

NOTICE OF PLANNING PERMISSION

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

To:

Ewart
Paul Butler Associates
31 Blackfriars Road
Salford
M3 7AQ

On Behalf Of:

Hamlett
Armstrong Projects and Great Places
Housing Group
C/o agent
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PART 1 - Particulars of Application

Application Number: 66804

Date of Registration: 28/04/2021

Proposal:

Demolition of existing building and erection of 10 residential dwellings with associated access, car parking and landscaping

Location:

Unsworth South Social Club, Derwent Avenue, Whitefield, Manchester, M45 8HU

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 20-017 01, 20-017 02, 20-017 03, 20-017 04A, 20-017-05, 20-017 06, 20-017 07, 20-017 08, 20-017 09, 20-017 11, 287 01 C, NW149/01, NW149/01/05 B, NW149/01/SK01, NW149/01/08A 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 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 prior to the use of any facing materials. 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.
- 4 No works, other than demolition, shall commence unless and until a detailed

Remediation Strategy has been 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.

- 5 Following the provisions of Condition 4 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.

- 6 Prior to occupation of the dwellings hereby approved, electric vehicle (EV) charging points for each residential unit shall be made available for use. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.

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

- 7 Prior to demolition of the structures, the identified asbestos containing material shall be removed by an appropriately qualified contractor, in line with the Demolition Method Statement submitted with this application. Substantiating evidence, including copies of waste transfer documentation and a photographic record of the works, shall be submitted to demonstrate that the asbestos containing material has been disposed of in an appropriate manner.

Reason. 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.

- 8 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.

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.

- 9 No works other than demolition shall commence until full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the Local Planning Authority. The approved management plan 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. The scheme does not provide full details of the actual extent of Japanese

Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

- 10 The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..

- 11 Notwithstanding the details indicated on the approved plans, prior to any works affecting the public footway or highway, or affecting the existing or proposed boundary treatments, full details of the following shall be submitted on a topographical survey of the site and adjacent adopted highways to, and approved in writing by, the Local Planning Authority:

- Revised access, boundary treatment and driveway arrangements for Plot 1 to ensure that the radius at the junction of Derwent Avenue with Mode Hill Lane is not utilised as an access to the property and to avoid a conflict with the existing pedestrian dropped crossing point, incorporating the relocation/replacement of the affected telegraph pole in a position to be agreed;
- The reconstruction of all footways abutting the site as a result of the demolition works, construction of the proposed development, site access alterations and statutory undertakers connections to the proposed dwellings to a scope and specification to be agreed, incorporating the reinstatement of the redundant site access, provision of new footway crossings, demarcation of the limits of the adopted highway with flush/50mm upstand edgings and all associated highway and highway drainage remedial works;
- Provision of a street lighting assessment and scheme of improvements for the adopted highways abutting the site, incorporating the replacement of all affected street lighting columns as a result of the assessment and proposed plot access arrangements in positions to be agreed;
- Foundation details for all boundary treatment confirming no encroachment under the adjacent adopted highway;
- Condition survey of the existing retaining wall abutting Hodder Way and appropriate scheme of refurbishment works as part of the boundary treatment for the Plot 10, with no impacts on the existing adopted highway;
- In the event that a replacement retaining structure is required abutting the adopted highway, an Approval In Principle for the structure, incorporating the reconstruction of the affected footway, full structural, construction and drainage details, calculations and a detailed construction method statement, including details of pedestrian protection measures, site hoardings located clear of the sightlines from the existing/proposed site accesses.

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

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 the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

- 12 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 footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development, works to the site boundary and as a result of statutory undertakers connections to the proposed dwellings;
 - Access point(s) for construction traffic from the adopted highway and all temporary works required to facilitate access for demolition, ground works and construction vehicles;
 - Hours of operation and number of vehicle movements;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es);
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
 - Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
 - If proposed, site hoarding/gate positions clear of adequate visibility splays at the Derwent Avenue/Mode Hill Lane junction and site access(es), including the provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
 - 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 minimise dust nuisance caused by the operations.

The approved plan 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 the 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.

All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.

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.

- 13 Other than the arrangements for Plot 1 that are subject to the above condition, the car parking indicated on the approved plans shall be surfaced in a porous/permeable material or incorporate measures to prevent the discharge of surface water onto the adjacent adopted highway and be made available for use prior to the dwellings hereby approved 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 Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 14 Bin storage arrangements shall be provided within the curtilage of the each plot in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.
Reason. To ensure that adequate bin storage arrangements are provided clear of the adopted highway, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design
- 15 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Private Drainage Layout Plan, Ref: NW149/01/05, Rev: B, Dated: 29.07.2021 which was prepared by ARP. For the avoidance of doubt surface water must drain at the restricted rate of 10 l/s. The development shall be completed in accordance with the approved details 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 NPPF.
- 16 Foul and surface water shall be drained on separate systems.
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 NPPF.
- 17 The development hereby approved shall only be developed by or on behalf of the applicant as units to be sold as shared ownership units or as general needs rent affordable housing. The affordable housing provision shall be provided in accordance with the approved Affordable Housing Statement, November 2021, received on 18/11/2021.
Reason - The proposed development has been granted given the particular circumstances of the applicant following a funding package from the Homes England which provides an opportunity to promote increased affordable housing, but as a result a recreational contribution pursuant to Supplementary Planning Document 1 (Open Space, Sport and Recreation Provision in New Housing Development) will not be provided. This condition is thereby to ensure that in order to make the development acceptable in planning terms, as a result of not making a recreational contribution the whole development shall instead contribute to satisfying the need for affordable housing provision.

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:

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
H4/1	H4/1 - Affordable Housing
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN7	EN7 - Pollution Control
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
RT2/2	RT2/2 - Recreation Provision in New Housing Development
RT3/4	RT3/4 - Recreational Routes
HT2/4	HT2/4 - Car Parking and New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
SPD1	Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development
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:

20-017 01
20-017 02
20-017 03
20-017 04A
20-017-05
20-017 06
20-017 07
20-017 08
20-017 09
20-017 11
287 01 C
NW149/01
NW149/01/05 B
NW149/01/SK01
NW149/01/08A

NOTES TO APPLICANT

1. This recommendation relates to the revised plans received by this Section on 11 August 2021.
2. 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 any street lighting improvements. The cost of the works, permits and licences will be the responsibility of the developer.

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.
5. 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.
3. The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations required for any boundary treatment under the adjacent adopted highway.

Signed:



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On behalf of the Council

Date of Decision: 18/11/2021