

NOTICE OF PLANNING PERMISSION

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

To:

Mr T Myers
Portakabin Ltd
174 Gelderd Road
Leeds
LS12 6LZ

On Behalf Of:

Mr S Mallinson
JD Sports Fashion PLC
Castle Brook Business Park
Hollins Brook Way
Bury
BL9 8RR

PART 1 - Particulars of Application

Application Number: 68605

Date of Registration: 27/06/2022

Proposal:

Siting of two storey Portakabin modular building for office use during refurbishment works for a temporary period of 3 years.

Location:

Edinburgh House, Castle Brook Business Park, Hollins Brook Way, Bury, BL9 8RR

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 Permission is hereby granted for a limited period only, namely for a period expiring 3 years from the date of this decision notice, and the building, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued at the end of the said period and the land reinstated to its former condition for parking.
Reason. In view of the temporary nature of the development and in order to retain control over its continued use having regard to the particular nature of the site and surroundings pursuant to The National Planning Policy Framework.
- 2 This decision relates to drawings Proposed layout - elevations and floor plan - Modular building HD/12660/01 rev A; Proposed block plan TM42006165; Proposed elevations with vinyl finish received 27/6/22 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 The development hereby approved shall be carried out in accordance with 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. The drainage scheme shall be implemented prior to first occupation and thereafter maintained.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

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
EC2/1	EC2/1 - Employment Generating Areas
EC1/1	EC1/1 - Land For Business (B1), General Industrial (B2) and Warehousing Uses (B8)
MW1/1	MW1/1 - Areas of Search
EN1/2	EN1/2 - Townscape and Built Design
HT2/4	HT2/4 - Car Parking and New Development
EN5/1	EN5/1 - New Development and Flood Risk

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:

Proposed layout - elevations and floor plan - Modular building HD/12660/01 rev A;
Proposed block plan TM42006165; Proposed elevations with vinyl finish received 27/6/22

NOTES TO APPLICANT

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

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.

We recommend the applicant considers 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 '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.

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. 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 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.

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.

. This recommendation relates to the supplementary information and photographs received by this Section on 15 September 2022.

. The applicant's attention is drawn to the existence of Public Right of Way No. 80, Bury, which abuts the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', is positioned at the top left of the page.

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On behalf of the Council

Date of Decision: 20/09/2022