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Helen Leach
Development Management
3 Knowsley Place
Bury
BL9 0EJ

Sent via Planning Portal: ref PP-15220246

Dear Helen,

Land at Kemp Heaton Avenue, Bury

Part-discharge of Condition 5 of application 70015, as amended by application 71532 and 73538, in respect of Phases 1 and 2

Hive Land & Planning is pleased to submit this application on behalf of Hargreaves. The application seeks the part-discharge of Condition 5 attached to full planning permission 70015, as amended by application 71532 and 73538, in respect of Phases 1 and 2 of the approved development at Kemp Heaton Avenue, Bury. The approved development comprises:

"Erection of 18 no. supported living apartments (Class C2) and 25 no. dwellings (Class C3), construction of a new vehicle access point and associated parking and landscaping."

The following documents are submitted in support of the application:

- Application Form
- Phased Handover Plan
- Updated Site Verification Report (Overarching Validation Report and Phase 2 Validation Report), including clean cover validation for Phases 1 and 2 and gas validation information

The requisite fee of £408 has been paid by the Applicant via the Planning Portal.

Background

The development is being delivered and handed over in phases. This application therefore seeks confirmation that Condition 5 has been discharged only insofar as it relates to Phases 1 and 2. The remaining Phase 3 area will continue to be subject to Condition 5 and will be addressed through a further submission once the relevant remediation and verification works have been completed.

A previous submission provided the available soil validation information but did not include the complete gas validation evidence. The Site Verification Report has now been updated to address that omission, and a report has been prepared for Phase 2 which should be read in conjunction. The

revised reports include the gas validation information for the site, together with the soil validation evidence for Phases 1 and 2.

This resubmission is intended to provide a clear and consolidated evidence base for the areas now ready for handover and occupation, while preserving the Local Planning Authority's control over the outstanding Phase 3.

Addressing Condition 5

Condition 5 requires that, where remediation is necessary, the approved remediation strategy is implemented to the satisfaction of the Local Planning Authority within agreed timescales and that a Site Verification Report, detailing the actions taken and conclusions at each stage of the remediation works, is submitted to and approved in writing before the relevant development is brought into use.

The updated Site Verification Reports provides the verification information for Phases 1 and 2 and should be read alongside the submitted Phased Handover Plan. It incorporates the previously submitted Phase 1 clean cover validation, the Phase 2 soil validation evidence and the gas validation information that was absent from the earlier submission. The gas validation evidence is included within the appendix to the updated report.

The report therefore addresses the remediation and verification matters relevant to Phases 1 and 2. The only soil validation information not included relates to the remaining Phase 3 handover areas around the apartment block and the associated garden areas serving the later bungalow and housing blocks. Those areas are outside the scope of this application and will remain subject to Condition 5 until the necessary works and supporting verification evidence are complete.

On this basis, the Local Planning Authority is invited to confirm that Condition 5 is discharged in respect of Phases 1 and 2 only. This would enable the completed parts of the development to be handed over and occupied without prejudicing the continued application of the condition to Phase 3.

Summary

This application seeks the part-discharge of Condition 5 for Phases 1 and 2. The updated Site Verification Report now brings together the gas validation information for the site and the soil validation evidence for those two phases, addressing the omission identified in the previous submission. The outstanding Phase 3 soil validation areas will be dealt with separately before those parts of the development are brought into use.

We trust that the enclosed information is sufficient to validate and determine the application and to confirm the discharge of Condition 5 in respect of Phases 1 and 2 only.

Yours sincerely

Suzanne Asher BA (Hons), MTPI
Associate Director
Hive Land & Planning