

NOTICE OF PLANNING PERMISSION

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

To:

Mr Peter Campbell
Tetra Tech
11 York Street
Manchester
M2 2AW

On Behalf Of:

Morgan Sindall Construction
2 Anchorage Quay
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M50 3YW

PART 1 - Particulars of Application

Application Number: 70002

Date of Registration: 15/08/2023

Proposal:

Demolition of existing school buildings/temporary leisure centre and erection of a two storey temporary school building, external landscaping and associated site infrastructure

Location:

Site of Radcliffe Leisure Centre, Spring Lane, Radcliffe, Manchester, M26 2SZ

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 Permission is hereby granted for a limited period only, namely for a period expiring on 31 December 2025, and the building, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition unless a valid application is received by the Local Planning Authority for its retention.
Reason. The development is of a temporary nature only.
- 2 This decision relates to drawings numbered FS1013-ALA-EX-ZZ-D-L-0103 S2 P01, FS1013-ALG-02-00-D-O-0101 P01, FS1013-ALG-02-01-D-O-0102 P01, FS1013-ALG-02-00-D-O-0201 P01, FS1013-ALG-02-00-D-O-0301 P01, FS1013-ALA-EX-ZZ-D-L-0101 S2 P03, FS1013-ALA-ZZ-ZZ-D-L-0103 S2 P01, FS1013-ALA-EX-ZZ-D-L-0106 S2 P01, FS1013-ALA-EX-ZZ-D-L-0102 S2 P01, 42645_T 0, TR-01 V1 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 those on the application form and drawing reference - FS1013-ALG-02-XX-D-O-0301 P01.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

- 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 Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified shall be disposed of in an appropriate manner.

Reason: This is to secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to the National Planning Policy Framework.

- 7 The development hereby approved must be carried out in accordance with the reasonable avoidance measures proposed in Section 7.1 of the Great Crested Newt Survey Report, dated August 2023.

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.

- 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 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 A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development of above ground

construction works. The contents of the plan should include native tree and shrub planting. 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.

- 10 No development shall commence unless and until a photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following demolition and construction of, and statutory undertakers connection to, the development has been submitted to and approved in writing by the Local Planning Authority. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being brought into use.
Reason. To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.
- 11 The development hereby approved shall not be brought into use unless and until the off-highway site access improvements, including pedestrian barriers, indicated on the approved plans have been implemented to the satisfaction of the Local Planning Authority.
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 Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.
- 12 The measures and facilities detailed in the approved 'Demolition and Construction Management Plan' shall be implemented and be adhered to throughout the demolition and construction periods, with the measures retained and facilities used for the intended purpose for the duration of both periods.
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.
- 13 The car parking, drop-off and turning facilities 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 Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.
- 14 The development hereby approved shall not be brought into use unless and until the off-highway bin storage arrangements indicated on the approved plans have been implemented.

Reason. To ensure that adequate bin storage arrangements are provided pursuant to Policy CF1/1 - Location of New Community Facilities of the Bury Unitary Development Plan.

- 15 No development shall take place until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Bury Council (approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone, boundary and infrastructure and shall be adhered to throughout the construction period. The CMP shall as a minimum provide for: -
1. the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational;
 2. loading and unloading of plant and materials;
 3. storage of plant and materials used in constructing the development;
 4. construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
 5. the erection and maintenance of security hoarding, location to be agreed with Metrolink due to proximity of operational tramway and infrastructure;
 6. provision of a "mock up" security hoarding, if required, to review and mitigate any hazards associated with positioning next to an operational tramway prior to permanent erection; measures to prevent the spread of detritus onto the Metrolink Track during construction; and
 7. measures to control the emission of dust and dirt during construction.

Reason. To safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system pursuant to Policy HT3/4 - Schemes to Assist Metrolink of the Bury Unitary Development Plan.

- 16 No development shall take place unless or until full details of the tree protection to the trees located within the Metrolink boundary have been submitted to, and approved in writing by, the Local Planning Authority (approval to be in consultation with Transport for Greater Manchester). Only the approved details shall be implemented as part of the development.

Reason. To protect trees against root damage and to maintain the status quo with regards the stability of the embankment pursuant to the following Policies of the Bury Unitary Development Plan:

Policy HT3/4 - Schemes to Assist Metrolink

Policy EN8 - Woodland and Trees.

- 17 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
1. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 2. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 3. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 4. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

5. Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to Policy EN7/5 - Waste Water Management 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
EN1/7	EN1/7 - Throughroutes and Gateways
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
EN7/1	EN7/1 - Atmospheric Pollution
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
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT1/2	RT1/2 - Improvement of Recreation Facilities
RT2/3	RT2/3 - Education Recreation Facilities
RT3/4	RT3/4 - Recreational Routes
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
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
SPD12	Development Control Policy Guidance Note 12 - Travel Plans 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:

FS1013-ALA-EX-ZZ-D-L-0103 S2 P01
FS1013-ALG-02-00-D-O-0101 P01
FS1013-ALG-02-01-D-O-0102 P01
FS1013-ALG-02-00-D-O-0201 P01
FS1013-ALG-02-00-D-O-0301 P01
FS1013-ALA-EX-ZZ-D-L-0101 S2 P03
FS1013-ALA-ZZ-ZZ-D-L-0103 S2 P01
FS1013-ALA-EX-ZZ-D-L-0106 S2 P01
FS1013-ALA-EX-ZZ-D-L-0102 S2 P01
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TR-01 V1

NOTES TO APPLICANT

1. Whilst the building to be demolished has been found to very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).
2. It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Signed:



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On behalf of the Council

Date of Decision: 25/10/2023