

NOTICE OF PLANNING PERMISSION

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

To:

Mr Dearden
PPY design Ltd
2 Helmsore Road
Holcombe Village
Bury
BL8 4PA

On Behalf Of:

Mr Johnson
Haus Cube
Imperial House
79-81 Hornby Street
Bury
BL9 5BN

PART 1 - Particulars of Application

Application Number: 68251

Date of Registration: 25/04/2022

Proposal:

Construction of 4no. semi-detached houses
with new access

Location:

Land at corner of Ribchester Drive and
Radcliffe Road

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 SK9-01, SK9-00, SK9-03B, SK9-04B, SK9-05, SK9-06E, SK9-07A, SK9-08A 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 Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks 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 UDP Policy EN1/1 Visual Amenity.
- 4 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.

- 5 Following the provisions of Condition 4 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.

- 6 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 policies EN6 - Conservation of the Natural Environment and 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.

- 7 No development shall commence, including vegetation clearance, until a survey for invasive plant species, including Japanese Knotweed (*Fallonia Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) has been submitted to and approved in writing by the Local Planning Authority. If any invasive species are present a method statement detailing avoidance, control and eradication measures should also be submitted to and approved in writing by the Local Planning Authority, prior to any earthworks.

The approved management plan shall include a timetable for implementation. 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.

- 8 Prior to any vegetation clearance, a reasonable avoidance measures method statement for hedgehog shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before development commences and maintained until the development is completed.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and 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.

- 9 A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; 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.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity 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.
- 10 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:
- Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
 - Access route for all vehicles to the site from the Key Route Network and any temporary works required to facilitate access for ground works/construction vehicles;
 - If proposed, details of site hoarding/gate positions clear of required visibility splays onto Ribchester Drive;
 - The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Ribchester Drive;
 - Confirmation of delivery & construction vehicle sizes that can be accommodated on the residential estate roads leading to the site, number of vehicle movements and hours of operation taking into consideration school start finish times due to the proximity of the site to Derby High School;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
 - 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 spread onto the adjacent adopted highways as a result of the groundworks operations 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.

- 11 The development hereby approved shall not be first occupied unless and until the access arrangements and highway improvements indicated on approved plan reference SK9-06 Revision E, incorporating the provision of a 1.8m (minimum) wide footway between the existing limits of adopted highway at Radcliffe Road and the southerly boundary of No. 1 Ribchester Drive to a scope and specification to be agreed with the Highway Authority, footway crossings in the positions indicated serving the proposed dwellings, porous/permeable driveway materials and/or measures to prevent the discharge of surface water onto the adopted highway, retention/replacement of edgings at the back of the footway on Radcliffe Road, boundary treatment with foundations that do not project under the adjacent adopted highway and all associated highway and highway drainage remedial/accommodation works, have been implemented to satisfaction of the Local Planning Authority.
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, all 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 H2/2 - The Layout of New Residential Development
- 12 Minimum hardstanding lengths of 5.0m at double width driveways or 10.0m when in tandem, measured from the back of the new highway boundary, shall be provided at all dwellings to the satisfaction of the Local Planning Authority and thereafter maintained
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and to allow adequate space to maintain a vehicle clear of 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 H2/2 - The Layout of New Residential Development
- 13 Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
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 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
H2/2	H2/2 - The Layout of New Residential Development
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN5/1	EN5/1 - New Development and Flood Risk
EN7	EN7 - Pollution Control
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN9	EN9 - Landscape
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD1	Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development
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

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:

SK9-01
SK9-00
SK9-03B
SK9-04B
SK9-05
SK9-06E
SK9-07A
SK9-08A

NOTES TO APPLICANT

Not Applicable

Signed:



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On behalf of the Council

Date of Decision: 05/04/2023