

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 S Ali Shah
RME Property Management Ltd
Unit 22 Cariocca Business Park
2 Sawley Road
Manchester
M40 8BB

PART 1 - Particulars of Application

Application Number: 69163

Date of Registration: 18/04/2023

Proposal:

Demolition of existing dwelling/outbuildings
and erection of 4 no. detached dwellings with
detached garages

Location:

Rainsough Cottage, 5 Rainsough Brow,
Prestwich, Manchester, M25 8SU

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 R-0541-SLP rev B, R-0541-01 K, R-0541-02 rev D, TRI-2780-01, R-0541-0, R-0541-100, R-0541-55, R-0541-02-1 rev C, R-0541-01-1 Rev E, R-0541-55, R-0541-10 rev C 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 Following the provisions of Condition 4 of permission 65170, 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.

- 4 Prior to occupation the applicant shall provide one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking).

*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 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

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 pursuant to Policy JP-S5 - Clean Air of the Places for Everyone Joint Development Plan.

- 5 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 Policy 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.

- 6 The development hereby approved shall only be carried out in accordance with the details approved under condition 7 of permission 65170. Should a delay of more than one year occur between the date of approval of the management scheme and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.

Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 7 The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and 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 Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan..

- 8 The development hereby approved shall be carried out in accordance with the drainage strategy and plans approved under condition 9 of permission 65170. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 9 Foul and surface water shall be drained on separate systems.

Reason. To secure proper drainage and to manage the risk of flooding and pollution pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood

Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 10 The development hereby approved shall not be first occupied unless and until the formation of the proposed site access onto Rainsough Brow indicated on approved plan reference R-0541-01 Revision K, incorporating the provision of new kerb radii, dropped pedestrian crossing point, demarcation of the revised limits of the adopted highway, scheme of surface water drainage works/hardstanding materials to ensure that surface water will not be discharged from the increased hardstanding areas and widened access road onto the adjacent adopted highway and all associated highway and highway drainage remedial works required as a result of the development, has been implemented to an agreed scope and specification.
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, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design
- 11 The development shall only be carried out in accordance with the Construction Traffic Management Plan approved under condition 12 of permission 65170. 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 Policy EN1/2 - Townscape and Built Design.
- 12 The pedestrian and vehicular access arrangements and improvements indicated on approved plan reference R-0541-01 Revision K shall be provided before the development is first occupied.
Reason. To ensure good highway design in the interests of road 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
- 13 The turning facilities indicated on approved plan reference R-0541-01 Revision K 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 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

- 14 The car parking indicated on approved plan reference R-0541-01 Revision K shall be surfaced and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 15 The bin storage arrangements and hardstanding area to be used for the storage of bins on collection day indicated on approved plan reference R-0541-01 Revision K shall be implemented prior to the development hereby approved being first occupied and thereafter be maintained available for use at all times.
Reason. To ensure adequate off-highway bin storage arrangements are provided within the curtilage of the site, 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
- 16 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.

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:

- 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
- EN1/2 EN1/2 - Townscape and Built Design
- EN6/3 EN6/3 - Features of Ecological Value
- EN7/5 EN7/5 - Waste Water Management
- EN8/2 EN8/2 - Woodland and Tree Planting
- OL1/2 OL1/2 - New Buildings in the Green Belt
- HT2/4 HT2/4 - Car Parking and New Development
- SPD6 Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
- SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
- JP-P1 Sustainable Places
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity
- JP-G9 The Green Belt
- JP-C5 Streets For All
- JP-C6 Walking and Cycling
- JP-G7 Trees and Woodland

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:

R-0541-SLP rev B, R-0541-01 K, R-0541-02 rev D, TRI-2780-01, R-0541-0, R-0541-100, R-0541-55, R-0541-02-1 rev C, R-0541-01-1 Rev E, R-0541-55, R-0541-10 rev C

NOTES TO APPLICANT

1. The applicant's attention is drawn to the need to consult the Department for 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 Council currently operate a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system.

Signed:



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On behalf of the Council

Date of Decision: 04/07/2024