and all associated highway and highway drainage remedial works required as a result of the development;
 - Revised arrangements at the junction of the apartment car park access onto Howard Street with tracked kerb radii, measures to prevent vehicle encroachment from the adjacent disabled parking spaces, measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works required as a result of the development;

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- Provision of level pedestrian accesses at the interface with the existing adopted highway, including at either end of the unadopted pedestrian link between Cross Lane and Pollitt Street;
- If deemed redundant by United Utilities as part of the potential Public Open Space proposals at Rectory Lane/Church Street East, reinstatement of the existing access onto the adopted highway;
- Provision of a street lighting assessment of all adopted and unadopted highway used to serve the site and, if required, subsequent scheme of improvements to existing street lighting on the adopted/unadopted highways, incorporating the replacement of all affected street lighting columns as a result of the assessment and proposed access arrangements, in positions to be agreed.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority with all highway works completed prior to the development hereby approved being occupied/brought into use.

2. 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 site in the event that subsequent remedial works are required following construction of the development, works to the site boundaries and as a result of statutory undertakers connections to the site;
 - Access route for all vehicles to the site from the Key Route Network;
 - Access point(s) for construction traffic from the adopted/unadopted highway and all temporary works required to facilitate access for ground works/construction vehicles;
 - If proposed, details of site hoarding/inward opening gate positions;
 - The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted/unadopted highway;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es);
 - 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;
 - 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. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.

3. The visibility splays indicated on approved plan reference 3606-F01 shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m. (HY06 Amended)
4. No development shall commence unless and until details of the proposed arrangements for future management and maintenance of the proposed estate road and street lighting within the development have been submitted to and approved by the local planning authority. The estate road shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.
5. The vehicular/pedestrian access/bin collection arrangements and turning facilities within the curtilage of the site, including improvements to the unadopted sections of Cunliffe Street, Baybutt Street and un-named back street to the rear of No.'s 3 - 13 Rectory Lane, indicated on the approved plans shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times. (HY14 Amended)
6. The car parking indicated on the approved plans, incorporating minimum in-curtilage parking hardstanding lengths of 5.0m and measures to prevent the discharge of surface water onto the adjacent highways, shall be surfaced, demarcated (as appropriate) 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).
7. Bin storage and refuse collection arrangements shall be provided within the curtilage of each dwelling/the site in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reasons

1. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety.

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2. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety.
3. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety.
4. To ensure that the unadopted estate road serving the development is maintained to an acceptable standard in the interests of residential/highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.
5. In the interests of residential/highway safety and to minimise the standing and turning movements of vehicles on the highway in the interests of road safety.
6. 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.
7. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling.

Comments and Observations

1. This development affects a highway. This planning decision does not authorise the closure of the highway affected by the development. The applicant's attention is therefore drawn to the statutory procedures for obtaining a diversion/stopping-up order under the Town and Country Planning Act 1990 in order to authorise the diversion/replacement of the 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. Development affecting the highway should not be commenced until the statutory requirements have been complied with and the relevant 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)
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 and street lighting works. The cost of the works will be the responsibility of the developer. (N004 Amended)
3. 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 turning facility. (N008 Amended)

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4. It is brought to the attention of the applicant that the proposed estate road is not eligible for adoption by the Council. The applicant is further advised that to discharge the relevant condition regarding future maintenance of the estate roads, the Local Planning Authority will require details of a private management and maintenance company to be submitted, confirming funding, management and maintenance regimes.
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 and the specification for the proposed refuse collection facility at the interface with the adopted highway.
(N024 Amended)

Date: 18 July 2022

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

HIGHWAYS ASPECTS ONLY