

NOTICE OF PLANNING PERMISSION

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

To:

Mr Richard Gee
Roman Summer Associates Ltd
Haweswater House
Waterfold Business Park
Bury
Lancashire
BL9 7BR

On Behalf Of:

Blakeman Design and Build
38 Irk Vale
Chadderton
Oldham
Lancashire
OL1 2TW

PART 1 - Particulars of Application

Application Number: 67553

Date of Registration: 17/09/2021

Proposal:

Erection of one dwelling with associated garage, parking/manoeuvring space and garden curtilage, to be accessed via Tanners Street

Location:

Land adjacent 2 Tanners Street,
Ramsbottom, BL0 9ES

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 ref 10877-
Proposed site plan dimensioned L05 G; Proposed ground floor and site plan L06 G; Proposed mezzanine plan and site plan L07 F; Proposed first floor and site plan L08 F; Proposed second floor and site plan L09 F; Proposed ground floor and site plan - highways L15 B; Existing site plan L12; Proposed roof plan L13 B; Proposed ground floor plan P01 J; Proposed mezzanine plan P02 H; Proposed first floor plan P03 H; Proposed second floor plan P04 H; Proposed roof plan P05 B; Proposed front elevation E01 H; Proposed side elevation 1 E02 F; Proposed rear elevation E03 F; Proposed side elevation 2 E04 F; Proposed section A-A S01 E; Proposed section B-B S02 E; Existing site sections S04; Proposed site sections S05 B; Gate opening and position plan and 3D D01; Landscaping proposals YD2_TL_LP001; Green wall indicative details YD2_TL_LP200; Extended Phase 1 Habitat Survey by Rachel Hacking 2019-2021; Arboricultural Impact Assessment by Bowland, March 2021 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, boundary walls and areas of hardstanding shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials 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 Policy EN1/1 Visual Amenity, EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control.

- 4 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.

- 5 Following the provisions of Condition 4 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.

- 6 Prior to occupation the applicant shall provide 1 EV chargepoint (minimum 7kW*) for each dwelling.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

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.

- 7 Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:

- Formation of the proposed site access onto Tanners Street to a specification to be agreed, incorporating the removal of the existing boundary wall, provision of a section of footway and footway crossing, demarcation of the revised limits of the adopted highway and all associated highway and highway drainage remedial works required as a result of the development;
- 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;
- Foundation details for the new boundary wall abutting the revised limits of adoption on Tanners Street confirming no encroachment under the adjacent future adopted highway.

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

Reason. Information not submitted at application stage. 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 H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and backland Development, HT6/2 - Pedestrian/Vehicular Conflict and EN5/1 - New Development and Flood Risk.

- 8 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- 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, works to the site boundary and as a result of statutory undertakers connections to the new dwelling;
- Access point(s) for construction traffic from the adopted highway and all traffic management and temporary works required to facilitate access for ground works/construction vehicles;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding/gate positions clear of adequate visibility splays at the junction of the site access with Tanners Street;
- 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 minimise dust nuisance caused by the operations.

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. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being brought into

use.

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 car parking facilities indicated on the approved plans shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.

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.

- 10 The turning facilities indicated on the approved plans shall be provided before the development is first occupied/access and parking facilities are brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times

Reason. To minimise the standing and turning movements of vehicles on the highway and ensure that the turning facilities are not obstructed by parked vehicles in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and backland Development, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Conflict .

- 11 The visibility splays indicated on the approved plans shall be implemented to the satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and backland Development and HT6/2 - Pedestrian/Vehicular Conflict

- 12 The bin storage arrangements indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority before the development hereby approved is first occupied and thereafter be maintained available for use 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 H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, H2/6 - Garden and Backland Development and EN1/2 - Townscape and Built Design.

- 13 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.

- 14 Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and monbretia should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full.
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
- 15 Notwithstanding the submitted landscaping plan and planting proposals on drawing YD2_TL_LP001, proper to implementation of the proposed landscaping, details of the 'living wall' planting, the mix of native and non-native tree and shrub planting shall be submitted to the Local Planning Authority for approval. The contents of the plan should include the provision of bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; 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.
- 16 The development hereby approved shall be carried out in accordance with the recommendations and tree protection measures in the Arboricultural Impact assessment by Bowland dated March 2021.
All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". All protection measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
- 17 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.
- 18 The development hereby approved shall be carried out in accordance with a Sustainable Drainage Scheme and the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The development shall be in accordance with sustainable drainage options in the NPPG. The scheme shall 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.
- 19 Where the development hereby approved is to be carried out incorporating retianing structures, the details of such structures including their finish appearance shall be

submitted to and approved by the Local planning Authority. The approved details only shall be implemented.

Reason - To ensure that the character of the conservation area is preserved pursuant to UDP Policy EN2/1 - Character of the Conservation Area.

- 20 Any works affecting the front boundary wall shall ensure that the materials from it are retained on site and are reused in any repairs/redevelopment affecting the front wall on to Tanners Street. This work shall be undertaken as appropriate within the build programme and the wall shall be in place as per the approved plans prior to first occupation of the dwelling hereby approved.

Reason - To ensure that the character of the conservation area is preserved pursuant to UDP Policy EN2/1 - Character of the Conservation Area.

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:

NPPF	National Planning Policy Framework
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
H2/6	H2/6 - Garden and Backland Development
EN1	EN1 - Built Environment
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN2	EN2 - Conservation and Listed Buildings
EN2/1	EN2/1 - Character of Conservation Areas
EN6/3	EN6/3 - Features of Ecological Value
EN5/1	EN5/1 - New Development and Flood Risk
HT2/4	HT2/4 - Car Parking and New Development
H4	H4 - Housing Need
HT4	HT4 - New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

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:

Drawings ref 10877- Proposed site plan dimensioned L05 G; Proposed ground floor and site plan L06 G; Proposed mezzanine plan and site plan L07 F; Proposed first floor and site plan L08 F; Proposed second floor and site plan L09 F; Proposed ground floor and site plan - highways L15 B; Existing site plan L12; Proposed roof plan L13 B; Proposed ground floor

plan P01 J; Proposed mezzanine plan P02 H; Proposed first floor plan P03 H; Proposed second floor plan P04 H; Proposed roof plan P05 B; Proposed front elevation E01 H; Proposed side elevation 1 E02 F; Proposed rear elevation E03 F; Proposed side elevation 2 E04 F; Proposed section A-A S01 E; Proposed section B-B S02 E; Existing site sections S04; Proposed site sections S05 B; Gate opening and position plan and 3D D01; Landscaping proposals YD2_TL_LP001; Green wall indicative details YD2_TL_LP200; Extended Phase 1 Habitat Survey by Rachel Hacking 2019-2021; Arboricultural Impact Assessment by Bowland, March 2021

NOTES TO APPLICANT

- . 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.

- . 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.
- . It would be advantageous for the land affected by the highway proposals to be in the control of the Highway Authority. An appropriate course of action would be the free dedication of the land to the Highway Authority by the freeholder
- . **United Utilities - Drainage**
In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:
 1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Details of both our S106 sewer connections and S104 sewer adoptions processes (including application forms) can be found on our website

<http://www.unitedutilities.com/builders-developers.aspx>

Please note we are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for you to discuss with the Lead Local Flood Authority and / or the Environment Agency if the watercourse is classified as main river.

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 which should be accounted for in the project timeline for design and construction.

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

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.

For any further information regarding Developer Services and Planning, please visit

our website at <http://www.unitedutilities.com/builders-developers.aspx>

Signed:

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

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On behalf of the Council

Date of Decision: 28/04/2022