

NOTICE OF PLANNING PERMISSION

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

To:

Mrs Rachael Oldroyd
JH Architects
46 Manchester Road
Chorlton
Manchester
M21 9PH

On Behalf Of:

c/o Richard Spensley
Bury Council
Knowsley Place
Knowsley Street
Bury
BL9 0SW

PART 1 - Particulars of Application

Application Number: 69580

Date of Registration: 09/05/2023

Proposal:

1. Demolition of buildings and erection of flexible events hall with associated servicing, parking and landscaping;
2. New canopy structure to cover existing outdoor market;
3. Temporary permission sought for area of Bury Market car park to be utilised for site cabins for the duration of the build

Location:

Land & buildings at Murray Road/2-10 Princess Parade/47-51 Market Street & Bury Market, Bury, BL9 0BJ

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 numbered BURMAR-JHA-V6-XX-DR-A-0145 Rev P02, BURMAR-JHA-00-XX-DR-A-0001 Rev P06, BURMAR-JHA-V6-XX-DR-A-0003 Rev P23, BURMAR-JHA-V6-XX-DR-A-0112 Rev P11, BURMAR-JHA-V5-02-XX-A-0017 Rev P01, BURMAR-JHA-XX-02-DR-A-0015 Rev P14, BURMAR-JHA-V2-02-DR-A-0102 Rev P06, BURMAR-JHA-V2-ZZ-DR-A-0009 Rev P12, BURMAR-JHA-XX-DR-A-0035 Rev P07, BURMAR-JHA-V2-ZZ-DR-A-0029 REV P09, BURMAR-JHA-V2-ZZ-DR-A-0038 Rev P08, BURMAR-JHA-XX-02-DR-A-0034 Rev P10, BURMAR-JHA-XX-02-DR-A-0063 Rev P09, BURMAR-JHA-V2-ZZ-DR-A-0007 Rev P12, BURMAR-JHA-V2-ZZ-DR-A-0008 Rev P12, BURMAR-JHA-V2-ZZ-DR-A-0009 Rev P13, BURMAR-JHA-V2-ZZ-DR-A-0010 Rev P11, BURMAR-JHA-V2-ZZ-DR-A-0042 Rev P11, BURMAR-JHA-V2-ZZ-DR-A-0111 Rev P03, BURMAR-JHA-VS-XX-DR-A-0136

REV P04, BURMAR-JHA-V5-02-DR-A-0013 Rev P11, BURMAR-JHA-V5-XX-DR-A-0162 Rev P01, BURMAR-JHA-V6-ZZ-DR-A-0154 Rev P01, BURMAR-CWC-V2-04-DR-M-5701 P05, BURMAR-CWC-V2-00-DR-M-5701 P4, BURMAR-CWC-V2-ZZ-DR-E-6301 P2, BURMAR-CWC-V2-01-DR-M-5701 P4, BURMAR-JHA-XX-DR-A-0064 Rev P06, BURMAR-JHA-V2-ZZ-DR-A-0023 Rev P08, BURMAR-JHA-XX-DR-A-0016 Rev P13, BURMAR-JHA-V5-02-XX-A-0017 Rev P20, BURMAR-JHA-V5-XX-DR-A-0036 Rev P11, BURMAR-JHA-V5-XX-DR-A-0151 Rev P01, BURMAR-JHA-V5-XX-DR-A-0152 Rev P01, BURMAR-JHA-V6-ZZ-DR-A-0153 Rev P01, BURMAR-JHA-V2-02-DR-A-0004 Rev P22, BURMAR-JHA-V2-02-DR-A-0005 Rev P25, BURMAR-JHA-V2-02-DR-A-0006 Rev P13, BURMAR-JHA-V2-ZZ-DR-A-0042 Rev P10, BURMAR-GLL-V6-00-DR-L-0100 08, BURMAR-GLL-V6-00-DR-L-0102 05, BURMAR-GLL-V6-00-DR-L-0103 05, BURMAR-GLL-V6-00-DR-L-0104 05, BURMAR-GLL-V6-00-DR-L-0105 05, BURMAR-GLL-V6-00-DR-L-0106 05, BURMAR-GLL-V6-00-DR-L-0107 05, BURMAR-GLL-V6-00-DR-L-0108 06, BURMAR-GLL-V6-00-DR-L-0109 04, BURMAR-GLL-V6-00-DR-L-0110 03, BURMAR-GLL-V6-00-DR-L-0112 03, BURMAR-GLL-V6-00-DR-L-0113 03, BURMAR-GLL-V6-00-DR-L-0114 03, BURMAR-GLL-V6-00-DR-L-0115 03, BURMAR-GLL-V6-00-DR-L-0116 04, BURMAR-GLL-V6-00-DR-L-0117 04, BURMAR-GLL-V6-00-DR-L-0300 02, BURMAR-GLL-V6-00-DR-L-0302 03, BURMAR-GLL-V6-00-DR-L-0303 01, BURMAR-GLL-V6-00-DR-L-0304 01, BURMAR-GLL-V6-00-DR-L-0305 01, BURMAR-GLL-V6-00-DR-L-0401 02, BURMAR-GLL-V6-00-DR-L-0402 02, BURMAR-GLL-V6-00-DR-L-0403 00, BURMAR-GLL-V6-00-DR-L-0404 00, BURMAR-AJP-V2-ZZ-DR-C-0001 P04, Proposed site office and welfare compound, 70092924-TP-009 P01, 57968/1, 57968/2, 57968/3 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 other than demolition, shall commence unless or until details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, have been submitted to and approved in writing by the Local Planning Authority. Only the approved materials/bricks 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.
- 4 No development, other than demolition 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 No development shall commence unless and until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust [and odour] control measures and the methods to monitor emissions of dust [and odour] arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust control measures being retained and maintained in a fully functional condition for the duration of the development hereby approved.

Reason. The information is required to reduce the impacts of dust disturbance from the site on the local environment, pursuant to chapter 11 of the NPPF - Conserving and enhancing the natural environment.

- 7 If the demolitions hereby approved does not commence before 30th April 2025, the building must be reassessed for bat roosting potential and the finding supplied to and approved in writing by the Local Planning Authority prior to demolition works commencing.

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 Section 11 of the National Planning Policy Framework.

- 8 No demolition shall occur unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to demolition and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority, unless the species present is feral pigeon in which case a general license issued by Natural England authorising destruction of feral nests should be provided to 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.

- 9 No development, other than demolition, shall commence unless or until a landscaping scheme of soft and hard landscaping, planting, materials and maintenance has been submitted to, and approved in writing by the Local Planning Authority. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and 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.

- 10 No development, other than demolition, shall commence unless or until details of the final design of surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme shall 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) and in line with the principles outlined on submitted drawing ref BURMAR-GLL-V6-00-DR-L-0108. Final design details shall include:
1. Appropriate calculations, up to 1:100 year storm event with 40% addition for Climate change;
 2. Test results to support the chosen solution;
 3. The design and location of attenuation tanks;
 4. Details of proposed maintenance arrangements;
 5. A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);
- Only the approved details 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.
- 11 No development other than demolition shall commence unless or until a scheme of noise mitigation measures, including a noise management plan has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the building hereby approved and the noise management plan shall be adhered to while the building is in use.
- Reason. To reduce nuisance from noise to the occupiers of the nearby dwelling pursuant to Policy EN7/2 - Noise Pollution of the Bury Unitary Development Plan.
- 12 Notwithstanding the details indicated in the submitted 'Planning Statement - Temporary Permission for Site Cabins on Market Car Park' and on plan reference 'Proposed Site Office & Welfare Compound Revision C', no development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved in writing by the Local Planning Authority and shall confirm/provide the following:
1. Access route for all demolition/construction vehicles to the site from the Key Route Network;
 2. Access point/arrangements for demolition/construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to Bury Market and 'Market' car park, and all temporary works required to facilitate access for demolition/construction vehicles;
 3. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain vehicular access to the adjacent Bury Market and 'Market' car park;
 4. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
 5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its accesses;
 6. Confirmation of hours of operation and number of vehicle movements;
 7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;

8. Parking on site or on land within the applicant's control of operatives' and demolition/construction vehicles, together with storage on site or on land within the applicant's control of demolition/construction materials;
9. 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 demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

This condition can be satisfied in phases.

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.

- 13 No development shall commence unless and until a dilapidation survey of the footways and carriageways leading to and abutting the sites in the event that subsequent remedial works are required following demolition and construction of, and statutory undertakers connection to, the development has been submitted to and approved in writing by the Local Planning Authority. 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. To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.

- 14 No development, other than site clearance, demolition, remediation or ground works, shall commence unless or until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

1. All external alterations to the adopted highway around the perimeter of the site and implementation of an adopted hard and soft landscaping scheme to a scope and specification to be agreed, incorporating the demarcation of the limits the adopted highway, agreed demarcation of all rain gardens/planting areas for the blind and partially sighted pedestrians, relocation/replacement of all affected street lighting columns, street furniture and advertising unit in positions to be agreed, scheme of bollards and gating arrangements from Murray Road to enable maintenance access/restrict unauthorised vehicular access to the pedestrianised areas and all associated highway and highway drainage remedial works;
2. Confirmation of retained emergency access arrangements and route on Princess Parade clear of the proposed hard/soft landscaping works, taking into consideration fire appliance access requirements and existing building canopies;
3. Foundation/private hardstanding details for the proposed building, canopy structures and sub-station compound to ensure compliance with the Highways Act 1980 and that no foundation encroachment under the adjacent adopted highway will occur;

4. Any proposed surface water attenuation measures located under the adopted highway, in a position and to a scope and specification to be agreed;
5. Review of affected traffic regulation orders required as a direct result of the proposed development, including details of the revocations required and new measures/orders proposed, all necessary modifications to road markings and signage and a timetable for implementation;
6. Submission of staged road safety audits in accordance with national guidance.

The details subsequently approved shall be implemented to an agreed programme and to the satisfaction of 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 adopted highway, all in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.

- 15 The siting of the canopy and supporting columns shall be agreed in writing prior to construction to ensure there is no adverse impact on existing structures in close proximity. A suitable, agreed maintenance easement shall be approved to allow for future maintenance of the same existing structures.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design, HT4 - New Development and HT6/2 - Pedestrian/Vehicular Conflict of the Bury Unitary Development Plan.
- 16 No development, other than site clearance, demolition, remediation or ground works, shall commence unless and until the required stopping-up order has been secured.
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design and HT4 - New Development of the Bury Unitary Development Plan.
- 17 The development hereby approved shall not be brought into use unless and until the off-highway bin storage arrangements indicated on the approved plans have been implemented and are available for use.
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the building pursuant to Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict 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 proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

- EN1/1 EN1/1 - Visual Amenity
- EN1/2 EN1/2 - Townscape and Built Design
- EN1/3 EN1/3 - Landscaping Provision
- EN1/4 EN1/4 - Street Furniture

EN1/5	EN1/5 - Crime Prevention
EN1/7	EN1/7 - Throughroutes and Gateways
EN1/8	EN1/8 - Shop Fronts
EN2	EN2 - Conservation and Listed Buildings
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN7	EN7 - Pollution Control
EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8	EN8 - Woodland and Trees
RT3/4	RT3/4 - Recreational Routes
RT4/1	RT4/1 - Tourism Development
S1/1	S1/1 - Shopping in Bury Town Centre
S2/4	S2/4 - Control of Non-Retail Uses in All Other Areas
S2/6	S2/6 - Food and Drink
S3/4	S3/4 - Markets
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
CF1/1	CF1/1 - Location of New Community Facilities
TC1/1	TC1/1 - Open Space in Town Centres
TC1/2	TC1/2 - Pedestrian/Vehicular Conflict in Town Centres
TC2/2	TC2/2 - Mixed Use Development
Area	Area BY6 - Central Shopping Area
BY6	
SPD3	Development Control Policy Guidance Note 3: Planning Out Crime in New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

BURMAR-JHA-V6-XX-DR-A-0145 Rev P02
BURMAR-JHA-00-XX-DR-A-0001 Rev P06
BURMAR-JHA-V6-XX-DR-A-0003 Rev P23
BURMAR-JHA-V6-XX-DR-A-0112 Rev P11
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BURMAR-GLL-V6-00-DR-L-0305 01
BURMAR-GLL-V6-00-DR-L-0401 02
BURMAR-GLL-V6-00-DR-L-0402 02
BURMAR-GLL-V6-00-DR-L-0403 00
BURMAR-GLL-V6-00-DR-L-0404 00
BURMAR-AJP-V2-ZZ-DR-C-0001 P04
Proposed site office and welfare compound
70092924-TP-009 P01

57968/1
57968/2
57968/3

NOTES TO APPLICANT

1. 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.
2. 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.
3. Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or online at www.unitedutilities.com
4. Applications for Building Over Agreements or sewer diversions should be obtained by telephoning United Utilities PLC on 01925 464714.
5. Applications for sewer requisitions should be obtained by telephoning United Utilities PLC at either Dawson House (01925 235871) or Hathersage Road (0161 609 7513).
6. The applicant should ensure that adequate grease traps are fitted to any foul connections from the premises. This will prevent foul flooding of properties downstream of the premises due to blockages in the public sewerage system caused by the solidification of hot grease and fat discharged from the premises.
7. No building should be constructed within *m of the centreline of the public sewer without the approval of United Utilities PLC.
8. Floor levels of any proposed buildings should be a minimum of 300mm above any adjacent road.
9. 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 - XXXXX.
10. 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.
11. 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.
12. SUDs in relation to Coal Mining

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

13. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.
If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions
Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.
14. This development affects adopted highway. This planning decision does not authorise the closure of the adopted highway affected by the development. The applicant's attention is therefore drawn to the statutory procedures for obtaining a stopping-up/diversion order under Section 247 of the Town and Country Planning Act 1990 in order to authorise the removal ('stopping-up') of the affected highway 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 improved highways as long as these also form part of the planning permission (the replacement footway). Development affecting the highway should not be commenced until the statutory requirements have been complied with and the stopping-up 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.
15. 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.
16. The applicant's attention is drawn to the need to complete a Section 278 (or similar substitute) Agreement under the Highways Act 1980 regarding the works affecting the existing adopted highway.

17. The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the adopted highway.
18. The applicant's attention is drawn to the requirements of Section 179 of the Highways Act 1980 which prohibits the construction of any foundations required for the boundary fencing under the adjacent adopted highway.
19. 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.

Signed:



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On behalf of the Council

Date of Decision: 31/08/2023