

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 15/01/2025	Ref: 70993/FUL
Registration: 19/08/2024	LDfC: 10/09/2024	Expiry Date: 18/11/2024
Site Visit: 22/08/2024	Site Notice: 22/08/2024	Press Date: 29/08/2024
Objections: 1	Con Area: N/A	Adv Type: MD
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MAMW

Proposal: Demolition of existing class B2/B8 industrial buildings and class E(g) offices; Recladding and refurbishment of retained class B2/B8 industrial buildings and change of use of retained Class E(g) and Sui Generis to Class B2/B8

Location: Warth Industrial Park, Warth Road, Bury, BL9 9NB

Description

The application relates to an established industrial park and business centre which is located within an Employment Generating Area under UDP Policy EC2/1/8. The site is bounded by residential development opposite Warth Road to the north, the metrolink to the west and the River Irwell to the south where retaining walls to form a flood defense system have been erected under several planning permissions. The eastern boundary forms a frontage with Bury Road. The site falls within Flood Zones 2 and 3.

Historically, the site operated as a mill at the height of the industrial era to its post industrial status as a paint manufacturing and storage facility and in more recent years has been sub-divided between multiple tenants with a mix of use classes across the site. The decline of the manufacturing industry has resulted in a number of businesses vacating their premises and has since fallen into a state of disrepair and poor condition.

This application seeks to redevelop the site to secure its future viability as a business use with the proposals to demolish the buildings which are in poor condition and which are positioned in an area which could affect the future useability of the site, reclad and refurbish the buildings to be retained and change the use classes to B2 and B8 across the site. The retained buildings would be located in the east (building D) and west (building A and B) and a smaller building (building C) to the south of the site with parking located to the front of each and some parking retained to the rear of the larger building, D. Some of the buildings would be sub-divided to form individual units.

The central part of the site would be a 'shared area' for servicing and larger vehicles to manoeuvre. There would be additional parking to the front of the site close to the entrance which would be retained.

In total there would be 370 parking spaces including 36 EV and 38 accessible spaces with stands for 60 no cycles.

The buildings to be retained would be clad in insulated sheeting in a combination of goosewing grey, anthracite and sargasso, the roof in goosewing grey cladding and new feature glazing to the office and reception areas.

Relevant Planning History

02773/E - Residential development and associated infrastructure -

46206 - Change of use of part of existing ground floor from general industrial use (class B2) to the provision of self storage units (Class B8) - Approve with Conditions 19/07/2006
 46419 - Self store units - Approved 7/9/2006
 49885 - Refurbishment of existing industrial units and bringing existing car park back into use; the mill section: ground floor to change from B2 to B1, first floor to remain the same; unit 02: ground floor to change from B2 to B1 use, new first floor (B1 use), new mezzanine (ancillary cafe) with renovation to facade - Approved 12/8/2008
 49759 - Change of use of car park to storage yard and relocation of portacabin - Approved 13/6/2008
 60543 - Installation of two air conditioning condenser units on external wall of Unit 3 - Approve with Conditions 15/11/2016
 61752 - Variation of condition no. 2 (approved plans) of planning permission 60424 to show kitchen windows to both side elevations of apartment blocks - Plots 1-15 and 51-65 - Approve with Conditions 09/11/2017
 63127 - Prior notification of proposed demolition of 4 no. buildings Units 05, 08A and 08B, 08 - Prior Approval Required and Granted 03/09/2018
 63293 - Change of use of Units 2B, 2C and 2D to trade counter use (Sui Generis) and the formation of a new access onto Radcliffe Road - Approve with Conditions 19/11/2018
 64788 - Erection of retaining walls & sheet piled walls between 1m & 3m in height to form a flood defence between the metrolink bridge and Warth Bridge - 17/12/2019
 65256 - Non-material amendment following grant of planning permission 64788: Localised modifications to the defence wall alignment. Specifically, this includes proposals to reposition the defence further away from the north corner of the existing brick building to minimise disturbance of the existing river walls, improve clearance and reduce risk to the existing building. In addition, the section downstream of Bealey's Weir connecting to the Warth Road Bridge is proposed to be repositioned to now align with the front of the existing river wall. - Approve with Conditions 31/03/2020

Publicity

Letters sent to 89 properties on 20/8/24.
 Site notice posted 22/8/24
 Press advert 29/8/24

One objection received with the following comments -

- Noise and disturbance to local residents from the works which have already started and woken early mornings.
- Causing anxiety
- I have to keep windows shut during the day because of the noise

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Environmental Health - Contaminated Land - No objection subject to conditions.

Environmental Health - Commercial Section - No response received

Environmental Health - Pollution Control -

Greater Manchester Ecology Unit - No objection subject to conditions

Environment Agency - Following submission of a FRA, no objection subject to condition.

United Utilities (Water and waste) - No comments to make

Borough Engineer - Drainage Section - No response received

Coal Authority - No objection - development is exempt

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

Development Plan and Policies

NPPF National Planning Policy Framework
 EC2/1 Employment Generating Areas
 EC6/1 New Business, Industrial and Commercial

EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN6/4	Wildlife Links and Corridors
OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G1	Landscape Character
JP-G2	Green Infrastructure Network
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-J2	Employment Sites and Premises
JP-J4	Industry and Warehousing Development
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment

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

The site is an existing employment site under UDP Policy EC2/1 with a historical use of B2 and B8 uses.

The proposals to demolish buildings which are in a poor condition and can no longer be feasibly retained and the redevelopment of the site to refurbish and re-clad the existing buildings would consolidate the assets on site to provide a more viable and attractive development for the existing and future businesses.

The proposal to change the use of the Class E and Sui generis uses to B2 and B8 would be accepted employment generating uses and in compliance with EC2/1.

The proposed development would therefore be acceptable and comply with EC2/1 and the principles of the NPPF.

Layout - The majority of the demolition would be the buildings in and around the centre of the site and building near to the entrance which would open up this part of the site to more readily access the remaining buildings and provide improved parking and turning areas for staff, visitors and deliveries.

Building D is the largest and most complex with the central component being the original mill building which is in a poor state of repair. It is proposed to remove this element and the void area used as a service yard.

There would be parking to the front of each of the buildings, existing parking to the rear of building D retained and two areas of parking closer to the front entrance to provide a total of 370 spaces across the site (26 Ev and 28 accessible) and stands for 60 no cycles which is considered to be acceptable for the consolidated site.

The central part of the site would be a 'shared area' used to access the buildings and an area where larger vehicles can manoeuvre but with the potential for part of it to come forward for a future development. Pedestrian walkways would connect the parking areas, buildings and the site entrance.

The whole site would be used for B2 and B8 purposes (industry and storage/distribution) which would consolidate the usage and provide more uniformity than the existing situation of multiple uses and as such this would be in compliance with EC2/1.

It is therefore considered the proposed development would open up the site to allow the retained buildings to gain more usable space and would be acceptable in terms of how the site would be consolidated, accessed and serviced and thereon improve the prospects and viability and operations for the site and existing and future businesses.

As such the proposed development is considered to comply with EC2/1, EN1/2, JP-P1 and the principles of the NPPF.

Design and appearance

The demolition of some buildings and parts of buildings would remove areas of dilapidation, disrepair and poor quality.

The proposal to re-clad the buildings in a modern mix of colours would be a significant improvement and would provide a uniformity to the site, particularly as it is located along two main roads and viewed by residential dwelling directly opposite.

The improved thermal fabric of the buildings would result in a far more sustainable development which would be attractive to future occupiers as well as financially beneficial.

It is therefore considered the proposed development would be acceptable and comply with policy EN1/2.

Impacts on the surrounding area

The nearest dwellings are those located opposite the site on Warth Road. The site has operated as an industrial and commercial B2 and B8 development for many years and the proposal to demolish and consolidate buildings and reconfigure the layout arrangements would not be any more damaging or harmful to local residents. The proposed development would in fact, likely improve the relationship to the houses by the removal of unsightly buildings, reduction of the numbers of buildings on site and the improve the external appearance through re-cladding to provide a uniform and tidy development.

The improvements to incorporate thermal sheeting to the exteriors would also help contain noise within each of the buildings.

A certain degree of noise and disturbance whilst the works to redevelop the site would be expected, but any over and above what would be considered reasonable as determined by Environmental Health could be acted on through separate legislation.

It is therefore considered the proposed development would be acceptable and comply with policies EN1/2, EN7/2 and the principles of the NPPF.

Highway issues

The site has historically operated as a B2 and B8 use and large delivery vehicles and HGV's have accessed the site on a regular basis for many years. The proposal to redevelop the site by the demolition of buildings and overall consolidation of the units, servicing and parking would not significantly increase traffic or trips to and from the site than has historically existed when the site was operating to its maximum potential.

The consolidation of the site and removal of buildings would allow parking to be better organised and arranged, with spaces for each unit located at their frontage and additional parking formalised towards the front of the site.

In total, 370 spaces including 36 EV chargepoints, 38 accessible spaces and 60 no would be provided and this is considered to be acceptable for the scale of development. The existing access would be retained with slight modifications and marked out walkways/cycleways would provide safe access to each building and encourage alternative modes of transport.

Subject to conditions, the Highway Section have raised no objection and as such the proposed development is considered acceptable and would comply with EN1/2, HT2/4, JP-S1, JP-C5, JP-C6 and JP-C8.

Flood risk

The site is located in Flood Zones 2 and 3.

The site is located directly next to the River Irwell and the site and surrounding area has historically been susceptible to flooding. Over the past few years, the Environment Agency have carried out extensive flood defence works including a defence wall along the River

Irwell in order to combat flooding and the risks thereof.

The Environment Agency have been consulted on the proposals and despite the new defense system, require a site specific Flood Risk Assessment.

The applicant has commissioned a FRA and the findings and report issued to the EA.

The EA have raised no objection subject to conditions, including that the development be carried out in accordance with the mitigation measures detailed in the FRA and submission of a remediation strategy to deal with the risks associated with the contamination of the site.

It is therefore considered the proposed development would be acceptable and comply with the principles of chapter 14 - Meeting the challenge of climate change, flooding and coastal change.

Ecology

Summary

Potential ecological issues include bats, nesting birds, giant hogweed and biodiversity mitigation and enhancements.

Bats

The buildings on site were assessed for bat roosting potential. All were assessed as having negligible bat roosting potential, all buildings lacking obvious bat roosting features, largely of a type that is less likely to be utilised by bats and subject to high levels of lighting. GMEU have no reason to doubt that each building in isolation is negligible risk. This is however a large complex of buildings, in a high risk location for bats, given the proximity to the River Irwell, Manchester Bolton and Bury Canal SBI, Hutchinsons Goit, Lower Hinds SBI and Swan Lodge SBI. Therefore whilst accepting it is very unlikely that any high value roosts, or rarer bat species are present, occasional use by species such as common pipistrelle cannot be easily ruled out using standard survey methods.

GMEU therefore would recommend precautionary working measures for bats during demolition and building extension be conditioned as part of any permission.

Nesting Birds

Feral pigeon were present on the site and could gain access to buildings. Therefore whilst no evidence of nesting was recorded, the consultant was unable to rule out the possibility of birds nesting in some of the buildings. GMEU therefore recommend a condition that no demolition shall occur unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately demolition and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the LPA.

Giant Hogweed

Giant hogweed was recorded on the existing amenity grassland. Whilst this is being retained and giant hogweed is present just off site along the River Irwell, given the public health as well as ecological issues associated with this species, GMEU recommend the plant is removed. This can be conditioned, though technically its removal is not required to facilitate the development.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

No vegetated habitats are to be lost with existing amenity grassland and landscaping retained and protected during construction. There also appears to be no wildlife issues

other than displacement of feral pigeon roosts. The redeveloped site will have an increased percentage of the site under soft landscaping. The final details of the soft landscaping can be conditioned.

GMEU accept that the development is exempt from mandatory biodiversity net gain under the de minimis rule as less than 25sqm of vegetated habitat appears to be lost. Protection of the retained habitats on the site will however need to be conditioned during development to prevent accidental triggering of the need for a BNG metric, as there is the potential for more than 25 sqm of vegetation to be lost or 5m of hedge. GMEU therefore recommend a condition that prior to development, earthworks or demolition existing soft landscaping and vegetation will be protected from accidental damage, using measures agreed in writing by the LPA.

With regards wildlife, given the high value location of this site, GMEU recommend enhancement in the form of bat and bird boxes. The finalised details can be conditioned.

Air quality

The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered very unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

The proposed development will have off-street parking. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, and the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), this Section recommends a condition for provision of Electric vehicle (EV) charging points (minimum 7kW*) for a minimum of 10% of the proposed parking spaces and ducting to be installed in 20% of the proposed parking spaces.

Coal - The application site does fall within the defined Development High Risk Area. However, the Coal Authority have confirmed that the nature of development is exempt from requiring a coal mining risk assessment to be submitted. Records however show the presence of one recorded mine shaft entry (shaft) within, or within close proximity of the planning boundary. An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety. The applicant should be made aware of this by way of an informative note on any permission given.

PfE Policy JP-S2 - Carbon and energy

As part of the aim of delivering a carbon neutral Greater Manchester the development will support a range of measures including retrofitting existing buildings with measures to improve energy efficiency.

A key principle for the redevelopment of the site has been the sustainability of the site and the impacts of the development on the immediate community. Key areas for the development are the improvements to the buildings themselves and the improvements to the transport links for future tenants. The proposed development will be designed in accordance with the Building Regulations Approved document L2a and will meet the fabric U-values set out therein for thermal performance and energy efficiency for all new wall construction and improvements to retained structures. The building will be constructed in accordance with the SBEM calculations for energy performance. The construction detailing will focus on air tightness to reduce the energy consumption for space and water heating.

The proposed development features designated marked out walk/ cycleways to encourage pedestrian and cycle access to each unit. Each unit will also feature dedicated cycle storage.

in line with Bury Councils Parking Standards and EV charging points for each unit in line with the Building Regulations Approved Document S.

The site is also within a reasonable walking distance from bus stops along Radcliffe Road and is also a reasonable cycle distance from the Radcliffe and Bury tram stations which would be beneficial to reduce carbon emissions from tenants who may live further afield in Greater Manchester.

PfE Policy JP-C2 - Digital connectivity

All new telecoms connections will be high speed fibre optic to suit the anticipated needs of a B2/B8 unit and will be installed in accordance with the appointed specialist subcontractor in line with Building Regulations Approved document R.

Response to objection

The issue with regards to noise from the carrying out of the works have been addressed in the above report.

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 the application process 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.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 2 This decision relates to drawings numbered -

dwg nos 24.100.00-CDP-00-DR-A -

OS Plan 1001 P02

Existing site plan 1002 P02

Proposed site plan 1007 P05

Building A existing plans and elevations 2001 P01

Building B existing floor plans and elevations 2002 P01

Building C existing floor plans and elevations 2003 P01

Building D existing floor plans 2004 P01

Building D existing elevations 3001 P01

Building D proposed elevations 3002 P05

Building D proposed floor plans 2008 P03

Building A proposed floor plans and elevations 2005 P04

Building B proposed plans and elevations 2006 P04

Building C proposed floor plans and elevations 2007 P07

Carbon and Digital Infrastructure Statement in the D&A

Highways Technical Note by Dynamic Transport Planning 3708924 October 2024

Flood Risk Assessment - (FRA241100 - December 2024)

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 and Places for Everyone Joint Development Plan listed.

- 3 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. This is to secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to the National Planning Policy Framework.

- 4 Prior to the first occupation of the development hereby approved, the applicant shall provide:

- 36 EV chargepoints (minimum 7kW*) as shown on the approved site plan (24.100.00-CDP-00-DR-A-1007 P03) and ducting for 20% of the total spaces
- Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted.

*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. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. In accordance with the NPPF, 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.

- 5 The development hereby approved shall incorporate precautionary working measures for bats during the demolition and the refurbishment works for the duration of the development.

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

- 6 No demolition shall occur within bird nesting season unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to the LPA.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies 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.

- 7 Within 3 months of the date of this decision, a scheme for the eradication and/or control of Giant hogweed shall be submitted to and approved by the Local Planning Authority. The approved scheme shall include a timetable for implementation. 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 ensure the safe and satisfactory development of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 8 Within 3 months of the date of the decision, details of soft landscaping shall be submitted to, and approved by the Local Planning Authority. The contents of the plan should include native tree and shrub planting and the provision of bat and bird boxes within the new development. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied/brought into use 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 and the bat/bird boxes thereafter maintained.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to UDP Policy EN1/2 - Townscape and Built Design and PfE Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 9 Prior to any further development, earthworks or demolition existing soft landscaping and vegetation shall be protected from accidental damage, using measures agreed in writing by the LPA. The approved measures shall be implemented prior to any further works commencing and maintained for the duration of the development works hereby approved.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to UDP Policy EN1/2 - Townscape and Built Design and PfE Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 10 The development hereby approved shall be carried out in accordance with the materials detailed on the approved plans.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 11 Notwithstanding the details shown indicatively on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to and agreed with the Local Planning Authority:

- (1) Revised 'new gate' arrangements to ensure that they open inwards into the site and are positioned with the same set back from the adopted highway as the existing gates;
- (2) Alterations to the proposed main site access to a scope and specification to be agreed, incorporating revised junction radii, provision of tactile paved crossing

points in a position to be agreed within the limits of the adopted highway, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works, including all necessary remedial works to the existing concrete industrial access;

(3) Reinstatement of the redundant 'tertiary' site access to adjacent footway levels to a scope and specification to be agreed, incorporating the demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works;

(4) Signage scheme for the proposed secondary emergency gated site access to be retained, to a scope and specification to be agreed;

(5) Provision of new give-way markings at the revised junction and all required alterations to existing road markings.

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

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 Bury Unitary Development Plan Policy EC6/1 - Assessing New Business, Industrial and Commercial Development and PfE Policies JP-C5, JP-C6 and JP-C8.

- 12 No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:

(1) Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following demolition works and construction of the development;

(2) Access route for all demolition/construction vehicles to the site from the Key Route Network;

(3) Access point/arrangements for demolition/construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to adjacent residential properties and all temporary works required to facilitate access for demolition/construction vehicles;

(4) Hours of work for site preparation, delivery of materials and construction and number of vehicle movements;

(5) Arrangements for the parking of vehicles for site operatives and visitors on land within the applicant's control, together with storage on site or on land within the applicant's control of demolition/construction materials;

(6) Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres including details of areas designated for the loading, unloading and storage of plant and materials;

(7) The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;

(8) A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es);

(9) Arrangements for the provision of wheel washing facilities for vehicles accessing the site;

(10) 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 control the emission of noise, dust and dirt during construction;

(11) A scheme for recycling/disposing of waste resulting from construction works; and

(12) A strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any

demolition operations, and contact details for the site operator during this period.

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.

Reason. Information not submitted at application stage. 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 in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and PfE Policy JP-C8.

- 13 The proposed internal vehicular and pedestrian access alterations, 'shared area' hardstanding and various turning/shared service yard facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are brought into use 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/new access road, in the interests of road safety pursuant to Bury UDP Policy EC6/1 and PfE Policies JP-C5, JP-C6 and JP-C8.

- 14 The car and cycle parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use 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.

- 15 The refuse storage and access arrangements to be provided within the curtilage of the site shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure that adequate bin storage arrangements are provided wto serve the development pursuant to Bury UDP Policy EC6/1 and PfE Policy JP-C8.

- 16 The development shall be carried out in accordance with the submitted flood risk assessment (FRA241100 - December 2024) and the following mitigation measures it details:

- Including flood resilience measures to ensure a suitable level of protection against potential flood events
- Signing up to the EA Flood Warning Service to receive Flood Warnings for the site
- Providing a suitable Flood Management Plan which takes into consideration a range of potential scenarios.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons. To reduce the risk of flooding to the proposed development and future occupants

and to ensure the structural integrity of the existing flood defences, thereby reducing the risk of flooding pursuant to chapter 14 of the NPPF.

- 17 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on the submission of a phase 1 preliminary risk assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

Reason. To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with chapter 14 of the National Planning Policy Framework.

- 18 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. To ensure that the proposed piling, does not harm groundwater resources in line with chapter 14 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.

- 19 Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason. To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with chapter 14 of the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT 15/1/25		DM - 16/01/2025	