

NOTICE OF PLANNING PERMISSION

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

To:

Mr Jordan Cummings
SDA Consulting
Second Floor
The Tower
Deva City Office Park
Trinity Way, Salford, Greater Manchester
M3 7BF

On Behalf Of:

Mrs Julie Ensor
Board of Governors
Our Lady of Lourdes Rc Primary School
Rudgwick Drive
Bury
BL8 1YA

PART 1 - Particulars of Application

Application Number: 70199

Date of Registration: 24/10/2023

Proposal:

Single storey extension to form two additional classrooms housing Y1 & Y2 children and a SEND resource unit, an office, toilets and a link corridor

Location:

Our Lady Of Lourdes Roman Catholic County Primary, Rudgwick Drive, Bury, BL8 1YA

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 Location Plan, 2517_SDA_P_01, 2517_SDA_P_02, 2517_SDA_P_03, 2517_SDA_P_04, 2517_SDA_P_05, 2517_SDA_P_06, 2517_SDA_P_07, 2517_SDA_P_08, 2517_SDA_P_09, 2517_SDA_P_10 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 The external finishing materials for the proposal hereby approved shall match those of the existing building as per drawings 2517_SDA_P_04 and 2517_SDA_P_05.
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 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 or the provision of and bird boxes within the new development. The approved scheme shall thereafter be implemented not later than 12 months from the date the extension 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 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.

- 5 No development shall commence until a scheme to ensure either:

- (a) the continuity of the existing sports use of/on the retained playing field shown on Drawing No.2517 SDA P 08 and;
- (b) the provision of replacement facilities during construction works/other activities

has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme must set out details of the size, location, type and make-up of the facilities or replacement facilities as appropriate together with arrangements for access. The scheme must include a timetable for the provision of the facilities or replacement facilities as appropriate. The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

Reason. To protect playing fields/sports facilities from damage, loss or availability of use during the construction of the development and to accord with Bury Unitary Development Plan Policy RT1/1 - Protection of Recreation Provision in the Urban Area and Chapter 8 - Promoting healthy and safe communities of the National Planning Policy Framework.

- 6 No development shall commence until full details of:

- (a) the works/contractors' compound (including any buildings, moveable structures, works, plant, machinery, access and provision for the storage of vehicles, equipment and/or materials); and
- (b) a scheme for the removal of the works/contractors' compound and the restoration of the land on which it is situated

are submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The works/contractors' compound shall not be provided and used on the site other than in accordance with the approved details and shall be removed and the land on which it is situated restored in accordance with the approved details before occupation of the development hereby approved.

Reason. To protect retained playing fields/sports facilities from damage, loss or availability of use and to accord with Bury Unitary Development Plan Policy RT1/1 - Protection of Recreation Provision in the Urban Area and Chapter 8 - Promoting healthy and safe communities of the National Planning Policy Framework.

- 7 (a) The use of the building hereby approved shall not commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation before first occupation (or other approved time frame). The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason. To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Bury Unitary Development Plan Policy RT1/1 - Protection of Recreation Provision in the Urban Area and Chapter 8 - Promoting healthy and safe communities of the National Planning Policy Framework.

- 8 The playing field/s and pitches shall be constructed and laid out in accordance with the Sport England and FA standards for two U7/U8 pitches (43m x 33m O/A) and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before or occupation of the extension or other specified timeframe of the development hereby permitted.

Reason. To ensure the quality of pitches is satisfactory and they are available for use before development (or agreed timescale) and to accord with Bury Unitary Development Plan Policy RT1/1 - Protection of Recreation Provision in the Urban Area and Chapter 8 - Promoting healthy and safe communities of the National Planning Policy Framework.

- 9 The development hereby permitted shall not be brought into use until the Playing Field shown 2517 SDA P 09 has been cleared and laid out in accordance with Sport England and FA standards as indicated in Condition 8, so that it is available for use as a playing field/sports facility, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order amending, revoking or re-enacting that order) that area shall not thereafter be used for any purpose other than as a playing field.

Reason. To secure the provision and use of playing field before the occupation of the extension and to accord with Bury Unitary Development Plan Policy RT1/1 - Protection of Recreation Provision in the Urban Area and Chapter 8 - Promoting healthy and safe communities of the National Planning Policy Framework.

- 10 Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply the natural turf playing field laid out for 5v5 football and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."

Reason. To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Bury Unitary Development Plan Policy RT1/1 - Protection of Recreation Provision in the Urban Area and Chapter 8 - Promoting healthy and safe communities of the National Planning Policy Framework.

- 11 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. 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:
2. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site and temporary site access in the event that subsequent remedial works are required following construction of the development;
3. Access point/arrangements for construction traffic from Rudgwick Drive, taking into consideration the need to maintain safe pedestrian/vehicular access to the school, and all temporary works required to facilitate access for construction vehicles and reinstatement works required following completion of the development;
4. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto/along Rudgwick Drive;
5. Confirmation of hours of operation and number of vehicle movements;
6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
7. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
8. 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 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.

- 12 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.

- 13 Following the provisions of Condition 12 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.

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 pre-application discussions 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:

NPPF	National Planning Policy Framework
EN1/2	EN1/2 - Townscape and Built Design
EN5/1	EN5/1 - New Development and Flood Risk
EN7/3	EN7/3 - Water Pollution
EN6/4	EN6/4 - Wildlife Links and Corridors
CF2	CF2 - Education Land and Buildings
HT5/1	HT5/1 - Access For Those with Special Needs
CF1	CF1 - Proposals for New and Improved Community Facilities
CF1/1	CF1/1 - Location of New Community Facilities
RT1	RT1 - Existing Provision for Recreation in the Urban Area
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT1/2	RT1/2 - Improvement of Recreation Facilities
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
EN8/2	EN8/2 - Woodland and Tree Planting
EN6/3	EN6/3 - Features of Ecological Value
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:

Location Plan, 2517_SDA_P_01, 2517_SDA_P_02, 2517_SDA_P_03, 2517_SDA_P_04, 2517_SDA_P_05, 2517_SDA_P_06, 2517_SDA_P_07, 2517_SDA_P_08, 2517_SDA_P_09, 2517_SDA_P_10

NOTES TO APPLICANT

1. Whilst the development is very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all

work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

2. Informative: Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.
3. The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the any required highway remedial works. The cost of the works will be the responsibility of the developer.
4. **INFORMATIVE - The Control of Noise (Appeals) Regulations 1975, Section 60. Control of Noise on Construction Sites**

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

Signed:



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On behalf of the Council

Date of Decision: 19/02/2024