

# NOTICE OF PLANNING PERMISSION

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

**To:**

Mr Zach Thorp  
Thorp Design Services  
2 Chatton Close  
Bury  
BL8 2UE

**On Behalf Of:**

Mr Jim Allsop  
11 Malvern Close  
Prestwich  
Manchester  
M25 1PH

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**PART 1 - Particulars of Application****Application Number:** 69104**Date of Registration:** 20/12/2022**Proposal:**

Erection of 1no. replacement attached  
dwelling

**Location:**

11 Malvern Close, Prestwich, Manchester,  
M25 1PH

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**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 permission relates to the following plans:

Drawing no. ZT22-196-00: Location Plan;  
Drawing no. ZT22-196-03: Proposed Site Plan;  
Drawing no. ZT22-196-03ZT22-196-04 Rev. A: Proposed Plans and Elevations;  
Drawing no. ZT22-196-05 Rev. J: Existing and Proposed Parking Plans; and,  
Drawing no. ZT22-196-10 Rev. A: Existing and Proposed Street Scene and  
Proposed Landscaping.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development and the National Planning Policy Framework.

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 Notwithstanding any description of materials in the application and the requirements of conditionno. 2 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of UDP Policy EN1/1: Visual Amenity and the National Planning Policy Framework.

6 The ground floor W/C and first floor bathroom windows shown on the east facing side elevation of the dwellinghouse shall be obscurely glazed to a minimum of level 4 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the dwelling/extension hereby approved is first occupied, and shall be retained as such thereafter.

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and ensure satisfactory levels of amenity for adjoining residents in accordance with the requirements of Policy H2/1 of the Bury Unitary Development Plan and National

## Planning Policy Framework.

### **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:**

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  
HT2/4    HT2/4 - Car Parking and New Development

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:**

ZT22-196-00: Location Plan  
ZT22-196-03: Proposed Site Plan  
ZT22-196-03ZT22-196-04 Rev. A: Proposed Plans and Elevations  
ZT22-196-05 Rev. J: Existing and Proposed Parking Plans  
ZT22-196-10 Rev. A: Existing and Proposed Street Scene and Proposed Landscaping

### **NOTES TO APPLICANT**

- . United Utilities Informative  
Should the applicant have any queries regarding the attached response, they can contact their Developer Services team by email as follows:

Drainage / wastewater infrastructure: [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)  
Water supply / water infrastructure: [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Alternative ways to contact the team are also included within the letter saved to the Council's website under the above-mentioned application number.

Signed:

A handwritten signature in black ink, appearing to read "for haw", written in a cursive style.

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On behalf of the Council

**Date of Decision:** 08/03/2023