

BURY COUNCIL
DEPARTMENT OF OPERATIONS

REF NO: 22/198

FROM: Head of Engineering

TO: Head of Development Management

Planning Application No: 68530

Location: Land at the junction of Hollins Brook Way and Pilsworth Road, Bury, BL9 8RR

Development: Hybrid application - Full application: Zone 1 development of Commercial building No. 1 (Crèche, Use Class E), car parking and internal site roads, a new site access junction to Pilsworth Road, highway improvements to Hollins Brook Way and Pilsworth Road, and continued use of an existing car park exit to Aviation Road.
Outline application: Zone 2 development of Commercial building No. 2 (Hub building, Use Class E) car parking and internal site roads and a multi-purpose all-weather sports pitch (Including reserved matters of means of access, layout and scale included for determination).

RECOMMENDATION

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

Full planning application

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 based survey of the site and adjacent adopted highways (where appropriate) to the Local Planning Authority:
 - 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;
 - Widening of Pilsworth Road to a scope and specification to be agreed, incorporating the extension of the works to tie the scheme into the existing approach alignments on Pilsworth Road, agreed running lane and right turn widths, minimum 2.0m footway widths, provision of pedestrian refuges at positions to be agreed in conjunction with the proposed ghost island markings and right turn lanes, the demarcation of the limits of the adopted highway and all associated road marking, signage and highway and highway drainage remedial works;

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- Formation of the new vehicular access to the site from Pilsworth Road to a specification to be agreed, incorporating plotted visibility splays at the junction with the adopted highway in accordance with the appropriate standards in Manual for Streets, the provision of tactile paved pedestrians crossing points within an appropriate extension of the limits of the adopted highway, demarcation of the new limits of the adopted highway, gates set back a minimum of 5.0m from the new limits of the adopted highway and/or method of gate operation amended, measures to prevent the discharge of water from the proposed private industrial estate road onto the adopted highway and all associated road markings, signage and highway and highway drainage remedial works;
- Formation of the widened (Hollins Brook Way) site access from Pilsworth Road to a specification to be agreed, incorporating plotted visibility splays at the junction with the adopted highway in accordance with the appropriate standards in Manual for Streets, the provision of tactile paved pedestrians crossing points within the limits of the future adopted highway, the demarcation of the limits of the adopted highway, measures to prevent the discharge of water from the existing private industrial estate road onto the adopted highway and all associated road markings, signage and highway and highway drainage remedial works;
- Provision of LED speed warning signage in a position(s) and of a type/specification to be agreed;
- Provision of a street lighting assessment and scheme of improvements for the junctions of the proposed vehicular access with Pilsworth Road, junction of Hollins brook Way with Pilsworth Road and the length of Pilsworth Road abutting the site;
- White lining scheme for Pilsworth Road and the proposed private industrial estate roads, tying into existing lining on the adopted highway;
- Retention/replacement of the existing site boundary fencing and/or all necessary measures required between the back of the new southerly footway on Pilsworth Road in the event that embankment/batter gradients will exceed 1 in 3;
- Measures and appropriate signage to ensure that the existing access via Aviation Road/Bridleway No. 81, Bury, shall be used for emergency purposes only and shall not be used for daily use to enter/exit the site;
- Review of the Traffic Regulation Orders in the vicinity of the development, with a view to introducing additional parking restrictions as appropriate including, if required, all necessary road markings and signage, in addition to ensuring that existing parking restrictions remain in place and are refreshed accordingly.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority. The visibility splays shall be implemented to the satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m.

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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 for each phase of the development and shall confirm/provide the following:
- Access route for construction traffic from the highway network, restricted to a route from Pilsworth Road/Junction 3 of the M66;
 - Hours of operation and number of vehicle movements;
 - Access point(s) for construction traffic from Pilsworth Road (to exclude the use of Aviation Road/Public Right of Way [Bridleway] No. 79, Bury) and all temporary works required to facilitate access for ground works/construction vehicles,
 - If proposed, details of site hoarding/gate positions clear of required visibility splays onto Pilsworth Road/the private industrial estate roads;
 - The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway and to maintain access for users of Public Right of Way [Footpath] No. 81, Bury, that crosses the site;
 - A scheme of appropriate warning/construction traffic warning signage in the vicinity of the site and its access(es) onto Pilsworth Road;
 - 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.

3. No development shall commence unless and until a 'Framework Travel Plan' for the provision of occupier travel measures has been submitted to and agreed in writing with the Local Planning Authority for each phase of the development and shall incorporate/confirm/provide the following:
- feature a range of measures promoting a choice of transport mode, and a clear monitoring regime with agreed targets;
 - a travel plan budget and resources for the implementation and day to day management of travel plan measures;

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- appropriate management structures;
- detailed time frames for the delivery;
- a marketing and communication strategy;
- handover arrangements for the travel plan or its components when the developer's responsibility ceases;
- and initial targets before first surveys are conducted.

The 'Plan' shall establish the developer and occupier travel plan objectives and targets and include an implementation programme. The approved schemes shall thereafter be implemented before the occupation of each phase hereby approved, and thereafter maintained.

4. The vehicular and pedestrian access arrangements within the curtilage of the site indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority before the development is brought into use. (HY08 Amended)
5. The turning facilities within the curtilage of the site indicated on the approved plans shall be provided before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times. (HY14 Amended)
6. The car and cycle parking shown indicatively on the approved plans shall accord with 'SPD 11 - Parking standards in Bury', be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the part of the development to which it relates hereby approved being brought into use and thereafter maintained at all times. (CAR1 Amended).

Outline planning application

Notwithstanding the details indicated on the approved plans, full details of the following shall be submitted at first reserved matters stage:

- All proposed means of vehicular and pedestrian access to subsequent phases of the development;
- Provision within the curtilage of each subsequent phase of the development for the loading and unloading of vehicles and the parking of cars in accordance with 'SPD 11 - Parking standards in Bury' which visit the site in connection with the uses hereby approved;
- Provision within each subsequent phase of the development to the written satisfaction of the Local Planning Authority to enable vehicles to enter and leave each site in forward gear, and shall subsequently be maintained free of obstruction.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

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Reasons

Full planning application

1. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety.
2. 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.
3. In order to deliver sustainable transport objectives in accordance with Chapter 9 - Promoting sustainable transport of the NPPF.
4. To ensure good highway design in the interests of road and pedestrian safety
5. 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 provision in the interests of road safety.

Outline planning application

To secure the satisfactory development of the site in terms of highway safety and ensure good highway design, all in the interests of road and pedestrian safety.

Comments and Observations

1. The applicant's attention is drawn to the existence of Public Rights of Way No.'s 79 & 81, Bury, that abut/crosses part of the site. No development should take place which affects the Right of Ways in the absence of an appropriate closure or diversion order. (N003 Amended)
2. The applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered, gates erected across their width (unless authorised by Bury Council the Highway Authority) or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels/surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made available.

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3. 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)
4. The applicant's attention is drawn to the need to enter into a Section 278 Agreement under the Highways Act 1980 in respect of the works to be carried out on the highway in connection with the proposed development. (N031)
5. The applicant's attention is drawn to Section 167 of the Highways Act 1980 which requires Highway Authority approval of all structural details and calculations of retaining structures adjacent to the highway, prior to works commencing. (N019)
6. 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)

Date: 09 February 2023

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

HIGHWAYS ASPECTS ONLY