

# NOTICE OF PLANNING PERMISSION

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

**To:**

Jonathan Mumby  
Enabl  
16 Old Market Place  
Altrincham  
WA14 4DF

**On Behalf Of:**

JD Sports Fashion Ltd  
Jd Campus  
Hollins Brook Way  
Pilsworth  
Bury  
BL9 8RR

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### PART 1 - Particulars of Application

**Application Number:** 71247

**Date of Registration:** 17/10/2024

**Proposal:**

Application for reserved matters approval (appearance, landscaping, layout and scale) for the Zone 2 development of commercial building (Hub building, Use Class E) car parking, internal roads and a multi-purpose all -weather sports pitch and all details required to discharge the following conditions from application 68530; 4 (Remediation Strategy), 8 (Construction Environment Management Plan), 17 (Risk Assessment), 18 (Construction Traffic Management Plan), 27 (Landscaping), 28 (Materials), 30 (EV Charging), 32 (Biodiversity), 33 (Ecology), 35 (Transport)

**Location:**

Land at the junction of Hollins Brook Way and Pilsworth Road, Bury, BL9 8RR

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### 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 the expiration of two years beginning with the date of this permission.  
Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 This decision relates to drawings -

Plans-

13247-AEW-XX-SI-DR-A-0500 Location Plan P02

13247-AEW-XX-SI-DR-A-0503 Proposed Boundary Treatment Plan P05

13247-AEW-XX-SI-DR-A-0502 Proposed Site Plan P10  
 13247-AEW-XX-SI-DR-A-0504 Proposed Entrance Gateway - Hollins Brook Way P02  
 13247-AEW-01-00-DR-A-0510 GA Plan - Ground Floor P08  
 13247-AEW-01-01-DR-A-0511 GA Plan - First Floor P07  
 13247-AEW-01-02-DR-A-0512 GA Plan - Second Floor P06  
 13247-AEW-01-03-DR-A-0514 GA Plan - Roof Level P06  
 13247-AEW-01-XX-DR-A-0520 GA Elevations Sheet 1 P09  
 13247-AEW-01-XX-DR-A-0521 GA Elevations Sheet 2 P07  
 13247-AEW-01-XX-DR-A-0530 GA Sections AA, BB P04  
 13247-AEW-01-XX-DR-A-0531 GA Sections CC, DD P04  
 13247-AEW-B1-XX-DR-A-0560 Aerial Perspective 01 P03  
 13247-AEW-B1-XX-DR-A-0561 Aerial Perspective 02 P02  
 13247-AEW-XX-SI-DR-A-1001 Existing Site Plan P03  
 13247-AEW-XX-SI-DR-A-1005 Proposed Entrance Gateway - Visitor's Entrance P02  
 13247-AEW-01-XX-VF-001-S2-P03\_Hub CGI - CGI of Hub Building P03  
 13247-AEW-01-xx-VF-1000-S2-P01 Pilsworth Road Streetscene  
 13247-AEW-01-S1-DR-A-0541 External Enclosure - Refuse Store P02  
 13247-AEW-01-S1-DR-A-0540 External Enclosure - Sub-station, Fuel Tank, Generator & Cycle Store P02 P03  
 13247-AEW-01-ZZ-SH-A-7002 - GEA Schedule P04  
 54586 rev A - Floodlighting plan by Kingfisher Sport  
 Floodlighting specification data sheet - Kingfisher Sport AMNIS Match

#### Landscape Plans -

2404-CWS-XX-GF-DR-L-500 Phase 2 Planting Plan (Sheet 1 of 2) P02  
 2404-CWS-XX-GF-DR-L-501 Phase 2 Planting Plan (Sheet 2 of 2) P02  
 2404-CWS-XX-GF-DR-L-502 Phase 2 Planting Schedule P02  
 2404-CWS-XX-GF-DR-L-100 Landscape Proposals Plan P02  
 2404-CWS-XX-XX-RP-L-1001 Landscape Proposals P01

#### Reports -

Crime Impact Assessment 8472r1 Redmore Environmental  
 Bird and Bat Box Plan UG1466 Urban Green  
 Biodiversity Net Gain Design Stage Assessment UG1466 Urban Green  
 BP Pulse EV Charging May 2022 BP  
 Design and Access Statement 13247-AEW-XX-XX-RP-A-0500 -S2-P06 AEW Architects  
 Energy Strategy Report 220906-KRD-HB-XX-RP-Y-0002 Kennedy Redford  
 Invasive Non-Native Species Method Statement UG1466 Urban Green  
 Construction Environment Management, Method Statement & Construction Management Plan NW2310/CEMP/M2/PH2 - Rev F Caddick Construction  
 Planning Noise Assessment 1022986-CDL-ZZ-XX-RP-AS-45220 - P02 Cundall  
 Planning Statement Enabl  
 Preliminary Ecological Appraisal UG1466 Urban Green  
 Remedial Specification GRO-21438-3487 Groundtech Consulting  
 Pre-Construction Information Hazard Elimination/Reduction & Management Schedule 21st August 2024 Caddick Construction  
 Transport Statement August 2024 Eddisons  
 Biodiversity Net Gain Design Stage Assessment UG1466 Urban Green  
 Phase 1 Validation Report, Groundtech Consulting, reference GRO-21438-5562, dated 20 December 2024

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 and Places for Everyone Joint Development Plan listed.

- 3 Prior to development an updated and finalised Invasive species method statement in line with the recommendations of the Invasive Non-Native Species Method Statement by Urban Green Ref: UG466 as already supplied and agreed in writing by the LPA, will be supplied to and agreed in writing by the LPA  
Reason. To ensure the safe and satisfactory development of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 4 The 'pass gate' located on Hollins Brook Way on the route of Public Right of Way No. 81, Bury shall not be locked and incorporate a power assisted push pad for wheelchair users to open the gate, with the route maintained available for the unhindered passage of the public on foot at all times.  
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the availability and integrity of the highway network, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EC6/1, EN1/2 and PfE Policies JP-C5, JP-C6 and JP-C8.
- 5 The vehicular and pedestrian access arrangements within the curtilage of the site indicated on the approved plans shall be implemented before the development is brought into use.  
Reason. To ensure good highway design in the interests of road and pedestrian safety pursuant to Bury Unitary Development Plan Policies EC6/1, EN1/2 and PfE Policies JP-C5, JP-C6 and JP-C8.
- 6 The turning facilities within the curtilage of the site indicated on the approved plans shall be provided before the development is brought into use 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 EC6/1, EN1/2 and PfE Policies JP-C5, JP-C6 and JP-C8.
- 7 The car parking (standard car parking spaces, accessible car parking spaces and EV charging spaces) and cycle parking/storage facilities indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the part of the development to which it relates 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.
- 8 The bin storage facility hereby approved shall be made available prior to the first use/occupation of the development hereby approved and thereafter maintained.  
Reason. To ensure adequate and accessible waste management provision is provided pursuant to policy EN1/2.
- 9 A minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW\*) and at least one in every five remaining parking spaces must be provided with cable routes.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

\*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 10 Prior to the first use of the floodlights hereby approved, each lighting column shall be fitted with control switches and time clocks to automatically switch the floodlights off no later than 21:00. The floodlights shall remain switched off until at least 9am the following morning.

Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policies EN1/2 and EC6/1.

- 11 The development hereby approved shall be carried out in accordance with the materials detailed on the Elevations plans sheet 1 and 2  
(13247-AEW-01-XX-DR-A-0520 GA Elevations Sheet 1 P09  
13247-AEW-01-XX-DR-A-0521 GA Elevations Sheet 2 P07)

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 and EC6/1.

- 12 Condition 4 is part discharged and Conditions 8,17,18,27,28,30,31,32,33 and 35 are discharged.

### **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:**

|       |                                                                               |
|-------|-------------------------------------------------------------------------------|
| NPPF  | National Planning Policy Framework                                            |
| EC2/1 | EC2/1 - Employment Generating Areas                                           |
| EC6/1 | EC6/1 - New Business, Industrial and Commercial Development                   |
| EN1/2 | EN1/2 - Townscape and Built Design                                            |
| EN6/2 | EN6/2 - Sites of Nature Conservation Interest (LNR's and Grade B and C SBI's) |
| EN6/3 | EN6/3 - Features of Ecological Value                                          |
| EN7/2 | EN7/2 - Noise Pollution                                                       |
| RT3/5 | RT3/5 - Noisy Sport                                                           |
| HT2/1 | HT2/1 - The Strategic Route Network                                           |
| 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                                       |
| SPD11 | Development Control Policy Guidance Note 11 - Parking Standards in Bury       |

JP-S2 Carbon and Energy  
JP-S4 Flood Risk and the Water Environment  
JP-S5 Clean Air  
JP-J1 Supporting Long-Term Economic Growth  
JP-G7 Trees and Woodland  
JP-G8 A Net Enhancement of Biodiversity and Geodiversity  
JP-P6 Health  
JP-C2 Digital Connectivity  
JP-C8 Transport Requirements of New Development  
JP-P1 Sustainable Places

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.

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December 2024.

## NOTES TO APPLICANT

- . The applicant's attention is drawn to the existence of Public Rights of Way No.'s 79 & 81, Bury, that abut/crosses part of the site. No development should take place which affects the Right of Ways in the absence of an appropriate closure or diversion order.
- . The applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered, gates erected across their width (unless authorised by Bury Council the Highway Authority) or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels/surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made available
- . The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of any required highway works that affect the Public Rights of Way that crosses the site. The cost of the works will be the responsibility of the developer.
- . In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at <https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>
- . **INFORMATIVE - The Control of Noise Regulations 1974, 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 1974.

The condition discharge letters relating to the discharge of conditions 4,8,17,18,27,28,30,31,32,33 and 35 can be found on the Hybrid planning application reference 68530.

Signed:

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

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.....  
On behalf of the Council

**Date of Decision:** 30/01/2025