

# NOTICE OF PLANNING PERMISSION

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

**To:**

Mr Michael Beech  
BPD Architecture  
Sitchstone  
Brown House Lane  
Higher Wheelton  
Chorley  
PR6 8HR

**On Behalf Of:**

Mr Tom Duffy  
62 Starling Road  
Radcliffe  
Manchester  
M26 4LN

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### PART 1 - Particulars of Application

**Application Number:** 69624

**Date of Registration:** 06/06/2023

**Proposal:**

Erection of replacement dwelling

**Location:**

62 Starling Road, Radcliffe, Manchester, M26 4LN

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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 decision relates to revised drawings numbered 1091/SRA/LP, ESLP, SLP, PL1A, PL2 and PL3 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 of the materials to be used in the external elevations, boundaries and areas of hardstanding shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.  
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.
- 4 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995, 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 prior written consent of the Local Planning Authority.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to the following policies of the Unitary Development Plan H2/1 The Form of New Residential Development and H2/2 The Layout of New Residential Development.

- 5 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. 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 11 - Conserving and enhancing the natural environment.
- 6 Following the provisions of Condition 5 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 11 - Conserving and enhancing the natural environment
- 7 Following the provisions of Condition 5 of this planning permission, where ground gas remediation / protection measures are required, the approved Remediation Strategy must be carried out to the written satisfaction of the Local Planning Authority within approved 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 alleviate any possible risk associated with the production of landfill gas and ground gas in accordance with the recommendations of the Environment Agency and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
- 8 The proposed driveway and paved areas at the front of the property shall be constructed of permeable/porous materials as set out in the Dept of Communities and Local Government publication "Guidance on the Permeable Surfacing of Front Gardens".

Reason: To secure the satisfactory development of the site pursuant to UDP Policy EN5/1 New Development and Flood Risk.
- 9 Development shall not commence until details of foul and surface water drainage aspects have been submitted to and approved by the Local Planning Authority. This must include potential SuDS options for a surface water drainage scheme. The

approved drainage scheme shall be implemented and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: To reduce the risk of local flooding and water pollution by ensuring the provision of a satisfactory means of surface water disposal pursuant to UDP Policy EN5/1 New Development and Flood Risk and EN7/5 Waste Water Management.

- 10 Prior to the commencement of development, details relating to the proposed boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details only shall be implemented as part of the approved development.

Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 11 Before the first occupation of the dwellinghouse hereby approved, all windows on the side elevations shall be fitted with obscured glazing (Min obscurity level 3) within opening only above 1.7m to the written satisfaction of the Local Planning Authority and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 The Form of New Residential Development.

- 12 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following demolition works/construction of the development, works to the site access and boundary and as a result of statutory undertakers connections to the site;
- Access point and route for demolition/construction traffic from the adopted highway;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding/gate positions clear of the adopted highway, including the provision, where necessary, of temporary vehicular access and pedestrian facilities/protection measures;
- 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 demolition and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of the both 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. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

Reason. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, ensure adequate off street car parking provision and materials

storage arrangements for the duration of the demolition and construction periods and ensure that the adopted highways are kept free of deposited material from the demolition/ground works operations, in the interests of highway safety.

- 13 The development hereby approved shall not be first occupied unless and until the site access alterations onto Starling Road indicated on approved plan reference 1091/SRA/SLP, incorporating the relocation of the site access, reinstatement of the redundant access to adjacent footway levels, demarcation of the limits of the 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 and to the written 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, in the interests of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.
- 14 The turning facilities indicated on approved plan reference 1091/SRA/SLP 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 and ensure that the turning facilities are not obstructed by parked vehicles pursuant to UDP Policy H2/2 The Layout of New Residential Development.
- 15 The car parking indicated on approved plan reference 1091/SRA/SLP shall be surfaced 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 at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.
- 16 An electric vehicle charging point shall be made available on site prior to first occupation of the new dwellinghouse. Reason. In the interest of energy conservation pursuant to UDP Policy EN4 Energy Conservation.
- 17 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/bat boxes within the new development. The approved scheme shall thereafter be implemented not later than 12 months from the date the property 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 EN1/3 Landscape Provision.

**Statement in accordance with Article 31 Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012**

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:**

|       |                                                                                                         |
|-------|---------------------------------------------------------------------------------------------------------|
| OL1/2 | OL1/2 - New Buildings in the Green Belt                                                                 |
| EN1/1 | EN1/1 - Visual Amenity                                                                                  |
| EN1/2 | EN1/2 - Townscape and Built Design                                                                      |
| EN7   | EN7 - Pollution Control                                                                                 |
| HT2/4 | HT2/4 - Car Parking and New Development                                                                 |
| SPD11 | Development Control Policy Guidance Note 11 - Parking Standards in Bury                                 |
| SPD8  | Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt |
| SPD16 | Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury              |
| H2/1  | H2/1 - The Form of New Residential Development                                                          |
| H2/2  | H2/2 - The Layout of New Residential Development                                                        |
| EN1/3 | EN1/3 - Landscaping Provision                                                                           |

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 1091/SRA/LP, ESLP, SLP, PL1A, PL2 and PL3

**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.

The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.

2. If bats and/or other protected species are utilising the building, a Licence will be required for the demolition to occur. During any work on the building for any roof tiles and fascia boards to be removed carefully by hand. The contractor undertaking the work must be made aware that in the unlikely event that any bats are found then work must cease immediately, and advice sought from a licensed bat worker.
3. If there is an urgent requirement during the bird breeding season for any trees to be felled, then they should be checked for the presence of breeding birds prior to any works by a suitably experienced ecologist.

During construction works any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape.

In the interest of best ecological practice, between October and March, any piles of wood or suitable materials should be checked for hibernating hedgehogs before

disturbance. Any hedgehogs found should be left alone. If this is not possible, the hedgehog should be carefully and safely relocated to suitable habitat away from the development site. It is recommended that waste is removed at the earliest opportunity to avoid contamination of ground and possible disturbance to wildlife.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', written in a cursive style.

6 of 6

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On behalf of the Council

**Date of Decision:** 02/08/2023