

NOTICE OF PLANNING PERMISSION

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

To:

Mrs Amy James
WSP
8 First Street
Manchester
M15 4RP

On Behalf Of:

Homes England and Bury Council
c/o agent
8 First Street
Manchester
M15 4RP

PART 1 - Particulars of Application

Application Number: 67597

Date of Registration: 25/10/2021

Proposal:

s73 Application - Variation to conditions 2 for consistency and to allow phasing; 3 removing indicative masterplan from list of approved plans; 8 and 42 for consistency; 9, 23, 33 and 39 to amend the trigger point for submitting information; 11 to allow site clearance and preparation to take place prior to commencement of development; 15, 18 and 37 to amend the trigger point for submitting information and consistency; 16, 27, 28 and 34 for flexibility and to amend the trigger point as to when information is submitted; 17 and 30 to increase flexibility and 26 to allow for phasing, following approval of planning permission 62969

Location:

East Lancs Paper Mill, Church Street East, Radcliffe, Manchester, M26 9PG

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 Applications for approval of reserved matters must be made not later than:
 - the expiration of five years beginning with the date of the grant of outline planning permission namely from 18/12/2018; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Prior to the commencement of any phase of development, detailed plans and particulars shall be submitted to and approved by the Local Planning Authority, under the Town and Country Planning Acts, of the following reserved matters for that phase; the layout, scale, appearance and the landscaping of the site

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

- 3 This decision relates to drawings numbered , SP-05, SP-06 A, which set the design principles and the associated supporting reports, and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

- 4 No development 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 at the site 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;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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.

- 5 Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 6 A comprehensive construction design for a gas vent trench shall be submitted to and approved in writing by the Local Planning Authority and incorporated into the development to prevent the ingress of landfill gas or ground gas into the residential development area to be approved by the Local Planning Authority before work commences for the construction of the dwellings.

Subject to the above, a Site Verification Report detailing the design and installation of the gas vent trench, including substantiating evidence, shall be submitted to and approved by the Local Planning Authority with approved timescales. It shall be implemented and validated prior to first occupation of the development hereby approved.

Reason. To secure the satisfactory development of the site in terms of human health,

controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

- 7 Following the provisions of Condition 4 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved timescales; and
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
- 8 Prior to occupation, a scheme for electric vehicle charging points for the residential units shall be submitted to the LPA. EV chargepoints shall be chosen from the Electric Vehicle Homecharge Scheme approved chargepoint model list.
Reason. To safeguard residential amenity, public health and quality of life and to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable, in accordance with paragraph 35 and 124 of the NPPF.
- 9 Any reserved matters relating to development fronting the A6053 will include an acoustic attenuation scheme. The scheme shall include details of acoustic glazing and acoustically treated ventilation. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the residential premises first commences.
Reason. To protect the amenity of the occupants of the premises once the development hereby approved is occupied pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
- 10 Foul and surface water shall be drained on separate systems.
Reason. To secure property drainage and to manage the risk of flooding and pollution pursuant to Policies EN7/5 - Waste Water Management and EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan.
- 11 No development shall commence (excluding works of site clearance and preparation) unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and 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 (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 maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
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 Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 -

Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 12 No development shall take place unless or until a Construction Risk Assessment Method Statement (RAMS) for construction of the proposed development has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline the potential impacts from all construction activities on infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to this infrastructure. The development hereby approved shall only be undertaken in accordance with the approved RAMS.
This condition can be satisfied in phases.

Reason. To ensure a satisfactory form of development and to afford appropriate protection of infrastructure that crosses the site pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

- 13 No development shall take place unless or until the applicant or their agents or their successors in title have secured the implementation of a programme of archaeological works. The programme is to be undertaken in accordance with Written Schemes of Investigation (WSIs), which must be submitted to and approved in writing by the Local Planning Authority. The WSIs shall cover the following:

1. A phased programme of archaeological fieldwork to include:
 - An updated programme of archaeological desk based assessment which will inform:
 - A programme of archaeological evaluation trenching;
 - Targeted open area excavation (subject to a separate WSI)
2. A programme for post investigation assessment to include:
 - Analysis of the site investigation records and finds
 - Production of a final report
3. Provision for publication and dissemination of the analysis and report on the site investigation.
4. A scheme for presentation and commemoration of the site's heritage
5. Provision for archive deposition of the report, finds and records of the site investigation.
6. Nomination of a competent person or persons/organisation to undertake the programme set-out within the approved WSIs.

Reason. To make a record and advance understanding of heritage assets impacted on by the development and to make the information about the heritage interest publicly accessible pursuant to Policies EN3/1 – Impact of Development on Archaeological Sites, EN3/2 – Development Affecting Archaeological Sites and EN3/3 – Ancient Monuments of the Bury Unitary Development Plan and Section 12 of the National Planning Policy Framework.

- 14 If the development hereby approved does not commence before 30th April 2019, the building and trees on site shall be reassessed for bat roosting potential and the findings supplied to and approved in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 15 Any application for reserved matters approval relating to the area for the proposed relocation of the cricket club facility (as defined in the informatives) shall include Bat Activity Surveys of this area. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented in accordance with the

programme approved as part of the Bat Activity Survey.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 16 Any application for reserved matters approval relating to land affecting Otters shall include an assessment on the potential impacts upon the otters.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 17 No works to trees or shrubs shall occur between the 1st March and 31st August in any year, unless the site has been surveyed for nesting birds by a qualified ecologist immediately beforehand and the survey findings have been submitted to and approved by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 18 Breeding bird surveys for the areas to be used for the relocated cricket club facility shall be submitted to the Local Planning Authority as part of the first reserved matters application affecting this area. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to the relocated cricket club facility hereby approved, being brought into use.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 19 A reasonable avoidance method statement to prevent any negative impacts on badger habitat shall be submitted to the Local Planning Authority as part of the first reserved matters application affecting the area where badger setts have been recorded. The survey shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 20 No development shall commence until full details of a scheme for the eradication and/or control of Himalayan balsam, Japanese knotweed, giant hogweed and *Crassula helmsii* is submitted to and approved in writing by the Local Planning Authority. The approved management plan shall include a timetable for implementation. If earthworks are delayed beyond 31 March 2019 an updated species invasive survey shall be carried out and the findings submitted to and approved in writing by the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and

enhancing the natural environment.

- 21 A water framework directive assessment to detail the impact from the development upon the River Irwell shall be submitted to the Local Planning Authority as part of the first reserved matters application affecting land adjacent to the River Irwell. The assessment shall include appropriate mitigation measures and the approved scheme shall be implemented prior to first occupation of the dwellings hereby approved.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
- 22 A drainage strategy that demonstrates that there will be no negative impacts on the ecological status/potential of the River Irwell resulting from the disposal of foul water and surface water disposal post-development shall be submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
- 23 No phase of development shall commence (excluding works of site clearance and preparation) until a landscaping scheme for that phase has been submitted to, and approved in writing by the Local Planning Authority. The contents of the plan should include:
- Native tree and shrub planting;
 - Mitigation for bat foraging habitat;
 - Loss of nesting bird habitat;
 - Measures to enhance the existing reservoir, goits and River Irwell; and
 - Marshy grassland and woodland habitat.
- The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 24 The development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure Affordable Housing provision as part of the development, which shall include a mechanism for delivery, in accordance with policy H4/1 – Affordable Housing and its associated SPG5 – Affordable Housing Provision in New Residential Developments. The scheme shall be submitted as part of the reserved matters application and the affordable housing provision shall be delivered in full accordance with the approved details.

Reason. To ensure that the development would contribute to satisfying the need for affordable housing provision pursuant to Bury Unitary Development Plan Policy H4/1 - Affordable Housing and the associated Development Control Policy Guidance Note 5 - Affordable Housing Provision In New Residential Developments.

- 25 In the event of the development comprising 10 units and a combined floorspace of more than 1000 square metres or 11 units or more (regardless of floorspace), the development authorised by this permission shall not begin unless and until the Local Planning Authority has approved in writing a scheme to secure recreation provision, which shall include a mechanism for delivery, in accordance with policy RT2/2 – Recreation Provision in New Housing Development and its associated SPD1 – Open Space, Sport and Recreation Provision in New Housing development. The scheme shall be submitted as part of the reserved matters application and the recreation provision shall be delivered in full accordance with the approved details.

Reason - To ensure that the development would contribute to satisfying the need for recreation provision pursuant to Bury Unitary Development Plan Policy RT2/2 - Recreation Provision In New Residential Development and the associated Supplementary Planning Document 1 - Open Space, Sport and Recreation in New Housing Development.

- 26 No phase of development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP) for that phase, has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials; and
- Measures to ensure that all mud and other loose materials are not 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 demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and 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, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 27 If development is to be phased, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority either in advance of or as part of the first reserved matters application. The phasing plan shall include:

- The boundaries of each phase (shown edged red on a plan); and

- The sequence in which phases are to be constructed and made ready for occupation;

The development shall not be carried out other than in accordance with the approved phasing plan and strategy, or such varied plan and strategy, first approved in writing by the Local Planning Authority.

Reason. To ensure the satisfactory development of the site and control the release of new housing within the development site pursuant to Policy H1/2 - Further Housing Development of the Bury Unitary Development Plan and SPD7 – Managing the Supply of Housing Land in Bury.

- 28 Notwithstanding the submitted plans, details of the internal road layout for each phase shall be submitted to the Local Planning Authority as part of the reserved matters application for that phase relating to layout.

Reason. To ensure good highway design in the interests of road safety pursuant to Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

- 29 At the first reserved matters stage, a scheme detailing the following to support the FRA addendum by WYG (ref: A090070-193 dated 1/11/2018) shall be submitted to and approved in writing by the Local Planning Authority:

- Existing and proposed ground levels with supporting hydraulic modelling of the River Irwell.
- The detailed modifications and controls associated with Hutchinson's Goit referred to in the FRA addendum section 4.2.
- Confirmation that overland flow routes associated with Crow Trees Brook culvert would be retained as part of any ground level changes.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements.

Reason. To ensure flood risk mitigation measures comply with those proposed in the Flood Risk Assessment addendum and risk is not increased elsewhere in accordance with Policy EN5/1 - New Development of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 30 No dwellings or structures shall be sited within 8m of Crow Trees Brook Culvert.

Reason. To ensure access is retained for future repair or replacement of the culvert structure pursuant to Policy EN5/1 - New Development of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 31 The finished floor levels for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority as part of each reserved matters application for layout.

The approved scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements.

Reason. To reduce the risk of flooding to the proposed dwellings and future occupants pursuant to Policy EN5/1 - New Development of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 32 No development shall commence unless or until a scheme for the provision of high quality riparian buffer zone alongside the River Irwell has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall

be carried out in accordance with the approved scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- detailed plans and cross-sections showing the extent and layout of the riparian buffer zone, pre and post any proposed flood risk works (WYG, Jun 2018 & Addendum Nov 2018).
- details of opened up Crow Trees Farm channel to River Irwell.
- details demonstrating how the buffer zone will be protected during development and managed/maintained
- details of any proposed new footpaths, fencing, lighting etc.
- details of any required ecological mitigation associated bank modification works.

Reason. To ensure the development does not have an adverse impact upon the ecological value of the watercourse pursuant to Policy EN6 of the Bury Unitary Development Plan and Sections 14 and 15 of the National Planning Policy Framework.

33

No phase of development shall commence (excluding works of site clearance and preparation) until a landscape management plan for that phase, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas within that phase (except privately owned domestic gardens), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following elements:

- Detail of any retained or enhanced habitats;
- Detail extent and type of new soft landscaping including landscape schedule predominantly based on native species;
- Details of maintenance regimes;
- Details of any new habitat created including opened up and restored culverted stream channels, new SUDs ponds, wetlands and swales on site details of treatment of site boundaries and/or buffers around water bodies; and
- Details of management over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

The landscape management plan shall be carried out as approved.

Reason. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site pursuant to Section 15 of the National Planning Policy Framework.

34

No phase of development including works to the riparian bankside alongside the River Irwell and Crow Tree Brook shall commence unless or until a working method statement to cover all riparian bankside works alongside River Irwell and Crow Trees Farm Brook has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme. The method statement must cover the following:

- Timing of works;
- Methods used for all channel, bankside water margin works, and de-culverting of Crow Trees Farm Brook, if required;

- Machinery (location and storage of plant, materials and fuel, access routes, access to banks etc.);
- Protection of areas of ecological sensitivity and appropriate mitigation for any identified ecological impacts;
- Restoration techniques adopted to create a high quality riparian Green Infrastructure asset; and
- Site supervision.

Reason. The construction phase of the development affecting the channel and banksides of River Irwell and Crow Trees Farm Brook watercourses poses significant risks to ecology pursuant to Section 15 of the National Planning Policy Framework.

- 35 No infiltration of surface water drainage into the ground where elevated concentrations of contamination are known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason. For the future protection of the Water Environment from risks arising from land contamination pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 36 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason. For the future protection of the Water Environment from risks arising from land contamination pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 37 Notwithstanding the submitted plans and reports, full details of a scheme showing details of the design, layout and specification of the replacement cricket club facility (of at least equivalent quantity and quality which would be lost or become unusable as a result of the development) at East Lancs Paper Mill Cricket Club Ground shall be submitted to, and approved in writing by, the Local Planning Authority (after consultation with Sport England) at the reserved matters stage affecting this area. The scheme shall include:

- Details of pedestrian and vehicular access including car parking within the site to the replacement playing field provision;
- Details of the design and construction of the clubhouse to meet England and Wales Cricket Board standards;
- A written specification of soils structure, cultivation and other operations associated with grass and sports turf establishment based on the results of the assessment carried out pursuant to the feasibility and agronomy report prepared by PSD Agronomy Labosport Group, dated 12th July 2018);
- A programme of implementation detailing when the existing cricket club facility will be taken out of use, when the replacement cricket club facility will be

implemented; and

- A scheme of cricket club facility maintenance and management.

The approved details shall be implemented in accordance with the approved programme.

Reason. To ensure there is no loss of recreation facilities pursuant to Policy RT1/1 - Protection of Recreation Provision in the Urban Area of the Bury Unitary Development Plan and Section 8 of the National Planning Policy Framework.

- 38 No development shall commence on the site of the existing cricket club unless or until the cricket club facility has been re-provided and is available for use.

Reason. To ensure there is no loss of recreation facilities pursuant to Policy RT1/1 - Protection of Recreation Provision in the Urban Area of the Bury Unitary Development Plan and Section 8 of the National Planning Policy Framework.

- 39 Notwithstanding the details indicated on the approved plans and in the supporting technical information, any application for reserved matters approval relating to the areas of the site listed below, to include full details of the following highway aspects shall be submitted on a topographical based survey of the site and adopted highways at first reserved matters application stage:

- Formation of the proposed Western Site Access onto Cross Lane at Cock Clod Street, incorporating the provision of a pedestrian crossing facility at the widened junction, parking layby on the northerly side of Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P002 Revision P03), or as otherwise agreed in writing by the LPA;
- Formation of the proposed Eastern Site Access onto Cross Lane to the west of Croft Lane, incorporating the provision of a pedestrian crossing facility at the new junction and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03);
- Widening of Cross Lane, incorporating the provision of pedestrian crossing facilities and build outs at the Park Street and Hutchinson Street junctions, relocation of affected bus stops, closure of the existing Croft Lane junction, provision of alternative means of vehicular access to No. 62 Cross Lane and to the rear of No.'s 62 - 102 Cross Lane and all associated highway and highway drainage remedial works (as shown indicatively on WYG plan reference A090070-193-P003 Revision P03);
- A scheme of carriageway reconstruction/resurfacing works on Cross Lane in between, and in the vicinity of, the proposed western and eastern site accesses;
- New loop road connecting Cock Clod Street, Church Street East and Croft Lane and the proposed internal road layout, incorporating the provision of visibility splays and forward visibility envelopes in accordance with the standards in Manual for Streets and 20mph traffic calming scheme;
- Proposals for the prohibition of vehicular access to the site from Rectory Lane

(other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;

- Proposals for the prohibition of vehicular access to the site from Church Street East/Sandford Street (other than for emergency access purposes), incorporating the provision of access for emergency service vehicles, pedestrians and cyclists;
- Proposals for the provision of vehicular access to the part of the site to be served from Rectory Lane/Glebe Street/Brook Street;
- Proposals for improvements to/localised widening of the bend at Bury Street/Cross Lane, incorporating all measures to improve forward visibility at this point on the highway network in accordance with the standards in Manual for Streets and for a design speed to be determined;
- Provision of the proposed easterly pedestrian access into the site incorporating the provision of guard railing at the junction with Bury Street;
- Provision of a controlled pedestrian crossing facility on Bury Street in the vicinity of the proposed easterly pedestrian access into the site;
- Reinstatement of all redundant vehicular accesses around the perimeter of the site to a scope and specification to be agreed;
- Proposed phasing of construction of the development.

The highway works subsequently approved shall be implemented to an agreed programme before phase of the development subsequently agreed is first occupied.

Reason. To ensure good highway design in the interests of highway safety and to maintain the integrity of the adopted highway pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

- 40 Full details of the re-validation of SCOOT at Water Street/Spring Lane and Water Street/Ainsworth Road, upgrade and re-validation of MOVA at Manchester Road/Radcliffe Road and associated CCTV camera provision to a scope and specification to be agreed with Transport for Greater Manchester shall be submitted to and approved in writing by the Local Planning Authority at first reserved matters application stage. The details subsequently approved shall be implemented to an approved timetable by the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety and the flow of traffic in the interests of highway safety pursuant to UDP Policies H2/1 - The Form of New Residential Development & H2/2 - The Layout of New Residential Development.

- 41 As part of the reserved matters for 'siting', a scheme for a parking strategy for the development of the site shall be submitted to and approved in writing by the Local Planning Authority, incorporating the implementation of a resident's parking scheme to mitigate the site's proximity to the Radcliffe Metrolink Station. The approved scheme only shall be implemented.

Reason. To ensure adequate and appropriate levels of car parking are incorporated into the development and pursuant to UDP Policy H2/2 - The Layout of New Residential Development.

- 42 Visibility splays measuring 2.4 metres by 60 metres shall be provided at the junctions of Cock Clod Street (Western Site Access) with Cross Lane and the Eastern Site Access with Cross Lane on land within the application red line boundary (SP 05) or adopted highway land, before the accesses are brought into use and shall subsequently be maintained free of obstruction above the height of 0.6m.
- Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 43 Other than for use by emergency service vehicles, there shall be no direct means of vehicular access between the site and the easterly end of Church Street East/Sandford Street and Rectory Lane.
- Reason. To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 44 On or before submission of the first reserved matters application, a residential travel plan strategy shall be submitted to and approved in writing by the Local Planning Authority. Before each phase of the development is commenced, a scheme for the provision of occupier travel plan measures relating to that phase shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of measures relating to walking, cycling, public transport and car parking. The scheme shall establish the developer and occupier travel plan objectives and targets and include an implementation programme. The approved schemes shall be implemented before each phase is first occupied and retained thereafter.
- Reason. In order to deliver sustainable transport objectives in accordance with Section 9 of the National Planning Policy Framework.
- 45 A minimum hardstanding of 5.5m measured between the highway/estate road boundary and any proposed garage doors shall be provided and thereafter maintained.
- Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of the highway in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
- 46 Where dwellings are constructed without a garage, a minimum hardstanding of 5.0m measured from the highway/estate road boundary shall be provided within the curtilage of each dwelling and thereafter maintained.
- Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the

National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

OL1 OL1 - Green Belt

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

NOTES TO APPLICANT

- . references to Replacement Cricket Club Facility above will be defined as – new cricket pitch, training nets and practice area, cricket pavilion, associated car park and any ancillary spaces.

Signed:



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On behalf of the Council

Date of Decision: 24/03/2022