

BURY COUNCIL
DEPARTMENT OF OPERATIONS

REF NO: 25/041

FROM: Head of Engineering

TO: Head of Development Management

Planning Application No: 71532

Location: Kemp Heaton Avenue, situated between Bury Cemetery to the north and Peachment Place Extra Care apart

Development: Variation of condition No. 2 (approved plans) and condition No. 15 (drainage design) of planning permission 70015 - removal of louvres from windows of the houses, bungalows and cottage flats; amendments to landscaping and additional information added to drainage design and layout

RECOMMENDATION

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

1. Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to a scope and specification to be agreed on a topographical based survey of the site and adjacent highways to the Local Planning Authority:
 - Formation of the proposed accesses onto St. Peter's Road/Kemp Heaton Avenue, incorporating the provision of adequate footway arrangements at the interface with the access to the Supported Living Apartments, required rubbing strip to the north of the extension of St. Peter's Road and proposed bridleway/upgrading and improvement of the non-definitive right of way that crosses the site and all associated accommodated works, provision of visibility splays appropriate for a design speed of 20mph, demarcation of the limits of the adopted highway, removal of existing/provision of new tactile paved crossing points, give-way markings and alterations to existing road markings (subject to the requirements of the scheme of 20mph traffic calming measures) and all associated highway and highway drainage remedial works;
 - In connection with the above, revised dropped crossing arrangements/positions (and if required, any revised driveway and hardstanding arrangements/positions) for Plots P1 – 5 in order to review the ability for residents and visitors to be able to park on the southerly side of St. Peter's Road;
 - A scheme of 20mph traffic calming measures on St. Peter's Road/Kemp Heaton Avenue to a scope and specification to be agreed, incorporating all measures, road markings and signage as required.

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

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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 and shall confirm/provide the following:
- Photographic 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 and as a result of any statutory undertakers connections to the site/new dwellings;
 - Access route for all construction vehicles to the site from the Key Route Network;
 - Access point(s)/arrangements for construction traffic from St. Peter's Road/Kemp Heaton Avenue, taking into consideration the need to maintain safe pedestrian and/or vehicular access to the adjacent Peachment Place Extra Care Scheme and non-definitive right of way that crosses the site at its northern boundary and all temporary works required to facilitate access for construction vehicles;
 - If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain safe pedestrian and/or vehicular access to the adjacent Peachment Place Extra Care Scheme and non-definitive right of way that crosses the site at its northern boundary;
 - The provision, where necessary, of temporary pedestrian facilities/protection measures;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto/along St. Peter's Road/Kemp Heaton Avenue;
 - 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.

3. In the event that it is not intended for the proposed residential estate roads to be considered for adoption by the Council, no development shall commence unless and until details of the proposed arrangements for future management and maintenance of the proposed estate road within the development have been submitted to and approved by the local planning authority. The estate road shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

4. The various 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. (HY14 Amended)
5. Minimum hardstanding lengths of 5.0m at all dwellings shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained. (HY01 Amended)
6. The car parking indicated on the approved plans shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the each dwelling/part of the site to which it relates being occupied and thereafter maintained at all times. (CAR1 Amended).
7. 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'.

Reasons

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. 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.
4. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety
5. 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.
6. To ensure adequate off-street car parking provision in the interests of road safety.
7. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling.

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Comments and Observations

1. 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)
2. The applicant's attention is drawn to the need to complete an appropriate agreement/process to be confirmed, and a Section 104 Agreement under the Water Industry Act 1991, regarding the future adoption of the proposed roads and sewers. (N008 Amended)
3. 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.
4. It is brought to the attention of the applicant that, with the agreement of the landowner, a 'Legal Event Order' to add the proposed bridleway to the definitive map will be required. Without that agreement, it would need the legal process for a 'Definitive Map Modification Order' to be pursued.
5. It is brought to the attention of the applicant that if the proposed estate roads are not eligible for adoption by the Council, the applicant is advised that to discharge the relevant condition regarding future maintenance of the estate roads, the Local Planning Authority will details of a private management and maintenance company confirming funding, management and maintenance regimes.
6. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system and the specification for the proposed refuse collection facility at the interface with the adopted highway. (N024 Amended)

Date: 26 February 2025

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

HIGHWAYS ASPECTS ONLY