

NOTICE OF PLANNING PERMISSION

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

To:

Miss Zara Moon
Zara Moon Architects
Unit 37
Mitton Road Business Park
Mitton Road
Whalley, Clitheroe
BB7 9YE

On Behalf Of:

Mr C & Mrs S Pearson
41 Bury Old Road
Ainsworth
Bolton
BL2 5PF

PART 1 - Particulars of Application

Application Number: 67459

Date of Registration: 23/08/2021

Proposal:

Demolition of existing garage/store to be replaced with 1 no. dwelling with attached garage

Location:

Land adjacent to 41 Bury Old Road, Ainsworth, Bolton, BL2 5PF

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 -
Location plan 01; Existing site plan 02B; Existing plans and elevations 03A; Revised proposed site plan 04F; Revised proposed ground floor plan 05F; Revised proposed 1st floor plan 06H; Revised proposed elevations 07H; Revised existing and proposed streetscene 08G.

The following plans relate to the approval for the landscaping and boundary treatment only -

Hard works/landscaping layout only 514-PL-02 rev 2; Proposed boundary treatments only 514-PL-03 rev 2; Soft works/landscaping layout only 514-PL-04 rev 2

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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 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.
- 4 Following the provisions of Condition 3 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.
- 5 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
- Photographic dilapidation survey of the carriageway and footway that abuts the site in the event that subsequent remedial works are required following construction of the development;
 - Access point(s) for demolition/construction traffic from the highway;
 - Hours of operation and number of vehicle movements;
 - Proposed site hoardings (if proposed);
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site 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 (or on land under the applicant's control) 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;
 - 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 both periods. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of demolition/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 occupied.

Reason. Information not submitted at application stage. To maintain the integrity of the adopted highway, mitigate the impact of the demolition/construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the demolition/construction periods and ensure 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.

- 6 The proposed access and driveway alterations indicated on approved plan reference 04 Revision D, incorporating the provision of a footway crossing extension, foundations for the boundary wall alterations that do not encroach under the adjacent adopted highway, driveways/hardstandings/turning areas in porous/permeable materials and/or measures to prevent the discharge of surface water under the adjacent adopted highway and all associated highway remedial works required to reinstate the adjacent footway to its former condition prior to commencement of the development, shall be implemented to the satisfaction of the Local Planning Authority prior to the dwelling hereby approved being occupied.

Reason. To ensure good highway design and maintain the integrity of the adopted highway pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular.

- 7 The car parking for the existing and proposed dwellings indicated on approved plan reference 04 Revision D shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the dwelling 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.

- 8 The turning facilities for the existing and proposed dwellings indicated on approved plan reference 04 Revision D shall be provided prior to the dwelling hereby approved being 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 Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 9 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.

- 10 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.
- 11 Prior to occupation the applicant shall provide an EV charging point. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.
Reason. In accordance with the principles 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.
- 12 Details/Samples of the materials 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 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, OL1/2 - New Buildings in the Green Belt and SPD8.
- 13 No development shall commence unless and until details of sustainable and energy saving measures and ecological enhancements to be incorporated within the development hereby approved have been submitted to and approved the Local planning Authority. The approved details and measures shall thereafter be implemented to an agreed timetable and thereafter maintained.
Reason. To off-set and mitigate for the impact upon the natural environment and to comply with the principles of Chapter 2 - Achieving Sustainable Development, Chapter 14 - Meeting the challenge of climate change, flooding and coastal change and Chapter 15 - Conserving and enhancing the natural environment of the NPPF in relation to the natural environment and sustainable development.
- 14 A landscape and ecological mitigation plan shall be submitted to and approved by the Local Planning Authority, prior to commencement of development. The content of the plan should include elements for native tree planting, bat roosting and bird nesting habitat and timetable for implementation. The approved plan shall be implemented in accordance with the approved details and timetable.
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:

OL1 OL1 - Green Belt
EN9/1 EN9/1 - Special Landscape Areas

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:

Location plan 01; Existing site plan 02B; Existing plans and elevations 03A; Revised proposed site plan 04F; Revised proposed ground floor plan 05F; Revised proposed 1st floor plan 06H; Revised proposed elevations 07H; Revised existing and proposed streetscene 08G.

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NOTES TO APPLICANT

- . Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, this Section recommends prior to occupation the applicant provide electric vehicle (EV) charging points for each residential unit. EV chargepoints shall be chosen for the Electric Vehicle Homecharge Scheme approved chargepoint model list.

- . 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.

- . The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of all works on the adjacent adopted highway. The cost of the works will be the responsibility of the developer.
- . The applicant's attention is drawn to Section 80 of the Building Act 1984 and the need to give six weeks prior written notice to the Department for Business Growth and Infrastructure detailing any proposed demolition works in connection with the proposed development.
- . The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system

Signed:



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On behalf of the Council

Date of Decision: 14/12/2021