

Our Ref: 70449
Your Ref:
Date: 13 January 2025
Please ask for: Claire Booth
Direct Line: 0161 253 5396
Email: Claire.Booth@bury.gov.uk

Chris Sinton
Asteer Planning LLP
Mynshulls House
14 Cateaton Street
Manchester
M3 1SQ

Dear Chris,

RE: **Decision Letter relating to Pre-Commencement Conditions relating to Phase 1A (Travel Hub on Fairfax Road Car Park) of the development approved by application 70449.**

Proposal: Hybrid Planning Application constituting EIA Development comprising:

Full application for demolition of existing buildings/structures and erection of phased mixed use development including Community Hub with flexible uses of library, offices, medical/health services (Classes F1 (a-f), F2(b), E(c), E(e), E(g)) & retail uses (Classes E(a), E(b) F2(a)) & Sui Generis (hot food takeaway & bar), new Market Hall (Classes E(a), E(b) & Sui Generis (hot food takeaway and bar)), Commercial Building with flexible uses including retail, offices, gymnasium (Classes E(a), E(b), E(c), E(d), E(g), F2(a), Travel Hub with car parking & cycle parking (Sui Generis), public square & realm, associated landscaping, car parking provision, cycle storage & associated works; and,

Part Outline application (all matters reserved) - mixed use development of residential (Class C3), flexible commercial, business, service, local community & learning uses (Classes E, F & Sui Generis (hot food takeaway & bar), engineering works to Rectory Lane, new public realm, associated landscaping, car parking provision, cycle storage & associated works

Location: Longfield Shopping Centre/Car Park, Fairfax Road Car Park and adjoining land at Bury New Road, Rectory Lane and Fairfax Road, Prestwich

I write to provide the Local Planning Authorities decision relating to the following pre-commencement conditions relating to Phase 1A, the Travel Hub on Fairfax Road:

23 **No development shall commence unless and until a photographic dilapidation survey of the footways and carriageways leading to and abutting the site shall be submitted to and approved in writing by the Local Planning Authority. In the event that subsequent remedial works are required following demolition and construction of, and statutory undertakers' connection to, the proposed development, has been submitted to and agreed in writing with the Local Planning Authority. All highway remedial works identified as a result of the dilapidation survey shall be implemented to a programme to be agreed with the Local Planning Authority prior to the commencement of the development hereby approved.**

Reason: To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policies JP-C5: Streets for All, JP-C6: Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

Submitted Documents

- Dilapidation Survey undertaken by Site Safe, dated 27 November 2024, submitted on the 18 December 2024.
- Site Safe - Quotation – 2959-VINCI-PH-PRESTWICHMSCP – stating the works to undertaken.

LPAs Decision

The condition is hereby partly discharged relating to Phase 1A of the development only. The requirements of the condition are ongoing, as per the wording of the condition.

25 **No development of any relevant phase or sub-phase shall take place, including any works of demolition, until a 'Construction Logistics Plan' for that phase or sub-phase has been submitted to, and approved in writing by the local planning authority. The Construction Logistics Plan shall include details of vehicular routing, parking arrangements and be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. Construction of the relevant Phase shall be carried out only in accordance with the approved details for the duration of the demolition and construction periods.**

Reason. 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 pursuant to Policies JP-C5 - Streets for All, JP-C6 Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

Submitted Documents

- Prestwich Planning Condition Excel Spreadsheet;
- Compound Logistics Plan prepared by Vinci (ref: PV/001 Rev 2)
- Project Execution Plan prepared by Vinci – Rev. H

LPAs Decision

The Condition is hereby discharged in relation to Phase 1A of the development only. Provided construction of Phase 1A is carried out in accordance with the approved details for the duration of the construction period, in accordance with the requirements of the condition for Phase 1A of the development the requirements of the condition will be complied with.

- 26 **Other than those works associated with the demolition of existing buildings on the site, no development shall take place on a relevant phase or sub-phase until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase. The CMP shall include:**
- 1. Formation of all temporary highway works between the proposed full and outline phases of the development;**
 - 2. Access route for all demolition/construction vehicles to the site from the Key Route Network;**
 - 3. Access point/arrangements for demolition/construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to maintain safe pedestrian/vehicular access to adjacent uses, and all temporary works required to facilitate access for demolition/construction vehicles;**
 - 4. Hours of work for site preparation, delivery of materials and construction and number of vehicle movements;**
 - 5. Arrangements for the parking of vehicles for site operatives and visitors on land within the applicant's control, together with storage on site or on land within the applicant's control of demolition/construction materials;**
 - 6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres including details of areas designated for the loading, unloading and storage of plant and materials;**
 - 7. Details of the siting, height and maintenance of security hoarding;**
 - 8. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;**
 - 9. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its accesses;**
 - 10. Arrangements for the provision of wheel washing facilities for vehicles accessing the site;**
 - 11. 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 control the emission of noise, dust and dirt during construction;**
 - 12. a scheme for recycling/disposing of waste resulting from construction works; and,**
 - 13. a strategy to inform neighbouring occupiers (which as a minimum, shall**

include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

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 pursuant to Policies JP-C5: Streets for All, JP-C6: Walking and Cycling and JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

Submitted Documents

- Project Execution Plan prepared by Vinci – Rev. H
- Compound Logistics Plan prepared by Vinci (ref: PV/001 Rev 2) as updated by Figures 2.2.2 and 2.23 within the Project Execution Plan by Vinci – Rev. H
- S278 Highway General Arrangement – Drawing No. 17300-CIV-XX-XX-D-C-4400 Rev. P03
- Response to Bury Highways dated Wednesday 18th 2024

LPA Decision

The condition is hereby therefore partly discharged relating to Phase 1A of the development only. Providing that the development is implemented in accordance with the plans and documents referred to above, the requirements of the condition will be complied with.

- 33 **No development, including demolition, shall commence on any relevant phase or sub-phase unless and until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority as outlined in Annex I (Mitigation Measures for Construction - Tables I-1 to I-9) and Air Quality Assessment, Prestwich Village, Cundall, Reference: 1039026-CDL-XX-XX-RP-AQ-40201 Revision P07, 17 January 2024, for that phase or sub-phase. The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.**

Reason: The information is required to reduce the impacts of dust disturbance from the site on the local environment, pursuant to Policy JP-S5: Clean Air of the Places for Everyone Joint Development Plan and Chapter 11 of the National Planning Policy Framework - Conserving and

enhancing the natural environment.

Submitted Details

- Project Execution Plan prepared by Vinci – Rev. H

LPA Decision

The condition is hereby partly discharged for Phase 1A of the development. Providing that the development is implemented in accordance with the details, measures and timescales identified in the approved Providing that the development is implemented in accordance with the details, measures and timescales identified in the approved Project Execution Plan prepared by Vinci - Rev. H, the requirements of the condition will be complied with for Phase 1A of the development.

34 **No development works (excluding demolition) of any relevant phase or sub-phase of the development hereby approved shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological works for that phase or sub-phase. The works are to be undertaken in accordance with a Project Design submitted to and approved in writing by Bury Planning Authority. The Project Design shall cover the following:**

1. Informed by the updated North West Archaeological Research Framework, a phased programme and methodology of investigation and recording to include:
- an archaeological evaluation through trial trenching;
- dependent on the above, targeted open-area excavation and recording (subject to a separate Project Design).

2. A programme for post-investigation assessment to include:
- production of a final report on the significance of the below-ground archaeological interest.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results of the archaeological investigations commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

6. Nomination of a competent person or persons / organisation to undertake the works set out within the approved Project Design.

Reason: To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible, in accordance with the requirements of the National Planning Policy Framework.

Submitted Details

- Design Project Design Excavation Note prepared by Civic Heritage (dated September 2024);
- Risk and Method Statement prepared by Civic Heritage (dated September 2024)

LPA Decision

The condition is hereby partly discharged in respect of Phase 1A of the development only.

Please note that the Council is disappointed that it was not made aware of the Open Day held once the footings/ cobbles were uncovered relating to the fire station that historically existed on the site.

Please ensure that all information uncovered is recorded with photographs and a photographic record of the findings is created. Please send this to both the Greater Manchester Historic Environment Record ([Historic Environment Record - GMAAS](#)) and ourselves so the information can be kept in the Council's Public Archives.

36 **No development of any relevant phase or sub-phase shall commence until a Construction Environmental Management Plan (CEMP Noise) for the control of construction site noise for that phase has been submitted to and approved in writing by the Local Planning Authority for that phase.**

The approved CEMP (Noise) shall be operated and retained throughout the site preparation and/or construction period and shall include:

- 1. The location of nearest sensitive receptors;**
- 2. A review of the plant and equipment to be used on site, including a consideration of the type of vehicle reversing alarms, and any other precautions that are proposed to minimise the noise from such equipment (acoustic enclosures/screens and non-metallic dollies for piling operations etc.);**
- 3. The proposed location of any fixed plant, buildings and storage yards;**
- 4. Details of a community engagement plan, to include a named individual chosen to liaise with the public upon receipt of complaints;**
- 5. Proposals for the hours of operation, including during which piling operations will be undertaken referenced to the location of noise sensitive premises;**
- 6. Details of the information that all those operating on site will be given regarding the control of noise;**
- 7. Any other measures proposed to control construction noise.**

Reason: A pre commencement condition is required to ensure that noise from the site construction operation can be mitigated by use of the appointed contractors through an appropriate noise management plan. The condition will protect the amenity of occupiers of adjacent properties from noise in accordance with Policy EN7/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

Submitted Details

- Prestwich Planning Condition Excel Spreadsheet;
- Project Execution Plan prepared by Vinci - Rev. H

LPA Decision

The condition is hereby partly discharged. Providing that the development is carried out in accordance with the above-mentioned details, the requirements of the condition for Phase 1A of the development will be complied with.

37 Before any construction works on any relevant phase or sub-phase of the development hereby approved a Biodiversity Net Gain Plan and Habitat Management and Monitoring Plan (HMMP) detailing, in full, measures to protect existing habitat during construction works and the formation of new habitat to secure a measurable net gain in biodiversity of at least 10% across the entire scheme, shall be submitted to and approved in writing by the Local Planning Authority for that phase or sub-phase. Within the Biodiversity Net Gain Plan and the HMMP document the following information shall be provided:

- Details of both species composition and abundance where planting is to occur;
- Proposed management prescriptions for all habitats for a period of no less than 30 years;
- Assurances of achievability;
- Timetable of delivery for all new and enhanced habitats; and,
- A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. All ecological monitoring and all recommendations for the maintenance/amendment of future management shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken and thereafter maintained in accordance with the approved Net Gain Plan and the Habitat Management and Monitoring Plan.

Reason: To ensure the satisfactory development of the site in relation to the protection of and mitigation for ecological habitats pursuant to Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan and the principles of the National Planning Policy Framework.

Submitted Details

- Biodiversity Gain Plan Document; and,
- Habitat Management and Monitoring Plan prepared by Tyler Grange (dated 24th September 2024)

LPA Decision

The condition is hereby partly discharged in so far as the above details are satisfactory for Phase 1A of the development approved. Providing that the development of Phase 1A is implemented in accordance with the details, measures and timescales identified in the approved Habitat Management and Monitoring Plan prepared by Tyler Grange (dated 24th September 2024) the requirements of the condition for Phase 1A of the development will be complied with.

38 No development of any relevant phase or sub-phase 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 in that phase or sub-phase 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 for that phase or sub-phase;**
- **Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority for that phase or sub-phase.**

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.

Details Submitted

- Email from Chris Sinton of Asteer Planning regarding chemical testing of imported soil material (Northern Car Park / Fairfax Road Car Park, Prestwich), dated 13 January 2025.
- Supplementary Ground Investigation, Prestwich Village, Prestwich, Manchester, M25 1AY, Geotechnical & Environmental Associates Limited, Reference: J23254A Rev 1, 25 September 2024.
- Ground Investigation, Prestwich Village, Prestwich, Manchester, M25 1AY, Geotechnical & Environmental Associates Limited, Reference: J23254 Rev 2, 11 October 2024.
- Options Appraisal and Remediation Strategy, Vertase FLI, Reference: No Reference Rev C, 26 November 2024.

LPA Decision

The condition is hereby partly discharged in so far as the above details are satisfactory for Phase 1A of the development approved. Providing that the development is implemented in accordance with the details, measures and timescales identified in the Options Appraisal and Remediation Strategy, Vertase FLI, Reference: No Reference Rev C, 26 November 2024, the requirements of the condition relating to Phase 1A of the development will be complied with.

39 Notwithstanding the submitted Environmental Statement, prior to any piling work taking place within any phase or sub-phase of the development, the following shall occur in consecutive order for that phase or sub-phase:

- 1. An assessment shall be undertaken to determine the levels of ground borne vibration associated with the piling works within the development which shall identify all affected receptors and detail how impacts can be**

mitigated and / or reduced; and,

2. A scheme based upon the findings in part (1) shall be submitted to and approved in writing by the Local Planning Authority outlining the type of piling, its location, noise/vibration levels and details of mitigation measures to ensure that the impact of the piling works on the receptors identified in (1) are mitigated/reduced.

The development shall be carried out in strict accordance with the approved scheme for that phase.

Reason: To ensure impacts on amenity from are acceptable and to accord with the requirements of Policy EN1/2(b) - Townscape and Built Design of the Bury Unitary Development Framework, and the National Planning Policy Framework.

Submitted Details

- Construction Vibration Management Plan prepared by E3P (dated September 2024);
- Monitoring Instrument Locations Plan prepared by Civic (ref: 2772-CIV-XX-XX-S-S-20001);
- Murphys Proposed Methodology prepared by Murphys

LPA's Decision

The condition is hereby partly discharged in so far as the above details are satisfactory for Phase 1A of the development approved. Providing that the development is implemented in accordance with the details, measures and timescales identified in the above-mentioned documents, the requirements of the condition relating to Phase 1A of the development will be complied with.

- 42 **Development shall not commence on any relevant phase or sub-phase until final details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority for that phase or sub-phase. The scheme shall be in accordance with the principles set out in the submitted Flood Risk Assessment and Drainage Strategy document and final detailed design must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS) (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed operation and maintenance arrangements for all SuDS features should also be provided. The detailed design of the proposed surface water drainage system shall be appropriately phased to ensure that the benefits of SuDS delivered under this development are appropriate to the needs of this phase of the development of the site.**
- Each phase or sub phase of the scheme shall be implemented in accordance with the duly approved details before any of the buildings or dwellings hereby approved are first occupied or brought into use and maintained as such thereafter.**

Reason: The current application contains insufficient information regarding

the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Policy JP-S4: Flood Risk and the Water Environment of the Places for Everyone Joint Development Plan and Chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the National Planning Policy Framework.

Submitted Details

- Drainage General Arrangement Sheet 1, Ground Floor Plan prepared by Civic Engineers (ref: 17300-CIV-P1-00-D-C-30 P04);
- Drainage Details Sheet 2 prepared by Civic Engineers (ref: 17300-CIV-P1-XX-D-C-3100 P03);
- Drainage Details Sheet 3 prepared by Civic Engineers (ref: 17300-CIV-P1-XX-D-C -310003 P02);
- Drainage Details Sheet 4 prepared by Civic Engineers (ref: 17300-CIV-P1-XX-D-C-3100 P02);
- Manhole Schedule prepared by Civic Engineers (ref: 17300-CIV-P1-XX-D-C-350001 P03);
- Transmittal Document prepared by Civic Engineers (dated 28th August 2024)

LPA Decision

The condition is hereby partly discharged in so far as the above details are satisfactory for Phase 1A of the development approved. Providing that the development of Phase 1A is carried out in accordance with the above-mentioned details, the requirements of the condition relating to Phase 1A will be complied with.

Please note, Phase 1A of the scheme shall be implemented in accordance with the approved details before the Travel Hub approved is brought into use and shall be maintained as such thereafter.

- 46 **Notwithstanding the submitted details, no development of any relevant phase or sub-phase shall take place until a phasing plan for the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include a programme of works for the provision of:- each of the proposed land uses within the site; any highway infrastructure associated with those uses; and the area(s) of recreational open space and any other areas of amenity open space. The development shall thereafter be carried out in accordance with the duly approved phasing plan(s). Reason: To ensure that any phased development of the site takes place in an appropriate order and within an acceptable timescale, to ensure adequate provision of infrastructure to serve each phase given the scale of development proposed, in accordance with Policy JP-C8: Transport**

Requirements of New Development of the Places for Everyone Joint Development Plan.

Submitted Details

- Phasing Plan prepared by JMA (ref: 207-JMA-MP-00-DR-A-001311 P00)

LPA's Decision

The condition is hereby partly discharged in so far as the above details are satisfactory for Phase 1A of the development approved.

47 **Notwithstanding the submitted details, no development of any relevant phase or sub-phase shall take place (including ground works, vegetation clearance) on that phase or sub-phase hereby approved until:**

- 1. A detailed Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), in accordance with British Standards BS 5837:2012 have been submitted to and approved in writing by the Local Planning Authority;**
- 2. Tree protection fencing has been erected in accordance with the details shown on the approved TPP, and;**
- 3. The Local Planning Authority has been notified in writing of the erection of the Tree Protection Fencing and its full implementation in accordance with the approved TPP.**

The tree protection provisions set out in the AMS shall be fully implemented and the tree protection fencing shall be retained, in the locations and to the standard shown on the TPP, for the duration of the construction period and no works shall take place and nothing shall be stored within the area enclosed by the Tree Protection Fencing until demolition and construction works have ceased.

Reason: A pre-commencement condition is required to ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence, in the interests of visual amenity and to safeguard the ecological value provided by the trees on the site in accordance with the requirements of Policies EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan, Policy JP-G7: Policy JP-G7: Trees and Woodland of the Places for Everyone Plan and the National Planning Policy Framework.

Submitted Details

- Arboricultural Method Statement prepared by Tyler Grange (dated 19th September 2024).

LPA Decision

The condition is hereby partly discharged in so far as the above details are satisfactory for Phase 1A of the development approved. Providing that the development is implemented in accordance with the details, measures and timescales identified in the approved Arboricultural Method Statement prepared by Tyler Grange (dated 19th September 2024), the requirements of the condition will be complied with.

49

Prior to the commencement of any relevant phase or sub-phase of the development, details of a Local Labour and Training Proposal for that phase, in order to demonstrate commitment to recruit local labour for the duration of the relevant phase of the development, shall be submitted for approval in writing by the Local Planning Authority. The approved document shall be implemented as part of the relevant phase or sub-phase of the development. In this condition a Local Labour and Training Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships;**
- ii) mechanisms for the implementation and delivery of the Local Labour Proposal;**
- and,**
- iii) measures to monitor and review the effectiveness of the Local labour Proposal in achieving the objective of recruiting and supporting local labour objectives.**

Within one month prior to construction work being completed for any relevant phase or sub-phase of the development, a detailed report for that phase or sub-phase which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the Local Planning Authority.

Reason: To provide local economic benefits to the local labour force pursuant to Policy JP-J1: Supporting Long-Term Economic Growth of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

Submitted Details

- Phase 1 Local Labour and Training Proposal, prepared by Vinci

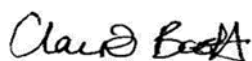
LPA Decision

The condition is hereby partly discharged in so far as the above details are satisfactory for Phase 1A of the development approved. Providing that the development is implemented in accordance with the details, measures and timescales identified in the approved Phase 1 Local Labour and Training Proposal, prepared by Vinci the requirements of the condition will be complied with.

_____END OF CONDITIONS_____

Given all the above, I confirm that the pre-commencement conditions for Phase 1 of the development have been discharged. There remains the need to carry out the development in accordance with the details and the timescales identified in the conditions, and therefore the conditions will only be fully discharged on completion of the whole development.

Yours sincerely



Claire Booth MRTPI
Senior Planning Officer (Case Officer)
Bury MBC