

DELEGATED REPORT

Report by Helen Pressley	Date of report: 01/11/2024	Ref: 70715/FUL
Registration: 07/05/2024	LDfC: 20/06/2024	Expiry Date: 06/08/2024
Site Visit: 30/06/2024	Site Notice: 30/05/2024	Press Date: N/A
Objections: 0	Con Area:	Adv Type: PI
Reason for Delay:		EIA:
N/A		Dec Level: DEL
		Stat Class: MADW

Proposal: Variation of conditions 3 & 10 following approval of planning permission 69079 : Plot 20 has been handed; Plots 56-57 have been handed; Parking provisions for plots 62 - 67 have been amended; Footpath in front of plots 47-51 has been removed and additional hard standing added for refuse (Condition 3); no trees have been removed but tree locations have been updated and additional hedging added (Condition 10)

Location: Land off Parkinson Street, Bury, BL9 6NY

Description

The application relates to a site located off Parkinson Street. The site was formerly occupied by buildings associated with a former school/training centre, areas of hardstanding and parking associated with these uses, extensive areas of trees along the western and southern boundary, and lower density areas of soft landscaping between the existing buildings and towards the eastern edge of the site. The site comprises of approximately 3.69ha in area.

Vehicular access to the site is currently via Parkinson Street. Pedestrian access can also be gained from Parkinson Street and via an informal access from Arley Avenue.

Towards the north of the site there is an area of existing recreation land. This area is not located within the red edge of the site. A group of trees protected by a group TPO is located to the south of the site however this is also outside of the red edge. The site is largely bounded by residential uses with Arley Avenue located to the north of the recreation land, Wooded Close, Woodward Close and Parkinson Street located to the east and The Drive and West Drive located to the south of the group TPO. East Lancashire Railway line and the River Irwell are located to the west of the site.

Planning permission has been granted for the demolition of existing buildings and for the erection of 84no. dwellings. The proposal seeks permission for the construction of a mixture of 3 and 4 bed dwellings of two storeys in height. The proposed dwellings would be constructed from red brick, with blue brick detailing and marley modern grey roof tiles. The proposal seeks access from Parkinson Street.

Adjacent to the proposed access it is also proposed to construct a 42no. space car park with access to the recreation land to the north of the site.

Permission is sought to vary conditions 3 and 10 following approval of planning permission 69079. The proposed plans show that plot 20 has been handed; plots 56-57 have been handed and the parking provisions for plots 62 - 67 have been amended; Footpath in front of plots 47-51 has been removed and additional hard standing added for refuse (Condition 3); no trees have been removed but tree locations have been updated and additional hedging added (Condition 10).

Relevant Planning History

69079 - Demolition of existing buildings and erection of 84no. dwellings with associated parking and landscaping; formation of a car park in association with the existing recreation field - Approve with Conditions 11/10/2023

Publicity

Letters sent to neighbouring properties 10th May 2024.
Site notice posted 30th June 2024.

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - No response. Conditions from 69079 application not yet discharged.

Greater Manchester Ecology Unit - no comment to make

Pre-start Conditions - Applicant has agreed with pre-start conditions

Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
JP-P1	Sustainable Places
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
H3/2	Existing Incompatible Uses
H4/1	Affordable Housing
EN1/2	Townscape and Built Design
EN5/1	New Development and Flood Risk
JP-S4	Flood Risk and the Water Environment
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
JP-P1	Sustainable Places
EN7/2	Noise Pollution
JP-G7	Trees and Woodland
EN8/2	Woodland and Tree Planting
JP-G1	Landscape Character
JP-P7	Sport and Recreation
RT1/1	Protection of Recreation Provision in the Urban Area
RT1/2	Improvement of Recreation Facilities
RT2/2	Recreation Provision in New Housing Development
HT2/4	Car Parking and New Development
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C1	Our Integrated Network
JP-C3	Our Public Transport
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle (Green Belt)

The site is part of allocation JP Allocation 8: Seedfield within the Places for Everyone Joint Development Plan. The red edge of the site has not been amended since application 69079 was approved. The site is no longer within the Green Belt.

Principle (Residential)

The National Planning Policy Framework (NPPF) should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). In addition to the housing land supply in the SHLAA, the joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is now able to demonstrate a deliverable 5 year supply of housing land when assessed against the adopted PfE housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

In terms of housing delivery the Borough has underdelivered against the local housing need, and as a result the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The site is considered to be in a sustainable location for housing within the urban area and sitting outside the Green Belt. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this site in principle.

Principle (Recreation)

UDP Policy RT1/1 - Protection of Recreation Provision in the Urban Area does not allow development that would result in the loss of existing and proposed public or private recreation facilities. UDP Policy RT1/2 - Improvement of Recreation Facilities states that the Council will give favourable consideration to proposals for the appropriate improvement of existing recreational land and facilities in the Borough. The improvement of existing recreation facilities will allow greater use to be made of them and thus enable a larger demand to be satisfied.

The proposal would retain the car parking approved under application 69079.

Design and Layout

Policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered.

The minimum density for the site would be 50 dwellings per hectare. The application form states that the site area is 3.69 hectares. The proposal would therefore lead to a density of 22 dwellings per hectare. As the proposed amended layout, would replace an existing approved layout for the same number of houses (69079) that could be implemented it is considered that the density of the site is acceptable.

Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build. Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

Plots 20, 56 and 57 have been handed, or mirrored when compared to the previously approved scheme. The house types would remain as previously approved, a Hollinwood for Plot 20 and Firswood for plots 56 and 57. As such it is considered that the proposed amendments to the layout for these plots would not adversely affect the character of the overall scheme.

Parking provision for plots 62 - 67 have been amended. Previously 1no. parking spaces was provided per dwelling it is now proposed to provide 2no. parking spaces per dwelling. This would lead to a reduction of soft landscaping to the frontages of these dwellings. There is however still a soft landscaping buffer between the rear of the parking spaces and the proposed dwellings softening the extent of hard landscaping to the fronts of these properties. The landscaping scheme indicates that the trees proposed to the frontages of these properties would be retained. As such it is considered that the proposed amendments to the layout for these plots would not adversely affect the character of the overall scheme.

Policy JP-H3: states that all new dwelling must:

1. Comply with the nationally described space standards; and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The previously approved house types for plot 20 was not NDSS compliant and the house type has not changed from the previously approved scheme. The previously approved house type for plots 56 and 57 are NDSS compliant and the house type has not changed from the previously approved scheme. Considering that the applicant could implement application 69079 it is considered that the proposal is therefore acceptable.

Amenity

UDP Policy H1/2 states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. This is further supported by Policy H2/1 that requires an assessment of the impact of developments on residential amenity and the position and proximity of neighbouring properties. There are no adopted aspect

standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property

Whilst the properties have been mirrored, their locations within their plots have not been altered. As such it is considered that residential amenity would be maintained.

Parking

In terms of parking standards, in addition to Policy JP-C8 and Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

Plots 62 - 67 are 3no. bed properties. SPD 11 requires a maximum of 2no. parking spaces for 3 bed properties in high access areas. As such the proposed amendments would comply with SPD 11.

Biodiversity Net Gain

As the application is a S.73 variation application the application is exempt from the statutory biodiversity net gain condition.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than 11th October 2026.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design
- 3 This decision relates to drawings numbered LS-002 Rev H, LS-002-Rev H, PL-01

Rev V, FB01, TA-01 Rev B, SBS-01 Rev A, NB-01 Rev C, CS01 Rev E, CS01 Rev F 1 of 1, CS01 Rev F Sheet 2 of 2, RM01 Rev H, LU01 Rev H, MP01 Rev H, SS01 Rev G, BD01 Rev H, HL01 Rev I, PL-01 Rev V 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 other than demolition 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 Each dwelling hereby approved shall be provided with 1 electric vehicle (EV) charge point (minimum 7kW*) prior to its occupation.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 7 Prior to occupation of the proposed development, the drainage schemes approved under condition 7 of application 69079 shall be implemented and available for use in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To promote sustainable development and reduce flood risk pursuant to Development Plan Policies JP-S4 - Flood Risk and the Water Environment, 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.

- 8 Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local

planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason. To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development pursuant to Development Plan Policies JP-S4 - 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.

- 9 The development hereby approved shall be designed and constructed in accordance with the recommendations and specification set out in sections 3 and 4 of Crime Impact Statement, ref.2022/0007/CIS/01, Version A dated 06.09.22, unless otherwise agreed in writing by the Local Planning Authority, and the agreed measures shall be retained and maintained thereafter.

Reason. In the interests of crime prevention and community safety, having regard to the National Planning Policy Framework Chapter 8 - Promoting healthy and safe communities.

- 10 The landscaping scheme hereby approved shall be implemented not later than 12 months from the date the buildings are first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority. The bat and bird boxes approved under condition 10 of application 69079 shall be implemented prior to the occupation of the buildings.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity to Policies EN8/2 – Woodland and Tree Planting and JP-G8 - A Net Enhancement of Biodiversity and Geodiversity of the Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 11 Tree works and protection measures shall be implemented in accordance with the Tree Impact Assessment and Protection Scheme February 2024 approved under condition 11 of application 69079. The works shall be implemented in accordance with the approved details.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design, JP-G7 - Trees and Woodland and EN8/2 – Woodland and Tree Planting of the Development Plan.

- 12 All trees to be retained on site shall be protected during demolition in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design, JP-G7 - Trees and Woodland and EN8/2 – Woodland and Tree Planting of the Development Plan.

- 13 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided

that no active bird nests are present which has 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 JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 14 The development shall be carried out in accordance with the lighting scheme approved under condition 14 of application 69079.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies P-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 – Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 15 The development shall be undertaken in accordance with the Invasive Weed management Plan received 18th January 2024 and Invasive Weed Management Plan NIG/DN20190 Revision B approved under condition 15 of application 69079. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.
Reason. To control the spread of Himalayan Balsam in the interest of Development Plan Policy JP-G1 - Landscape Character and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 16 The development shall be carried out in accordance with the Biodiversity Offset Management Plan received on the 26th February 2024 approved under condition 16 of application 69079.
Reason. To ensure improvements in the biodiversity of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 17 The demolition shall be completed in accordance with the Demolition & Environmental Management Plan October 2023 approved under application 69079. A further Construction and Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority for the remaining phases of development. The plan shall delineate the construction zone and set out measures to be taken to minimise the possibility of pollution and tree damage during construction. The approved plan only shall be implemented prior to the commencement of any works and maintained for the duration of the build out of the development. This condition can be satisfied in phases.
Reason. Information not submitted at application stage. To ensure a safe and satisfactory development of the site in relation to the protection of the trees and woodland within the site from any pollutants and construction disturbance which may cause risk, pursuant to Policy EN1/2 - Townscape and Built Design, JP-G7 - Trees and Woodland and EN8/2 – Woodland and Tree Planting of the Development Plan and Chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 18 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order and Classes A to F of Part 2 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To avoid the loss of habitats created through biodiversity net gain mitigation which are of amenity value to the area pursuant to Chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 19 The residential accommodation hereby approved for plots 62-84 shall include acoustic glazing and acoustically treated ventilation in accordance with the submitted Ambient Noise & Building Envelope Assessment Report Reference No. J004383-7028-TD-01. The acoustic attenuation scheme hereby approved shall be implemented in full and available for use 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 Bury Unitary Development Plan Policy EN7/2 - Noise Pollution.

- 20 The proposal shall be carried out in accordance with the details agreed for condition 20 of application 69079 and shall include a scheme of 20mph traffic calming measures on the proposed estate roads to a scope and specification to be agreed, incorporating the formation of speed tables at all appropriate junctions, road markings and signage as required.

The details subsequently approved shall be implemented to an agreed programme.

Reason. 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 pursuant to Development Plan Policies Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 Streets for All and JP-C6 - Walking and Cycling.

- 21 In the event that it is intended for the proposed residential estate roads to be considered for adoption by the Council, the proposal shall be carried out in accordance with the details agreed as part of condition 21 of application 69079 and shall include provision of adequate levels of visibility at the back edge of the footway at Plots 27, 38 & 39. The details subsequently approved shall be implemented to an agreed programme.

Reason. 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 pursuant to Development Plan Policies Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development JP-C5 Streets for All and JP-C6 - Walking and Cycling.

- 22 The demolition shall be carried out in accordance with the Demolition/Construction Traffic Management Plan July 2023 approved under condition 22 of application 69079. The development shall be carried out in accordance with the Construction and Environmental Management Plan Rev 1 June2024 approved under condition 22 of application 69079.

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 Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 Streets for All and JP-C6 - Walking and Cycling.

- 23 Notwithstanding the details indicated on approved plan reference 21-040 SPS-01, prior to first occupation of the relevant plots hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in all dwellings located in excess of 250m from the junction of Parkinson Street with Seedfield Road and shall thereafter be maintained at all times.
Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and National Planning Policy Framework Chapter 8 - Promoting healthy and safe communities.
- 24 Notwithstanding the details shown on the approved plans, the existing car park to the north of the entrance to the site shall be retained and made available for use at all time for users of the playing fields until the new car park can be constructed and/or similar provision is made available for use. Details of the construction of the new car park, including details of closure, time scales for construction, and a scheme prepared in consultation with the local highways authority for offsetting the parking needs of the users of the playing fields during construction shall be submitted to, and approved in writing by the Local Planning Authority prior to commencement of this aspect of the development.
Reason. To ensure adequate off-street car parking provision for the adjacent Seedfield football pitches, in the interests of road safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, RT1/1 - Protection of Recreation Provision in the Urban Area, HT2/4 - Car Parking and New Development, JP-C5 Streets for All and JP-C6 - Walking and Cycling.
- 25 Details of the proposed arrangements for future management and maintenance of the proposed estate road within the development shall be carried out in accordance with the details approved under condition 25 of application 69079.
Reason. To ensure that the unadopted estate road serving the development is maintained to an acceptable standard in the interest of residential/highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway pursuant to Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 Streets for All and JP-C6 - Walking and Cycling.
- 26 The turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 Streets for All and JP-C6 - Walking and Cycling.
- 27 Minimum hardstanding lengths of 5.0m at all dwellings (10.0m when in tandem) shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.

Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and/or to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety pursuant to Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 Streets for All and JP-C6 - Walking and Cycling.

- 28 The car parking indicated on the approved plans shall be surfaced and made available for use prior to the each dwelling/part of the site to which it relates being occupied and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 29 Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, EN1/2 - Townscape and Built Design and H2/2 - The Layout of New Residential Development.

- 30 Within 6 months of the first occupation of the dwellings hereby approved a Residential Travel Plan shall be submitted to, and agreed in writing by the Local Planning Authority. A Residential Travel Plan should include:

1. A Travel Plan budget and resources for the implementation and day to day management of travel plan measures;
2. Appropriate management structures;
3. Detailed time frames for the delivery;
4. Handover arrangements for the travel plan or its components, when the developer's responsibility ceases; and
5. Targets and monitoring arrangements.

The details subsequently approved shall be implemented to an agreed programme.

Reason. Information not submitted with the planning application. To encourage sustainable travel choices pursuant to Development Plan Policy JP-C1 - An Integrated Network and JP-C3 - Public Transport.

- 31 No development, other than demolition, shall commence on site until the access arrangements onto the playing field and the car parking as approved under planning permission ref: 69387 have been implemented in full and made available for use at all times for all users of the playing field.

Reason. To ensure the satisfactory accessibility of compensatory provision which secures a continuity of use of the playing field and to accord with paragraph 99 of the NPPF.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 01/11/2024		HL 01/11/24	