

NOTICE OF PLANNING PERMISSION

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

To:

Mrs Margaret Eastham
PSA Design Ltd
6 The Old Bank House Berry Lane
Longridge
Preston
PR3 3JA

On Behalf Of:

Mr Garth Tickle
Mountford Properties Ltd
C/o Agent

PART 1 - Particulars of Application

Application Number: 67993

Date of Registration: 09/02/2022

Proposal:

Demolition of existing industrial unit and
erection of replacement industrial unit;
Widening of access with height restriction
gantry and sliding gates

Location:

Britannia Mill, Samuel Street, Bury, BL9 6PG

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 A3568/PL01, PL02, PL03, PL04/b, PL005/a, PL06/b, PL07a, PL08 and PL09 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 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 Unitary Development Plan Policies EN5/1- New Development and Flood Risk , 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.

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. 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.

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 15 - Conserving and enhancing the natural environment.

7 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 construction of the development, works to the site boundary and as a result of statutory undertakers connections to the site;
- Access point(s) for construction traffic from the adopted highway at and all temporary works required to facilitate access for ground works/construction vehicles;
- 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 or on land within the applicant's control 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 adequate visibility splays at the junction of the site access with Samuel Street, including the provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
- 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 construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of 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 brought into use.

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.

- 8 Notwithstanding the details shown indicatively on the approved plan reference A3568-PL09, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:

- Measures to ensure that adequate levels of visibility are provided at the back of the Samuel Street footway to ensure that emerging vehicles can see and be seen by pedestrians on the adjacent footway;
- Formation of the proposed accesses alterations/footway works on Samuel Street to an industrial specification to be agreed, incorporating the removal of part of the boundary wall shown/further extents required to comply with the above, a height restriction barrier of a height that restricts delivery/service vehicles to 'Transit van' sized vehicles with foundations that do not extend under/adversely affect the existing adopted highway, segregated pedestrian facility with inward opening gate, demarcation of the limits of the adopted highway and all associated highway and remedial works required as a result of the proposed development;
- Scheme of surface water drainage works if required to supplement the permeable tarmac hardstanding material proposed and to ensure that surface water will not be discharged from the site onto the adjacent adopted highway;
- The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority with all highway works completed prior to the development hereby approved being occupied/brought into use.

Reason. To maintain the integrity of the adopted highway in the interests of highway

safety pursuant to UDP Policy EC4/1 Small Businesses, EC6/1 - New Business, Industrial and Commercial Development and HT2/4 Car Parking and New Development.

- 9 The car parking indicated on the approved plans, incorporating the 'elongated' spaces shown in order to facilitate 'Transit van' sized vehicles, shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use and thereafter maintained at all times.
Reason. To ensure adequate off street car parking provision is available for use, in the interests of road safety pursuant to UDP Policy HT2/2 Car Parking and New Development.
- 10 The turning facilities indicated on the approved plans shall be provided and demarcated before the development is brought into use 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 EC6/1 - New Business, Industrial and Commercial Development.
- 11 The bin storage arrangements indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development hereby approved is brought into use and thereafter be maintained available for use at all times.
Reason. To ensure adequate off-highway bin storage arrangements are provided within the curtilage of the site, in the interests of highway safety Pursuant to UDP Policy EC6/1 - New Business, Industrial and Commercial 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:

NPPF	National Planning Policy Framework
EN1/2	EN1/2 - Townscape and Built Design
EC2/1	EC2/1 - Employment Generating Areas
EC6/1	EC6/1 - New Business, Industrial and Commercial Development
HT2/4	HT2/4 - Car Parking and New Development
EC4/1	EC4/1 - Small Businesses

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 A3568/PL01, PL02, PL03, PL04/b, PL005/a, PL06/b, PL07a, PL08 and PL09.

NOTES TO APPLICANT

1. The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the adopted highway.

Signed:

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

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On behalf of the Council

Date of Decision: 26/05/2022