

NOTICE OF PLANNING PERMISSION

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

To:

Prof Bob May
Ryan & May
11 Pilkington Avenue
Radcliffe
Manchester
M26 4LS

On Behalf Of:

Mr M Hallows
2 Pilkington Avenue
Radcliffe
Manchester
M36 4LS

PART 1 - Particulars of Application

Application Number: 70921

Date of Registration: 24/07/2024

Proposal:

Demolition of part of engineering workshop building (Class E) and erection of workshop building for classic car restoration (E1) in association with existing garage

Location:

Sheet Metal Works, 49 Bury Road, Radcliffe, Manchester, M26 2UG

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 permission relates to the following plans and documents:

Drawing Ref. Location Plan - UK Planning Maps;
Drawing no. HALL/08: Proposed Site Plan;
Drawing no. HALL 01/03B: Proposed Plan;
Drawing no. HALL01/05: Existing and Proposed Front Elevation;
Drawing no. HALL 01/04: Proposed Rear and Side Elevations;
Drawing no. HALL 01/06A: Proposed Roof Plan;
Drawing no. HALL09: Site Entrance Detail;
Drawing no. HALL01/10: Proposed Gate;
Document Ref. Materials sheet - BRG application for replacement workshop; and,
Document Ref. Daytime Licensed Bat Survey and Ecological Assessment, dated September 2024, carried out by ERAP (Consultant Ecologists) Ltd Reference: 2024-194

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings and documents..

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

3 No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:

1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of any statutory undertakers connections to the site;
2. Access route for all demolition/construction vehicles to the site from the Key Route Network;
3. Access point/arrangements for demolition/construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to adjacent commercial premises and all temporary works required to facilitate access for demolition/construction vehicles;
4. Hours of work for site preparation, delivery of materials and construction and number of vehicle movements;
5. Arrangements for the parking of vehicles for site operatives and visitors on land within the applicant's control, together with storage on site or on land within the applicant's control of demolition/construction materials;
6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres including details of areas designated for the loading, unloading and storage of plant and materials;
7. Details of the siting, height and maintenance of any security hoarding of the adopted highway and visibility splays at the junction of the existing site access with Bury Road that need to be retained;
8. The provision, where necessary, of temporary pedestrian facilities/protection measures within the curtilage of the site;
9. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
10. Arrangements for the provision of wheel washing facilities for vehicles accessing the site;
11. 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 control the emission of noise, dust and dirt during construction;
12. A scheme for recycling/disposing of waste resulting from construction works.

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.

Reason: To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, 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 and Policy JP-C8: 'Transport Requirements of New Development' of the Places for Everyone Joint Development Plan.

- 4 The development hereby approved shall not be brought into use until two House Sparrow terraces have been installed beneath the eaves on the western elevation of the building hereby approved as recommended in paragraph 5.2.11 of the ERAP Ecological Assessment (July 2024) submitted with the application. The House Sparrow terraces shall thereafter be retained for the duration of the development.

Reason: In order to minimise the developments impacts on local wildlife populations and secure enhancements to biodiversity, in accordance with Policies EN6/3: Features of Ecological Value and EN6/4: Wildlife Links and Corridors of the Bury Unitary Development Plan, Policy JP-G8: A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 5 Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed in the approved Materials Sheet accompanying the application.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Policy EN2/1: Townscape and Built Environment of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 6 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 180(f), 189 and 190 of the National Planning Policy Framework (December 2023).

- 7 The pedestrian access improvements, refuse storage, and access arrangements to be provided within the curtilage of the site shall be made available for use to the satisfaction of the Local Planning Authority prior to the development hereby

approved being brought into use and thereafter maintained at all times.

Reason: In the interests of pedestrian safety, in accordance with Policy HT6/1: 'Pedestrian and Cycle Movement' of the Bury Unitary Development Plan and Policies JP-C1: 'An integrated Network' and JP-C8: 'Transport Requirements of New Development' of the Places for Everyone Joint Development Plan.

- 8 The car parking and servicing facilities indicated on the approved plans shall be surfaced, demarcated and made available for use to the 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 and to minimise the standing and turning movements of vehicles on the highway, in the interests of road safety, in accordance with Policy JP-C8: 'Transport Requirements of New Development' of the Places for Everyone Joint Development Plan.

- 9 Bin storage arrangements shall be provided within the curtilage of the site in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reason: To ensure that adequate bin storage arrangements are provided within the curtilage of the proposed development, in accordance with Policy EN1/2: 'Townscape and Built Design' of the Bury Unitary Development Plan, Policy JP-C8: 'Transport Requirements of New Development' of the Places for Everyone Joint Development Plan, and the National Planning Policy Framework.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the building shall be used for Class E(g)(iii) Industrial processes purposes (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) only, and for no other purpose (including any other use which falls within use class E of the same Order or any equivalent Order following the revocation and re-enactment thereof, with or without modification).

Reason: To restrict the use of the building to an operation which is compatible with the nature of surrounding uses and to prevent future changes of use which have the potential to detract from the character of the area and/or harm the amenities of surrounding occupiers in accordance with the requirements of Policy EC2/2: Employment Land and Premises Outside the Employment Generating Areas of the Bury Unitary Development Plan and the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

- EC2/2 EC2/2 - Employment Land and Premises Outside the Employment Generating Areas
- EC4/1 EC4/1 - Small Businesses
- EN1/2 EN1/2 - Townscape and Built Design
- JP-C2 Digital Connectivity
- JP-G8 A Net Enhancement of Biodiversity and Geodiversity

JP-C8 Transport Requirements of New Development
JP-S2 Carbon and Energy
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:

NOTES TO APPLICANT

1. In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at <https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>
2. It is brought to your attention that the demolition of any building or structure over 50 cubic metres requires notice under Section 80 of the Building Act 1984 to be given to the Local Authority Building Control Section, in writing, a minimum of six weeks prior to any demolition work starting. The on-line form can be found on www.bury.gov.uk
3. The applicant's attention is drawn to the need to consult the Department for Operations/ Local Highway Authority regarding the construction of a footway crossing. The cost of the construction will be the responsibility of the developer.
4. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system
5. The Control of Noise Regulations 1974, 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 1974.

Signed:

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

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On behalf of the Council

Date of Decision: 17/10/2024