

NOTICE OF PLANNING PERMISSION

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

To:

Mrs Gillian Worden
Focus Town Planning Limited
Egerton House
Towers Business Park
Didsbury
Manchester
M20 2DX

On Behalf Of:

Mr Mike Watson
Watson Construction Limited
Spark Studio
208-210 Great Clowes Street
Salford
Manchester
M7 2ZS

PART 1 - Particulars of Application

Application Number: 72398

Date of Registration: 19/09/2025

Proposal:

Variation of condition nos. 1 (approved drawings), 4 (remediation), 8 (noise), 21 (vehicular & pedestrian arrangements), 22 (turning facilities), 23 (car and cycle parking) and 24 (bin storage) on planning permission 70333 (Mixed-use development comprising 132 apartments, bar, commercial and office spaces) - include a phasing plan with subsequent phasing of the remediation strategy; parking servicing and bin storage arrangements

Location:

Land at Green Street, Radcliffe

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 This decision relates to drawings numbered 121305 01 P1, 121305 10 P1, 121305 11 P20, 121305-TADW-11-[-1]-DR-A-0021-P-8, 121305-TADW-00-00-DR-A-0022-P-10, 121305-TADW-00-01-DR-A-0023-P-9, 121305-TADW-00-02-DR-A-0024-P-9, 121305-TADW-00-03-DR-A-0025-P-8, 121305-TADW-00-04-DR-A-0026-P-8, 121305-TADW-00-05-DR-A-0027-P-8, 121305-TADW-00-ZZ-DR-A-0028-P-8, 121305-TADW-00-ZZ-DR-A-0029-P-7, 121305-TADW-00-ZZ-DR-A-0030-P-8, 121305-TADW-00-ZZ-DR-A-0031-P-7, 121305-TADW-00-05-DR-A-0032-P-1, 121305-TADW-00-ZZ-DR-A-0041-P-10, 121305-TADW-00-ZZ-DR-A-0042-P-10, 121305-TADW-00-ZZ-DR-A-0043-P-10, 121305-TADW-00-ZZ-DR-A-0044-P-10, 121305-TADW-00-ZZ-DR-A-0045-P-9, ELL/21164/WH/L/1000 A , 121305 100 P1
Revised Affordable Housing Statement Rev 4 April 2024

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.

- 2 The residential units in Building B and Building C hereby approved shall be occupied at all times as affordable housing as defined in the Revised Affordable Housing Statement Rev 4 April 2024 (received 23/04/2024).

Reason. The proposed development has been granted given the particular circumstances of the applicant and the opportunity to provide increased affordable housing, but as a result a recreational contribution pursuant to Supplementary Planning Document 1 (Open Space, Sport and Recreation Provision in New Housing Development) will not be provided. This condition is thereby to ensure that in order to make the development acceptable in planning terms, as a result of not making a recreational contribution the whole development shall instead contribute to satisfying the need for affordable housing provision.

- 3 The development hereby approved shall be carried out in accordance with the details approved under condition 4 of planning permission ref 68998. Only the approved materials shall be used for the construction of the development.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design.

- 4 Following the provisions of Condition 5 of planning permission ref 68998, 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.

This condition can be satisfied in the phases on approved plan reference 121305 100 P1

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.

- 5 The development hereby approved shall be carried out in accordance with the details approved under condition 7 of planning permission ref 68998.

Reason. In accordance with the principles of 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.

- 6 The development hereby approved shall be carried out in accordance with the details approved under condition 10 of planning permission ref 68998.

Reason. The information is required to reduce the impacts of dust disturbance from the site on the local environment, pursuant to chapter 11 of the NPPF - Conserving and enhancing the natural environment.

- 7 Prior to occupation of the commercial units hereby approved, a scheme for treating, diluting and dispersing fumes from and odours has been submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include a written statement from a suitably qualified person who is a member of the Heating and Ventilation Contractors Association (HVCA) or an equivalent professional body, stating that the fume treatment to be installed complies with or exceeds the 'Minimum Requirements For Odour Control' provided by the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems :DEFRA 2005 (or if

applicable such superseding guidance as shall prevail at the time of commencement of the development).

The scheme to be submitted shall also include the relevant manufacturer and installer instructions for any associated equipment with details of maintenance requirements.

Reason. The application contains insufficient detail in order to demonstrate that the required scheme would maintain the residential amenities of nearby residential property from impact upon from fumes and odour pursuant to UDP Policy S2/6 - Food and Drink.

- 8 The mitigation measures identified in the Noise Impact Assessment, dated 16 December 2021 shall be implemented as proposed in full prior to first occupation of the dwellings hereby approved.
This condition can be satisfied in the phases on approved plan reference 121305 100 P1.
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
- 9 The construction of the separating floor between the bar and offices (as shown on plan reference 121305-TADW-00-00-DR-A-0022-P-9) hereby approved must achieve an on-site sound insulation value of at least 50dB.
Reason. To protect the amenities of the future occupiers of the offices pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
- 10 The construction of the separating floor between the commercial unit (74.4 square metres as shown on plan reference 121305-TADW-00-00-DR-A-0022-P-9) and the residential dwellings hereby approved must achieve an on-site sound insulation value of at least 55dB.
Reason. To protect the residential amenities of the future occupiers of the dwellings pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
- 11 The noise levels within the commercial unit (173 square metres as shown on plan reference 121305-TADW-00-00-DR-A-0022-P-9) shall not exceed 85dB(A).
Reason. To protect the residential amenities of the future occupiers of the dwellings pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
- 12 The development hereby approved shall be carried out in accordance with the details approved under condition 16 of planning permission ref 68998.
Reason. In the interest of public health and to ensure protection of the public sewer system pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
- 13 The development hereby approved shall be carried out in accordance with the details approved under condition 17 of planning permission ref 68998.
Reason. To promote sustainable development and reduce flood risk pursuant to Places for Everyone Policy JP-S4 - Flood Risk and the Water Environment, Unitary Development Plan Policies 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 The development hereby approved shall be carried out in accordance with the details approved under condition 18 of planning permission ref 68998.
Reason. In the interest of public health and to ensure protection of the public water supply pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary

Development Plan.

- 15 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 JP-G8 - A Net Enhancement of Biodiversity and Geodiversity, 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.
- 16 The development hereby approved shall be carried out in accordance with the details approved under condition 20 of planning permission ref 68998.
Reason. To ensure the safe and satisfactory development of the site in the interest of Policy JP-G1 - Landscape Character and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 17 The development hereby approved shall be carried out in accordance with the details approved under condition 21 of planning permission ref 68998.
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.
- 18 The development hereby approved shall be carried out in accordance with the details approved under condition 22 of planning permission ref 68998.
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, all in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EC6/1 - Assessing New Business, Industrial and Commercial Development
Policy EN1/2 - Townscape and Built Design
Policy H2/2 - The Layout of New Residential Development.
- 19 The development hereby approved shall be carried out in accordance with the details approved under condition 23 of planning permission ref 68998.
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, all in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EC6/1 - Assessing New Business, Industrial and Commercial Development
Policy EN1/2 - Townscape and Built Design
Policy H2/2 - The Layout of New Residential Development.
- 20 The development hereby approved shall be carried out in accordance with the details approved under condition 24 of planning permission ref 68998.
Reason. 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 JpE Policies JP-C5 - Streets for All and JP-C6 - Walking and Cycling.
- 21 The vehicular and pedestrian access arrangements within the curtilage of the site

indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority before the development hereby approved is brought into use/first occupied.

This condition can be satisfied in the phases on approved plan reference 121305 100 P1.

Reason. To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - Assessing New Business, Industrial and Commercial Development

Policy EN1/2 - Townscape and Built Design

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

- 22 The turning facilities within the curtilage of the site indicated on the approved plans shall be provided before the development hereby approved is brought into use/first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

This condition can be satisfied in the phases on approved plan reference 121305 100 P1.

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 EC6/1 - Assessing New Business, Industrial and Commercial Development

Policy EN1/2 - Townscape and Built Design

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

- 23 The car and cycle parking indicated on the approved plans shall be surfaced, demarcated and made available for use before the development hereby approved is brought into use/first occupied and thereafter maintained at all times.

This condition can be satisfied in the phases on approved plan reference 121305 100 P1.

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.

- 24 Bin storage arrangements shall be provided within the curtilage of the development for all uses in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments' before the development hereby approved is brought into use/first occupied and shall thereafter be maintained.

This condition can be satisfied in the phases on approved plan reference 121305 100 P1.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to the following Policies of the Bury Unitary Development Plan:

Policy EC6/1 - Assessing New Business, Industrial and Commercial Development

Policy EN1/2 - Townscape and Built Design

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

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:

EC5/2	EC5/2 - Other Centres and Preferred Office Locations
EC6/1	EC6/1 - New Business, Industrial and Commercial Development
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
EN1/4	EN1/4 - Street Furniture
EN1/5	EN1/5 - Crime Prevention
EN1/7	EN1/7 - Throughroutes and Gateways
EN1/8	EN1/8 - Shop Fronts
EN2	EN2 - Conservation and Listed Buildings
EN2/3	EN2/3 - Listed Buildings
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
EN8	EN8 - Woodland and Trees
EN8/2	EN8/2 - Woodland and Tree Planting
RT2/2	RT2/2 - Recreation Provision in New Housing Development
S1/2	S1/2 - Shopping in Other Town Centres
S2/1	S2/1 - All New Retail Proposals: Assessment Criteria
S2/6	S2/6 - Food and Drink
HT2/3	HT2/3 - Improvements to Other Roads
HT2/4	HT2/4 - Car Parking and New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
TC2	TC2 - Town Centre Enhancement and Development
TC2/2	TC2/2 - Mixed Use Development
TC2/3	TC2/3 - Vacant and Cleared Sites
Area	Area RD2 - Green Street/New Church Street
RD2	
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
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:

121305 100 P1

NOTES TO APPLICANT

Not Applicable

Signed:

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

7 of 7

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On behalf of the Council

Date of Decision: 28/11/2025