

NOTICE OF PLANNING PERMISSION

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

To:

Mrs Jennifer Ellis
Chrysalis Studio Ltd
The Old Dairy
Meifod
Powys
SY22 6DW

On Behalf Of:

Mrs Miller
131-133 Holcombe Road
Greenmount
Bury
BL8 4AY

PART 1 - Particulars of Application

Application Number: 69112

Date of Registration: 09/01/2023

Proposal:

Proposed engineering works to rear and side garden including the reinstatement of a collapsed embankment and parking area, together with associated landscaping and creation of terraced garden spaces and raised deck.

Location:

131-133 Holcombe Road, Tottington, Bury,
BL8 4AY

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
Existing Site and Location Plan (Dwg No. MLR02.1.3.01)
Proposed Site Plan (Dwg No. MLR02.1.3.07) dated 19/04/2023
Proposed Indicative Sections (Dwg No. MLR02.1.3.08) dated 19/04/2023
Proposed Landscape Plan - Sheet 1 (Dwg No. MLR02.1.3.04)
Proposed Landscape Plan - Sheet 2 (Dwg No. MLR02.1.3.05)
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 The external finishing materials for the proposal hereby approved shall be as detailed within the approved application particulars.
Reason. In the interests of visual amenity and to ensure a satisfactory development

pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 4 The landscaping scheme hereby approved shall be implemented not later than 12 months from the date of the completion of the development. 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..
- 5 The engineering works and construction of the retaining walls shall be constructed in full accordance with the submitted and approved calculations, cross sections and layouts.
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, all in the interests of highway safety, pursuant to Bury Unitary Development Plan Policy EN1/2.
- 6 The vehicular access arrangements indicated on approved plan reference MLR02.1.3.07, incorporating the retention of the existing footway crossing, demarcation of the limits of the adopted highway, low level boundary walls abutting Holcombe Road to the limits shown to prevent the encroachment of parked vehicles on the adjacent footway with foundations that do not encroach under the adjacent adopted highway, hardstanding to the dimensions and limits shown in a permeable/porous material and/or measures to prevent the discharge of surface water onto the adopted highway and all associated remedial works required to reinstate the footway to its former condition prior to commencement of the development, shall be fully implemented before the parking and turning facilities hereby approved are brought into use.
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, all in the interests of highway safety, pursuant to Bury Unitary Development Plan Policy EN1/2.
- 7 The turning facilities and car parking indicated on the approved plans shall be laid out, surfaced, and demarcated and made available before the development is brought into use and shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway and ensure that adequate offstreet parking is available in the interests of road safety, pursuant to Bury Unitary Development Plan Policy EN1/2.
- 8 Prior to the construction of the raised deck, details of a privacy screen to protect neighbouring amenity for occupiers of the adjoining dwelling shall submitted to and approved in writing by the Local Planning Authority. The screen shall thereafter be implemented in full accordance with the approved details prior to the first use of the raised deck and retained as such thereafter.
Reason. To protect neighbouring amenity pursuant to Bury Unitary Development Plan Policy EN1/2.

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:

EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN6/4	EN6/4 - Wildlife Links and Corridors
EN8	EN8 - Woodland and Trees
EN8/2	EN8/2 - Woodland and Tree Planting
EN9/1	EN9/1 - Special Landscape Areas
OL1	OL1 - Green Belt
OL1/5	OL1/5 - Mineral Extraction and Other Development in the Green Belt
OL5/2	OL5/2 - Development in River Valleys
OL7/2	OL7/2 - West Pennine Moors

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:

Existing Site and Location Plan (Dwg No. MLR02.1.3.01)
Proposed Site Plan (Dwg No. MLR02.1.3.07) dated 19/04/2023
Proposed Indicative Sections (Dwg No. MLR02.1.3.08) dated 19/04/2023
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NOTES TO APPLICANT

1. The developer's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the any required highway remedial works. The cost of the works will be the responsibility of the developer.
2. The developer's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations required for the boundary/retaining walls under the adjacent adopted highway.

Signed:

A handwritten signature in black ink, appearing to read 'for haw', written in a cursive style.

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On behalf of the Council

Date of Decision: 26/05/2023