

DELEGATED REPORT

Report by Helen Pressley	Date of report: 15/09/2025	Ref: 71673/CONDIS
Registration: 28/02/2025	LDFC: 27/03/2025	Expiry Date: 25/04/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: NREQ

Proposal: Application to discharge conditions on planning permission 71343: 4 & 5 (contaminated land), 10 (landscaping), 12 (drainage), 13 (water main)

Location: Saw Mills Off, Spring Street, Ramsbottom, Bury, BL0 9JQ

Description

The site formerly consisted of a two storey stone building and a timber outbuilding, which were formerly used as a saw mill. The two storey building was located along the boundary with Back Spring Street and access to the site is taken from Caltha Street, which is an unadopted street. These buildings have now been demolished and the site has been cleared.

This application seeks to vary of Condition 2 (approved plans) of planning permission 68578. The proposal seeks to revise the siting of the 4no. semi-detached dwellings, increasing the area of garden to the rear of the proposed semi detached dwellings. The proposed dwellings would be re-sited approximately 3.3 metres closer to the proposed parking courtyard to the front of these properties. The proposed detached dwelling would retain the previously approved siting.

Application to discharge conditions on planning permission 71343: 4 & 5 (contaminated land), 10 (landscaping), 12 (drainage), 13 (water main)

Relevant Planning History

70229 - Change of house type application for 68578 to remove dormers, increase the eaves heights to all house types, increase the width of the porches and internal alterations
- 24/09/2024

03028/E - Amendment to our approved site plan, planning reference 68578, from 4 dwellings in a row plus 1 detached; to 3 dwellings in a row plus 1 detached. - Enquiry completed 12/11/2024

54544 - Demolition of existing sawmill and associated out-building, and construction of 5 no. three bed dwellings. - Approve with Conditions 21/12/2011

63957 - Outline application for 5 no. dwellings with details of access (all other matters reserved) - Withdrawn by Applicant 16/05/2019

68578 - Demolition of existing sawmill and associated outbuilding and construction of 5 no. dwellings - Approve with Conditions 26/07/2023

70175 - Joining the two pairs of semi-detached houses, to create 4 no. terraced houses. Removal of the proposed dormers and increasing the eaves height by 865mm, to be replaced by attic trusses with roof lights. - Withdrawn - Invalid 07/11/2023

70229 - Change of house type application for 68578 to remove dormers, increase the eaves heights to all house types, increase the width of the porches and internal alterations
- Refused 22/12/2023 Dismissed at appeal

71343 - Variation of Condition 2 (approved plans) of planning permission 68578 (Demolition of existing saw mill and associated outbuilding and construction of 5 no. dwellings) - revised site layout - Approve with Conditions 29/01/2025

Publicity

N/A

Statutory/Non-Statutory Consultations

Environmental Health - Contaminated Land - Condition 4 can be discharged. Condition 5 can not be discharged until the submission of verification reports.

Borough Engineer - Drainage Section - No response

Greater Manchester Ecology Unit - Condition 10 can be discharged

United Utilities (Water and waste) - conditions 12 and 13 can be discharged

Pre-start Conditions - Not relevant

Development Plan and Policies

EC2/2	Employment Land and Premises
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S4	Flood Risk and the Water Environment
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

Condition 4

No development other than demolition 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.*

The following documents have been submitted and reviewed by the Environment Section:

Previously considered:

- Phase I Desk Study for Spring Street Sawmills, Demeter Environmental Ltd, Reference: 22-02-11, dated March 2022.
- Phase II Site Investigation Report, Demeter Environmental Ltd, reference 24-04-04 Revision 1, dated January 2025
- Phase II Site Investigation Report, Demeter Environmental Ltd, reference 24-04-04 Revision 2, dated March 2025
- Phase IIIa Implementation Plan, Demeter Environmental Ltd, reference 25-04-08 Revision 0, dated May 2025

A sufficient preliminary risk assessment was previously submitted and considered.

The Environment Section have reviewed the above and consider a suitable risk assessment has been undertaken.

Remedial actions have been identified, and imported soil is to be tested.

Verification is to be undertaken following remedial actions. A verification report should be submitted prior to occupation (condition 5 of application 71343).

Satisfactory information has been submitted to recommend that condition 4 be discharged.

Condition 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.*

Condition 10

A verification report detailing all remedial actions should be submitted and approved prior to occupation. This condition can not be discharged at this time.

Condition 10 - Landscaping

A landscaping scheme for hard and soft landscaping 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 7no. native trees and shrub planting and include the Reasonable Avoidance Measures for bats in accordance with Section 6.1 to 6.4 of the submitted Dusk Survey Results Report dated July 2023 by Tyrer Ecological Consultants Ltd for the provision of bat boxes and/or soffit/ridge access in the roofs within the new development. 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. 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.

Drawing M710/SSR/LAND/01B has been submitted in support of this application which includes native trees and bat boxes in line with the requirements of the condition have been proposed. GMEU have no objection to the prior to part of condition 10 being discharged.

Condition 12

No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Development Plan Policies JP-S4 - Flood Risk and the Water Environment, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

Drawing AW1-b02B - Rev B Dated 27/06/2024 was reviewed by United Utilities and no objections were raised to condition 12 being discharged.

Condition 13

No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason. In the interest of public health and to ensure protection of the public water supply pursuant to the principles of chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

The applicant has submitted additional information which United Utilities has reviewed. The updated RAMS now outlines the proposed demolition method. United Utilities has no objection to Condition 13 being discharged.

Recommendation: Split Decision

Conditions and Reasons:

- 1 The conditions of application 71343 listed below are approved:
Condition 4 - Contaminated Land

Condition 10 - Landscaping
Condition 12 - Drainage
Condition 13 - Water main

The following condition of application 71343 is refused:
Condition 5 - Contaminated Land (remediation). A verification report detailing all remedial actions should be submitted and approved prior to occupation. This condition can therefore not be discharged at this time.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	15/09/2025	DM	17/09/2025