

NOTICE OF PLANNING PERMISSION

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

To:

Mr Simon Halliwell
Paddock Johnson Partnership
Studio 2
The Lyceum
Bath Street
Port Sunlight
CH62 4UJ

On Behalf Of:

Mr Paul Philbin
Bolton at Home
Valley House
98 Watersmeeting Road
Bolton
BL18SW

PART 1 - Particulars of Application

Application Number: 64518

Date of Registration: 19/08/2019

Proposal:

Erection of three storey block of 15 no. apartments with car parking, bin storage and cycle storage with vehicular/pedestrian access from Pine Street

Location:

Site at corner of Spring Lane & Bury Road, Radcliffe, Manchester, M26 2QX

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 19011-001, 19011-101-A, 19011-102-B, 19011-103-D, 19011-104-D, 19011-106-A, A1 19E063-001 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 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.

- 4 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.
- 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 the commencement of the development hereby approved, a scheme for the provision of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the building hereby approved.
- Reason. In accordance with paragraph 35 and 124 of 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.
- 7 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.
- 8 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.

- 9 The car parking indicated on a revision of approved plan reference 19011-101 Revision A required to address the previous condition 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.
- 10 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:

- Access point for construction traffic from Pine Street, including measures/controls to prohibit construction traffic from utilising the section of Pine Street to the east of the site;
- 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;
- 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 construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding/gate positions, 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 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/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.

- 11 The refuse storage facilities indicated on the approved plans shall be implemented and made available for use prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.
Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to the following Unitary Development Plan Policies:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

- 12 The development hereby approved shall only be developed by or on behalf of the applicant as an affordable housing scheme and each and every residential dwelling constructed as part of the scheme shall subsequently be occupied only and at all times as affordable housing, as defined in Supplementary Planning Document 5 - Affordable Housing Provision in New Residential Developments.
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.
- 13 Notwithstanding the details indicated on approved plan reference 19011-101 Revision A, 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:
- Dilapidation survey, to a scope to be agreed, of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development;
 - Revised car park layout to relocate spaces 7 & 8 within the curtilage of the site clear of the agreed 6m highway improvement line measured from the easterly kerblines of Bury Road;
 - Swept path analysis of the proposed access onto Pine Street, to be a minimum of 5.5m in width, to ensure that no vehicle over-run will occur at the kerb radii;
 - Following on from the above, formation of the proposed access onto Pine Street to a specification to be agreed, incorporating the reinstatement of the redundant footway crossing adjacent footway levels, reconstruction of the southerly Pine Street footway abutting the site, provision of dropped crossing facilities for pedestrians and all necessary highway/highway drainage remedial works required as a result of the construction of, and statutory undertakers connections to, the proposed development;
 - Provision of a 4.5m x 60m visibility splay to the left at the junction of Pine Street with Bury Road on land within the applicant's control, with no obstructions above the height of 0.6m with the splay;
 - Provision of a street lighting assessment of Pine Street and the junction with Bury Road in view of the intensification of use proposed, and, if required, subsequent scheme of improvements to existing street lighting on the adopted highway;
 - A scheme for the review of the existing waiting restrictions on Pine Street/Bury Road abutting the site, including details of the measures proposed, all necessary modifications to road markings and signage and a timetable for implementation;
 - Bin storage arrangements accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to the development hereby approved being 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 the following Unitary

Development Plan Policies:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

- 14 The turning facilities indicated on approved plan reference 19011-101 Revision A shall be provided before the development is 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 the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

- 15 A landscaping scheme, including details of any boundary treatments, 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 native tree and shrub planting and 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 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.

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 EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

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:

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

EN1/1 EN1/1 - Visual Amenity

EN1/2 EN1/2 - Townscape and Built Design

EN1/3 EN1/3 - Landscaping Provision

EN2 EN2 - Conservation and Listed Buildings

EN5/1 EN5/1 - New Development and Flood Risk

EN6 EN6 - Conservation of the Natural Environment

EN6/3 EN6/3 - Features of Ecological Value

EN7	EN7 - Pollution Control
EN7/1	EN7/1 - Atmospheric Pollution
EN7/5	EN7/5 - Waste Water Management
RT2/2	RT2/2 - Recreation Provision in New Housing Development
HT2/2	HT2/2 - Improvements to the Strategic Route Network
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD1	Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development
SPD5	Development Control Policy Guidance Note 5: Affordable Housing Provision in New Residential Developments
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:

19011-001
19011-101-A
19011-102-B
19011-103-D
19011-104-D
19011-106-A
A1 19E063-001

NOTES TO APPLICANT

1. 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. The cost of all the works will be the responsibility of the developer.
2. 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. It would be advantageous for the land affected by the agreed highway improvement line to be in the control of the Highway Authority. An appropriate course of action would be the free dedication of the land to the Highway Authority by the freeholder.
4. **Management and Maintenance of Sustainable Drainage Systems**
Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two

systems interact.

Water Supply

Our standard conditions document includes details of trees and shrubbery suitable for planting in the vicinity of a water main. The applicant should consult this document to ensure their landscaping proposals meet with the advice provided in the document.

We also recommend the use of root barriers to afford additional protection to the water main.

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.

If planning permission is granted, the applicant should check the location and conditions of our easement with United Utilities Property Services, Grasmere House, Lingley Mere Business Park, Lingley Green Avenue, Warrington, WA5 3LP.

Although water supply in the area is compliant with current regulatory standards, we recommend the applicant provides water storage of 24 hours capacity to guarantee an adequate and constant supply.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure

The applicant should be aware of water mains in the vicinity of the proposed development site. Whilst this infrastructure is located outside the applicant's proposed red line boundary, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines'. We provide this information to support the applicant in identifying the potential impacts from all construction activities on United Utilities infrastructure and to identify mitigation measures to

protect and prevent
any damage to this infrastructure.

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not
be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets
potentially impacted by their proposals and to demonstrate the exact relationship between any
United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to
purchase a sewer and water plan from United Utilities, please visit the Property Searches website;
<https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer
records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an
appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer
records and we do not always show private pipes on our plans. If a sewer is discovered during
construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding
a potential water supply or connection to public sewers. Additional information is available on our
website <http://www.unitedutilities.com/builders-developers.aspx>

Signed:



On behalf of the Council

Date of Decision: 22/01/2020