

# NOTICE OF PRIOR APPROVAL DETERMINATION

## Part 11 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

**To:**

Mr Jeremy Wolstencroft  
Forshaw Demolition Ltd  
**King House**  
**James Street**  
**Westhoughton**  
**Bolton**  
**BL5 3QR**

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### PART 1 - Particulars of Application

**Application Number:** 65909

**Date of Registration:** 01/09/2020

**Proposal:**

Prior approval of proposed demolition of former mill buildings

**Location:**

Britannia Soap Works, Kenyon Street,  
Ramsbottom, Bury, BL0 0AB

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### PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby determine that prior approval of the local planning authority is **REQUIRED** for the development set out in Part 1 of this decision notice.

The Metropolitan Borough of Bury hereby give **APPROVAL** for the development proposed in the above-mentioned application subject to the following conditions.

- 1 This approval relates to Risk Assessment Method Statement (RAMS) FDL004 Revision 5, Remaining Wall Height - Flood Defence 10408/20/PP01, ISM - Asbestos Demolition Survey - September 2019, Bat Method Statement - Reasonable Avoidance Measures - 25/09/20 and all and any subsequent revisions and amendments and the demolition shall not be carried out except in accordance with the plans, documents and amendments 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.
- 2 No work or other activity or operation of plant or machinery shall take place on the site on Saturdays, Sundays or Bank Holidays and all work and other activity on other days shall be confined to the following hours:- 0800 hrs to 1800 hrs, Monday to Friday.  
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policies EN7/2 - Noise Pollution.
- 3 Any materials brought onto site for the use in the backfilling of any voids, levelling and finishing of the site shall be inert and non-putrescible and shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning

Authority prior to any materials being brought onto site, and;

The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) 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 adopted Bury UDP Policy EN7 - Pollution Control and National Planning Policy Framework - Conserving and enhancing the natural environment.

- 4 If during any works on site, contamination is suspected or found, or contamination is caused, the Local Planning Authority shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales to the approval of the Local Planning Authority.

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 - Conserving and enhancing the natural environment.

- 5 The access route to the site for all vehicles to and from the highway network shall be via Kenyon Street and Cunliffe Street only and no other access to the site shall be created.

Reason. For the avoidance of doubt pursuant to the policies of the Bury Unitary Development Plan listed.

- 6 The demolition hereby approved shall be carried out in accordance with Risk Assessment Method Statement (RAMS) FDL004 Revision 5, and drawing Remaining Wall Height - Flood Defence 10408/20/PP01

Reason: To ensure that existing flood defence levels are maintained adjacent to the site post demolition pursuant to adopted UDP policy EN5 - Flood Protection and Defence.

**The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:**

|       |                                               |
|-------|-----------------------------------------------|
| EN7   | EN7 - Pollution Control                       |
| EN6   | EN6 - Conservation of the Natural Environment |
| EN6/3 | EN6/3 - Features of Ecological Value          |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict         |
| EN7/2 | EN7/2 - Noise Pollution                       |
| EN5   | EN5 - Flood Protection and Defence            |
| NPPF  | National Planning Policy Framework            |
| NPPG  | National Planning Policy Guide                |

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:**

Risk Assessment Method Statement (RAMS) FDL004 Revision 5, Remaining Wall Height - Flood Defence 10408/20/PP01, ISM - Asbestos Demolition Survey - September 2019, Bat Method Statement - Reasonable Avoidance Measures - 25/09/20.

**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 any highway remedial works that may be required as a result of the proposed demolition/infilling works. The cost of the works will be the responsibility of the developer.
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).
3. 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.
4. Asbestos containing material shall be removed by an appropriately qualified contractor.
5. This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within 8m of the bank of the River Irwell which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website:  
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Signed:



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On behalf of the Council

**Date of Decision:** 10/11/2020