

NOTICE OF PLANNING PERMISSION

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

To:

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BL8 4DT

PART 1 - Particulars of Application

Application Number: 69771

Date of Registration: 17/07/2023

Proposal:

Variation of condition application of planning permission 67535 (For works to formalise the existing overspill car park and improve pedestrian access along Woodhill Road), to vary condition 2 (approved plans) and condition 6 (surfacing and parking details).

Location:

Burrs Country Park, Woodhill Road, Burrs, Bury

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 the approval of the original permission ref 67535 (no later than 3 years from 10/1/22).
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings - Burrs Car Park Revised Proposals 233/PH2lay v4 received 17/7/23 and 'Management and Maintenance Proposals for Overspill Car Park and Associated Paths at Burrs Country Park dated November 2021' and Construction traffic management plan dated August 2023 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 development hereby approved shall be carried out in accordance with the 'Construction Traffic Management Plan' (CTMP) dated August 2023 and Proffitts, dilapidation survey and plan 233/CTMP1 - submitted for the discharge of condition 3 for planning reference 67535.
The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the

duration of the construction period. 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 prior to the development hereby approved being occupied.

Reason. 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.

- 4 The development hereby approved shall be carried out in accordance with the information submitted to discharge condition 4 of planning reference 67535 (plans 233 HV01 and 233 HV02). The hedgerows shall be regularly cut back to maintain adequate levels of visibility, to an agreed maximum height of 1200mm.

The improvements agreed, incorporating the partial removal and/or trimming back of the existing hedge and all associated works, shall be implemented before the development is brought into use and subsequently maintained free of obstruction.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 5 The one way access/egress arrangements indicated on the approved plans, incorporating the use of defined access/egress points and all associated markings and signage, shall be implemented prior to the development hereby approved being brought into use.

Reason. To ensure good highway design in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 6 The car parking indicated on the approved plans shall be surfaced as detailed in the approved plans prior to the first use of the development hereby approved.

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.

- 7 The measures and future maintenance arrangements indicated in the submitted document entitled 'Management and Maintenance Proposals for Overspill Car Park and Associated Paths at Burrs Country Park dated November 2021' for planning permission ref 67535 shall be implemented where relevant to the revised development.

Reason. To ensure that the paths serving the car park are maintained to an acceptable standard in the interests of pedestrian safety HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 8 All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works

shall be carried out to agreed timescales and be approved by the LPA in writing;

- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 9 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 10 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 and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

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.

- 11 Prior to any earthworks or site clearance a survey for invasive plant species including japanese knotweed and himalayan balsam will occur and the finding supplied to and agreed in writing to the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be supplied to and agreed in writing by the LPA, prior to any earthworks.
- Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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
EN1/1 EN1/1 - Visual Amenity
EN6 EN6 - Conservation of the Natural Environment

EN6/4 EN6/4 - Wildlife Links and Corridors
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
RT3/2 RT3/2 - Additional Provision for Recreation in the Countryside
HT2/4 HT2/4 - Car Parking and New Development
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
EN2/3 EN2/3 - Listed Buildings

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:

Burrs Car Park Revised Proposals 233/PH2lay v4 received 17/7/23 and 'Management and Maintenance Proposals for Overspill Car Park and Associated Paths at Burrs Country Park dated November 2021', Construction traffic management plan dated August 2023.

NOTES TO APPLICANT

- . The applicant's attention is drawn to the existence of Public Right of Way No.152, Bury, which forms the access to and abuts the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order
- . The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of any highway remedial works that may be required as a result of the proposed development. The cost of the works will be the responsibility of the applicant.

Signed:



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On behalf of the Council

Date of Decision: 04/09/2023