

NOTICE OF PLANNING PERMISSION

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

To:

Mr Williams
Mosaic Town Planning
Bloc
17 Marble Street
Manchester
M2 3AW

On Behalf Of:

Harrison
Bury College
Woodbury Centre
Market Street
Bury
BL9 0BG

PART 1 - Particulars of Application

Application Number: 68453

Date of Registration: 06/07/2022

Proposal:

Variation of conditions 2 and 3 following approval of planning permission ref. 66978 - Amendments to approved landscaping, lighting details and external finishing materials

Location:

Site of Former Peel Health Centre, Market Street / Angouleme Way, Bury, BL9 0EQ

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 P 6946 L 00 03 02, P 6946 L(1-) 12 6, P 6946 L(1-) 12 7 (phasing), P 6946 L(1-) 13 6, P 6946 L(1-) 13 7 (phasing), P 6946 L(1-) 14 6, P 6946 L(1-) 14 7 (phasing), P 6946 L(1-) 15 6, P 6946 L(1-) 15 7 (phasing), P 6946 L(1-) 17 1, P 6946 L(1-) 17 2 (phasing), P 6946 L(2-)24 01, P 6946 L(2-)25 00, P 6946 L(2-)26 00, P 6946 SK36 01, BCS-ITR-00-XX-DR-L-0110 P01, BCS-ITR-00-XX-DR-L-0010 P01, BCS-ITR-00-XX-DR-L-0011 P01, BCS-ITR-00-XX-DR-L-0012 P01, BCS-WSL-ZZ-FN-DR-S-20001 T02 and BCS-WBS-ZZ-SS-DR-E-63102 P01; Landscape Design and Access Statement Section BCS-ITR-00-XX-RP-L-0002 P03 March 2022; Courtyard Redesign BCS-ITR-00-XX-RP-L-0010; BCS-WBS-ZZ-ZZ-DR-E-63101 P06 External lighting and power layout 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 external finishing materials for the proposal hereby approved shall be as follows:
Brick
Type: Brick Slip
Colour: Red (SR7)

Size: 235mm x 75mm

Cladding

Type: Eurobond Europanel f5 Extra 2400mm Wall Panels

Colour: Colorcoat Prisma "Oxide Red Textured"

Curtain wall framing and external Doors

Type: Curtain walling - SF52 Fully Capped Glazing System, Door - 190 aluminium welded door

Colour: Permacover Plus min film thickness 60 microns RAL 9007

Brise soleil fins

Type: ASL 400V Vertical Fins

Colour: Satin anodised aluminium "Natural 100A"

Size: 400mm x 50mm vertical fins

Only the approved materials/bricks 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.

- 3 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 and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.
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.
- 4 The development hereby approved shall be carried out in accordance with the landscaping scheme previously approved under ref 66978 and amendments detailed in the submitted Courtyard Redesign BCS-ITR-00-XX-RP-L-0010 June 2022 and Landscape Design and Access Statement Section BCS-ITR-00-XX-RP-L-0002 P03 March 2022 and shall include the provision of 2 bird boxes and native trees. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority. This condition can be satisfied in phases.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
- 5 Following the provisions of Condition 6 of planning permission ref 66978, the Remediation Strategy approved under ref 66978 shall be fully implemented in accordance with the strategy's recommendations.
A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence and a Materials Management Plan 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 phases.

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.

- 6 The development hereby approved shall be carried out in accordance with the drainage scheme and details approved under planning application ref 66978. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

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.

- 7 Foul and surface water shall be drained on separate systems.

Reason. To secure proper drainag and to manage the risk of flooding and pollution 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 The application hereby approved shall be carried out in accordance with physical security specifications set out within the Security Needs Assessment received on the 13th May 2021 under planning permission ref 66978.

Reason. To reduce opportunities for crime pursuant to Unitary Development Plan Policy EN1/5 - Crime Prevention.

- 9 The development hereby approved shall be carried out in accordance with the approved documents and plans submitted for condition 12 for planning permisison ref 66978 which address the following bullet points, subject to entering into a S278 Agreement with the Highway Authority -

- Reconstruction of all affected footways abutting the site to a scope and specification to be agreed, incorporating the replacement of the northerly kerbline on Trinity Street, reinstatement of the redundant vehicular accesses, provision of a section of extended footway and footway crossing to access the proposed 'Trinity Street Car Parking', demarcation of the limits of the adopted highway with flush (at all pedestrian/vehicular access points)/50mm upstand (adjacent to all ornamental grass beds/planted borders) edgings and all associated highway and highway drainage remedial works required as a result of the development;
- Provision of level pedestrian accesses at the interface with the existing adopted highway;
- Extension of the existing pedestrian guardrailing on Market Street to a scope and specification to be agreed in the vicinity of the proposed pedestrian access from Market Street to the stepped access to the main entrance;
- Scheme of surface water drainage works/hardstanding materials to ensure that surface water will not be discharged from the site onto the adjacent adopted highway from the hard paved areas proposed;
- Provision of a street lighting assessment of Trinity Street and the junction with Market Street, and, if required, subsequent scheme of improvements to existing street lighting on the adopted highway, incorporating the replacement of all affected street lighting columns as a result of the assessment and proposed access arrangements in positions to be agreed;

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 and HT6/2 - Pedestrian/Vehicular Conflict.

- 10 The approved development shall be constructed in accordance with the submitted Construction Environmental Management Plan Issue 02 received 7th October 2021 for planning permission ref 66978. 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 proposal shall ensure that a minimum footway of 1.5metres is maintained on Angouleme Way/ Market Street at all times with an alternative footway to be used on Trinity Street. No crane is approved to oversail the adopted highway. 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. 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.
- 11 The car parking indicated on the approved plans submitted and approved under planning ref 66978 shall be surfaced in a porous/permeable material and/or incorporate measures to prevent the discharge of surface water onto the adjacent adopted highway and be made available for use prior to the development hereby approved being occupied/brought into use and thereafter maintained at all times. This condition can be satisfied in phases.
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.
- 12 The bin storage arrangements indicated on the approved plans under planning ref 66978 shall be implemented before the development hereby approved is brought into use and thereafter be maintained available for use at all times. This condition can be satisfied in phases.
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.
- 13 Prior to occupation the applicant shall provide one fast capability electric vehicle (EV) charging point.
Reason. 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 pursuant Chapter 9 - Promoting sustainable transport of the National Planning Policy Framework.

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:

CF1/1	CF1/1 - Location of New Community Facilities
CF2	CF2 - Education Land and Buildings
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/5	EN1/5 - Crime Prevention
EN1/7	EN1/7 - Throughroutes and Gateways
EN5/1	EN5/1 - New Development and Flood Risk
EN6/3	EN6/3 - Features of Ecological Value
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
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:

P 6946 L 00 03 02, P 6946 L(1-) 12 6, P 6946 L(1-) 12 7 (phasing), P 6946 L(1-) 13 6, P 6946 L(1-) 13 7 (phasing), P 6946 L(1-) 14 6, P 6946 L(1-) 14 7 (phasing), P 6946 L(1-) 15 6, P 6946 L(1-) 15 7 (phasing), P 6946 L(1-) 17 1, P 6946 L(1-) 17 2 (phasing), P 6946 L(2-)24 01, P 6946 L(2-)25 00, P 6946 L(2-)26 00, P 6946 SK36 01, BCS-ITR-00-XX-DR-L-0110 P01, BCS-ITR-00-XX-DR-L-0010 P01, BCS-ITR-00-XX-DR-L-0011 P01, BCS-ITR-00-XX-DR-L-0012 P01, BCS-WSL-ZZ-FN-DR-S-20001 T02 and BCS-WBS-ZZ-SS-DR-E-63102 P01; Landscape Design and Access Statement Section BCS-ITR-00-XX-RP-L-0002 P03 March 2022; Courtyard Redesign BCS-ITR-00-XX-RP-L-0010; BCS-WBS-ZZ-ZZ-DR-E-63101 P06 External lighting and power layout

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 and any street lighting improvements. The cost of the works, permits and licences will be the responsibility of the developer.
2. The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations required for the development under the adjacent adopted highway.
3. **INFORMATIVE - The Control of Noise 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.

4. **United Utilities Informative**

Water Supply

Although water supply in the area is compliant with current regulatory standards, we recommend the applicant provides water storage of 24 hours capacity to guarantee an adequate and constant supply.

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted along with an application for water. This will aid in our design of future pipework and materials to eliminate the risk of contamination to the local water supply.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

United Utilities' Property, Assets and Infrastructure

The applicant should be aware of water mains in the vicinity of the proposed development site. Whilst this infrastructure is located outside the applicant's proposed red line boundary, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines'. We provide this information to support the applicant in identifying the potential impacts from all construction activities on United Utilities infrastructure and to identify mitigation measures to protect and prevent any damage to this infrastructure both during and after construction. This includes advice regarding landscaping in the vicinity of pipelines.

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact

the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website
<http://www.unitedutilities.com/builders-developers.aspx>

5. The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. As such, you should make yourselves aware of the Coal Authority's standing advice affecting developments in such areas. The standing advice and other information can be found using the following web address www.groundstability.com

Signed:



7 of 7

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On behalf of the Council

Date of Decision: 06/10/2022