

NOTICE OF PLANNING PERMISSION

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

To:

Amanda Olley
Summit Planning Associates
85 Great Portland Street
London
W1W 7LT

On Behalf Of:

Chicken
Quanthill Limited
12 Tenterden Street
Bury
BL9 0EG

PART 1 - Particulars of Application

Application Number: 69996

Date of Registration: 11/09/2023

Proposal:

Conversion of 1no. dwelling and workshop to 2no. flats and 3no. dwellings with single storey rear extensions, new roof with raised eaves and replacement windows.

Location:

The Smithy and 10-14 Paradise Street,
Ramsbottom, Bury, BL0 9BS

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 20.579.SLP, 20.579.01, 20.579.02, 20.579.03, 20.579.04 (1 OF 4), 20.579.04 (2 OF 4), 20.579.04 (3 OF 4), 20.579.04 (4 OF 4), 20.579.30 C, 20.579.31 C, 20.579.32 C, 20.579.33 B, 20.579.34 B, 20.579.35 D, 20.579.36 B 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 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 Policies EN1/1 Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/1 - Character of Conservation Areas, EN1/2 - Townscape and Built Design and H2/1 - The Form of

New Residential Development.

- 4 Notwithstanding details shown on the approved plans, the rear first floor elevation shall be finished in stone to match the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies EN1/1 Visual Amenity, EN2/1 - Character of Conservation Areas, EN2/1 - Character of Conservation Areas, EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.
- 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 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.

- 8 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. Photographic dilapidation survey of the adopted highway abutting the site in the event that subsequent remedial works are required following construction of the development;
2. Access arrangements for construction traffic from the adopted highway, via Factory Street/Paradise Street including use of appropriately sized vehicles in order to be able to utilise the existing restricted access route;
3. Hours of operation and number of vehicle movements;
4. Proposals for the provision of parking facilities/arrangements for site operatives in view of a lack of available existing parking facilities in close proximity to the site;
5. Storage on site/on land within the applicant's control of construction materials, including any requisite phasing of the development to accommodate this;
6. If proposed, site hoarding positions including the provision, where necessary, of safe scaffolding arrangements and temporary pedestrian facilities/protection measures on the adopted highway.

The approved plan shall be adhered to throughout the demolition/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.

- 9 Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted to and agreed with the Local Planning Authority:

1. Full reconstruction of the footway abutting the site incorporating the reinstatement of the redundant footway crossing in materials suitable for use in a Conservation Area, to a scope and specification to be agreed with the Highway Authority and Local Planning Authority and all associated accommodation works required to tie the reconstructed footway into adjacent footway levels on Paradise Street and to minimise proposed door threshold levels;
2. Revised bin store door arrangements that do not project or open out into the adjacent adopted highway;
3. Ground floor windows of a type/design that do not open into the path of pedestrians on the adjacent Paradise Street footway.

The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to the development hereby approved being first occupied.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, EN2/1 - Character of Conservation Areas, EN2/2 -

Conservation Area Control and HT6/2 - Pedestrian/Vehicular Conflict.

- 10 The bin storage arrangements indicated on the approved plans shall be implemented prior to the development hereby approved being occupied and thereafter maintained 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 Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.
- 11 Notwithstanding the details shown on the approved plans 1no. bat box and 1no.bird box shall be installed prior to the development hereby approved being first occupied.
Reason. To secure the satisfactory development of the site and in the interest of enhancing the natural and local environment pursuant to H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design, EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and paragraph 180 of the National Planning Policy Framework.
- 12 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 13 No electricity, gas or water meter boxes shall be fixed to the front elevation of the buildings.
Reason. To ensure that future inappropriate alterations do not occur pursuant to policies of the Unitary Development Plan listed.

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:

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| EC2/2 | EC2/2 - Employment Land and Premises Outside the Employment Generating Areas |
| H1/2 | H1/2 - Further Housing Development |
| H2/1 | H2/1 - The Form of New Residential Development |
| H2/2 | H2/2 - The Layout of New Residential Development |
| EN1/1 | EN1/1 - Visual Amenity |
| EN1/2 | EN1/2 - Townscape and Built Design |
| EN2/1 | EN2/1 - Character of Conservation Areas |
| EN2/2 | EN2/2 - Conservation Area Control |
| EN2/3 | EN2/3 - Listed Buildings |
| EN6 | EN6 - Conservation of the Natural Environment |
| EN6/3 | EN6/3 - Features of Ecological Value |

EN7	EN7 - Pollution Control
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
Area	Area RM2 - St Paul's/Crow Lane
RM2	
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
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:

20.579.SLP, 20.579.01, 20.579.02, 20.579.03, 20.579.04 (1 OF 4), 20.579.04 (2 OF 4), 20.579.04 (3 OF 4), 20.579.04 (4 OF 4), 20.579.30 C, 20.579.31 C, 20.579.32 C, 20.579.33 B, 20.579.34 B, 20.579.35 D, 20.579.36 B

NOTES TO APPLICANT

1. The applicant's attention is drawn to the need to consult the Department for Operations regarding the specification for and implementation of the required highway works. The cost of the works will be the responsibility of the developer.
2. The applicant's attention is drawn to the need to consult the Department for Operations in order to obtain any highway permits that may be required prior to works affecting the adopted highway commencing. The cost of any permits and necessary works/measures will be the responsibility of the applicant.
3. 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.
4. Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified shall be disposed of in an appropriate manner.
5. **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.

6. Whilst the buildings to be converted have been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation 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). Natural England should also be informed.

Signed:



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On behalf of the Council

Date of Decision: 18/01/2024