

NOTICE OF PLANNING PERMISSION

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

To:
Mr Sam Golding
Gold Sketch Studios LTD
55a Bury Old Road
Prestwich
M25 0FG

On Behalf Of:
Field Willow
C/O Agent

PART 1 - Particulars of Application

Application Number: 67482

Date of Registration: 07/01/2022

Proposal:
Demolition of existing dwelling and erection
of 1 no. replacement dwelling

Location:
43 Hilton Lane, Prestwich, Manchester, M25
9SA

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 GSS21061.1 – 001, GSS21061.2 – 001, GSS21061.2 – 002, GSS21061.2 – 003 (Rev), GSS21061.2 – 004 (Rev), GSS21061.2 – 005, and GSS21061.2 – 006 (Rev1), as submitted on 03/03/2022 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 match those of the approved plans including Western Red Cedar for the cladding.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and EN1/1 Visual Amenity.
- 4 Before the first occupation of the development hereby permitted the toilet/ bathroom and stairwell windows on the side elevations shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

5 Ecological Scheme

The construction of the house shall be carried out in accordance with the details contained in the Biodiversity Enhancement and management Plan, Verity Webster March 2022 Section 2.2 as already submitted with the planning application and agreed in principle with the LPA prior to determination.

Reason. To secure the satisfactory development of the site 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.

6 Construction Scheme

The construction of the house shall be carried out in accordance with the details contained in the 'Construction Traffic Management Plan' (CTMP), dated 07/03/2022, reference TBCT/22/3/ML/43HLCMP as already submitted with the planning application and agreed in principle with the LPA prior to determination.

Reason: To maintain the integrity of the adopted highway, mitigate the impact of the demolition and construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the demolition and construction periods and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety, pursuant to the following Policies of the Bury Unitary Development Plan: Policy EN1/2 - Townscape and Built Design Policy H2/1 - The Form of New Residential Development Policy H2/2 - The Layout of New Residential Development.

- 7 The development hereby approved shall not be first occupied unless and until the car parking alterations and bin storage facilities indicated on the approved plans, incorporating the widening of the existing driveway in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and the retention of the boundary wall position with No. 39, have been implemented to the written satisfaction of the Local Planning Authority.

Reason: To ensure good highway design, the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway in the interests of highway safety, pursuant to the following Policies of the Bury Unitary Development Plan: Policy EN1/2 - Townscape and Built Design Policy H2/1 - The Form of New Residential Development Policy H2/2 - The Layout of New Residential Development

- 8 Air Quality Condition: Prior to occupation the applicant shall provide 1 Electric Vehicle Chargepoint (minimum 7kW*) for each dwelling.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

Reason: In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

- 9 The development hereby approved shall be carried out in accordance with a

sustainable surface water drainage scheme. The scheme 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. The drainage scheme shall be implemented prior to first occupation and thereafter maintained.

Reason. 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 NPPF Chapter 14 - Meeting the challenge of climate change, flooding and coastal change.

- 10 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.
- 11 Following the provisions of Condition 10 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.

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 the application process 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:

NPPF	National Planning Policy Framework
H1/2	H1/2 - Further Housing Development
H2/2	H2/2 - The Layout of New Residential Development

H2/1	H2/1 - The Form of New Residential Development
EN1/2	EN1/2 - Townscape and Built Design
EN1	EN1 - Built Environment
H2	H2 - Housing Environment and Design
H2/3	H2/3 - Extensions and Alterations
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
EN1/3	EN1/3 - Landscaping Provision
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
EN1/5	EN1/5 - Crime Prevention
EN6	EN6 - Conservation of the Natural Environment
EN5/1	EN5/1 - New Development and Flood Risk
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management

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:

GSS21061.1 – 001 - Site - Location and Block Plan
GSS21061.2 – 001 - Topographical Plan
GSS21061.2 – 002 - Existing Plans
GSS21061.2 – 003 (Rev) - Existing and Proposed Elevations
GSS21061.2 – 004 (Rev) - Proposed Plans
GSS21061.2 – 005 - Site - Existing and Proposed
GSS21061.2 – 006 (Rev1) - Street Scene
As submitted on 03/03/2022.

NOTES TO APPLICANT

1. The council strongly encourages supporting Sustainable Development and the applicant should consider the inclusion of modern techniques to reduce the impact on the environment including EV car charging points, heat pumps, and solar panels.
2. The applicant's attention is drawn to Section 80 of the Building Act 1984 and the need to give six weeks prior written notice to the Department for Business Growth and Infrastructure detailing any proposed demolition works in connection with the proposed development.
3. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.
4. INFORMATIVE - The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

4.1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the

Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.

4.2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.

4.3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.

4.4. Any emergency deviation from the above (4.1 – 4.3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

5. Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.
6. The applicant's attention is drawn to the need to consult the Department for Operations in order to obtain a hoarding permit prior to works affecting the adopted highway commencing. The cost of permit and any necessary works/ measures will be the responsibility of the developer.
7. **Asbestos** - 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 Environment Act 1990.

Signed:



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On behalf of the Council

Date of Decision: 27/04/2022