

NOTICE OF PLANNING PERMISSION

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

To:

Mr Ma
TADW Architects
6 St Petersgate
Stockport
SK1 1HD

On Behalf Of:

Mr Smallman
Onward Homes
12 Hanover Street
Liverpool
L1 4AA

PART 1 - Particulars of Application

Application Number: 66074

Date of Registration: 29/10/2020

Proposal:

Removal of condition no. 15 (affordable housing) of planning permission 65379 and replacement with s106 agreement

Location:

Lord Clive Pub, 92 Mersey Drive, Whitefield, Manchester, M45 8LF

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 Location plan, 021291 02 P1, 021291 03 P1, 021291 03 P3, 021291 03 P5, 021291 04 P9, 021291 05 P5, 021291 06 P1, 021291 07 P1, ELL/19047/WH/L/360, ELL/19047/WH/L/175, ELL/19047/WH/L/140, ELL/19047/WH/L/120 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 The development shall be carried out in accordance with the Remediation Strategy contained within the Combined Phase 1 and Phase 3 Geo-environmental Investigation and Risk Assessment, LK Consult, Reference: LKC 20 1203-01, July 2020, Asbestos Demolition Survey, Lord Clive, 92 Mersey Drive, Whitefield, M45 84F, Armco, Reference: B-17490, 22 January 2020, Email, from LKC, an MMP will not be used, 15 July 2020 and 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.

- 4 Prior to occupation the applicant shall provide one EV charging point per 10 spaces (unallocated parking).
Reason: In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.
- 5 The demolition works hereby approved shall be carried out in accordance with Section 8.2 of the Inspection & Assessment in relation to Bats and Breeding Birds, dated January 2020.
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 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.
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 National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 7 The development hereby approved shall be carried out in accordance with the landscaping scheme approved as part of condition 7 of permission 65379. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and 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.
- 8 The development hereby approved shall be carried out in accordance with the Construction Management Plan, Traffic Management Plan and Dilapidation Survey. 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 The development hereby approved shall not be first occupied unless and until the

access alterations indicated on approved plan reference 021291 03 P5, incorporating all associated highway and highway drainage remedial works required as a result of the demolition works, construction of the development and statutory undertakers connections to the block of apartments, have been implemented to an agreed scope and specification and to the satisfaction of the Local Planning Authority.

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 the following Policies of the Bury Unitary Development Plan:

Policy EN1/2 - Townscape and Built Design

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development.

- 10 The off-highway bin storage facilities indicated on approved plan reference 021291 03 P5 shall be provided before the development is first occupied and shall subsequently be maintained available for use at all times.
Reason. To ensure adequate off-highway bin storage facilities are provided within the curtilage of the site in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 11 The turning facilities indicated on approved plan reference 021291 03 P5 shall be provided before the development is first occupied and the areas used for the manoeuvring of vehicles in the parking area 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 pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development.
- 12 The car parking indicated on approved plan reference 021291 03 P5 shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 13 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Surface Water Drainage Design Drawings ELL/20017/WH/L/120, ELL/20017/WH/L/140, ELL/20017/WH/L/175, ELL/20017/WH/L/360. The development shall be completed in accordance with the approved details.
Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding 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.
- 14 Foul and surface water shall be drained on separate systems.
Reason. 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.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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:

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
H4/1	H4/1 - Affordable Housing
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN7	EN7 - Pollution Control
EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
RT2/2	RT2/2 - Recreation Provision in New Housing Development
HT2/4	HT2/4 - Car Parking and New Development
HT5/1	HT5/1 - Access For Those with Special Needs
SPD1	Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development
SPD5	Development Control Policy Guidance Note 5: Affordable Housing Provision in New Residential Developments
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development 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:

Location plan

NOTES TO APPLICANT

1. This recommendation relates to the revised plans received by this Section on 11 June 2020.
2. 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.

3. The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations that may be required for the boundary walls/railings under the adjacent adopted highway.
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. This planning permission needs to be read in conjunction with the binding S106 Planning Agreement signed on 11 June 2021

Signed:



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On behalf of the Council

Date of Decision: 24/06/2021