

NOTICE OF PLANNING PERMISSION

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

To:

Mr Jim Eccles
JPE Consultancy Limited
9 Woodend Drive
Stalybridge
SK15 2SF

On Behalf Of:

Mr Jonathan Dean
c/o Agent

PART 1 - Particulars of Application

Application Number: 69702

Date of Registration: 28/06/2023

Proposal:

Demolition of existing industrial buildings and erection of 3 no. detached dwellings

Location:

Unit, 1-2 Halter Inn Works, 11 Redisher Croft, Ramsbottom, Bury, BL0 9SA

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 Location plan 1411/105A - Site Location Plan; Proposed site plan 1411/103E - Site Plan; Proposed section 1411/102A - Sections (Section A-A and B-B); Proposed section 1411/106A - Section C-C; Landscaping planting plan dwg M458/HR/LAND01; Flood Risk Assessment by PGConsulting (PGC 765) 25/5/23 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 No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:
 1. A site investigation scheme, based on the information already submitted to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 2. The results of the site investigation and the detailed risk assessment referred to in

(1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The scheme shall be implemented as approved within agreed timescales.

Reason. To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

- 4 Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
Reason. To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.
- 5 The development shall be carried out in accordance with the submitted flood risk assessment (ref PGC 765) and the following mitigation measures:
 - Finished floor levels shall be set no lower than 156.36 metres above Ordnance Datum (AOD)These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
Reason. To reduce the risk of flooding to the proposed development and future occupants pursuant to chapter 14 - Meeting the challenge of climate change, flooding and coastal change.
- 6 No drainage systems for the infiltration of surface water to the ground where adverse concentrations of contamination are known or suspected to be present are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.
Reason. To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.
- 7 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
Reason. To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.
- 8 No development shall commence until;
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason. The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

- 9 Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

- 10 Prior to occupation the applicant shall provide one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking).

*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 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

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.

- 11 Details/Samples of the materials to be used in the external elevations and hard landscaping materials together with details of their manufacturer, type/colour and size, 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 Policies EN1/2, EN2/1, EN2/2 and H2/1.

- 12 The development hereby approved shall not be commenced unless and until a photographic dilapidation survey of the access to the site (Redisher Croft/Bridleway No.26, Ramsbottom) from the adopted highway has been undertaken and submitted to/agreed with the Local Planning Authority. Within one month of completion of the development, a further survey shall be undertaken to assess the condition of the route. Any remedial works required as a result of damage caused by demolition/construction traffic shall be undertaken at the expense of the applicant to a specification and programme to be agreed with the Local Planning Authority.

Reason. To maintain the integrity of the adjacent Public Right of Way and in the interests of highway safety pursuant to Bury Unitary Development Plan Policies H2/2 - the Layout of New Residential Development, EN1/2 - Townscape and Built

Development HT4 - New Development.

- 13 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:

- Access route for all demolition/construction vehicles to the site from the Key Route Network;
- Access point/arrangements for demolition/construction traffic from Redisher Croft/Bridleway No.26, Ramsbottom, taking into consideration the need to maintain safe pedestrian/vehicular access on the adjacent Public Right of Way and to the adjacent residential properties, and all temporary works required to facilitate access for demolition/construction vehicles;
- If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain vehicular access to the adjacent residential properties;
- The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Confirmation of hours of operation, demolition, delivery & construction vehicle sizes that can be accommodated on the Public Right of Way that serves the site and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles, together with storage on site of demolition/construction materials;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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.

Reason. Information not submitted at application stage. To mitigate the impact of the demolition and construction traffic generated by the proposed development on the adjacent highways, 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.

- 14 The car parking indicated on the approved plans reference 1411 / 103 Revision E shall be surfaced with permeable/porous paving materials and made available for use to the written satisfaction of the Local Planning Authority prior to the dwellings 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 and minimise the discharge of surface water onto the adjacent Public Right of Way pursuant to policy HT2/4 - Car Parking and New Development and EN5/1 - New Development and Flood Risk of the Bury Unitary Development Plan.

- 15 No development shall commence unless and until details of surface water drainage

proposals have been submitted to and approved by the Local Planning Authority. The scheme shall be in accordance with the principles set out in the submitted Flood Risk Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. 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.

- 16 Notwithstanding the submitted landscaping plan, prior to commencement of the construction of the new dwellings hereby approved, a landscaping scheme shall be submitted to, and approved by the Local Planning Authority. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes and swift bricks within the new development and bat/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. 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.

- 17 No development shall commence unless and until a detailed Construction Environment Management Plan, including measures to protect the Site of Biological Interest from dust, debris, run-off and pollution, have been submitted to and approved by the Local Planning Authority. The approved measures only shall be implemented prior to the commencement of development and retained throughout the construction period.

Reason. To ensure the safe and secure development of the site in relation to the nature conservation of particular ecological significance of the Sites of Biological Interest pursuant to Bury Unitary Development Plan Policies EN6/1 - Sites of nature Conservation Interest (Sites of Special Scientific Interest, National Nature Reserves and Grade A Sites of Biological Importance), EC6/3 - Features of Ecological Value and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

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
EC2/2	EC2/2 - Employment Land and Premises Outside the Employment Generating Areas
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN8/1	EN8/1 - Tree Preservation Orders
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN6/4	EN6/4 - Wildlife Links and Corridors
OL5/2	OL5/2 - Development in River Valleys
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
HT4	HT4 - New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury

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 1411/105A - Site Location Plan; Proposed site plan 1411/103E - Site Plan; Proposed section 1411/102A - Sections (Section A-A and B-B); Proposed section 1411/106A - Section C-C; Landscaping planting plan dwg M458/HR/LAND01

NOTES TO APPLICANT

1. Environment Agency position

Flood Risk

Environment Agency Position

We have reviewed the submitted flood risk assessment and recommend the applicant adhere closely to the recommendations in the FRA, and to meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition should be included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref PGC 765) and the following mitigation measures:

- Finished floor levels shall be set no lower than 156.36 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason - To reduce the risk of flooding to the proposed development and future occupants

Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- on the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission for further guidance, please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Contaminated Land

We have reviewed the Phase 1 Preliminary Risk Assessment report by LK Consult Ltd for the proposed redevelopment of the current Halter Inn Works; Holcombe. The previous use of the proposed development site as a metal finishing works presents a high risk of contamination that could be mobilised during construction to pollute controlled waters.

Controlled waters are particularly sensitive in this location because the proposed development site is within 50 metres of a known surface watercourse and located upon a secondary aquifer A.

The submissions to date demonstrate that it should be possible to manage the risks posed to controlled waters by this proposed development. Further detailed information will however be required before built development is undertaken.

We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

Considering the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A site investigation scheme, based on the information already submitted to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 3. A verification plan providing details of the data that will be collected to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.
- Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.
- Reasons To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

Condition

No drainage systems for the infiltration of surface water to the ground where adverse concentrations of contamination are known or suspected to be present are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and Position Statement J of the 'The Environment Agency's approach to groundwater protection'.

Condition

Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

Advice to applicant

Model Procedures and good practice

This development site appears to have been the subject of past industrial activity which may pose a risk of pollution to controlled waters. We recommend that you should:

- Follow the risk management framework provided in Guidance on Land

contamination risk management (LCRM) Land contamination risk management

(LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination

- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice: Waste on-site.

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Introduction of SUDS

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H, the first option for surface water disposal should be the use of

SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high-water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Piling and Penetrative ground improvement methods

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers, and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Dewatering

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk:

<https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

Regulatory position statements Discharges from dewatering to surface water or groundwater will require an Environmental Permit unless you can meet the conditions of the RPS or exemptions or exclusions for groundwater activities. The following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.'

<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>

Note to applicant

Should you wish us to review any technical documents or want further advice to address any of the environmental issues raised in this response, we may be able to do this as part of our charged for planning advice service. Further engagement will provide you with certainty of our position as to what our response to a planning application will be. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per person per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. Our standard terms and conditions are available to view online at

www.gov.uk/government/publications/planning-and-marine-licenceadvice-standard-terms-for-our-charges/planning-and-marine-licence-advice-standardterms-for-our-charges.

If you would like more information on our planning advice service, including a cost estimate, please contact us at SPPlanning.RFH@environment-agency.gov.uk

Advice to the applicant

Based on the submitted residential scheme layout 1411/103C, which details the incorporation of SUDs options as part of scheme design, and with all construction works associated with development limited to western side of existing access road; ensuring neighbouring Holcombe Brook watercourse is protected.

2. Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified shall be disposed of in an appropriate manner.
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.

3. **INFORMATIVE - The Control of Noise (Appeals) 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. **Coal Authority Advisory Note**

Ground Investigations

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Shallow coal seams

In areas where shallow coal seams are present caution should be taken when

carrying out any on site burning or heat focused activities.

5. **United Utilities wish to make the following comments regarding the proposal detailed above.**

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

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. Please see 'Contacts' section below.

Water pipelines

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

Wastewater pipelines

United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

A public sewer crosses the site and we will not permit building over it. We require an access strip for maintenance or replacement and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

Important information regarding water and wastewater pipelines and apparatus.

It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service, including United Utilities (see 'Contacts' section below). The position of the underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. Therefore, we strongly recommend the applicant, or any future developer, does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise location of any underground pipelines and apparatus. Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See 'Contacts' Section below. United Utilities Water will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

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. 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.

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

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 sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles.

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is available on our website. The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently operational.

It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed 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.

DRAINAGE

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered 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.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

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).

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

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 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

The applicant should not presume that the principles outlined within a drainage strategy will meet the detailed 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 works carried out prior to the technical assessment being approved is done entirely at the developers 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 at the earliest opportunity. This includes seeking confirmation of the required metering arrangements for the proposed development. See 'Contacts' Section below.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, 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.

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.

To promote sustainable development United Utilities offers a reduction in infrastructure charges for applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). For further information, we strongly recommend the applicant visits our website when considering any water or wastewater design
<https://www.unitedutilities.com/builders-developers/your-development/planning/building-sustainable-homes/>
Business customers can find additional information on our sustainable drainage incentive scheme at
<https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>
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.

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 - SewerAdoptions@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.

6. The applicant's attention is drawn to the existence of Public Right of Way No. 26, Ramsbottom, which forms the access to and abuts the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order.
7. The applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered, gates erected across their width (unless authorised by Bury Council the Highway Authority) or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels/surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made available.
8. The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the any required highway remedial works. The cost of the works will be the responsibility of the developer.
9. 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.
10. The site is to be drained on a separate system of drainage with surface water and foul sewage being combined at the last manhole before connection to public sewer.
11. Surface water discharge to be limited to existing flow from site less a minimum 40% reduction in run-off to allow for climate change to prevent surcharge of public sewerage system downstream of the proposed development Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and its associated SPD 16 Design and Layout of New Development in Bury. Climate change allowance should be increased to 70% for sites which fall within Flood Zone 3
12. Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or on line at www.unitedutilities.com
13. Applications for Building Over Agreements or sewer diversions should be obtained by

telephoning United Utilities PLC on 01925 464714.

14. Approval for a surface water connection to the watercourse should be obtained from:
Main River - Environment Agency, Appleton House, 430 Birchwood Boulevard, Birchwood, Warrington, WA3 7WD. Tel: 08708 506506.
Ordinary Watercourse - Engineering Design & Construction Group, Bury Council, 3 Knowsley Place, Duke Street, Bury, BL9 0EJ, 0161 253 5847
<https://www.bury.gov.uk/index.aspx?articleid=11128>
15. A culverted watercourse, the responsibility of riparian owners, passes through the site. This culverted watercourse is classified as an ordinary watercourse and Bury Council, Major Projects Group should be consulted regarding this application
16. The applicant should plot the exact line of the culverted watercourse in relation to any proposed buildings.
17. Without the approval of the Environment Agency / Bury Council, Engineering Design and Construction Group no building is to be constructed or works carried out within 3m of the centreline of a culverted watercourse or within 8m of the top of the embankment of a main river.
18. Approval for any works above or adjacent to a culverted watercourse should be obtained from:
Main River - Environment Agency, Appleton House, 430 Birchwood Boulevard, Birchwood, Warrington, WA3 7WD. Tel: 08708 506506.
Ordinary Watercourse - Engineering Design & Construction Group, Bury Council, 3 Knowsley Place, Duke Street, Bury, BL9 0EJ, 0161 253 5847
19. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written permission of the Environment Agency is required for any works or structures in, under, over or within 8m of the top of the bank of the main river Holcombe Brook.
20. Details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Development Control section of the Environment Agency for approval in accordance with the Water Resources Act 1991.
21. The applicant should ensure that any proposed driveways/paved areas (in excess of 5m²) situated at the front of properties are constructed of permeable or porous materials. The applicant should refer to Dept. of Communities & Local Government publication "Guidance on the Permeable Surfacing of Front Gardens" for design & construction details.
22. The applicant's attention is drawn to the fact that whilst it appears unlikely that bats are roosting within the buildings as with all refurbishment/demolition of buildings if a bat is found works should stop immediately and Natural England and a professional ecologist consulted.

Signed:



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On behalf of the Council

Date of Decision: 22/11/2023