

NOTICE OF PLANNING PERMISSION

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

To:

Mr Edmondson
edmondson design services
20 Fernhill Drive
Bacup
OL13 8JS

On Behalf Of:

Mr Warburton
N & JW Properties Ltd
10 Carnoustie Drive
Ramsbottom
BL0 9QL

PART 1 - Particulars of Application

Application Number: 66076

Date of Registration: 15/10/2020

Proposal:

Demolition of existing commercial building
and the erection of 2no. 3 bed dwellings and
1no. 1 bed apartment with associated bin and
cycle storage

Location:

16 Paradise Street, Ramsbottom, Bury, BL0
9BS

PART 2 - Particulars of Decision

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

- 1 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 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 EN1/1 Visual Amenity.
- 3 This decision relates to drawings numbered 2020/16-01 Rev A, 2020/16-03 Rev D, 2020/16-04 Rev A, 2020/16-02 Rev F and 2020-16 OS Site Plan and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.

- 4 No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 5 No development shall commence unless and until:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 6 Following the provisions of Condition 5 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.

- 7 A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied and any proposed planting removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by planting of a similar size or species to those originally required to be planted.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential

Development, EN1/2 - Townscape and Built Design and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 8 No development 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:

- Photographic dilapidation survey of the adopted highway abutting the site in the event that subsequent remedial works are required following construction of the development and statutory undertakers connections to the new dwellings;
- Access arrangements for construction traffic from the adopted highway, via Factory Street/Paradise Street including use of appropriately sized vehicles in order to be able to utilise the existing restricted access route;
- Hours of operation and number of vehicle movements;
- Proposals for the provision of parking facilities/arrangements for site operatives in view of a lack of available existing parking facilities in close proximity to the site;
- Storage on site/on land within the applicant's control of demolition/ construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding positions clear of an adequate visibility splay onto Paradise Street from the adjacent unadopted access, including the provision, where necessary, of safe scaffolding arrangements and temporary pedestrian facilities/protection measures on the adopted highway;
- Measures to ensure that all mud and other loose materials are spilled onto or carried on the wheels and chassis of any vehicles leaving the site as part of the proposed demolition works/ground works operations and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 9 Notwithstanding the details indicated 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:

- Full reconstruction of the footway abutting the site to the same width as existing or wider, in materials suitable for use in a Conservation Area to a scope and specification to be agreed with the Highway Authority and Local Planning Authority and all associated accommodation works required to tie the reconstructed footway into adjacent footway levels on Paradise Street and minimise proposed door threshold levels;
- Surface water drainage scheme for the proposed development to ensure that

surface water will not be discharged from the site onto, or any part of the scheme will project into, the adjacent adopted highway, including removal of all existing;

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority with all highway works completed prior to the development hereby approved being first occupied.

Reason. 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, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 10 The cycle parking indicated on the approved plans shall be made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.

Reason. To ensure adequate off street cycle parking provision is available for use, in the interests of road safety to policies HT2/4 - Car Parking and New Development and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

- 11 The bin storage arrangements indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.

Reason. To ensure adequate off-highway bin storage arrangements are provided within the curtilage of the site, in the interests of highway safety pursuant to Bury Unitary Development Plan Policy H2/2 - The Layout of New Residential Development.

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.

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

EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN2	EN2 - Conservation and Listed Buildings
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN5/1	EN5/1 - New Development and Flood Risk
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H1/2	H1/2 - Further Housing Development
HT2/4	HT2/4 - Car Parking and New Development

HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework

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

Applicant Plan Numbers:

2020/16-01 Rev A, 2020/16-03 Rev D, 2020/16-04 Rev A, 2020/16-02 Rev F and 2020-16 OS Site Plan

NOTES TO APPLICANT

1. **INFORMATIVE - The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites**

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.

2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.

3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.

4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

2. Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified shall be disposed of in an appropriate manner.
3. Japanese knotweed is present on the embankment at Paradise Street. It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed are included within this schedule. If the Japanese knotweed will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.
4. Whilst the building to be demolished has been assessed as negligible risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to

safeguard the bat(s). Natural England should also be informed.

5. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).
6. The applicant's attention is drawn to the need to consult the Department for Operations regarding the specification for and implementation of the required highway works and implementation of any required traffic regulation order/improvements to street lighting at the proposed junction. The cost of the works will be the responsibility of the developer.
7. The applicant's attention is drawn to the need to consult the Department for Operations in order to obtain any highway permits that may be required prior to works affecting the adopted highway commencing. The cost of any permits and necessary works/measures will be the responsibility of the applicant.
8. 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.
9. The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, windows gates or bars outwards onto the street.
10. The applicant's attention is drawn to the fact that there should be no encroachment , including foundations, on to or under the public highway.

Signed:



6 of 7

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On behalf of the Council

Date of Decision: 07/12/2020