

NOTICE OF PLANNING PERMISSION

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

To:

Mr Chris Thomas
MCK Associates Limited
Burnaby Villa
48 Watling Street Road
Fulwood
Preston
PR2 8BP

On Behalf Of:

Mr Ed Milner
Hive Homes (Greater Manchester) LLP
Greater Manchester Housing Providers Joint
Venture
2a Derwent Avenue
Chorlton
Manchester
M21 7QP

PART 1 - Particulars of Application

Application Number: 69387

Date of Registration: 03/03/2023

Proposal:

Formation of car park and erection of boundary fence; Provision of stairs/steps down to football field

Location:

Land off Arley Avenue, rear of 1 Copse Drive & 2 Spinney Drive, Bury, BL9 5HE

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 LO-01 Rev A, PL-01 Rev B, PPS-01 Rev A 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 proposal hereby approved shall include acoustic fencing adjacent to the rear of the properties along Copse Drive and Spinney Drive in accordance with an acoustic attenuation scheme to be submitted to and approved in writing by the Local Planning Authority before the development commences. The acoustic attenuation scheme approved shall be implemented in full before use of the car parks first commences.
Reason. To safeguard the amenities of the occupiers of nearby residential properties from impacts arising from noise pursuant to UDP Policy EN7/2 and EN1/2.

- 4 Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

1. Formation of the widened site access onto Arley Avenue, incorporating the implementation of a scheme of highway works to the northerly footway a scope and specification to be agreed, a gate width and operation as well as boundary fence details to ensure adequate levels of visibility are provided at the back edge of the footway and access to all spaces is made available, demarcation of the limits of the adopted highway, relocation/replacement of the affected street lighting column and all associated highway and highway drainage remedial works;
2. Foundation details for the proposed gates and boundary fence to ensure that no encroachment under the adopted highway will occur;
3. Porous/permeable car park surfacing materials and/or measures to prevent the discharge of surface water onto the adopted highway;
4. Dimensioned car park layout incorporating appropriate aisle width and car parking space dimensions and an appropriate level of provision and associated markings for those who are disabled;
5. Provision of stairs/steps and accessible pedestrian access to Seedfield football pitches to meet appropriate standards/guidance in relation to the provision of these off-highway facilities.

The details subsequently approved shall be implemented to an agreed programme, with the car parking demarcated, surfaced and made available for use by officials and thereafter maintained at all times.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways, maintain the integrity of the adopted highway and ensure adequate off-street car parking provision for the adjacent Seedfield football pitches, all 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.

- 5 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:

1. 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;
2. Access route for all construction vehicles to the site from the Key Route Network;
3. Access point/arrangements for construction traffic and all temporary works required to facilitate access for construction and delivery vehicles;
4. If proposed, details of site hoarding/gate positions;
5. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
6. Confirmation of hours of operation and number of vehicle movements;
7. Measures to control/manage delivery vehicle routing/manoeuvres;
8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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.

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:

EN1/2	EN1/2 - Townscape and Built Design
RT1	RT1 - Existing Provision for Recreation in the Urban Area
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT1/2	RT1/2 - Improvement of Recreation Facilities
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
EN7	EN7 - Pollution Control
EN7/2	EN7/2 - Noise Pollution
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
OL1	OL1 - Green Belt
OL1/2	OL1/2 - New Buildings in the Green Belt
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:

LO-01 Rev A, PL-01 Rev B, PPS-01 Rev A

NOTES TO APPLICANT

1. The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the required highway works. The cost of the works will be the responsibility of the developer.
2. The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the adopted highway.

3. The applicant'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 fencing/gates under the adjacent adopted highway.

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 27/06/2023