

BURY COUNCIL
DEPARTMENT OF OPERATIONS

REF NO: 22/068

FROM: Head of Engineering

TO: Head of Development Management

Planning Application No: 68069

Location: Bevis Green Works, Mill Road, Walmersley, Bury, BL9 6RE

Development: Full application to substitute the approved layout and house types on the southern parcel of application ref: 63533, to provide 99 No. dwellings

RECOMMENDATION

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

1. In relation to the use hereby approved, the measures set out in the Travel Plan to promote more sustainable travel to and from the site by residents of the dwellings and reduce the reliance on private vehicle use, shall be implemented in full and thereafter maintained.
2. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwelling hereby approved commencing and thereafter maintained at all times.
3. No development (excluding site clearance or works relating to site investigation) shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
 - Access route for vehicles from the highway network;
 - Access points to the site for each phase of the development, including any temporary works required to facilitate vehicular access;
 - Hours of operation and number of vehicle movements;
 - Proposed site hoarding/gate positions clear of appropriate visibility splays onto the adjacent adopted highways/Public Rights of Way;
 - A scheme of appropriate warning/speed limit signage in the vicinity of the construction site accesses;
 - 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;
 - 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.

Cont/.....

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.

4. Notwithstanding the details indicated on approved plans, no development (excluding site clearance or works relating to site investigation) shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways (where appropriate) to, and approved in writing by the Local Planning Authority:
- A review of existing pedestrian facilities at the Walmersley Road/ Walmersley Old Road/Springside Road signalised junction to explore the potential for providing a subsequent scheme of improvements to improve facilities for users across all arms of the junction, to a scope and specification to be agreed;
 - In connection with the above, a review of existing signal timings to explore the potential for providing a full pedestrian stage to improve crossing conditions for pedestrians;
 - Alteration of the existing site access onto, and works abutting, Walmersley Old Road, incorporating the widening and reconstruction/provision of footways minimum of 2.0m in width including all accommodation works required at tying in points, level/1 in 40 plateau at the junction onto the adopted highway, reinstatement of all redundant accesses, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works required as a result of the construction of, and statutory undertakers connections to, the proposed development;
 - Formation of the secondary emergency access onto Mill Road/Byway Open to All Traffic (BOAT) No. 20, Bury, to serve the residential development, to a specification and length to be agreed, incorporating removable and fixed bollards (number and positions to be agreed) at all interfaces with the proposed estate road and the Public Right of Way and all associated highway and highway drainage remedial works;
 - Reconstruction of and modifications to the existing alignment of the unadopted section of Mill Road/Byway Open to All Traffic (BOAT) No. 20, Bury to scope, specification and in materials to be agreed, in order to upgrade the route as indicated, incorporating the widening and reconstruction/provision of 2.0m minimum wide footways where indicated, level/1 in 40 plateau at the junction onto the adopted highway, reinstatement of all redundant accesses, works to form a junction with Lumn Street, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works required as a result of the construction of, and statutory undertakers connections to, the proposed development;

Cont/.....

- Proposed scheme of works of a scope and specification to be agreed at the interface with the retained section of Byway Open to All Traffic (BOAT) No. 20, Bury leading to Mather Road, to the east of the driveway serving Plot 267;
- Proposed scheme of works to improve the surface and line of Public Footpath No. 13, Bury, that crosses the site and provide a route not less than 4.0m in width in accordance with the previously approved diversion order;
- Formation of all pedestrian connections indicated onto the existing adopted highway and Public Rights of Way abutting the site;
- Proposals for the introduction of waiting restrictions to scope to be agreed at the at the junctions of the proposed site access and Mill Road with Walmersley Old Road, including all necessary road markings and signage;
- Provision of a street lighting assessment for (and, where necessary, a scheme of improvements) the proposed residential development and sections of Walmersley Old Road and of Mill Road/Byway Open to All Traffic (BOAT) No. 20, Bury, abutting the site;
- Foundation details for all boundary walls/fences abutting the existing/future adopted highway;
- White lining scheme for the proposed junctions onto the existing adopted highway;
- An Approval In Principle for the any retaining structures located adjacent to the adopted highway, incorporating full structural, construction and drainage details, calculations and a detailed construction method statement.

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

5. Notwithstanding the details indicated on approved plans, in the event that it is intended for the proposed estate roads and/or improved section of Mill Road to be put forward for adoption, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways (where appropriate) to, and approved in writing by the Local Planning Authority:
- Proposed internal road layout to a specification and materials to be agreed and to current adoption standards, incorporating 2.0m minimum width footways throughout the development;
 - Revised turning head position relative to the easterly limits of adoption on Mill Road;
 - In the event that retaining structures are required adjacent to the future adopted highway, an 'Approval In Principle' for the proposed structure(s), incorporating full structural, construction and drainage details, calculations, pedestrian protection measures and a detailed construction method statement;

Cont/.....

- A scheme of 20mph traffic calming measures on the proposed internal roads and white lining scheme to a scope and specification to be agreed including details of proposed materials, road markings and signage as required;
- Undertaking of a review of/safety audit for the need to provide vehicle containment measures to the east of the estate road abutting the proposed open watercourse

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

6. The visibility splays, pedestrian visibility splays at the back edge of the footway and forward visibility envelopes on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development is brought into use and subsequently maintained free of obstruction above the height of 0.6m. (HY06 Amended)
7. A minimum hardstanding of 5.5m measured between the highway boundary and any proposed garage doors shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained. (HY01)
8. Where dwellings are constructed without a garage a minimum hardstanding length of 5.0m in order to accommodate a vehicle clear of the adopted highway shall be provided within the curtilage of each dwelling to the written satisfaction of the Local Planning Authority and thereafter maintained. (HY02 Amended)
8. The car parking indicated on approved plan reference 456/P/PL/02 Revision E shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved being occupied and thereafter maintained at all times. (CAR1 Amended)
9. In the event that the estate roads are not adopted, details of the proposed arrangements for future management and maintenance of the proposed estate roads within the development shall be submitted to and approved by the Local Planning Authority prior to first occupation. The estate roads 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.
10. The development hereby approved shall be carried out in accordance with the Highway Dilapidation Survey dated 13th Feb 2020 by Barratt and associated documents submitted in relation to condition 30 of planning permission 63533). The footways and carriageways shall be repaired to the condition in the approved dilapidation survey following the completion of the development.

Cont/.....

Reasons

1. In order to encourage sustainable travel pursuant to NPPF (Section 9) and UDP Policy HT4 New Development.
2. To ensure adequate off street car parking provision in the interests of road safety.
3. Information not submitted at application stage. To mitigate the impact of the demolition and 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 demolition/construction periods and that the adopted highways are kept free of deposited material from the ground works operations.
- 4 & 5. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety.
6. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety
7. 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.
8. To ensure adequate off street car parking provision in the interests of road safety.
9. 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.
10. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety.

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 and implementation of any required traffic regulation orders. The cost of the works will be the responsibility of the developer.
(N004 Amended)

Cont/.....

2. The applicant's attention is drawn to the need to complete a Section 38 Agreement under the Highways Act 1980, and a Section 104 Agreement under the Water Industry Act 1991, regarding the future adoption of the proposed roads and sewers. The submission shall include the provision of long sections and cross sections at positions to be agreed through the proposed estate roads and turning heads to ensure adoptable gradients can be achieved along the proposed adopted highways and a swept path analysis of the proposed estate roads to ensure an 11.85m long refuse collection vehicle can pass a private car and manoeuvre at all turning heads. (N008 Amended)
3. The applicant's attention is drawn to the existence of the Public Rights of Way that cross/about part of the site. No development should take place which affect the Rights of Way in the absence of appropriate closure or diversion orders. (N003 Amended)
4. The applicant's attention is drawn to Section 167 of the Highways Act 1980 which requires Highway Authority approval of all structural details and calculations of retaining structures adjacent to the highway, prior to works commencing. (N019)
5. The applicant's attention is drawn to Section 80 of the Building Act 1984 and the need to give six weeks prior written notice to the Department for Operations detailing any proposed demolition works in connection with the proposed development. (N020)
6. It would be advantageous for the land affected by the highway proposals to be in the control of the Highway Authority. An appropriate course of action would be the free dedication of the land to the Highway Authority by the freeholder. (N021)

Date: 26 September 2022

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

HIGHWAYS ASPECTS ONLY