

NOTICE OF PLANNING PERMISSION

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

To:

Mr Dixon
Dixon Planning Limited
Garden Place
Victoria Street
Altrincham
WA14 1ET

On Behalf Of:

Unsworth Academy
Parr Lane
Bury
BL9 8LP

PART 1 - Particulars of Application

Application Number: 68385

Date of Registration: 27/05/2022

Proposal:

Variation of conditions 6 and 10 following approval of planning permission 67859;
Condition 6 - Existing condition - Prior to the occupation the applicant shall provide electric vehicle (EV) charging points for 20% of the proposed parking spaces. EV charge points shall be 7kW as a minimum. Proposed condition 6 - Within 3 months of occupation the applicant shall provide electric vehicle (EV) charging points for 20% of the proposed parking spaces. EV chargepoints shall be 7kW as a minimum.
Condition 10 - Existing condition - The repositioned car and cycle parking facilities indicated on approved plan references 21508.IN.01 Revision C and 2118-MED-XX-XX-DR-A-3-103-H shall be surfaced, demarcated and / or made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times. Proposed condition 10 - The repositioned car and cycle parking facilities indicated on approved plan references 21508.IN.01 Revision C and 2118-MED-XX-XX-DR-A-3-103-H shall be surfaced, demarcated and / or made available for use within 3 months of the hereby approved being brought into use and thereafter maintained at all times.

Location:

Castlebrook High School, Parr Lane, Bury,
BL9 8LP

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 planning permission ref 67859 (3 years from 16/3/22)
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings Site location plan
2118-MEB-XX-XX-DR-A-3-100-A;
Proposed roof plan 2118-MEB-XX-XX-DR-A-3-101-E
Proposed plans and elevations 2118-MEB-XX-XX-DR-A-3-102-C
Proposed site plan 2118-MEB-XX-XX-DR-A-3-103 - J
Proposed revisions to car parking provisions Uns/Mod/Bays/01 rev A
Foul & Surface Water Drainage Design Drawing 105363-CUN-S0-XX-DR-C-52-000,
Rev C12 - Dated 16/07/2019
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 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) 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 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 5 If during the works on site, excess or waste soil material is removed from site, details of where and how the soil material was disposed of, including copies of waste transfer documentation, shall be submitted to the Local Planning Authority for approval.
Reason. This is to secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to the National Planning Policy Framework.

- 6 Within 3 months of occupation the applicant shall provide electric vehicle (EV) charging points for 20% of the proposed parking spaces. EV chargepoints shall be 7kW* as a minimum.

*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 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 105363-CUN-S0-XX-DR-C-52-000, Rev C12 - Dated 16/07/2019 which was prepared by GallifordTry. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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.

- 8 No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason. In the interest of public health and to ensure protection of the public water supply 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.

- 9 The development and diversion of Part of Public Footpath Numbers 101 Bury and 7 Whitefield hereby approved shall be carried out in accordance with the details submitted for condition 9 on application ref 67859 for the surfacing and engineering operations required in association to divert the PRow. The details approved shall not be commenced unless and until full details of the diversion of Part of Public Footpath Numbers 101 Bury and 7 Whitefield, has been submitted to the Local Planning Authority and the required diversion order has been secured. The diversion of the PRow shall be implemented to an agreed programme with 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 public right of way network, all in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, CF2 - Education Land and Buildings and HT6/1 - Pedestrian and Cyclist Movement.

- 10 The repositioned car and cycle parking facilities indicated on approved plan reference Uns/Mod/Bays/01 Revision A shall be surfaced, demarcated and/or made available for use within 3 months of the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure adequate off-street car and cycle parking facilities are maintained in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/5	EN1/5 - Crime Prevention
EN7/2	EN7/2 - Noise Pollution
HT4	HT4 - New Development
HT5	HT5 - Accessibility For Those With Special Needs
HT5/1	HT5/1 - Access For Those with Special Needs
HT6	HT6 - Pedestrians and Cyclists
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
CF2	CF2 - Education Land and Buildings

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:

Site location plan 2118-MEB-XX-XX-DR-A-3-100-A;
Proposed roof plan 2118-MEB-XX-XX-DR-A-3-101-E
Proposed plans and elevations 2118-MEB-XX-XX-DR-A-3-102-C
Proposed site plan 2118-MEB-XX-XX-DR-A-3-103 - J
Proposed revisions to car parking provisions Uns/Mod/Bays/01 rev A
Foul & Surface Water Drainage Design Drawing 105363-CUN-S0-XX-DR-C-52-000, Rev C12 - Dated 16/07/2019

NOTES TO APPLICANT

- . This development affects Part of Public Footpath Numbers 101 Bury and 7 Whitefield. This planning decision does not authorise the diversion of the highway affected by the development. The applicant's attention is therefore drawn to the statutory procedures for obtaining a diversion order under Section 247 of the Town

and Country Planning Act 1990 in order to authorise the diversion of the affected Public Right of Way and enable the development to be carried out in accordance with a valid and relevant planning permission. The Order will also provide for the provision of new/improved highways as long as these also form part of the planning permission (the diverted Public Right of Way). Development affecting the highway should not be commenced until the statutory requirements have been complied with and the diversion order made. Enquiries regarding the necessary procedures should be made to the Department for Operations, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Telephone 0161 253 5788.

The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the required highway works. The cost of the works will be the responsibility of the developer.

United Utilities recommendation

DRAINAGE

Following our review of the submitted Drainage Strategy, we can confirm the drainage proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

CONDITION:

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 105363-CUN-S0-XX-DR-C-52-000, Rev C12 - Dated 16/07/2019 which was prepared by GallifordTry. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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.

The applicant can discuss any of the above with Developer Engineer, Mohammed Aljafarawi, by email at wastewaterdeveloperservices@uuplc.co.uk.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater

connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

United Utilities will not allow building over or in close proximity to a water main.

United Utilities may not allow building over or in close proximity to a public sewer.

A large diameter trunk main crosses the site. It must not be built over, or our access to the pipeline compromised in any way. The Water Industry Act 1991 affords United Utilities' specific rights in relation to maintenance, repair, access and protection of our water infrastructure. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which accompanies this letter. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period. It also includes advice regarding landscaping in the vicinity of pipelines.

Following our review of the proposed site layout, 'Proposed Site Plan', Drawing No. 2118-MEB-XX-XX-DR-A-103-D, noting the relocation of the Cycle Shelter and Refuse Compound, it appears that our required access to the water main is provided. This is based purely on the information contained within the submitted plan. The acceptability of any proposal is dependent upon the applicant knowing the exact location (line and depth) of the asset in question. The applicant should ensure this is confirmed through site specific investigations as this could be material to the detail of the design including the proposed crossings, including services.

Should the Council deem this application suitable for approval we request the following condition is included in the subsequent Decision Notice to afford appropriate protective measures for the pipeline:

CONDITION:

No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply.

Given the size and nature of the pipeline concerned, we strongly recommend that if they have not already done so, the applicant contacts our Developer Services team at the earliest opportunity for advice on determining the precise location of the pipeline and additional protection measures they must consider both during and after construction. To discuss the proposal in relation to the water main we recommend the applicant contacts Sara Livesey by email at DeveloperServicesWater@uuplc.co.uk

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional

load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

CONTACTS

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit:

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

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering -

DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk

Telephone - 0345 072 6067

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual

position being different from those shown on the map.

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: 01/09/2022