

NOTICE OF PLANNING PERMISSION

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

To:

Mr Christopher Ridout
Mott MacDonald
Spring Bank House
33 Stamford Street
Altrincham
WA14 1ES

On Behalf Of:

Mr Thomas Fearon
Environment Agency
Richard Fairclough House
Knutsford Road
Warrington
WA4 1HT

PART 1 - Particulars of Application

Application Number: 71622

Date of Registration: 17/02/2025

Proposal:

Installation of flood gates

Location:

Hardy's Gate Bridge, Dumers Lane, Bury,
BL9 9UR

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
RNV0000389C-BMM-DZ-4ZZ-DR-T-0213472, ENV0000389C-FHT-00-DR-C-1003 B, ENV0000389C-FHT-00-DR-C-2005 D, ENV0000389C-FHT-00-DR-C-2011 D, ENV0000389C-FHT-00-DR-C-2012 E, ENV0000389C-FHT-00-DR-C-2013 E, ENV0000389C-FHT-00-DR-C-2020 C, ENV0000389C-FHT-00-DR-C-2021 B, ENV0000389C-FHT-00-DR-C-2022 C, ENV0000389C-FCI-01-DR-X-0501 P05 Pages 1 - 7, ENV0000389C-FCI-01-DR-X-1302 P05 Pages 1 - 3 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 and Places for Everyone Joint Development Plan listed.
- 3 The development hereby approved shall only be carried out in accordance with the recommendations in the Radcliffe and Redvales FRMS - Hardy's Gate Bridge Flood Gates - Bat Survey Report, dated June 2023.
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 Section 11 of the National Planning Policy Framework.

- 4 No development shall take place or material or machinery brought on site, unless or until a method statement to protect the River Irwell from accidental spillages, dust and debris has been submitted to and approved in writing by the Local Planning Authority. All measures will be implemented and maintained for the duration of the construction period in accordance with the approved details.

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 Section 11 of the National Planning Policy Framework.

- 5 The development shall not commence unless or until details of a bat box and provision for nesting birds has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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 Section 11 of the National Planning Policy Framework.

- 6 Prior to construction, written agreement shall be provided from the Highway Authority for the proposed operation and maintenance arrangements for the gates on completion of the works.

Reason. To ensure that the proposed gates are maintained appropriately and are available for use pursuant to Policy EN1/4 - Street Furniture 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 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:

EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN1/4	EN1/4 - Street Furniture
EN1/11	EN1/11 - Public Utility Infrastructure
EN5/1	EN5/1 - New Development and Flood Risk
EN7	EN7 - Pollution Control
HT4	HT4 - New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
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:

RNV0000389C-BMM-DZ-4ZZ-DR-T-0213472
ENV0000389C-FHT-00-DR-C-1003 B
ENV0000389C-FHT-00-DR-C-2005 D
ENV0000389C-FHT-00-DR-C-2011 D
ENV0000389C-FHT-00-DR-C-2012 E
ENV0000389C-FHT-00-DR-C-2013 E
ENV0000389C-FHT-00-DR-C-2020 C
ENV0000389C-FHT-00-DR-C-2021 B
ENV0000389C-FHT-00-DR-C-2022 C
ENV0000389C-FCI-01-DR-X-0501 P05 Pages 1 - 7
ENV0000389C-FCI-01-DR-X-1302 P05 Pages 1 - 3

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 02/05/2025