

NOTICE OF PLANNING PERMISSION

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

To:

Mr Jim Eccles
JPE Consultancy Limited
9 Woodend Drive
Stalybridge
SK15 2SF

On Behalf Of:

Mr Corris
PEL Electrical Ltd
C/o Agent
9 Woodend Drive
Stalybridge
SK15 2SF

PART 1 - Particulars of Application

Application Number: 68661

Date of Registration: 11/07/2022

Proposal:

Erection of a dwelling and associated access, parking and landscaping, provision of landscape buffer, and change of use and refurbishment of Gate House within the curtilage of the former Ainsworth Nursing Home

Location:

Ainsworth Nursing Home, Knowsley Road, Ainsworth, Bolton, BL2 5PT

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 21/1242/100, TRI-3419-01, TRI-3419-02, TRI-3419-03, TRI-3419-04, 21/1242/101A, 21/1242/200E, 21/1242/202A, 21/1242/203A, 21/1242/204, 21/1242/205A, 21/1242/206A, 879A-10A 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 If the works to the Gatehouse do not commence before 30th April 2023, the building must be reassessed for bat roosting potential and the associated survey, including mitigation measures submitted to and approved in writing by the Local Planning Authority before any demolition works are carried out. The demolition shall be carried out in accordance with the approved details.
- 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 Section 11 of the National Planning Policy Framework.
- 7 The removal of the tree called Tree 1 has the potential to cause harm to bats as identified in the Ecological Survey and Assessment - ERAP Ltd ref. 2021-117. If removal is required, the works must be carried out in accordance with Method Statement outline in Section 5.5.5 of the Ecological Survey and Assessment - ERAP Ltd ref. 2021-117
- 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 Section 11 of the National Planning Policy Framework.
- 8 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 demonstrating that there is no nesting activity 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.

- 9 The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. 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.
- 10 All trees to be retained on site 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.
- 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 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 unadopted section of Knowsley Road classified as Public Footpath No.42, Christ Church, Radcliffe that serves the site in the event that subsequent remedial works are required following construction of the development;
 - Proposed site hoardings and gates positions (if proposed);
 - Hours of operation, confirmation of delivery & construction vehicle sizes that can be accommodated on the residential estate roads and Public Right of Way leading to the site and number of vehicle movements;
 - Parking on site of operatives' 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 Public Right of Way and 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/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.

- 13 Prior to first occupation of the development hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in the dwelling hereby approved and shall thereafter be maintained at all times.

Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

- 14 The car parking and turning facilities indicated on the approved plans shall be surfaced and made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained available for use 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.

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:

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|-------|--|
| 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 |
| 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
EN1	EN1 - Built Environment
EN6/3	EN6/3 - Features of Ecological Value
EN7	EN7 - Pollution Control
EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8	EN8 - Woodland and Trees
OL1/2	OL1/2 - New Buildings in the Green Belt
OL1/3	OL1/3 - Infilling in Existing Villages in the Green Belt
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
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:

21/1242/100
 TRI-3419-01
 TRI-3419-02
 TRI-3419-03
 TRI-3419-04
 21/1242/101A
 21/1242/200E
 21/1242/202A
 21/1242/203A
 21/1242/204
 21/1242/205A
 21/1242/206A
 879A-10A

NOTES TO APPLICANT

1. This recommendation relates to the requirements of Greater Manchester Fire and Rescue Service detailed in previous responses to developments on this site
2. The full details of a scheme of mitigation measures required by Greater Manchester Fire and Rescue Service to overcome the site's emergency access deficiencies should be discussed with the fire service. The details/measures should incorporate the installation of a residential sprinkler/misting system in the dwelling to current appropriate standards as conditioned, as well as ensure that the recognised Approved Document requirements for Fire Service access will be met:
 - Vehicular access for a fire appliance to within 45m of all points within the dwelling;
 - The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes;
 - As the access road is more than 20m long, a turning circle, hammerhead, or other turning point for fire appliances will be required;

- There should be a suitable fire hydrant within 165m of the dwelling.

The details/measures subsequently agreed should be implemented to the satisfaction of GMFRS before the dwelling is first occupied and thereafter maintained at all times.

3. 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.

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: 10/11/2022