

NOTICE OF PLANNING PERMISSION

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

To:

Mr David Hamer
Bradshaw Gass and Hope LLP
21 Silverwell Street
Bolton
BL1 1PR

On Behalf Of:

S Horrocks
Bury Council
3 Knowsley Place
Bury
BL9 0AW

PART 1 - Particulars of Application

Application Number: 70195

Date of Registration: 23/10/2023

Proposal:

Erection of an extension to contain classrooms, multi- purpose hall and support areas; Landscaping works to include dedicated play areas, railings and external pagoda and additional car parking on the existing school site.

Location:

Millwood Primary Special School, School Street, Radcliffe, Manchester, M26 3BW

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 2128.32.1201 P3, 2128.32.1202 P3, 2128.32.1203 P3, 2128.32.1204 P3, 2128.32.1205 P5, 2128.32.1206 P4, 2128.32.1301 P6, 2128.32.1302 P4, 2128.32.1401 P5, 2128.32.1402 P4, 2128.32.1501 P5, 2128.32.1502 P2, 2128.32.171 P3, 2128.32.172 P3, WIL RDG XX 00 DR E 90100 P01, MIL RDG XX 00 DR E 90100 P02, A plan of tree constraints, Tree protection plan 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 No development (excluding demolition, site clearance and enabling works) shall commence unless and until any remediation works and/or mitigation measures to address the shallow mine workings, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

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.

- 7 Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by the recorded mine entry.

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.

- 8 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;
- Access route for all construction vehicles to the site from the Key Route Network, including the need to prohibit the use of the residential estate roads to the north of the site;
- Access point/arrangements for construction traffic from School Street, taking into consideration the need to maintain safe pedestrian/vehicular access to Millwood School, and all temporary works required to facilitate access for construction vehicles;
- If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain safe pedestrian access on the adopted highway and to the school;
- The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto/along School Street;
- Confirmation of hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles, retention of existing school parking and mini- bus drop of facilities together with facilities for the storage on site of construction materials;

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.

- 9 The turning facilities indicated on the approved plans shall be provided before the development hereby approved 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 Policy CF1/1 - Location of New Community Facilities and Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

- 10 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use to the satisfaction of the Local Planning Authority before the development hereby approved is 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.

- 11 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.

- 12 No development shall commence unless or until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
- a plan showing the areas of storage of plant, fuel, chemicals and materials used in constructing the development;
 - Include the steps to be taken to prevent the discharge of silt-laden run-off, construction site drainage, materials or dust or any accidental spillages entering the waterway;
 - details of the environmental pollution incident emergency response.
 - details of the location of temporary stockpiles and the covering of these;
 - details of wheel washing facilities and containment measures;
 - include measures to locate, clear, remediate and permanently seal any existing drains or culverts within the application site that may discharge to the canal.
 - details specifying how the waterway corridor and its users would be protected during the works and include any details of proposed protective fencing/netting to be erected to safeguard the waterway infrastructure during site clearance/construction.

The approved CEMP shall be in place prior to works commencing and for the duration of the works.

Reason. In order to ensure that no harm is caused to the Manchester, Bolton and Bury canal 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.

- 13 A landscaping scheme 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 12 replacement native trees, shrub planting and the provision of bat bricks/tubes within the new development and bat, bird boxes and swift bricks. 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.

- 14 All trees to be retained on site as shown on the tree protection plan, dated 24 October 2023 and 30 November 2023 shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

- 15 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.

- 16 No development above ground shall take place unless or until a biodiversity mitigation and enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The content of the plan should include elements to mitigate for loss of trees and bird nesting habitat. The approved plan will be implemented in accordance with the approved details.

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.

- 17 Prior to occupation, electric vehicle charging points for 20% of the proposed parking spaces shall be provided and available for use. The electric vehicle charge points shall be 7KW as a minimum

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 life pursuant to Policy EN7/1 - Air Quality of the Bury Unitary Development Plan.

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 pre-application discussions 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:

EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN1/4	EN1/4 - Street Furniture
EN1/5	EN1/5 - Crime Prevention
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
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8	EN8 - Woodland and Trees
EN8/2	EN8/2 - Woodland and Tree Planting
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
CF1/1	CF1/1 - Location of New Community Facilities
CF2	CF2 - Education Land and Buildings
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:

2128.32.1201 P3
 2128.32.1202 P3
 2128.32.1203 P3
 2128.32.1204 P3
 2128.32.1205 P4
 2128.32.1206 P3
 2128.32.1301 P6
 2128.32.1302 P4
 2128.32.1401 P2
 2128.32.1402 P4
 2128.32.1501 P5
 2128.32.1502 P2
 2128.32.171 P3
 2128.32.172 P3
 WIL RDG XX 00 DR E 90100 P01
 MIL RDG XX 00 DR E 90100 P02
 A plan of tree constraints
 Tree protection plan

NOTES TO APPLICANT

1. Ground Investigations - Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to

undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

2. 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 remedial and any required hoarding permits/Streetworks licences. The cost of the works will be the responsibility of the developer.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written over a dotted line.

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On behalf of the Council

Date of Decision: 20/12/2023