NOTICE OF PLANNING PERMISSION

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

To:
Mr Richard Shuttleworth
Equilibrium Architects Ltd
Bank Chambers
Bank Street
Bury
BL9 0DL

On Behalf Of:
Mr John Delaney
RM Building Maintenance Limited
36 Bank Top Street
Heywood
OL10 4PT

PART 1 - Particulars of Application

Application Number: 67932

Date of Registration: 23/12/2021

Proposal:
Variation of condition 2 following approval of planning permission 64977- Replacement of drawing R-0544-05/G with drawings R-0544-05/K and R-0544-70 to include installation of an electrical substation transformer within the planning approval

Location:
Former Viridor Waste, Buckley Lane, Prestwich

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 grant of planning consent ref. 64977.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

2 This decision relates to drawings numbered R-0544-SLP, TRI-1444-01, 02, 03, R-0544-10/B, 05/K, 70, 05/1/A, 15/A, 20,/A, 25/B, 30/A, 30/1, 5225.02
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 Only materials, approved under the previous reference 64977 shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to the NPPF and UDP Policy EN1/1 Visual Amenity.

4 Notwithstanding the terms of the Town and Country Planning (General Permitted

Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

5 The development shall be carried out in accordance with the submitted flood risk assessment (ref FRA 20 1107 dated November 2019) and the following mitigation measures it details:
External ground levels are set to provide an overland flood flow route as detailed in the email dated 04/03/2020 (Ref 64977 Viridor) where it states 'any surplus water would be diverted to the open channel or culvert to eventually enter the nearby watercourse'.
These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
Reasons. To prevent flooding by ensuring the satisfactory storage of/ disposal of surface water from the site pursuant to the NPPF and UDP Policy 5/1 Flood Risk and New Development.

6 Within one month of the date of this decision the information with regard to soil sampling, controlled waters monitoring and sampling, ground gas monitoring and remediation as set out in Local Planning Authority letter dated 29th June 2021 (Ref:CL625.290621.1) shall be submitted to and approved, in writing, by the Local Planning Authority. A copy of the letter is attached to this approval.
Reason. Insufficient details have been submitted and in the interests of Pollution control pursuant to the NPPF and UDP Policy EN7 Pollution Control.

7 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason. In order to protect groundwater pursuant to the NPPF and UDP Policy EN7 Pollution Control.

8 No infiltration of surface water drainage into the ground where land contamination is suspected or known to be present in adverse concentrations is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason. Details have not been submitted and in the interests of pollution control pursuant to the NPPF and UDP Policy EN7 Pollution Control.

9 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason. Details have not been submitted and in the interests of pollution control pursuant to the NPPF and UDP Policy EN7 Pollution Control.

10 The landscaping scheme as approved under the prevous reference 64977 shall be implemented not later than 6 months from the date the building are first occupied; 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 to the written satisfaction of the Local Planning Authority.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to the NPPF and Policy EN1/1 Visual Amenity and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.

11 The scheme for the eradication and/or control of Japanese Knotweed, Hogweed and Himalayan Balsam as set out in the report by Japanese Knotweed Plus, dated 18/05/2020 (Ref:JKP2020011) shall be carried out fully in accordance with the report.
Reason. In the interests of the natural environment pursuant to the NPPF and UDP Policy EN9 Landscape.

12 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 LPA.
Reason. In order to protect birds pursuant to the NPPF and UDP Policy EN6/4 Wildlife Links and Corridors.

13 Before first occupation of development, the foul and surface water drainage scheme, including the rainwater harvesting scheme, submitted as part of the condition discharge under reference 64977 shall be completed to the written satisfaction of the Local Planning Authority.
Reason. To ensure the proposed drainage scheme is appropriate and complies with UDP Policies EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.

14 Within one month of the date of this decision, full details of the provision following have been submitted to and approved by the Local Planning Authority:
- proposals to install residential sprinkler systems to BS 9251:2005 or equivalent standard, or other measures as required by the Greater Manchester Fire and Rescue Service to overcome the site's emergency access deficiencies;
- a suitable fire hydrant positioned within 165m of the furthest dwelling.

The details subsequently approved shall be implemented to the written satisfaction of the Local Planning Authority before the dwelling is first occupied.
Reason. In the interests of fire safety pursuant to the NPPF and UDP Policy H2/2 The Layout of New Residential Development.

15 Within one month of the date of this decision, a 'Construction Traffic Management Plan' (CTMP), shall be has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
- Access route for construction traffic from the highway network;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials.

- measures to ensure that all mud and other loose materials are not 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 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 turning/parking of vehicles and storage of construction materials.
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, in the interests of highway safety pursuant to NPPF and UDP Policy HT2 Highway Network.

16 The access road improvements detailed on approved plans shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.
Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to NPPF and UDP Policy H2/2 The Layout of New Residential Development.

17 The various turning facilities indicated on approved plans shall be provided before the development is first occupied 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 NPPF and UDP Policy H2/2 The Layout of New Residential Development.

18 The car parking indicated on approved plans shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to NPPF and UDP Policy H2/2 The Layout of New Residential Development.

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 Paragraphs 186-187 of the National Planning Policy Framework.

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

EN2/1 EN2/1 - Character of Conservation Areas
EN2/2 EN2/2 - Conservation Area Control
EN6/4 EN6/4 - Wildlife Links and Corridors
OL1/2 Ol1/2 - New Buildings in the Green Belt
OL5/2 OL5/2 - Development in River Valleys
EN1/1 EN1/1 - Visual Amenity
EN1/3 EN1/3 - Landscaping Provision
EN5/1 EN5/1 - New Development and Flood Risk

EN7	EN7 - Pollution Control
EN7/4	EN7/4 - Groundwater Protection
EN8	EN8 - Woodland and Trees
EC2	EC2 - Existing Industrial Areas and Premises
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
RT3/4	RT3/4 - Recreational Routes
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
SPD14	Development Control Policy Guidance Note 14 - Employment Land and Premises
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development 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:
Drawings numbered R-0544-SLP, TRI-1444-01, 02, 03, R-0544-10/B, 05/K, 70, 05/1/A, 15/A, 20,/A, 25/B, 30/A, 30/1, 5225.02

NOTES TO APPLICANT
Not Applicable

Signed:

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On behalf of the Council

Date of Decision: 04/02/2022