

NOTICE OF PERMISSION IN PRINCIPLE

Town and Country Planning Act 1990 Town and Country Planning (Permission in Principle) Order 2017 as amended

To:

Mr Lee Greenwood
Connolys
Kingfisher Business Centre
Burnley Road
Rawtenstall
Lancashire
BB4 8EQ

On Behalf Of:

Mr Jeffrey Speak

PART 1 - Particulars of Application

Application Number: 69420

Date of Registration: 07/03/2023

Proposal:

Application for permission in principle for up to 9 no. dwellings

Location:

Land off Holcombe Grove, Radcliffe, Manchester, M26

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 in Principle has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted:-

Please note the following:

The Principle of Permission hereby granted is for a period of 3 years from the date of this decision. This is the prescribed period as set out in the Town & Country Planning Act 199, Town and Country Planning (Permission in Principle) Order 2017 as amended. The "Notes to Applicant" below provides guidance on what the detailed proposals should include at the Technical Details Stage.

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
- 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
- EN6/4 EN6/4 - Wildlife Links and Corridors
- EN7 EN7 - Pollution Control

EN7/1	EN7/1 - Atmospheric Pollution
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
OL5/2	OL5/2 - Development in River Valleys
HT2/4	HT2/4 - Car Parking and New Development
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework

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

Applicant Plan Numbers:

Location plan, dated 9 March 2023

NOTES TO APPLICANT

1. As part of the subsequent technical details consent stage, the following aspects should be considered and full details submitted:
 - Improvements to the unadopted site access (Holcombe Grove) from New Road to address the restricted arrangements at the bend adjacent to No.'s 21/23 New Road;
 - A scheme of mitigation measures required by Greater Manchester Fire and Rescue Service (GMFRS) to overcome the site's emergency access deficiencies. The details/measures should incorporate the installation of a residential sprinkler/misting system at each dwelling meeting the requirements of BS 9251:2014, or other subsequent standard that meets the requirements of GMFRS, and thereafter maintained at all times.
 - Measures to ensure that the requirements of Approved Document B for Fire Service access/fire safety under the Building Regulations 2010 will be met, including, but not limited to, the following:
 - Vehicular access for a fire appliance to within 45m of all points within the dwellings;
 - The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes;
 - As the access road is more than 20m long, a turning circle, hammerhead, or other turning point for fire appliances will be required;
 - There should be a suitable fire hydrant within 165m of any dwelling.

The details/measures subsequently agreed should be implemented to the satisfaction of GMFRS before the dwellings are first occupied and thereafter maintained at all times.

The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system

2. Environmental Health Contaminated Land - The site is currently occupied by rough

vegetation. Current uses in the surrounding area commercial/industrial premises, residential, open land, a park and a Metrolink line. Previous uses at the site have included open land and possible small holdings/agricultural land associated with Top 'o th' Bank house/farm. Previous uses in the surrounding area have included sand pits, reservoirs, railway land, cotton mills, bleach and dye works, engineering works, and areas of landfilling and waste disposal. The site is within 250m of three registered landfill sites, two of which are situated on the opposite side of the River Irwell. The River Irwell is situated 120m to the east. The site is situated on the Nob End Rock and Lower Coal Measures Formation Secondary Aquifers, which is overlain by glacial sands and gravel deposits.

Based on the environmental setting and the proposed development, it is recommended that a desk study/preliminary risk assessment is carried out as a minimum at application stage. It is also considered likely that an intrusive investigation would be required, however, this can be submitted after a decision has been made on any application for residential development. Contaminated Land conditions would be recommended.

3. Air quality - The site is not located within an Air Quality Management Area. Due to the scale of the development it is considered unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

However, Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The Government report, 'UK Plan for Tackling Roadside NO2', published in July 2017, identified Bury Council as an area having one or more roads with concentrations of NO2 above statutory limits, according to more recent modelling results. Bury is therefore required to address these exceedances and we are currently engaging with Government on our proposed plans to reduce NO2 concentrations across the borough.

Due to this requirement and in line with the principles of Good Practice set out in the EPUK Guidance, this Section will recommend that a condition be attached to any permission that requires the installation of EV charging points for each residential unit.

4. Ecology - GM Ecology Unit have confirmed they are not aware of any ecological reasons why this application could not proceed to technical details. The ponds nearby have been surveyed on a number of occasions in the past and no great crested newts found and even if present, would not prevent the development. There are no trees or structures that could provide roosting habitat for bats.

As part of any technical details application, a preliminary ecological appraisal and a badgers survey report would be required. A biodiversity net gain assessment would be required as it is likely that 10% net gain would be mandatory by the time any application for technical details came forward.

5. The applicant is advised of the submission of information at a technical details stage, which would include:
Existing and proposed site plans
Proposed site layout and elevation plans
Boundary treatment and landscaping
Section plans

together with the requisite reports and information.

6. We provide this response as guidance to the applicant when considering any future

application for Technical Detail Consent. Any future response issued or communication regarding this site, will be based upon the information that is available at the time of our response and therefore, our position and advice may vary.

We strongly recommend that the applicant or any subsequent developer contacts United Utilities, using our pre-development enquiry service to discuss their proposals directly with our Developer Services team. They can find further advice, along with a pre-development enquiry form, on our website:

<https://www.unitedutilities.com/builders-developers/>

DRAINAGE - National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Should the applicant receive Planning in Principle permission for this proposal, United Utilities will review the drainage element of any application for Technical Detail Consent in line with the surface water hierarchy. United Utilities will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

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.

The applicant should not presume that the principles outlined within a drainage strategy will meet the detailed requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

6. **UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE**

Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. Please see 'Contacts' section below.

Water pipelines - United Utilities will not allow building over or in close proximity to a water main.

Wastewater pipelines - United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

Important information regarding water and wastewater pipelines and apparatus

- It is the applicant's responsibility to investigate and demonstrate the exact relationship between United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service, including United Utilities (see 'Contacts' section below). The position of the underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. Therefore, we strongly recommend the applicant, or any future developer, does not rely solely on the asset maps to inform decisions relating to the detail of their site and instead investigates the precise location of any underground pipelines and apparatus. Where additional information is requested to enable an assessment of the proximity of proposed development features to United Utilities assets, the proven location of pipelines should be confirmed by site survey; an extract of asset maps will not suffice. The applicant should seek advice from our Developer Services team on this matter. See 'Contacts' Section below. United Utilities Water will not accept liability for any loss or damage caused by the actual position of our assets and infrastructure being different from those shown on asset maps.

Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

6. Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include sustainable drainage features, earth movement and the transport and position of construction equipment and vehicles.

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is available on our website. The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction

activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently operational.

It is the applicant's responsibility to ensure that United Utilities' required access is provided within any proposed layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity.

WATER AND WASTEWATER SERVICES

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

6. If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the connection(s) will be suitable for the new proposal or that any existing metering arrangements will suffice. In addition, if reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

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

To promote sustainable development United Utilities offers a reduction in infrastructure charges for applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). For further information, we strongly recommend the applicant visits our website when considering any water or wastewater design
<https://www.unitedutilities.com/builders-developers/your-development/planning/building-sustainable-homes/>

Business customers can find additional information on our sustainable drainage incentive scheme at
<https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>
To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' Section below.

CONTACTS

Website - For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the '**Live Chat**' function, please visit:
<http://www.unitedutilities.com/builders-developers.aspx>

Email - For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering -
DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - SewerAdoptions@uuplc.co.uk

Telephone - 0345 072 6067

Property Searches (for asset maps) - A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit

<https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 27/06/2023