

# NOTICE OF PLANNING PERMISSION

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

**To:**  
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**On Behalf Of:**  
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### PART 1 - Particulars of Application

**Application Number:** 69677

**Date of Registration:** 03/08/2023

**Proposal:**

Demolition of existing dwelling and erection  
of new detached dwelling to replace existing

**Location:**

21 Pinfold Lane, Whitefield, Manchester, M45  
7NY

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### 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 - Topographical survey 49511MCLS-01; Existing conditions 17331A (CH) 01A; Proposed scheme 17331A (CH) 03F; Typical Section 17331A (CH) 04; Method Statement by Lally Tree Management dated 25th May 2023 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 remediation measures recommended in the submitted desk study and preliminary risk assessment report (Preliminary Risk Assessment, 21 Pinfold Lane, Whitefield, GroundSolve Ltd, Reference: 2940/PRA FINAL, 21 June 2023).  
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.

- 4 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.

- 5 The development hereby approved shall be carried out 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.

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

- Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following demolition works/construction of the development and as a result of statutory undertakers connections to the site;
- Access point and route for demolition/construction traffic from the adopted highway;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control deliveries/vehicle movements, including any requisite phasing of the development to accommodate this;
- Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
- If proposed, site hoarding/gate positions clear of the adopted highway, including the provision, where necessary, of temporary vehicular access and pedestrian facilities/protection measures;
- Measures to ensure that all mud and other loose materials are not 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 and construction

periods and the measures shall be retained and facilities used for the intended purpose for the duration of the both 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. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

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.

- 7 The car parking, access and bin storage arrangements indicated on approved plan reference 17331A 03 Revision F, incorporating the retention of the existing access and boundary wall and provision of porous/permeable driveway materials and/or measures to prevent the discharge of surface water onto the adopted highway, shall be implemented prior to the dwelling hereby approved being occupied and thereafter maintained at all times.

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, in the interests of highway safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 8 The demolition of the existing dwelling is likely to cause harm to common pipistrelle bats as identified in the Bat Emergence Surveys, Rachel Hacking Ecology Ref: RHE.3867 and shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or

b) a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license

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.

- 9 If demolition is delayed beyond April 2025, updated bat emergence surveys shall be provided prior to the demolition of the dwelling.

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.

- 10 Prior to occupation bird nesting and bat roosting mitigation and enhancement measures, including one additional bat box beyond that required for the bat mitigation license will be provided to and agreed in writing by the Local Planning Authority. The approved measures shall thereafter be maintained.

Reason. To secure the satisfactory development of the site and in the interests of ecological mitigation pursuant to Policies H2/2 - The Layout of New Residential

Development, EN6 - Conservation of the Natural Environment 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.

- 11 The development hereby approved shall be carried out in accordance with the Tree Protection Measures detailed in the Method Statement by Lally Tree Management dated 25th May 2023. The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
- 12 The development hereby approved shall be carried out in accordance with the materials detailed on the approved plan 'Proposed scheme' dwg 17331A (CH) 03F.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design and H2/1 - The Form of New Residential Development.

**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                                                        |
| H2/1  | H2/1 - The Form of New Residential Development                                            |
| H2/2  | H2/2 - The Layout of New Residential Development                                          |
| EN1/2 | EN1/2 - Townscape and Built Design                                                        |
| EN5/1 | EN5/1 - New Development and Flood Risk                                                    |
| EN6/3 | EN6/3 - Features of Ecological Value                                                      |
| HT2/4 | HT2/4 - Car Parking and New Development                                                   |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict                                                     |
| 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:**

Topographical survey 49511MCLS-01; Existing conditions 17331A (CH) 01A; Proposed scheme 17331A (CH) 03F; Typical Section 17331A (CH) 04; Method Statement by Lally Tree Management dated 25th May 2023.

**NOTES TO APPLICANT**

In relation to condition 3, the recommended remedial action include the following -

- A pre-demolition/refurbishment asbestos survey will be required. Validation information, including waste transfer documentation, will be required to demonstrate that any asbestos containing materials have been removed.
- A watching brief to identify and deal with any previously unforeseen contamination. If evidence of potential contamination is found further assessment and investigation will be carried out by GoundSolve.
- Excess or unsuitable soil material will be disposed of at a suitably licenced waste disposal facility. Where soils are to be re-used on site, an appropriate waste exemption will be obtained, or the CL:aire Definition of Waste Code of Practice Protocol followed and a Materials Management Plan developed.
- Any topsoil / subsoil imported to site for use in garden and soft landscaped areas should be clean and suitable for use.

A completion report will be required to validate that these actions have been completed.

The report would be expected to include the following:

- Summary of desk study, site investigation report and remediation strategy.
- Details of who carried out the work.
- Details and justification of any changes from original remediation strategy.
- Substantiating validation data that should include where appropriate:
  - Confirmation that no unforeseen visual or olfactory contamination was encountered during the development. This should include a photographic record of the development and should focus particularly on the excavations for the foundation in order to illustrate the ground conditions encountered.
  - Details of any topsoil / subsoil imported to site including details of the source site for the topsoil, any chemical testing carried out and assessment criteria used to show that the material is suitable for use.
  - Details of any soil material re-used on site or excavated and removed from site including copies of waste management records. Where soils are to be re-used on site, a copy of the appropriate waste exemption and/or Materials Management Plan will be required.
- Confirmation that remediation objectives have been met.

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

#### DRAINAGE

We strongly encourage all developments to include sustainable drainage systems to help

manage surface water and to offer new opportunities for wildlife to flourish. We request that

Local Planning Authorities and applicants do all they can to avoid surface water entering the

public sewer. The flows that come from this surface water are very large when compared with

the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface

water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and

treatment of surface water at our pumping stations and treatment works. If new developments

can manage flows through sustainable drainage systems that discharge to an

alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

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.

#### 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).

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.

## 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/buildersdevelopers/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](mailto:DeveloperServicesWater@uuplc.co.uk)

Public sewers and drainage - [SewerAdoptions@uuplc.co.uk](mailto: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.

- . The applicant's attention is drawn to the need to consult the Department for Operations regarding the specification for and implementation of any required highway remedial works that may be required following the construction of the dwelling. The cost of the works will be the responsibility of the developer.
- . 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.
- . This recommendation relates to the revised plan received by the Council on 18 August 2023.
- . The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Signed:



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On behalf of the Council

**Date of Decision:** 04/10/2023