

NOTICE OF OUTLINE PLANNING PERMISSION

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

To:

Richard Gee
Roman Summer Associates Ltd
Haweswater House
Waterfold Business Park
Bury
Lancashire
BL9 7BR

On Behalf Of:

Barnaby Properties Ltd & Dial a Skip UK Ltd
68 Derby Street
Manchester
M8 8AT

PART 1 - Particulars of Application

Application Number: 67243

Date of Registration: 28/07/2021

Proposal:

Outline application with 'Access' for erection of up to 5 dwellings, and new/improved formal and informal community open space, replacement / improved footpath connections and wider greenspace enhancements

Location:

Land off Brownhills Close / Bury Road, Tottington

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 Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, scale, appearance, access thereto and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

- 3 This permission relates to the following plans:

Drawing no. YD2_BC_SP001: Site Location Plan
Drawing no. J1215 access Fig. 1 [Bury Road]
Drawing no. J1215 access Fig. 2 [Brownhills Close]
YD2_BH_LP001 Rev. A: Illustrative Masterplan

Except as provided for by other conditions to this permission, any application for approval of reserved matters submitted pursuant to condition 3 of this permission shall accord with the outline permission insofar as it relates to the site and the maximum number of dwellings to no more than 5 in the locations indicated.

Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015. Access has been applied for and any application for reserved matters must be in accordance with the parameters established as part of this permission.

- 4 As part of the submission of the first reserved matters application, a detailed Arboricultural Report and Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction shall be submitted to and approved in writing by the Local Planning Authority.

The AMS shall include full details of the following:

- a) Timing and phasing of Arboricultural works in relation to the approved development including those works identified in Section 4.2 'Direct Impacts' of the approved Arboricultural Report & Impact Assessment.
- b) Detailed tree felling and / or pruning specification in accordance with BS3998:2010 recommendations for Tree Works.
- c) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site.
- d) Details of any construction works required within the root protection area as defined by BS5837:2012 regarding providing satisfactory mitigation, employing no-dig type construction methods with a porous final surface.
- e) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012.
- f) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the Arboricultural Method Statement.

Works shall be undertaken in strict accordance with the approved AMS. Thereafter all trees identified to be retained shall be protected in accordance with the approved AMS to ensure that:

- a. All tree felling and /or pruning works shall be carried out in full accordance with the approved specification and the requirements of

British Standard 3998:2010 (as amended) - Recommendations for Tree Works.

- b. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- c. No fires should be lit within 6m of the furthest extent of the canopy of any tree or tree group to be retained as part of the approved scheme.
- d. Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- e. No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement.

Reason: Details are required at reserved matters to ensure the continued well-being of the trees both within the site and within influencing distance of the site, in the interests of the amenity and environmental quality of the locality and biodiversity, in accordance with Policies EN8, EN8/1, EN6/1 and EN6/4 of the Unitary Development Plan.

- 5 As part of the submission of the first reserved matters application, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions, the potential for infiltration of surface water in accordance with BRE365;
- (ii) 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).
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge; and
- (v) Foul and surface water shall drain on separate systems within the site.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and no surface water shall discharge to the public sewer either directly or indirectly.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, in accordance with Policy EN5/1 of the

Bury Unitary Development Plan.

- 6 As part of first reserved matters an updated Extended Phase 1 Habitat Survey(s) shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure adequate protection of existing landscape features of ecological value and to achieve appropriate landscape and biodiversity enhancements as part of the development in accordance with the requirements of Policies EN6/1, EN6/2 and EN6/4 of the Unitary Development Plan, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

- 7 As part of first reserved matters an updated survey of the site and adjacent land where accessible for badger setts shall be provided and a reasonable avoidance method statement provided to reduce the risk of harm to individual badgers during construction also provided, supplied to and agreed in writing by the Local Planning Authority.

Reason: It is an offence Under the Protection of Badgers Act 1992 to intentionally or recklessly interfere with a badger sett and to take, injure or kill a badger.

- 8 As part of reserved matters, an Environmental Construction Method Statement (ECMS) setting out details of measures to protect the nature conservation interest of the site and the adjacent areas during construction has been submitted to and approved in writing by the Local Planning Authority. The ECMS shall include details of the following:

- (i) the siting, height and design of any protective barrier to be erected between the site and the adjacent land;
- (ii) any reasonable avoidance measures to limit the potential for harm to habitats and species associated with the land;
- (iii) measures to prevent local ground and surface water pollution; and
- (iv) A timetable for implementation

Development shall thereafter be carried out in strict accordance with the details and timetable contained within the duly approved ECMS.

Reason: In order to ensure that appropriate mitigation measures are put in place to safeguard the nature conservation interest of the adjacent habitat during the construction period before any development takes place in accordance with the requirements of policies EN6/1 and EN6/4 of the Bury Unitary Development Plan, and the National Planning Policy Framework.

- 9 As part of the first reserved matters a biodiversity mitigation and enhancement plan shall be submitted to and approved in writing including:
- Habitat enhancement measures on the retained site;
 - Landscaping within the developed site;
 - Mitigation and enhancement of the site for nesting birds

- A 5 year management and maintenance plan

Development shall thereafter be carried out in strict accordance with the measures and timetable contained within the duly approved biodiversity mitigation and enhancement plan.

Reason: To ensure that appropriate measures are implemented as part of the development to mitigate the impact of operations during the construction, operational and decommissioning phases of development, to provide adequate compensation for any habitat loss arising as a result of the development, to ensure that the development does not adversely affect the favourable conservation status of protected species and to secure appropriate biodiversity enhancements as part of the development in accordance with the requirements of policies EN6/1 and EN6/4 of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 10 As part of the first reserved matters, full details of the sustainable drainage measures proposed shall be submitted to and approved in writing to the Local Planning Authority which demonstrate that there would be no negative impact on biodiversity.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy EN5/1 of the Unitary Development Plan and the National Planning Policy Framework.

- 11 Any application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels (including sections through the site) and proposed finished floor levels of the development (all relative to ground levels within the site and adjacent to site boundaries), notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out only in accordance with the details so approved.

Reason: To protect biodiversity, the appearance of the locality and in the interests of the amenities of local residents, in accordance with Policies EN2/2, H2/2, H2/2 and EN6/4 of the Bury Unitary Development Plan, the National Planning Policy Framework and the Planning Practice Guide.

- 12 Any application which seeks approval for the first reserved matter pursuant to condition 3 of this permission shall include a scheme for the provision and future maintenance of Public Open Space to be delivered on the site as part of the development. The scheme shall include details of the size, siting, layout, design and maintenance arrangements for the improved Public Open Space, and the Community Orchard, and a timetable for its provision and future maintenance.

A minimum of at least 0.16 hectares land within the application site shall be improved prior to commencement of development.

The improved Public Open Space, including Community Orchard shall be provided and maintained in accordance with the details and timetable contained within the duly approved scheme, and shall be maintained as such thereafter for use as Public Open Space.

Reason: To ensure that the development provides satisfactory mitigation for the loss of Public Open Space approved by application no. 33756 makes a proportionate contribution towards the provision and future maintenance of public open space on

the site in order to avoid a deficiency in the quantity and quality of recreational open space in the locality and to ensure that the impact of the development on existing recreational open space is adequately mitigated in accordance with the requirements of Policy RT1 of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 13 Any application which seeks approval for the reserved matter of landscaping pursuant to condition 3 of this permission shall include a landscaping scheme for the site which contains details of:
- (i) any trees, hedgerows and any other vegetation on/overhanging the site to be retained;
 - (ii) compensatory planting to replace any trees or hedgerows to be removed;
 - (iii) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (i) or (ii); and
 - (iv) the type, size, species, siting, planting distances and the programme of planting of hedges, trees, shrubs and of the community orchard and around the pathways being improved.

The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure suitable mitigation and strengthening of existing landscaping on the site in the interests of visual amenity, to secure adequate provision of private garden space for the dwellinghouses and in the interests of providing biodiversity mitigation, enhancement, and biodiversity net-gain in accordance with the requirements of policies EN1/1, EN1/2, EN6/1 and EN6/4 of the Bury Unitary Development Plan, and the National Planning Policy Framework.

- 14 Any application which seeks approval for the reserved matter of Layout pursuant to condition 3 of this permission shall include the following details:
- Provision of tracked turning facilities within the curtilage of both sites clear of proposed parking/driveways, hardstandings and refuse storage areas, in order to enable private vehicles to enter and leave each hardstanding area in a forward gear;
 - Provision of bin storage arrangements within the curtilage of each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.
 - Provision of parking facilities within the curtilage of each dwelling in accordance with the maximum standards in SPD 11 - Parking Standards in Bury and the National Design Guide.

Prior to occupation of any dwellings, the development shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: In the interests of good design and the amenity of the amenity of future occupiers of the site to ensure each dwelling is accessible by all who will visit the development, in accordance with Policy EN1/2, H2/2 and HT/6 of the Bury Unitary Development Plan, SPD11 – Parking Standards, and the National Planning Policy Framework and National Design Guide.

- 15 Any application which seeks approval for the reserved matter of layout pursuant to condition 3 of this permission shall include a scheme for the provision of the pedestrian/cycle routes through to adjoining land which are shown on drawing no. YD2_BH_LP001 Rev. A: Illustrative Masterplan. The scheme shall include details of the siting, layout, design, construction (including surfacing materials) and drainage of each route, and a timetable for their provision. The pedestrian/cycle routes shall thereafter be constructed and made available for use in accordance with the details in the duly approved scheme and the timetable contained therein.

Reason: To ensure connectivity between adjoining sites for cyclists and pedestrians in the interests of promoting permeability and accessibility between sites and a holistic approach to development in accordance with the requirements of the National Planning Policy Framework.

- 16 Any application which seeks approval for the reserved matter of layout pursuant to condition 3 of this permission shall include the position and access easements of the public sewer and any other United Utilities assets.

Reason: In the interests of safeguarding this infrastructure which serves the surrounding residential estates and the needs of neighbouring occupiers.

17 ***Pre-Commencement Conditions***

No clearance of any vegetation in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Policy EN6/1 and EN6/4 of the Bury Unitary Development Plan, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

- 18 No development 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.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority within agreed timescales before any of the buildings hereby approved are first occupied.

Reason. 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 11 - Conserving and enhancing the natural environment.

19 Notwithstanding the details shown on the approved plans, no development shall commence until full details submitted on a topographical based survey of the application site and adopted highways of the following highway aspects have been submitted to and approved in writing by the Local Planning Authority:

- Formation of the site access from Brownhills Close in the form of a new service strip crossing, incorporating the provision of the minimum access and shared driveway widths shown, demarcation of the limits of the adopted highway, shared driveway hardstanding in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, 'bin waiting' area of a size and in a position to be agreed with Waste Management and all associated highway and highway drainage remedial works, all to a scope and specification to be agreed with the Highway Authority;
- Formation of the site access from Bury Road, incorporating the provision of a scheme of works on the adopted highway to extend the footway, provide a segregated pedestrian route to the site and formalise the site access/parking arrangements at the gable of No. 331 Bury Road, resurfacing of the unadopted side street and all associated road markings, a scheme of works including all necessary signage and road markings on the proposed site access and at the junction with the unadopted back street to implement the priority give-way arrangements proposed and reverse the priority at the junction with the unadopted back street, the minimum access/driveway widths shown, driveway hardstanding in a porous/permeable material, and/or measures to prevent the discharge of surface water onto the unadopted back street, 'bin waiting' area of a size and in a position to be agreed with Waste Management and all associated highway and highway drainage remedial

works, all to a scope and specification to be agreed with the Highway Authority; and

- Formation and retention of the pedestrian accesses onto the Kirklees Trail and retention/improvement of pedestrian routes through the site.

No more than one dwelling shall be erected that seeks to utilise the Bury Road access, and no construction of that dwelling shall occur until the access improvements to the area of land between nos. 331 and 333 Bury Road have been implemented.

Prior to occupation of any dwellings, the development shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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.

- 20 No trees, unless indicated otherwise on plans submitted and approved as “reserved matters”, shall be felled, lopped or topped before or during the construction period without the previous written consent of the Local Planning Authority.

Reason To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 and EN8/2 of the Bury Unitary Development Plan.

- 21 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, carriageways and service strips 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 and all temporary works required to facilitate access for ground works/construction vehicles;
- If proposed, details of site hoarding/gate positions clear of the adopted turning head on Brownhills Close;
- The provision, where necessary, of all required temporary pedestrian facilities/protection measures;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its accesses;
- Hours of operation, confirmation of delivery & construction vehicle sizes that can be accommodated on the residential estate roads leading to the site and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of each 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;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted/unadopted 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 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.

- 22 No development shall commence unless and until a scheme incorporating measures to minimise the risk of crime and meet the specific security needs of the application site and the development has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved measures for that dwelling have been installed which shall thereafter be retained for the lifetime of the development.

Reason: In pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 and in accordance with Policy EN1/5 of Bury Unitary Development Plan and the National Planning Policy Framework.

23 ***Pre and Post Development***

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 express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: For the future protection of the Water Environment from risks arising from land contamination, in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the National Planning policy Framework.

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

Reason: For the future protection of the Water Environment from risks arising from land contamination, in accordance with Policy EN5/1 of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 25 No above ground works shall take place until a scheme for the disposal of foul and

surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) separate systems for the disposal of foul and surface water;
- (ii) a detailed drainage strategy to demonstrate that the post-development surface water discharge rate to any soakaway, watercourse or sewer does not exceed the pre-development (greenfield) rate. The drainage strategy shall include details of the peak surface water runoff rate from the development for the 1 in 1 year rainfall event and the 1 in 100 year (+30% climate change allowance) rainfall event, and shall demonstrate that the peak post-development runoff rate does not exceed the peak pre-development greenfield runoff rate for the same event;
- (iii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- (iv) details of the measures taken to prevent flooding and pollution of any receiving groundwater and/or surface waters (including watercourses) and any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (including refurbishment of existing culverts and headwalls or removal of unused culverts where applicable);
- (v) flood water exceedance routes, both on and off site;
- (vi) means of access for maintenance and easements (where applicable);
- (vii) a timetable for implementation, including any phasing of works.

The duly approved scheme shall be implemented before any of the dwellings hereby approved are first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy EN5/1 of the Bury Unitary Development Plan, the National Planning Framework and Planning Practice Guidance.

- 26 No above ground works shall take place until a phasing plan for the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include a programme of works for the provision of:-

- (i) Each of the proposed land uses within the site;
- (ii) Any highway infrastructure associated with those uses and
- (iii) The area of formal Public Open Space allocated as such under policy RT1/1 of the Bury Unitary Development Plan; and
- (iv) The area(s) of recreational open space and any other areas of amenity open space shown to be improved.

The development shall thereafter be carried out in accordance with the duly approved phasing plan(s).

Reason: To ensure that any phased development of the site takes place in an appropriate order and within an acceptable timescale, to ensure adequate provision of infrastructure to serve each phase and because no such details were submitted as part of the application.

- 27 No above ground works shall take place until a lighting scheme has been submitted

to and approved in writing by the Local Planning Authority. Details shall include the location, orientation and type of lights. No dwelling shall be occupied until the approved measures for that dwelling have been installed which shall thereafter be retained for the lifetime of the development.

Reason: To ensure that appropriate measures are implemented as part of the development to mitigate the impact of operations during the construction and occupation phases of development, to provide adequate mitigation, to ensure that the development does not adversely affect the favourable conservation status of protected species, In the interest of amenity and in pursuance of the Council's duty under Section 17 of the Crime and Disorder Act 1998 and in accordance with Policies EN1/1, EN1/2, EN1/5, EN6/1 and EN6/4 of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 28 Following the provisions of Condition 18 of this planning permission, where land contamination remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: For the ongoing protection of the Water Environment from risks arising from land contamination and to secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to the National Planning Policy Framework.

29 ***Prior to Occupation***

Prior to first occupation of the development hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in the dwellings hereby approved and shall thereafter be maintained at all times.

Reason: In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Policies H1/2, H2/2 and EN1/2 of the Bury Unitary Development Plan and the National Planning Policy Framework.

30 ***Post-Occupation***

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

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 National Planning Policy Framework Section 15 -

Conserving and enhancing the natural environment.

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

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
H2/6	H2/6 - Garden and Backland Development
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
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
EN8/2	EN8/2 - Woodland and Tree Planting
OL1/5	OL1/5 - Mineral Extraction and Other Development in the Green Belt
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT1/2	RT1/2 - Improvement of Recreation Facilities
RT3/3	RT3/3 - Access to the Countryside
RT3/4	RT3/4 - Recreational Routes
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
SPD1	Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing 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
EN6/1	EN6/1 - Sites of Nature Conservation Interest (SSSI's, NNR's and Grade A SBI's)
EN6/4	EN6/4 - Wildlife Links and Corridors
H2/3	H2/3 - Extensions and Alterations
MW1	MW1 - Protection of Mineral Resources

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:

NOTES TO APPLICANT

- . Bat Protection
Whilst the site has been assessed as low risk for bats, the applicant is reminded that

under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Bird Protection

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 bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

United Utilities

A public sewer crosses this site and United Utilities will not permit building over it. United Utilities will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of Part H of the Building Regulations, for maintenance or replacement. Therefore, a modification of the site layout, or a diversion of the affected public sewer may be necessary. All costs associated with sewer diversions must be borne by the applicant.

The location of the public sewer and its access strip is to be provided under the reserved matter of Layout.

Coal Authority

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Signed:



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On behalf of the Council

Date of Decision: 01/06/2023