

File note in response to email dated 16th of January 2025 from Dean Clapworthy of Bury MBC and an email attached to that of the same date from Paul Holmes of Bury MBC Highways dept.

Having gone through the comments provided by Paul Holmes in his email and the further emails and attachments attached to that. This note provides a summary of our response and details the changes made to the application as a result. The summary is written in the same order as they appear in the email from Paul Holmes. This note is supported by amended Planning Layouts and ancillary plans; a suite of amended Off Site Highway Works plans and a Technical Note (05) and Tracking Details from Mode Transport, all of which are referred to in an updated Drawing and Information Schedule.

- 1. Condition 28 – Internal Road Layout** – We note that there is now agreement that this condition will be discharged with the Reserved Matters consent, as this was simply a condition requiring the submission of the internal road layout design with the first Reserved Matters application, and it doesn't seek the approval of the detailed design for adoption purposes.
- 2. Condition 39 – Off Site Highway Works** – As with condition 28 this condition does not seek the detailed design for S278 purposes. It simply requires that the details of the Off Site Highway Works (plus some details of the internal road layout), approved in the Outline Planning Permission (which includes the approval of the Means of Access), '*...be submitted on a topographical based survey of the site and adopted highways at first Reserved Matters stage*'. The condition then goes on to describe the Off Site Highway Works and references the approved details and their drawing numbers. This is a compliance condition for the first Reserved Matters application that we have indeed complied with thus allowing the Reserved Matters application to be registered. The condition it is not dependant on a S278 agreement or the Technical Approval associated with a S278 agreement.
Since our Reserved Matters application was submitted, we have received a number of comments on the Off Site Highway Works, and further comments are provided in the latest email and attachments from Paul. These comments are the results of possible oversights in the approved details and/or changes in preferences by those bodies now looking at them in more detail. We have and remain willing to accommodate these comments where practical and where they don't depart majorly from the Planning Permission, and the revised drawings Chris will submit will again reflect this. ultimately the Off Site Highway Works will be subject to a separate S278 agreement, it's Technical Approval and Safety Audit process which will be run in tandem with the S38 process for the internal road layout following the grant of the Reserved Matters consent.
- 3. Site Access Red Edge** – The Reserved Matters consent for the Great Places development on the Western side of Cock Clod Street, has a vehicular access arrangement which differs from the Outline Approval and our Reserved Matters Application, and this has created the discrepancy in the red edge. The red edge has now been corrected so that all of our proposed access is included in the red edge and there has been a small adjustment adjacent to plot 237 to reflect the extent of adopted highway. Note that this will result in the new footpath adjacent to the apartment block on Cock Clod Street being re-built in accordance with our proposals and the Outline approved access.

4. **S278 Agreement** – The Planning approved access arrangements and Off Site Highway Works cannot be constructed without entering into a S278 agreement as most elements constitute works within the adopted highway and/or outside the red edge of the Outline Consent. The necessary processes for the S278 agreement will commence as soon possible after the Reserved Matters consent is granted.
5. **S278/S38 Limits** – The limits shown on the proposed Planning Layout were taken from the approved details. They are indicative only and will not be limited by the Reserved Matters consent as these agreements are not Planning Matters. The extent of the limits will be agreed with your councils Highways Department in the normal way once the Reserved Matters consent is granted.
6. **62 – 102 Cross Lane** – This area is typical of one of the ‘oversights’ mentioned in point 2. above, in that the detail approved in the Outline Consent indicated a new kerb line across Croft Lane and a new pedestrian crossing which prevented any future vehicular access to Croft Lane. Having suggested a new layby as a possible solution, we received a sketch of an alternative from your councils Highways department last week. Mode have now looked at this and tracked it with a car and delivery van. The final version of the suggestion is now reflected on the amended Planning Layout and Highway details and Mode have provided further detail and the tracking within their Technical Note 05.
7. **Scheme of Carriageway Reconstruction/Surfacing on Cross Lane** – Being outside the Planning Permission boundary this is a matter for the proposed S278 agreement for the Off Site Highway Works.
8. **Former Weigh Bridge on Church Street East** – Works to abandon this and the extent of highway reinstatement not covered by the ‘island site’ permission will be the subject of the proposed S278/S38 application.
9. **Emergency Access Points** – Mode have provided commentary on the number of Emergency Access points within the Reserved Matters proposals, and more specifically they mention that the emergency access has been provided close to the corner of Bury Street due to the length of ‘cul-de-sac’ leading to that point. In total there will be four additional points of access in addition to the main vehicular access. It has since been agreed that if the Fire Service later confirm that they don’t require the emergency access off Bury Street then it will remain as shown on the plans as pedestrian link for good permeability and the promotion of active travel.
10. **Modal Filters on Church Street East and Rectory Lane** – Details have been shown on the proposed Planning Layout and associated plans in the positions agreed with your councils Highways dept’. We have suggested that these might be well designed gateway features incorporating changes in surface materials and street furniture or a street tree. In the absence of any comment or suggestion from your councils Highways dept’, precise detail will be agreed during the S278/S38 process. If your Planning Dept’ wants more control over the design of these features then a condition on the Reserved Matters Consent requiring details to be submitted and approved prior to the first occupation would be acceptable.

- 11. Road Adoption** – Whilst this is not a matter for a Reserved Matters Planning application, we can confirm that we have every intention of offering the proposed internal roads for adoption, as we believe it would be unacceptable to have a development of this size with private roads. To that end we have designed the proposed road layout in accordance with your council's usual adoptable design standards and we expect to agree the usual more precise detail as part of the S38 process.
- 12. Church Street East** – The proposed footpath along Church Street East has been shown on the amended Planning Layout and associated plans as 2m wide throughout its length until it connects with the existing footpath opposite the existing workshop. This has also been corrected on the proposed Adoption and Management Plan.
- 13. East West Carriageway Width** – Mode Transport have provided more commentary on this matter in their Technical Note 05. This road had been designed in accordance with your council's adoptable design standards from the inception of these proposals I.E. 5.5m wide. This is not a through route or a loop road and it is not a bus route, nor does it require access for HGV's. The Outline consent has specific conditions that prevent vehicular access from Church Street East and Rectory Lane, and the new Cricket Club is to be accessed from Church Street East outside of those vehicular restrictions. This road is only serving the vehicles associated with the proposed dwellings on this development and then only 50 of those have direct access on to this specific road. The discussions regarding this road width only came about during a meeting with representatives of your Councils Highways dept', your council's Cycle Officer and representatives of TfGM, in which it was first agreed that the cycle provision should be in the carriageway due to the relatively modest size of the development. There was then some discussion about what should happen to the residual width once the 3m footpath/cycleway had been reduced to 2m to accommodate this. The majority of opinion in that meeting was that the carriageway width should remain at 5.5m, as 6.5m would be uncharacteristic of a road of this nature and would increase vehicle speeds and compromise safety. The only reason given for the wider carriageway was to provide some aesthetic distinction between the other proposed roads on the site. Ultimately it was agreed that the decision would be deferred to TfGM given the wider infrastructure and plans for the area. The response from TfGM was that the road should remain 5.5m wide and within their formal consultation response they were quick to mention the issues of traffic speeds and highway safety but also how the Grey to Green scheme would also greatly assist with this. In summary there is no justifiable reason why the carriageway width should be increased over standard 5.5m.
- 14. Bury Street Bend** – The proposed bend and its respective 33m forward visibility splay will be the subject of its own safety audit for the purpose of the S278 agreement for the Off Site Highway Works. The forward visibility splay is based on the proposed design speed of all the S278 works and so shouldn't be assessed against current prevailing speed surveys.

- 15. Brook Street** – It was agreed with your councils Highways dept' that Brook Street is to remain in its current pleasant form, retaining the setts and landscape margins and the existing turning head arm is part of that and the adopted highway. That said we have managed to amend the turning head arm so that it now incorporates a footpath to one side from the new dwellings, which will then wrap around the end of Brook Street and on to the proposed cycleway without affecting the railings or landscaped margins. This simply requires the adoption of the slight extension to the arm and the new footpath.
- 16. Adoption Conditions** – As this is an application for the approval of Reserved Matters and not Planning Permission, then new conditions should not be added to the Reserved Matters consent, especially when they relate to access and access was approved as part of the Reserved Matters consent for this development. Furthermore, planning conditions cannot be added to any Planning Consents which require changes the application being determined. The information that is being requested as part of the requested condition is the normal information required as part of the S38 agreement process that we will be providing following the grant of the Reserved Matters consent.
- 17. Road Dimensions** – The dimensions of all the proposed roads, footpaths and driveways have now been added to the proposed Planning Layout along with road numbers being referred to by your councils Highways dept'.
- 18. Grey to Green Scheme** – Mode Transport have provided some commentary on this matter in their Technical Note 05 and you have now received a letter from Homes England indicating how important it is to them and how the management company arrangement will work. We understand that this is now acceptable to your council, subject to the inclusion of some additional clarifications in the proposed S106 agreement to be entered into.
- 19. Traffic Calming Scheme** – The traffic calming shown on the proposed Planning Layout is in the form of cushions and tables, this being the form said to be preferred by your councils Highways dept'. We agree that the precise detail will be agreed as part of the S38 agreement process but it will largely remain as shown.
- 20. Tree Planting** – Checks have been made and we can confirm that no tree planting is proposed in any of the requisite visibility splays.
- 21. Driveway Lengths** – Checks have been made and we can confirm that all tandem driveways are at least 10m in length. The width of all other drives are 3m and 6m for single and double drives respectively. The Planning Permission for this site was granted before PfE was adopted as was the submission of the Reserved Matters application, therefore the requirements of PfE do not apply to this application.
- 22. Visitor Parking Road 2** – All the houses on road 2 are provided with at least 2 dedicated parking spaces each. The remaining dwellings are 1 bed maisonettes and are provided with 150% parking, made up of 1 allocated space and shared visitor spaces. The shared visitor spaces will be identified in the legal transfer documents and deed plans at the point of sale.
- 23. Turning Head Road 14** – Notwithstanding the submitted tracking which proved that the turning was adequately sized, this turning head has been redesigned so to increase the length of the forward arm whilst maintaining the emergency access as it was. A 1m adoptable margin has also been added to the North side of the road approaching this turning head.

- 24. Bin Collection Points** – All these points have been repositioned so that they are not adjacent to adopted roads or footpaths and instead are accessed off private drives. These will be constructed in the same surface as the communal surface of the private drive or in flag stones depending on the location.
- 25. Linking Footpaths** – We don't see any reason why the footpath links such as those between roads 2 and 3 cannot be adopted as part of the public highway. Notwithstanding this they have already been included in the managed areas on the latest Adoptable Highway and Management Plan.
- 26. Rat Run Plots 44/86** – Substantial landscaping including tree planting is shown on the submitted Landscaping and Planning Layout which will prevent this.
- 27. Turning Head Road 5** – The turning head has been adjusted so as to centralise the access to the onward private drive.
- 28. Private Drive Plots 328 to 332** – The entrance to this has been adjusted so it is centrally off the turning head arm.
- 29. Private Drive Plots 343/344** – As point 28.
- 30. Stopping Up Order** – A plan is provided with the Reserved Matters application that clearly shows the extent of adopted highway and the precise route of footpath 9SM. This plan also provides historic aerial photos of the area and the extent of the stopping up applied for. Your Council were invited to make comment on the stopping order plan and our consultants were in turn advised to submit the application direct to the Department of Transport, which they have done and that process is well under way. We believe there is little or no likelihood of additional claims given that Church Street East actually had buildings over it for a long time and the precise route of footpath 9SM has been unavailable for some considerable time. The application process for the stopping up will deal with these matters if and when they arise.
- 31. Condition 39 Drawings/S278 Comments** – As described in Point 2 many of the comments on the specific drawings are the result of oversights in the approved details but we remain willing to resolve these and have made amendments to the submitted details but the precise detailing of the Off Site S278 Works will be the subject of the S278 application process to follow the grant of the Reserved Matters consent. The amendments recently accommodated include the following:
- a. The missing bus stop East of Butterworth Street has been added and it's been suggested that this is marked on the highway and the new lining has been adjusted accordingly.
 - b. The Croft Lane arrangement has been adjusted as described in point 6. above. Note the arrangement isn't not required to accommodate refuse turning.
 - c. The zebra crossing near the corner of Bury Street and Cross lane has been repositioned opposite the proposed school so as to avoid the said clash with the existing bus stop and new emergency access.
 - d. Physical features for the modal features have been added to the drawings as point 10. Above.
 - e. The extent of the S278/S38 limits is to be agreed as point 5. Above.
 - f. Railings and planting is shown to ensure that the emergency access arrangements cannot be circumvented.
 - g. The cycle provisions has already been reviewed as part of the application process and the proposals have been amended to accommodate the agreed changes.

- h. Lane widths shown are all at least 2.5m wide.
- i. Gully connections, all current TRO's and Street Lighting are all to be reviewed as part of the S278 process.
- j. It is confirmed that vehicles can pass a parked bus at the proposed bus stop opposite Croft Lane.
- k. Resurfacing requirements are to be reviewed and agreed as part of the S278 agreement process as point 8. above.

21.01.24

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