

NOTICE OF PLANNING PERMISSION

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

To:

Miss Welch
WSP
Wsp
8 First Street
Manchester
M15 4RP

On Behalf Of:

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Kellen Homes Limited, Seaham Estates and
Cantt Pak Limited
C/O Agent
Wsp
8 First Street
Manchester
M15 4RP

PART 1 - Particulars of Application

Application Number: 68368

Date of Registration: 24/05/2022

Proposal:

Full planning permission for 211 dwellings, together with associated car parking, landscaping, public open space, drainage, the laying out of roads and footways and other associated works including engineering operations to create flood defences and the development platform

Location:

Land at York Street/Bury Road, Radcliffe, Manchester, M26 2GL

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 Subject to the requirements of the conditions below, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents:
Drawings
Location Plan (KH-005-LP Rev A)
Planning Layout (KH005-PL2 Rev U)
Planning Layout (Composite) (A-100 Rev R)
Waste Management Plan (KH-005_A-700 Rev: C)
Boundary Treatments (KH-005-BT Rev F)
Materials (KH-005-MAT Rev F)
Housetype Pack - Rev B

Garth Up - Elevations & Floor Plans
 Access Road Alignments and 3.7m Plan - Designed to accommodate 12.5 tonne gross weight (PIN Property)
 Emergency Access Road Sections (2727_201 Rev C)
 Emergency Access Road Plan (Dwg No. 2727 200 B)
 Street Scenes (KH-YSR-SS-01)
 Plots 50 to 82 Street Scene (KH005 A-600)
 Indicative Floor Levels (KH-E-001-FFL Rev A)
 Works to Southern and Western Sections (KH-E-005-EW-102 Rev B)
 Works to Northern and Eastern Boundary (KH-E-005-EW-101 Rev H)
 Landscape Layout (sheet 1) and Wetland Area (sheet 2) (ref: P.1639.22.01 Rev E)
 Planting Plan - Wetland Area (P.1639.22.01 Rev A)
 Site Discharge Locations (005_1001)
 Adoptable Drainage Layout (40-02 Rev P6)
 Long Sections (RSK - 40-11-01 Rev P6, 40-11-02 Rev P4, 40-11-03 Rev P5)
 Highways response plan (KH005 ENG01)
 Forward visibility plan (KH005 ENG02 Rev A)
 Swept Path Analysis (3690-SP01 Rev E)
 Section_5 (Dwg No. A-104)

Documents

Extended Phase 1 Habitat Survey, Rachel Hacking Ecology, (March 2022)
 Otter Survey, Rachel Hacking Ecology (August 2022)
 Biodiversity Impact Assessment Rev B and Biodiversity net gain Metric 3.0, Rachel Hacking Ecology (August 2022)
 Arboriculture Impact Assessment, Urban Green (Ref: UG1521)
 Crime Impact Statement (ref: 2016/0037/CIS/02, Version A)
 Noise Impact Assessment, E3P (Ref: 50-586-R1-6)
 Landscape Management Plan (Ref: P.1639.22 Rev C)
 Invasive Weed Management Plan, York Street, Radcliffe, Manchester, M26 2GL, Knotweed Eradication, Reference: IWMP2369A, 7 July 2022.

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 shall commence unless and until:-
 - Post-mine stabilisation/grouting works gas monitoring results and risk assessment report has been submitted to, and approved in writing by the Local Planning Authority;
 - Environment Agency approval is received by the Local Planning Authority for the updated controlled waters risk assessment and any proposed remedial actions;
 - A detailed Build Phase Remediation Strategy has been submitted to, and approved in writing by, the Local Planning Authority.

Thereafter, the development shall be implemented in full accordance with details agreed in relation to the above matters.

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.

- 4 Following the provisions of condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out within timescales agreed with the Local Planning Authority; 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 occupation of the first dwellinghouse.

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.

- 5 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, as outlined in Table 20 of the Air Quality Assessment report (Redmore Environmental, Reference: 5490r1, 5 April 2022). The scheme shall include details of all dust control measures and the methods to monitor emissions of dust arising from the development. The construction of the development shall thereafter be implemented in accordance with the approved scheme, and the approved dust control measures shall be retained and maintained in a fully functional condition for the duration of the construction of the development hereby approved or to an alternative timescale previously agreed with the Local Planning Authority.

Reason. The information is required prior to the commencement of development in order to reduce the impacts of dust disturbance from development activity at the site on the local environment, pursuant to Policy EN7/1 of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 6 Each dwelling hereby approved shall be provided with 1 electric vehicle (EV) charge point (minimum 7kW*) prior to its occupation.

*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.

Reason. 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, pursuant to Section 9 of the National Planning Policy Framework.

- 7 No infiltration of surface water drainage into the ground, where adverse concentrations of contamination are known or suspected to be present, is permitted, other than with the written approval 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 controlled waters. The development shall be carried out in accordance with the approval 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, pursuant to policies EN7/3 and EN7/4 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 8 Piling or any other foundation designs using penetrative methods shall not be utilised unless prior written approval is agreed with 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. Thereafter, such methods shall only be carried out in full 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, pursuant to policies EN7/3 and EN7/4 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 9 The raising of ground levels adjoining the River Irwell must not be commenced unless and until details (including finished levels) showing the tie-in arrangements to the Radcliffe & Redvales flood risk management scheme defences has been submitted to and approved in writing by the Local Planning Authority.

Reason. To ensure flood defences are continuous and structural integrity is maintained thereby reducing the risk of flooding, pursuant to Policy EN5/1 of the

- 10 The landscaping of the wetland area and 20m riparian corridor within the northern parcel shall be carried out in accordance with the approved planting plan (P.1639.22.01 Rev. A) prior to any development comprising the erection of external walls of the first dwellinghouse. Thereafter, the maintenance and management of the implemented landscaping scheme shall be carried out in accordance with the recommendations and measures set out within the Landscape Management Plan by Ascerta (Reference no. P.1639.22 Rev. C) submitted with the application.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity and to ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value, pursuant to policies EN6/4, EN8/2 and EN10/2 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
- 11 A landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas in and around the residential development (except privately owned domestic gardens), and including the riparian corridor, for the southern residential parcel shall be submitted to, and approved in writing by the Local Planning Authority prior to any development comprising the erection of external walls of the first dwellinghouse. The landscape and ecological management plan shall be carried out only in accordance with the approved details or any subsequent variations that shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:
- details of maintenance regimes
 - details of any new habitat created on site
 - details of treatment of site boundaries and/or buffers around water bodies
 - details of management responsibilities
- Reason. To secure the satisfactory development of the site and in the interests of visual amenity and to ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value, pursuant to policies EN6/4, EN8/2 and EN10/2 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.
- 12 No development shall commence unless and until a full Arboricultural Method Statement, that takes cognisance of the advice contained within Section 4 of the Arboricultural Impact Assessment (Project No. UG151) by Urban Green, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall implemented only in accordance with the approved details.
Reason. The information is required prior to the commencement of development in order to preserve trees on the site in the interests of visual amenity and the character of the area, pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
- 13 No works to trees or shrubs shall occur, or earthworks commence, between the 1st March and 31st August in any year, unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance or commencement of earthworks. The bird nest survey shall thereafter be submitted to the Local Planning Authority in tandem with the clearance or earthworks.
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.

- 14 The treatment of invasive species shall be carried out in accordance with the recommendations and mitigation measures set out within the Landscape Management Plan by Ascerta (Reference no. P.1639.22 Rev. C) submitted with the application.

Reason. To ensure the removal/check to the spread of species that are listed as invasive non-native species under the Wildlife and Countryside Act 1981, in order to safeguard the biodiversity of the site and its surroundings, pursuant to Policy 6/4 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

- 15 Prior to occupation of the first dwelling, a biodiversity enhancement scheme shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a statement in relation to habitat improvement and creation in the context of the DEFRA Biodiversity Metric v3.0 (or amended) and national and local planning policies in relation to biodiversity net gain.

The scheme shall be implemented no later than the first planting season after final occupation and maintained thereafter in accordance with the approved scheme.

Reason. In order to provide biodiversity net gain, pursuant to Section 15 of the National Planning Policy Framework.

- 16 No development, site clearance or earth moving shall take place or material or machinery brought on site until a method statement to protect the River Irwell from accidental spillages, dust and debris has been supplied to and agreed by the Local Planning Authority. Thereafter, the approved measures shall be implemented in full and maintained for the duration of the construction period or for any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason. This information is required prior to the commencement of development 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, pursuant to policies EN7/3 and EN7/4 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 17 Prior to any earthworks, development or landscaping, a reasonable avoidance measures method statement for otter, including an updated survey of the riverbank immediately adjacent to the development for otter holts, will be provided to and agreed in writing by the Local Planning Authority. Thereafter, the agreed reasonable avoidance measures shall be fully implemented and adhered to until completion of the development or for any other period as may be agreed in writing by the Local Planning Authority.

Reason. This information is required prior to the commencement of development to ensure that development activity does not cause harm to a Protected Species, pursuant to policies EN6 and EN6/3 of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 18 Prior to any development comprising the erection of external walls of the first dwellinghouse, a bird and bat mitigation and enhancement strategy of integrated bird and bat bricks targeting house sparrow and crevice dwelling bats, written by a suitably qualified ecologist, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the mitigation and enhancement measures shall be implemented in full accordance with the approved details.

Reason. In order to ensure that development activity does not cause harm to a Protected Species, pursuant to policies EN6 and EN6/3 of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 19 No development shall commence until;

- a) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by past 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 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, pursuant to Section 15 of the National Planning Policy Framework.

- 20 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. 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, pursuant to Section 15 of the National Planning Policy Framework.

- 21 Prior to first occupation of the development, a full residential travel plan, which shall include clear objectives and modal split targets, together with a time-bound programme of implementation, monitoring, regular review and update; and be based on the particulars contained within Travel Plan Framework (by Eddisons - Job No. 3690), shall be submitted to and approved in writing by the local planning authority and thereafter operated in accordance with the approved details.

Reason. To promote and provide access to sustainable transport options, pursuant to Section 9 of the National Planning Policy Framework.

- 22 Notwithstanding the details indicated on approved plan references KH005 PL2 Revision U, KH005 ENG01 Revision A, no above ground development shall commence unless and until full details of the following have been submitted to a scope and specification to be agreed on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

- Formation of the 6.5m wide site accesses onto York Street, incorporating the provision of adequate arrangements at the interface with the adopted highway to form maximum 1 in 20 plateaux, provision of visibility splays appropriate for a design speed of 20mph with no obstructions within the splays above a height of 0.6m, demarcation of the limits of the adopted highway, tactile paved crossing points, give-way markings and alterations to existing/provision of a new scheme of road markings on York Street, and all associated highway and highway drainage remedial works;
- Reinstatement of the redundant vehicular accesses onto York Street and realignment of the southerly kerbline and footway adjacent to No.'s 73/75 York Street, incorporating all associated highway remedial and accommodation works;
- Reconstruction of the northerly York Street footway abutting the site and widening of the route to 2.0m where physically possible following removal of the

existing flag on edge detail, boundary walls and palisade fencing and within the constraints of retained trees;

- Formation of an accessible connection from the northerly York Street footway/improvement to the route of Public Right of Way No. 3, St. Mary's, Radcliffe, replacing the stepped solution shown indicatively on the submitted plans;
- Formation of the connection to the secondary emergency access from Road 3/4 to appropriate levels and to a detail and specification to be agreed with the Local Planning Authority to ensure that Greater Manchester Fire and Rescue vehicles will not ground when accessing the facility, incorporating the provision of full height kerbs and removable and fixed bollards (number and positions to be agreed) at the interfaces with the estate road and private industrial access road, all measures/boundary treatment required to prevent the misuse of and encroachment onto this secondary access (including the retention of most of the estate road, and all associated highway and highway drainage remedial works to prevent the discharge of surface water from the route onto the estate roads;
- In the event that any retaining structures are required that abut/are sited in close proximity to the adopted highway, an 'Approval In Principle' for the proposed structure, incorporating full structural, construction and drainage details, calculations, pedestrian protection measures and a detailed construction method statement;
- Provision of a street lighting assessment and scheme of improvements to a scope and specification to be agreed for the Dumers Lane/York Street junction, York Street between its junctions with Dumers Lane and Ripon Close, Bealey Avenue between its junctions with Dumers Lane and York Street and the proposed residential estate roads;
- A scheme of 20mph traffic calming measures to a scope and specification to be agreed on York Street between its junctions with Dumers Lane and Ripon Close and Bealey Avenue between its junctions with Dumers Lane and York Street, incorporating the formation of a speed table at the Selby Close junction including details of proposed materials, road markings and signage as required; and,
- Review of need for the introduction of waiting restrictions to scope to be agreed at the junctions of the site accesses with York Street, including, if required, all necessary road markings and signage;

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 23 In the event that it is intended for the proposed residential estate roads to be considered for adoption by the Council, notwithstanding the details indicated on the approved plans, no above ground development shall commence unless and 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:

- Dilapidation surveys of York Street shall be carried out before commencement of development and after substantial completion, and provided as part of a scheme of remedial carriageway resurfacing works on York Street to a scope and specification to be agreed, to be undertaken upon substantial completion of the proposed residential development;
- Formation of the proposed estate roads (including all necessary land filling

operations and method of compaction), incorporating the 6.5m loop road and connections with the proposed priority junctions at York Street and other estate roads with minimum 5.5m carriageway and 2.0m footway widths;

- Provision of long sections and cross sections at positions to be agreed through the proposed estate roads and turning heads to ensure that adoptable gradients will not exceed 1 in 14 for the purposes of adoption and incorporating a maximum 1 in 20 plateau at each junction within the development and at the interface with the adopted highway;
- Service strips at all necessary locations to be a minimum of 1.0m in width to be agreed;
- Demarcation of the limits of adoption at all relevant locations;
- Revised turning head arrangements at the easterly end of Road 4 to extend the 'straight ahead arm' to the easterly boundary of Plot 82/unadopted footpath link to Road 3;
- Provision of visibility splays and forward visibility envelopes appropriate for a design speed of 20mph at all internal junctions and bends in accordance with the standards in Manual for Streets with no obstructions above the height of 0.6m within them;
- A scheme of up to 20mph traffic calming measures to a scope and specification to be agreed on the proposed residential estate roads, incorporating the formation of speed tables at all appropriate junctions and speed reducing measures on the approach to the bend at Plot 172, including details of proposed materials, road markings and signage as required;
- Swept path analysis of the proposed estate roads to ensure that an 11.85m long refuse collection vehicle can pass a private car at all bends (including on Road 4) and manoeuvre at all turning heads; and,
- Facilities for the storage of bins on collection day at the interfaces of all shared accesses with the proposed adopted highway;

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 24 In the event that it is not intended for the proposed residential estate roads to be considered for adoption by the Council, no development shall be commenced until details of:

- The measures to prevent the discharge of surface water onto the adopted highway;and,
- The proposed arrangements for future management and maintenance of the proposed estate road within the development have been submitted to and approved by the local planning authority.

The estate road shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason. This is required prior to the commencement of development to ensure that the unadopted estate roads serving the development is maintained to an acceptable standard in the interest of residential/highway safety, to ensure a satisfactory appearance to the highways infrastructure

serving the development, and to safeguard the visual amenities of the locality and users of the highway pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

- 25 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 leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
- Access route for all vehicles to the site from the Key Route Network;
- Access point(s) for construction traffic from York Street (phased to minimise the use of the westerly section of York Street and impact on existing residential properties) and all temporary works required to facilitate access for ground works/construction vehicles;
- If proposed, details of site hoarding/gate positions clear of required visibility splays onto York Street;
- The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway and to maintain access for users of Public Right of Way No. 3, St. Mary's, Radcliffe, that crosses the site;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es) onto York Street;
- Confirmation of hours of operation 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 construction vehicles, together with storage on site of construction materials; and,
- 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of 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 brought into use.

Reason. To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 26 The measures to prevent rat-running traffic on the shared, private access serving Plots 129 and 136-147 indicated on the approved plans shall be implemented to the written satisfaction of the Local Planning Authority and thereafter maintained.

Reason: In the interests of road safety and residential amenity, pursuant to

policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 27 The turning facilities indicated on the approved plans shall be provided prior to occupation of the part of the development to which they relate. The areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.
- 28 Minimum hardstandings lengths of 5.0m at dwellings without garages shall be provided in accordance with the approved plans and thereafter maintained.
Reason. To enable a vehicle to stand clear of the highway whilst the garage doors are opened and/or to allow adequate space to maintain a vehicle clear of the highway in the interests of pedestrian safety, pursuant to policies H2/2, EN1/2 and HT2/4 of the Bury Unitary Development Plan.
- 29 Bin storage arrangements shall be provided within the curtilage of each dwelling in accordance with the approved waste management plan.
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.
- 30 The approved emergency access route shall be available for use on first occupation of any dwellings and it shall be available for use at all times whilst the residential development is reliant upon this access for an emergency purpose.
Reason. To ensure that the emergency access route is delivered to serve the residential development hereby approved, pursuant to UDP Policies EN1/5 - Crime Prevention and H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.
- 31 No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, and all boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 32 (a) Prior to installation, the following shall be submitted to and agreed in writing by the Local Planning Authority, which shall be accompanied by a written statement from a suitably qualified person to demonstrate compliance with the following stated aims and objectives:
- Detailed design of the noise barriers proposed north of plots 50-82. This system of barriers will achieve the acoustic performance set out within the Noise Impact Assessment (Ref. 50-586-R1-6) Figure 5 and Table 4.2.
 - Detailed design of the noise barriers to be included within the gardens of plots 49-51, 82-83 and 109-126. The barriers proposed can be of wooden fence or brick wall construction, but must be sealed at the base, be free from holes and have a minimum mass of 15 kg/m².
- (b) No development comprising the erection of any external walls shall take place, unless and until the details of the design of windows and external doors to sensitive

rooms, the roof, and the means of ventilation in relation to the dwellings at plots 50-82, is submitted to and approved in writing by the Local Planning Authority. The detailed design of dwelling facades will follow the recommendations of the Noise Impact Assessment (Ref. 50-586-R1-6), Section 5.2.

(c) Prior to occupation, the noise mitigation measures (part a and b) shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Prior to occupation of the first dwellinghouse, a verification report prepared by a suitably qualified person, confirming full implementation of the approved noise mitigation measures, shall be submitted to and approved by the Local Planning Authority.

Reason. In order to ensure that the amenities of the future occupants of the proposed properties are not adversely impacted by noise from nearby industrial, storage and distribution uses in accordance with Policy EN7/2 of the Bury Unitary Development Plan and the Section 15 of the National Planning Policy Framework.

- 33 The drainage for the development hereby approved shall be carried out in accordance with the principles set out in the submitted Foul & Surface Water Drainage Design Drawing 882534/40-02, Rev P6 dated 21/10/2022, which was prepared by RSK. For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the first dwellinghouse, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 34 Prior to the occupation of the first dwellinghouse hereby approved, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and agreed in writing with the local planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason. To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

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:

EC1	EC1 - Employment Land Provision
EC1/1	EC1/1 - Land For Business (B1), General Industrial (B2) and Warehousing Uses (B8)
EC2	Existing Industrial Area's and Premises
EC2/1	EC2/1 - Employment Generating Areas
EC6/1	EC6/1 - New Business, Industrial and Commercial Development
H1	H1 - Housing Land Provision
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H4/1	H4/1 - Affordable Housing
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/5	EN1/5 - Crime Prevention
EN5/1	EN5/1 - New Development and Flood Risk
EN6/3	EN6/3 - Features of Ecological Value
EN6/4	EN6/4 - Wildlife Links and Corridors
EN8/2	EN8/2 - Woodland and Tree Planting
EN6/1	EN6/1 - Sites of Nature Conservation Interest (SSSI's, NNR's and Grade A SBI's)
EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution
EN7/3	EN7/3 - Water Pollution
EN9	EN9 - Landscape
OL5/2	OL5/2 - Development in River Valleys
OL5/3	OL5/3 - Riverside and Canalside Development in Urban Areas
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT2	RT2 - New Provision for Recreation in the Urban Area
RT2/1	RT2/1 - Provision of New Recreation Sites
RT2/2	Recreation Provision in New Housing Development
HT5/1	HT5/1 - Access For Those with Special Needs
SPD1	Development Control Policy Guidance Note 1: Recreation Provision in Housing Development
SPD2	Development Control Policy Guidance Note 2: Wildlife Links & Corridors
SPD3	Development Control Policy Guidance Note 3: Planning Out Crime in New Development
SPD4	Development Control Policy Guidance Note 4: Percent For Art
SPD5	Development Control Policy Guidance Note 5: Affordable Housing Provision in New Residential Developments
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
SPD14	Development Control Policy Guidance Note 14 - Employment Land and Premises
NPPF	National Planning Policy Framework (2018)

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:

Drawings

Location Plan (KH-005-LP Rev A)

Planning Layout (KH005-PL2 Rev U)

Planning Layout (Composite) (A-100 Rev R)
Waste Management Plan (KH-005_A-700 Rev: C)
Boundary Treatments (KH-005-BT Rev F)
Materials Plan (KH005 A-200 Rev F)
Housetype Pack - Rev B
Garth Up - Elevations & Floor Plans
Access Road Alignments and 3.7m Plan - Designed to accommodate 12.5 tonne gross weight (PIN Property)
Emergency Access Road Sections (2727_201 Rev C)
Emergency Access Road Plan (Dwg No. 2727 200 B)
Street Scenes (KH-YSR-SS-01)
Plots 50 to 82 Street Scene (KH005 A-600)
Indicative Floor Levels (KH-E-001-FFL Rev A)
Works to Southern and Western Sections (KH-E-005-EW-102 Rev B)
Works to Northern and Eastern Boundary (KH-E-005-EW-101 Rev H)
Landscape Layout (sheet 1) and Wetland Area (sheet 2) (ref: P.1639.22.01 Rev E)
Planting Plan - Wetland Area (P.1639.22.01 Rev A)
Site Discharge Locations (005_1001)
Adoptable Drainage Layout (40-02 Rev P6)
Long Sections (RSK - 40-11-01 Rev P6, 40-11-02 Rev P4, 40-11-03 Rev P5)
Highways response plan (KH005 ENG01 Rev A)
Forward visibility plan (KH005 ENG02)
Swept Path Analysis (3690-SP01 Rev E)
Section_5 (Dwg No. A-104)

Documents

Extended Phase 1 Habitat Survey, Rachel Hacking Ecology, (March 2022)
Otter Survey, Rachel Hacking Ecology (August 2022)
Biodiversity Impact Assessment Rev B and Biodiversity net gain Metric 3.0, Rachel Hacking Ecology (August 2022)
Arboriculture Impact Assessment, Urban Green (Ref: UG1521)
Crime Impact Statement (ref: 2016/0037/CIS/02, Version A)
Noise Impact Assessment, E3P (Ref: 50-586-R1-6)
Landscape Management Plan (Ref: P.1639.22 Rev C)
Invasive Weed Management Plan, York Street, Radcliffe, Manchester, M26 2GL, Knotweed Eradication, Reference: IWMP2369A, 7 July 2022.

NOTES TO APPLICANT

2. United Utilities advice

Drainage

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

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in '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.

Acceptance of a drainage strategy does not infer that a detailed drainage design will

meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

WATER AND WASTEWATER SERVICES

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

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

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

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

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

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

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).

Advice relating to both water and wastewater infrastructure

It is the applicant's responsibility to demonstrate the exact relationship between 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.

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 a diversion application 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 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'. 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. A copy of this document is available on our website.

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. 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 - 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.

4. Greater Manchester Police advice

It is recommended that the physical security measures noted within Section 4 of the Crime Impact Statement (Ref. 2016/0037/CIS/02 Version .A) are implemented.

1. Environment Agency advice

Advice to applicant/future occupants

The applicant/occupants are recommended to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

Future occupants should be made aware of the risks and access/egress options available in the event of more extreme flood events that could overtop defences and flood surrounding lower lying areas.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. To get help during a flood, visit <https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>. This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of the River Irwell which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted.

Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by: We

recommend that developers 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

If dewatering and discharging into surface water is required during development, 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>

Additional advice and support

This is a voluntary charged-for service to recover costs where we can provide more detailed planning advice. As part of this service, we can provide a dedicated project manager to act as a single point of contact to coordinate any review of technical documents. Should you or the developer want us to undertake a detailed review of any documentation or meet with us to discuss any of the above we can do this as part of our charged service.

The cost is £100 per hour plus vat. Please see the following link for further details:
<https://www.gov.uk/government/publications/planning-and-marine-licence-advice-standard-terms-for-our-charges>

3. In relation to condition 15, the provision of one house sparrow terrace for every five houses and one bat brick for every 10 dwellings would constitute a reasonable mitigation and enhancement measure.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written in a cursive style.

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On behalf of the Council

Date of Decision: 01/08/2023