

NOTICE OF PLANNING PERMISSION

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

To:

Mr Peter Campbell
Tetra Tech
11 York Street
Manchester
M2 2AW

On Behalf Of:

Morgan Sindall Construction
2 Anchorage Quay
Salford Quays
Salford
M50 3YW

PART 1 - Particulars of Application

Application Number: 70381

Date of Registration: 02/01/2024

Proposal:

Variation of condition 2 (approved drawings) following planning permission 70071 (Erection of new secondary school alongside supporting sports facilities, car parking, landscaping, site infrastructure, new access road and associated access infrastructure) - Amend the developments highway infrastructure design to incorporate a signalised Cyclops junction and minor associated revisions to the landscaping proposal and amend conditions 12, 23, 24 and 33 to update wording and approved drawings referenced within each condition.

Location:

Site of Radcliffe Leisure Centre, Spring Lane, Radcliffe, Manchester, M26 2SZ

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:

Substitute Plans

Site Location Plan (Dwg no. FS1013-ALA-EX-ZZ-D-L-0039 S2 P06)

Whole Site Plan - (Dwg No. FS1013-ALA-EX-ZZ-D-L-0001- P12)

Proposed Cyclops Junction (Dwg No. FS1013-VS-XX-XX-D-H-0011 P06)

Proposed Access Road (Dwg No. FS1013-VS-XX-XX-D-H-0010 P05)
 Site Landscaping Plan - Overview (Dwg No. FS1013-ALA-EX-ZZ-D-L-0004 S2 P07)
 Planting Plan (Dwg No. FS1013-ALA-EX-ZZ-D-L-0010 S2 P07)
 Tree Retention and Removal Plan (Dwg no. FS1013-ALA-EX-ZZ-D-L-0031 S2 P05)
 Fencing General Arrangement (Dwg No. FS1013-ALA-EX-ZZ-D-L-0012 S2 P07)
 Access Strategy - Parking Strategy (Dwg No. FS1013-ALA-EX-ZZ-D-L-0026 S2 P06)
 Levels Plan Overview (Dwg no. FS1013-ALA-EX-ZZ-D-L-0013 S2 P06)
 Site sections 1 (Dwg no. FS1013-ALA-EX-ZZ-D-L-0019 S2 P05)
 Site sections 2 - (Dwg no. FS1013-ALA-EX-ZZ-D-L-0020 S2 P05)

Retained plans from 70071

Proposed Ground Floor & Sports Plan (Dwg No. FS1013-AHR-01-00-D-A-2001 S4 REV.P13)
 Sports Hall (Dwg No. FS1013-AHR-01-00-D-A-2050 S4 REV.P01)
 Proposed First Floor Plan (Dwg No. FS1013-AHR-01-01-D-A-2002 S4 REV.P10)
 Proposed Second Floor Plan (Dwg No. FS1013-AHR-01-02-D-A-2002 S4 REV.P10)
 Proposed Roof Plans (Dwg No. FS1013-AHR-01-RF-D-A-2003 S4 REV.P05)
 Strip Sections 1-2 (Dwg No. FS1013-AHR-01-ZZ-D-A-2021 S4 REV.P05)
 Strip Sections 2-2 (Dwg No. FS1013-AHR-01-ZZ-D-A-2022 S4 REV.P03)
 Elevations (Dwg No. FS1013-AHR-XX-ZZ-D-A-2010 S4 REV.P06)
 Cycle Shelter Details (Dwg No. FS1013-ALA-ZZ-ZZ-D-L-1008 S4 P01)

Documents

Outline Drainage Strategy (updated report, Renaissance) -
 FS1013-REN-XX-XX-T-C-0161 Rev P03
 Arboricultural Impact Assessment (Version 1 Update, 15.12.2023-V1-SB)
 Arboricultural Impact Assessment (Cyclops, 13.12.2023-V1-SB)
 Tree Survey and Constraints Report
 Transport Statement – FS1013-VS-XX-XX-T-H-1004 Rev P02 (VIA Solutions),
 including
 'Proposed Access Road' (Cyclops Junction) Drawing – Dwg.
 FS1013-VS-XX-XX-D-H-0010 Rev P05
 'Proposed Cyclops Junction' Drawing – Dwg. FS1013-VS-XX-XX-D-H-0011 Rev P06
 Extended Phase 1 Habitat Survey (Amenity Tree, 13.12.2023)
 Potential Bat Roost Feature Inspection Survey (Amenity Tree, 13.12.2023)
 Assessment of Biodiversity (updated report, Amenity Tree)
 Road Safety Audit jV (Sevenairs Consulting Ltd)
 Road Safety Audit Designers Response - FS1013-VS-XX-XX-T-H-1006

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:-
- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
 - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 -

Conserving and enhancing the natural environment.

- 4 Following the provisions of Condition 3 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and a Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 5 Proposed areas of hardstanding located within the Coal Authority Development High Risk Area, including access roads and vehicle parking, shall be constructed with appropriate geogrid reinforcement to protect the development from the effects of potential land instability derived from any shallow coal mine workings present, as outlined in Section 10.2 of the supporting Phase II Geo-Environmental Assessment Report. These measures shall be carried out in accordance with authoritative UK guidance.
Reason - In order to ensure the safety and stability of the development, pursuant to Section 15 of the National Planning Policy Framework.
- 6 Prior to the occupation of the development, a signed statement or declaration prepared by a suitably competent person confirming that the site 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 that the mitigation measures necessary to address the risks posed by past coal mining activity have been implemented in full.
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.
- 7 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 and fencing, 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. Only indicative material details have been submitted and full details are required in the interests of visual amenity and to ensure a satisfactory development pursuant to Bury Unitary Development Pplan policies EN1/1 and CF1/1.
- 8 Use of the development shall not commence until a community use agreement has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to internal and external sports facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason. To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport pursuant to chapter 8 - Promoting healthy communities of the NPPF and RT2/3 - Education Recreation Facilities.

- 9 Prior to the first occupation of the development, the drainage scheme shall be implemented in accordance with the plans and information submitted to discharge condition 9 of planning permission 70071, namely;
Proposed Drainage Areas Plan (FS1013-REN-EX-00-D-C-5201-P04)
Below Ground Drainage Plan (FS1013-REN-EX-00-D-C-5210-P05)
Below Ground Drainage Manhole (FS1013-REN-EX-XX-D-C-2020-P03)
Below Ground Drainage Details (Sheet 3) (FS1013-REN-EX-XX-D-C-5303-P02)
Below Ground Drainage Details (Sheet 4) (FS1013-REN-EX-XX-D-C-5304-P02)
Below Ground Drainage Details (Sheet 5) (FS1013-REN-EX-XX-D-C-5305-P02)

The implemented drainage scheme shall be 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 and pollution, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 10 Prior to the first occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. 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.

- 11 Development shall not commence until investigations have been completed to confirm the available capacity of the watercourse proposed to receive surface water flows and the appropriate Ordinary Watercourse Consent has been submitted to and approved by the Lead Local Flood Authority.

Reason. To ensure the adequacy of the proposed discharge to the culverted watercourse, to prevent an undue increase in surface water run-off and to reduce the risk of flooding and pollution, pursuant to Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 12 Notwithstanding the details indicated on the approved plans, no 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 proposed site access/signalised Cyclops junction onto Spring Lane, incorporating the provision of the signalised junction and tactile paved crossing points within an extension of the current limits of adoption, demarcation of the revised limits of the adopted highway, provision of new and alterations to

existing road markings and all associated highway and highway drainage remedial works;

- Detailed design of the new access road and its alignment relative to the existing adopted footpath route (Banana Path)/Public Footpath No. 3, St. Andrew's, Radcliffe, that crosses the westerly boundary of the site and proposals for (if any) pedestrian connections to this route;
- Reinstatement of the redundant easterly site access onto Spring Lane to adjacent footway levels and all associated highway and highway drainage remedial works;
- In the event that the new access road is not to be considered for adoption by the Council, measures to prevent the discharge of surface water onto the adopted highway;
- 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 structures, incorporating full structural, construction and drainage details, calculations, pedestrian protection measures and a detailed construction method statement;
- Provision of a street lighting assessment to a scope and specification to be agreed for the junction of the proposed site access/priority junction onto Spring Lane and, where necessary, a scheme of improvements;
- Review of existing waiting restrictions in the vicinity of the proposed site access/priority junction onto Spring Lane and, if required, the introduction of new/extension of existing waiting and loading restrictions, including all necessary road markings and signage.

Thereafter, the development shall be implemented in full accordance with the agreed details and programme.

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 Bury Unitary Development Plan Policies RT6/2 - Pedestrian/Vehicular Conflict, CF1/1 - Location of New Community Facilities, EN1/2 - Townscape and Built Design and HT2/2 - Car Parking and New Development.

- 13 In the event that it is intended for the new access road to be considered for adoption by the Council, notwithstanding the details indicated on the approved plans, no 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:

- Detailed design of the new access road and its alignment incorporating running lane/carriageway and footway widths to be agreed and any proposed gates to be inward opening and set back a minimum of 5.0m from the back of the adopted highway;
- Proposed pedestrian and cycling facilities with appropriate tactile paved crossing points at all junctions/pedestrian crossing points, signage and road markings;
- Provision of long sections and cross sections at positions to be agreed through the proposed new access road and roundabout to ensure that gradients will not exceed 1 in 14 for the purposes of adoption and incorporating a maximum 1 in 20 plateau at any junction within the development and at the interface with the adopted highway;
- In the event that any retaining structures are required that abut/are sited in close proximity to the future adopted highway, an 'Approval In Principle' for the proposed structures, incorporating full structural, construction and drainage details, calculations, pedestrian protection measures and a detailed construction method statement;

- Demarcation of the limits of adoption at all relevant locations;
- Provision of visibility splays and forward visibility envelopes appropriate for a design speed of 20mph at all proposed junctions and bends in accordance with the standards in Manual for Streets with no obstructions above the height of 0.6m within them;
- Swept path analysis of the new access road to ensure that all vehicles anticipated to use the new road, including an 11.85m long refuse collection vehicle can pass a private car at all points, the bend and manoeuvre at the proposed mini-roundabout;
- Proposed porous/permeable hardstanding materials and/or measures to prevent the discharge of surface water onto the adopted highway;
- Provision of a street lighting assessment to a scope to be agreed for the new access road and street lighting scheme to a specification to be agreed;
- Review of need for the introduction of waiting/loading restrictions on the new access road and at the proposed junctions/roundabout to a scope to be agreed, including all necessary road markings and signage;
- Proposed planting/surfacing details and management/maintenance arrangements for all landscaped/car parking areas abutting the proposed adopted highway.

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

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, 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 Bury Unitary Development Plan Policies HT6/2 - Pedestrian/Vehicular Conflict, CF1/1 - Location of New Community Facilities, EN1/2 - Townscape and Built Design and HT2/4 - Car Parking and New Development.

- 14 Notwithstanding the submitted 'Demolition and Construction Management Plan FS1013 Star Radcliffe Academy' reference FS1013-MSC-XX-XX-T-MC-1100 Rev 01 and dated 11 August 2023, relating to planning permission 70071, 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 demolition/construction vehicles to the site from the Key Route Network;
 - Access point/arrangements for demolition/construction traffic from Spring Lane, taking into consideration the need to maintain safe pedestrian/vehicular access to the adjacent temporary school site, and all temporary works required to facilitate access for demolition/construction vehicles;
 - If proposed, details of site hoarding/gate positions; The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Spring Lane;
 - 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 demolition/construction vehicles, together with storage on site of

demolition/construction materials;

- 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;
- Detailed method statements of construction and risk assessments which shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone, boundary and infrastructure*

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.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, pursuant to policies EN1/2, CF1/1 and HT6/2 of the Bury Unitary Development Plan.

*The detailed method statements of construction and risk assessments for working adjacent to Metrolink shall as a minimum provide for:-

- the retention of 24hr unhindered access to the trackside equipment cabinets and chambers for the low voltage power, signalling and communications cables for Metrolink both during construction and once operational;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- construction and demolition methods to be used; including the use of cranes (which must not oversail the tramway);
- the erection and maintenance of security hoarding, location to be agreed with Metrolink due to proximity of operational tramway and infrastructure;
- provision of a "mock up" security hoarding, if required, to review and mitigate any hazards associated with positioning next to an operational tramway prior to permanent erection;
- measures to prevent the spread of detritus onto the Metrolink Track during construction; and
- measures to control the emission of dust and dirt during construction.

- 15 In the event that it is not intended for the new access road to be considered for adoption by the Council, no above ground development shall commence unless and until details of the proposed arrangements for future management and maintenance of the proposed road within the development have been submitted to and approved by the local planning authority. The new access 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. To ensure that the unadopted estate road 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 CF1/1 and EN1/2 of the Bury Unitary Development Plan.

- 16 The various turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are brought into use and 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 CF1/1 and EN1/2 of the Bury Unitary Development Plan.

- 17 The vehicle parking and refuse and coach drop-off laybys indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 18 The bin storage arrangements to be provided within the curtilage of the school site shall be made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

Reason. To ensure that adequate bin storage arrangements are provided to serve the site, pursuant to policies CF1/1 and EN1/2 of the Bury Unitary Development Plan.

- 19 Eighteen car parking spaces shall be provided with electric vehicle (EV) charging points (minimum 7kW*) prior to the use of those spaces.

*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 National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 20 The secure cycle storage facilities indicated in the approved plans shall be provided in full before the development hereby approved is first brought into use and shall thereafter remain available for use for the lifetime of the development. For the avoidance of doubt, at least 80no. secure cycle storage spaces shall be provided for pupils and visitors and at least 10no. secure cycle spaces shall be provided for staff.

Reason. To ensure adequate cycle storage and in order to promote sustainable means of travel pursuant to policy HT6/1 of the Bury Unitary Development Plan.

- 21 Prior to the commencement of the development, the tree protection measures shall be implemented in accordance with the details submitted to discharge condition 21 of planning permission 70071, namely;

Arboricultural Impact Assessment (Version 1)

Tree Survey and Constraints Report (Version 1)

The approved tree protection measures shall remain in situ until the development has been completed.

Reason: To protect trees against root damage and to maintain the status quo with regards the stability of the embankment, pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

- 22 Prior to first occupation of the development, a full School 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 the submitted Travel Plan (by VIA Solutions – Doc Ref. PS1013-VS-XX-XX-T-H-1003 TP), shall be submitted to and approved in writing by the local planning authority and thereafter operated in accordance with the agreed details and any subsequent updated School Travel Plan.

Reason. To promote and provide access to sustainable transport options, pursuant

to Section 9 of the National Planning Policy Framework.

- 23 A landscape and ecological management plan (LEMP) (or equivalent) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the hard and soft landscaping scheme. The content of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in the proposed 'Site Landscaping Plan - Overview' (Dwg No. FS1013-ALA-EX-ZZ-D-L-0004 S2 P07), 'Planting Plan' (Dwg No. FS1013-ALA-EX-ZZ-D-L-0010 S2 P07) and 'Biodiversity Enhancement Measures Report' (Version 1) submitted in relation to planning permission 70071.

The LEMP should include:

1. Description and evaluation of features to be managed;
2. Ecological trends and constraints on site that might influence management;
3. Aims and objectives of management;
4. Appropriate management options for achieving aims and objectives;
5. Prescriptions for management actions for all habitats for a period of no less than 30 years;
6. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
7. Details of the body or organization responsible for implementation of the plan, and;
8. Ongoing monitoring and remedial measures.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason. To ensure improvements to the biodiversity of the site, pursuant to policies EN8/2 and EN10/2 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

- 24 All trees to be retained on the site, as indicated in the submitted Arboricultural Impact Assessment and approved drawing 'Tree Retention and Removal Plan' (Dwg no. FS1013-ALA-EX-ZZ-D-L-0031 S2 P05), shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

- 25 The measures contained in the Ecology Reasonable Avoidance Measures Statement (RAMS) dated 07 February 2024 and further RAMS dated 06/03/2024 submitted to discharge condition 25 of planning permission 70071 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. To ensure that the development does not adversely affect wildlife and protected species, pursuant to policy EN6/3 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

- 26 The development shall be carried out in accordance with the Non-Native Management Plan submitted to discharge condition 26 of planning permission 70071. Should a delay of more than one year occur between the date of approval of this planning permission and either the date of implementation of the management scheme or the date of development commencing, a further site survey must be undertaken and submitted to the Local Planning Authority.
Reason. The scheme does not provide full details of the actual extent of invasive species in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 27 No works to trees or shrubs shall occur 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 and written confirmation provided that no active bird nests are present, which has been agreed in writing by the Local Planning Authority.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 28 The development shall be carried out in accordance with the noise mitigation measures measures/recommendations in the Environmental & Intrusive Noise Study by Sol Acoustics submitted with the application, pursuant to policies EN7/2 and CF1/1 of the Bury Unitary Development Plan.
Reason. In order to ensure that the amenities of nearby residential occupants are not adversely impacted by noise, pursuant to policies EN7/2 and CF1/1 of the Bury Unitary Development Plan and the Section 15 of the National Planning Policy Framework.
- 29 Prior to installation, full details of the scheme of external lighting in association with the development hereby approved, including lighting spread, with details of levels of luminance, position, types, direction and size and technical summary, shall be submitted to and approved by the Local Planning Authority. The approved lighting scheme only shall thereafter be implemented prior to first occupation of the development hereby approved.
Reason. In the interests of residential amenity and to ensure no harm is caused to a Protected Species pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, EN6 – Conservation of the Natural Environment and EN6/3 – Features of Ecological Value and EN7 - Pollution Control.
- 30 The development hereby approved shall be carried out in accordance with the mitigation measures set out in the submitted Air Quality Assessment by Tetra Tech (Doc. Ref. 784-B047825).
Reason. To protect the amenity of users and visitors to the site and to ensure the satisfactory development of the site in terms of human health pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment and Bury Unitary Development Plan Policy EN7/1 - Atmospheric Pollution.
- 31 Prior to the first occupation of the development, details of the design and layout of the 3G pitch, which should be World Rugby Reg 22 compliant; 2G pitch; and MUGA; have been submitted to and approved in writing by the local planning authority. The 3G pitch; 2G pitch; and MUGA; shall not be constructed other than in accordance with the approved details.
Reason - To ensure the development is fit for purpose and sustainable, pursuant to

Section 8 - Promoting healthy and safe communities of the National Planning Policy Framework and RT2/3 - Education Recreation Facilities of the Bury Unitary Development Plan.

- 32 The development hereby approved shall not be first occupied until full details of a Ball Strike Assessment, in particular regard to the western boundary, has been submitted to the local planning authority. Any mitigation as required shall be installed in full before the development is first occupied and thereafter be managed and maintained in accordance with the approved details.

Reason - To provide protection for the occupants of adjacent uses and their property from potential ball strike from the new playing field or sports facility, pursuant to Section 8 - Promoting healthy and safe communities of the National Planning Policy Framework and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

- 33 The mini football pitch, as detailed in the approved drawing FS1013-ALA-EX-ZZ-D-L-0001 S2 Rev P12, shall be constructed, laid out and shall be made available for use within 12 months of the first occupation of the development.

Reason - To ensure the development is fit for purpose and sustainable, pursuant to Section 8 - Promoting healthy and safe communities of the National Planning Policy Framework and RT2/3 - Education Recreation Facilities of the Bury Unitary Development Plan.

- 34 The sports hall shall be laid out in accordance with Sport England's technical standards.

Reason - To ensure the development is fit for purpose and sustainable and to ensure sufficient benefit of the development to sport, pursuant to Section 8 - Promoting healthy and safe communities of the National Planning Policy Framework and RT2/3 - Education Recreation Facilities of the Bury Unitary Development Plan.

- 35 Before the school is brought into use, a Management and Maintenance Scheme for the facility, including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. For Artificial Grass Pitches, measures should be added to ensure the replacement of the Artificial Grass Pitch within a specified period. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the school.

Reason - To ensure the development is fit for purpose and sustainable and to ensure sufficient benefit of the development to sport, pursuant to Section 8 - Promoting healthy and safe communities of the National Planning Policy Framework and RT2/3 - Education Recreation Facilities of the Bury Unitary Development Plan.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The 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:

EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN1/5	EN1/5 - Crime Prevention
EN1/7	EN1/7 - Throughroutes and Gateways
EN4/2	EN4/2 - Energy Efficiency
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
RT1/1	RT1/1 - Protection of Recreation Provision in the Urban Area
RT1/2	RT1/2 - Improvement of Recreation Facilities
RT2/3	RT2/3 - Education Recreation Facilities
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
CF1/1	CF1/1 - Location of New Community Facilities
CF2	CF2 - Education Land and Buildings
EN6/4	EN6/4 - Wildlife Links and Corridors
EN10/2	EN10/2 - Riverside and Canalside Improvement in Urban Areas
HT2	HT2 - Highway Network
HT5	HT5 - Accessibility For Those With Special Needs
HT6	HT6 - Pedestrians and Cyclists
EN4	EN4 - Energy Conservation
EN4/1	EN4/1 - Renewable Energy
EN4/2	EN4/2 - Energy Efficiency
SPD3	Development Control Policy Guidance Note 3: Planning Out Crime in New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD12	Development Control Policy Guidance Note 12 - Travel Plans in Bury
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development 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:

Substitute Plans

Site Location Plan (Dwg no. FS1013-ALA-EX-ZZ-D-L-0039 S2 P06)

Whole Site Plan - (Dwg No. FS1013-ALA-EX-ZZ-D-L-0001- P12)

Proposed Cyclops Junction (Dwg No. FS1013-VS-XX-XX-D-H-0011 P06)

Proposed Access Road (Dwg No. FS1013-VS-XX-XX-D-H-0010 P05)

Site Landscaping Plan - Overview (Dwg No. FS1013-ALA-EX-ZZ-D-L-0004 S2 P07)

Planting Plan (Dwg No. FS1013-ALA-EX-ZZ-D-L-0010 S2 P07)
Tree Retention and Removal Plan (Dwg no. FS1013-ALA-EX-ZZ-D-L-0031 S2 P05)
Fencing General Arrangement (Dwg No. FS1013-ALA-EX-ZZ-D-L-0012 S2 P07)
Access Strategy - Parking Strategy (Dwg No. FS1013-ALA-EX-ZZ-D-L-0026 S2 P06)
Levels Plan Overview (Dwg no. FS1013-ALA-EX-ZZ-D-L-0013 S2 P06)
Site sections 1 (Dwg no. FS1013-ALA-EX-ZZ-D-L-0019 S2 P05)
Site sections 2 - (Dwg no. FS1013-ALA-EX-ZZ-D-L-0020 S2 P05)

Retained plans from 70071

Proposed Ground Floor & Sports Plan (Dwg No. FS1013-AHR-01-00-D-A-2001 S4 REV.P13)
Sports Hall (Dwg No. FS1013-AHR-01-00-D-A-2050 S4 REV.P01)
Proposed First Floor Plan (Dwg No. FS1013-AHR-01-01-D-A-2002 S4 REV.P10)
Proposed Second Floor Plan (Dwg No. FS1013-AHR-01-02-D-A-2002 S4 REV.P10)
Proposed Roof Plans (Dwg No. FS1013-AHR-01-RF-D-A-2003 S4 REV.P05)
Strip Sections 1-2 (Dwg No. FS1013-AHR-01-ZZ-D-A-2021 S4 REV.P05)
Strip Sections 2-2 (Dwg No. FS1013-AHR-01-ZZ-D-A-2022 S4 REV.P03)
Elevations (Dwg No. FS1013-AHR-XX-ZZ-D-A-2010 S4 REV.P06)
Cycle Shelter Details (Dwg No. FS1013-ALA-ZZ-ZZ-D-L-1008 S4 P01)

Documents

Outline Drainage Strategy (updated report, Renaissance) - FS1013-REN-XX-XX-T-C-0161 Rev P03
Arboricultural Impact Assessment (Version 1 Update, 15.12.2023-V1-SB)
Arboricultural Impact Assessment (Cyclops, 13.12.2023-V1-SB)
Tree Survey and Constraints Report
Transport Statement – FS1013-VS-XX-XX-T-H-1004 Rev P02 (VIA Solutions), including 'Proposed Access Road' (Cyclops Junction) Drawing – Dwg. FS1013-VS-XX-XX-D-H-0010 Rev P05
'Proposed Cyclops Junction' Drawing – Dwg. FS1013-VS-XX-XX-D-H-0011 Rev P06
Extended Phase 1 Habitat Survey (Amenity Tree, 13.12.2023)
Potential Bat Roost Feature Inspection Survey (Amenity Tree, 13.12.2023)
Assessment of Biodiversity (updated report, Amenity Tree)
Road Safety Audit jV (Sevenairs Consulting Ltd)
Road Safety Audit Designers Response - FS1013-VS-XX-XX-T-H-1006

NOTES TO APPLICANT

1. Local Highway Authority advice

1. The developer's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the required highway works and implementation of any required traffic regulation orders. The cost of the works will be the responsibility of the developer.
2. The developer's attention is drawn to the potential need to complete a Section 38 Agreement under the Highways Act 1980 (or other agreement/method of securing the adoption of the proposed new access road, to be confirmed in due course), and a Section 104 Agreement under the Water Industry Act 1991, regarding the future adoption of the proposed roads and sewers.
3. The developer's attention is drawn to Section 167 of the Highways Act 1980 which requires Highway Authority approval of all structural details and calculations of retaining structures adjacent to the highway, prior to works commencing.
4. It would be advantageous for the land affected by the highway proposals to be in

the control of the Highway Authority. An appropriate course of action would be the free dedication of the land to the Highway Authority by the freeholder.

5. It is brought to the attention of the applicant that if the new access road is not eligible for adoption by the Council, the applicant is advised that to discharge the relevant condition regarding future maintenance of the estate roads, the Local Planning Authority will details of a private management and maintenance company confirming funding, management and maintenance regimes.

6. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system and the specification for the proposed refuse collection facility at the interface with the adopted highway.

2. Environmental Health Officer - Contaminated Land advice

The Control of Noise (Appeals) Regulations 1975, Section 60. Control of Noise on Construction Sites

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
4. Any emergency deviation from the above (1 - 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

3. The Coal Authority advice

1. Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2. Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

3. Mine entry used for waste disposal

The Coal Authority records indicate that close to this site there is a mine entry (reference 378407-005) in which it is believed waste material may been deposited. Consideration will need to be given to the potential risks this may pose, not only to the development itself but also to any investigatory and remedial operations necessary to ensure its safety and stability. Appropriate advice from a technically competent person should be sought on the potential risks posed by any fill material and the possible implications of this for the works proposed.

4. United Utilities advice

Adoption and construction of drainage systems

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.

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).

A public sewer crosses the site and we will not permit building over it. We require an access strip for maintenance or replacement and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition

of the pipeline as this is likely to influence the required stand-off distance from any structure.

Important information regarding water and wastewater pipelines and apparatus

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

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

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

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

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

Any construction activities in the vicinity of United Utilities' assets, including any assets or infrastructure that may be located outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines', a copy of which is available on our website. The applicant, and/or any subsequent developer should note that our 'Standard Conditions' guidance applies to any design and construction activities in close proximity to water pipelines and apparatus that are no longer in service, as well as pipelines and apparatus that are currently operational.

It is the applicant's responsibility to ensure that United Utilities' required access is

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

WATER AND WASTEWATER SERVICES

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

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

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

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

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.

5. Greater Manchester Police - Design for Security advice

Recommend that the scheme is designed and constructed in accordance with Sections 3.3 and 4 of the submitted Crime Impact Statement (Ref. 2022/0391/CIS/02 Version A) and/or achieves Secured by Design (SBD) accreditation.

The developer should contact the Greater Manchester Police Crime Prevention Team as soon as possible once planning permission is granted for further information/advice.

6. Transport for Greater Manchester advice

The development will need to be supported by a robust School Travel Plan, which should feature a range of measures promoting a choice of transport mode, and a clear monitoring regime with agreed targets.

The success of Travel Plan measures will depend on their effective delivery and commitment from the occupiers and therefore robust arrangements for the implementation and running of the Travel Plans need to be included in the Framework

Travel Plan from the outset. These include:

- A travel plan budget and resources for the implementation and day to day management of travel plan measures;
- Appropriate management structures;
- Detailed time frames for the delivery;
- Handover arrangements for the travel plan or its components when the developer's responsibility ceases; and
- Targets and monitoring arrangements.

Ideally the full Travel Plan should include tailored measures to overcome specific barriers, or take advantage of opportunities, presented by the site.

In order to encourage sustainable journeys to mitigate the traffic impact of the development, through the Travel Plan, incentives should be offered to future users of the site such as concessionary bus fares, discounted cycles, journey planning etc.

7. Greater Manchester Fire and Rescue Service

The provided plans show that local hydrants are in excess of 200m from the entrance to the building.

If the provisions in a building vary from those in Approved Document B, sprinkler protection can sometimes be used as a compensatory feature. The provision of a

sprinkler system may also result in long term savings on insurance premiums.

The Fire Service strongly supports the installation of sprinkler systems as a positive measure to protect persons. The provision of a sprinkler fire suppression system would have significant benefits for the development. It would ensure that any fire would be quickly controlled and would significantly reduce any fire damage to the building. This is particularly important as business continuity following a fire as an important factor in the ongoing viability of an organisation.

It is strongly advised that you consult your insurance company to discuss the advantages of installing a sprinkler protection.

8. In relation to condition 34, Sport England's technical standards can be found at <https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/floors-for-indoor-sports.pdf?VersionId=8uLYEQAATJmQgmSNzlpEFGbIKREKL7nF>

Signed:



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On behalf of the Council

Date of Decision: 08/03/2024