

NOTICE OF PLANNING PERMISSION

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

To:

Mr Ralf Thiede
daniels thiede architects limited
20 Albemarle Road
Manchester
M21 9HZ

On Behalf Of:

The Executors of Ms Wilcock c/o Peter
Hendersdon
36 Hazel Road
Whitefield
M45 8EU

PART 1 - Particulars of Application

Application Number: 70482

Date of Registration: 27/02/2024

Proposal:

Reinstatement of mid-terraced house at no. 5 East View following complete collapse after explosion and remedial works to external envelope at no. 4 East View

Location:

4 & 5 East View, Summerseat, Bury, BL9 5PG

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 2207-DTA-XX-GF-DR-A-0001 02, 2207-DTA-XX-GF-DR-A-0003 05, 2207-DTA-XX-GF-DR-A-0005 05, 2207-DTA-XX-GF-DR-A-0105 04, 2207-DTA-XX-GF-DR-A-0130 04, 2207-DTA-XX-GF-DR-A-0200 02, 2207-DTA-XX-GF-DR-A-0225 04, 2207-DTA-XX-GF-DR-A-0250 03, 2207-DTA-XX-GF-DR-A-0251 01, 2207-DTA-XX-GF-DR-A-0275 04, 2207-DTA-XX-GF-DR-A-0276 01 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 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.

- 4 Following the provisions of Condition 3 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.

- 5 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising 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 soil or soil forming 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 National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 6 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 adopted highway abutting the site in the event that subsequent remedial works are required as a result of the incident and following construction of the development;
2. Access route for all construction vehicles to the site from the Key Route Network avoiding, wherever possible, the Bass Lane route to the site;
3. Details of site hoarding/gate positions, taking into consideration the need to maintain pedestrian access to Public Footpath No. 83, Ramsbottom that abuts the site and any associated temporary closure of the adopted highway;
4. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
6. Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated on the adjacent residential streets that serve the site and number of vehicle movements;
7. Measures to control/manage delivery vehicle deliveries and manoeuvres;

8. Facilities for the storage of construction materials within the curtilage of the site/on land within the control of the applicant/Highway Authority;
9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent highways as a result of the works 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.

- 7 The external finishing materials, which shall include cills and heads and shall be sandstone for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 8 Notwithstanding the submitted plans, the windows in No. 5 East View shall be of timber framed construction only.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control.
- 9 Prior to the commencement of any works to the roof, details, including a specification for the conservation style rooflights shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented as part of the development hereby approved.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control.
- 10 No development shall commence unless or until, a course pattern for the graduated stone size, which shall include narrower stone towards the eaves, has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented as part of the development hereby approved.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy EN2/1 - Character of Conservation Areas
Policy EN2/2 - Conservation Area Control.

- 11 The development hereby approved shall connect to the existing foul and surface water drainage.
Reason. To ensure a satisfactory means of drainage pursuant to Policy EN7/5 of the Bury Unitary Development Plan.

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:

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
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN7	EN7 - Pollution Control
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN9/1	EN9/1 - Special Landscape Areas
OL1/2	OL1/2 - New Buildings in the Green Belt
OL1/3	OL1/3 - Infilling in Existing Villages in the Green Belt
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework
PFE	Places for Everyone

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:

2207-DTA-XX-GF-DR-A-0001 02
2207-DTA-XX-GF-DR-A-0003 05
2207-DTA-XX-GF-DR-A-0005 05
2207-DTA-XX-GF-DR-A-0105 04
2207-DTA-XX-GF-DR-A-0130 04
2207-DTA-XX-GF-DR-A-0200 02
2207-DTA-XX-GF-DR-A-0225 04

2207-DTA-XX-GF-DR-A-0250 03
2207-DTA-XX-GF-DR-A-0251 01
2207-DTA-XX-GF-DR-A-0275 04
2207-DTA-XX-GF-DR-A-0276 01

NOTES TO APPLICANT

1. The applicant's attention is drawn to the need to consult the Department of Operations regarding the need to apply for any hoarding permit and temporary closure required as a result of the development and specification for/implementation of the any required highway remedial works. The cost of the permit/order/works will be the responsibility of the applicant.
2. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, 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