

NOTICE OF PLANNING PERMISSION

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

To:

Reid Lewis
RG Partnership Ltd
105 Manchester Road
Bury
BL9 0TD

On Behalf Of:

Mr J Buckley
Jeremy Buckley Properties
Centric House
E2 Waterfold Business Park
Bury
BL9 7BR

PART 1 - Particulars of Application

Application Number: 65923

Date of Registration: 04/09/2020

Proposal:

Variation of condition no. 2 (approved plans) and no. 3 (materials) of planning permission 65260 (4 no. dwellings) to allow for minor alterations to the site plan, floor plans and elevations

Location:

Bleaklow Hall, Bolton Road, Tottington, Bury, BL8 4JF

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 This decision relates to drawings numbered 10371 01 A, 10371 L18, 10371 P03 F, 10371 E07 E, 10371 E06 D, 10371 E05 C, 10371 P05 B, 10371 P06, 10371 E16, 10371 18, 10371 19, Arboricultural Constraints Appraisal 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.
- 3 All materials to be used in the external elevations, boundaries, walls, entrance gates and areas of hardstanding shall be in accordance with details approved under the original planning consent 63388.
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.
- 4 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, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

- 5 Following the provisions of condition 5 of the original planning consent 63388, 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 first occupation.
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 If during the works on site, excess or waste soil material is removed from site, details of where and how the soil material was disposed of, including copies of waste transfer documentation, shall be submitted to the Local Planning Authority for approval.
Reason. To secure the satisfactory waste management arrangements in the interests 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 The Construction Traffic Management Plan (CTMP) approved under the original planning consent 63388, shall be adhered to throughout the demolition and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of both periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials.
Reason. 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 Unitary Development Plan Policy HT2/1 - The Strategic Route Network.
- 8 The vehicular and pedestrian access arrangements and bin collection area indicated on the approved plans, incorporating the relocation/replacement of the affected road gully, provision of tactile paving, partial removal of the existing guard railing (limits to be agreed on site) and all associated highway remedial works required as a result of the proposed development and statutory undertakers connections to the proposed dwellings, shall be implemented to an agreed scope and specification and to the satisfaction of the Local Planning Authority before the development is first occupied.
Reason. To ensure good highway design, maintain the integrity of the adopted highway and ensure the intervisibility of the users of the site and the adjacent highways in the interests of highway safety pursuant to Unitary Development Plan Policy HT2/1 - The Strategic Route Network.
- 9 The various turning facilities indicated on the approved plans shall be provided before the dwellings 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 Unitary Development Plan Policies HT2/1 - The Strategic Route Network and HT2/4 - Car Parking and New

Development.

- 10 The car parking indicated on the approved plans shall be surfaced and made available for use prior to the dwelling hereby approved 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 Unitary Development Plan Policy HT2/4 - Car Parking and New Development.
- 11 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 EN6 - Conservation of the Natural Environment and 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.
- 12 The landscaping scheme, approved under the original planning consent 63388 shall be implemented not later than 12 months from the date any of the dwellings are first occupied and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within three years of planting shall be replaced by trees or shrubs 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, EN1/3 Landscaping Provision, EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the National Planning Policy Framework.
- 13 A minimum of 5 working days written notice shall be provided to the LPA of intended commencement of the development. The notification of commencement shall include a timetabled schedule of the intended tree protection measures and tree works. Any subsequent variation of the timetable shall be subject to further written notice.
Reason - To ensure that the development is carried out in accordance with the approved plans, to protect trees which are of amenity value on the site and pursuant to Policies EN8/1 – Tree Preservation Orders and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.
- 14 All trees to be retained on site shall be protected 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 and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
- 15 No trees subject to a Tree Preservation Order shall be felled, lopped or topped before, during or after the construction period without the previous written consent of the Local Planning Authority.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
- 16 The Written Scheme of Investigation (WSIs) approved under the original consent

63388, shall be fully adhered to and in accordance with the timeframes identified.

Reason: In order to record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible in accordance with National Planning Policy Framework Section 16 - Conserving and enhancing the historic environment paragraph 199.

- 17 The surface water drainage scheme, approved under the original planning consent 63388, shall be fully implemented to the satisfaction of the Local Planning Authority prior to first occupation and thereafter maintained.

Reason: 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 National Planning Policy Framework.

- 18 The works to the driveway on plot 4 shall only be carried out in accordance with the Arboricultural Impact Assessment Overview, dated September 2020.

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

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.

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

- OL1/2 OL1/2 - New Buildings in the Green Belt
- OL7/2 OL7/2 - West Pennine Moors
- OL1/3 OL1/3 - Infilling in Existing Villages in the Green Belt
- EN1/1 EN1/1 - Visual Amenity
- EN1/2 EN1/2 - Townscape and Built Design
- EN1/3 EN1/3 - Landscaping Provision
- EN3/1 EN3/1 - Impact of Development on Archaeological Sites
- EN3/2 EN3/2 - Development Affecting Archaeological Sites
- EN7 EN7 - Pollution Control
- EN7/5 EN7/5 - Waste Water Management
- EN8 EN8 - Woodland and Trees
- H1/2 H1/2 - Further Housing Development
- H2/1 H2/1 - The Form of New Residential Development
- H2/2 H2/2 - The Layout of New Residential Development
- EN6/3 EN6/3 - Features of Ecological Value
- HT2/4 HT2/4 - Car Parking and New Development
- HT2/1 HT2/1 - The Strategic Route Network
- EN9/1 EN9/1 - Special Landscape Areas
- SPD8 Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
- SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
- SPD16 Development Control Policy Guidance Note 16 - Design and Layout of New Development 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:

10371 01 A
10371 L18
10371 P03 F
10371 E07 E
10371 E06 D
10371 E05 C
10371 P05 B
10371 P06
10371 E16
10371 18
10371 19
Arboricultural Constraints Appraisal

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', is written over a dotted line.

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On behalf of the Council

Date of Decision: 30/10/2020