

NOTICE OF PLANNING PERMISSION

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

To:

Chris Argent
CBRE
10th Floor
One St Peter's Square
Manchester
M2 3DE

On Behalf Of:

Transport for Greater Manchester (TfGM)
2 Piccadilly Place
Manchester
M1 3BG

PART 1 - Particulars of Application

Application Number: 71834

Date of Registration: 08/04/2025

Proposal:

Full planning application for the infill of the existing underpass, engineering works (including remediation works; foundation/piling works; and other associated engineering works) to recontour the land within Pyramid Park to tie into existing levels, the construction of a fully accessible pedestrian bridge structure (including alterations to Metrolink-related infrastructure) across the existing Metrolink line to allow access between Knowsley Place, the Metrolink platform (via lift and stairs) and Pyramid Park; improvements to the existing Metrolink platforms and canopies; construction of a new sloped footpath with stairs within Pyramid Park site from bridge; hard/soft landscaping; and associated drainage and lighting schemes.

Location:

Bury Interchange and land bounded by Pyramid Park/East Lancashire railway line, Knowsley Place/Duke Street, Bury, BL9 0EJ

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
 Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to -

Submission Documents

Crime Impact Statement ref 2024/0223/CIS/01 Rev P02 Version B
Phase 1 - Southern Access Footbridge & Metrolink Platform Flood Risk Assessment
ref 16012-REN-BRY-XXX-T-CE- 100001 Rev P02 by Renaissance
Phase 1 - Southern Access Footbridge & Metrolink Platform Drainage Strategy ref
16012-REN-BRY-XXX-T-CE-100002 Rev P02 by Renaissance
Preliminary Risk Assessment Report For Bury Interchange Phase 1 ref
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Explosive Ordnance Desk Top Study ref 16012-EOD-BRY-XXX-RP-HS-000001 Rev
P01 by EOD Contracts Ltd
Ecological Desk Study ref 16102-TEP-ZZZ-ZZZ-M-EN-000002 (TEP 10850.002)
Version 2.0 by TEP
Phase 1 Bury Interchange - Footbridge Installation SI Works ref
16012-TEP-ZZZ-ZZZ-T-EN-00001 P01 Version 1.0 by TEP
Biodiversity Net Gain (BNG) Design Stage Report ref
16102-TEP-ZZZ-ZZZ-T-EN-00005 Version 2.0 by TEP
Arboricultural Impact Assessment ref 16102-TEP-ZZZ-ZZZ-M-EN-00007 Version
1.0 by TEP
Ecological Impact Assessment ref 16102-TEP-ZZZ-ZZZ-M-EN-000003 Version 2.0
by TEP
Bury Interchange, Footbridge Installation - Bat And Bird Box Specification Technical
Note ref 16102-TEP-ZZZ-ZZZ-T-EN-00006 14th March 2025 by TEP
Bury Interchange Phase 1 Energy Strategy re 16012-FUT-BRY-XXX-T-BV-000009
Rev P03 by Futurserv
Construction Environmental Management Plan (CEMP) ref
16012-WDC-BRY-XXX-T-XX-000050 Rev P02
10th March 2025 by Willmott Dixon

Submission plans

Planning Application Phase 1a site Plan (Existing Site Overlay and Approved Red
Edge) ref 16012-HBA-ZZZ-ZZZ-D-AR-080004 rev P03
Location Plan ref 16012-HBA-BRY-ZZZ-D-AR-080000 Rev P05
Existing Site Plan ref 16012-HBA-BRY-ZZZ-D-AR-080002 Rev P05
Planning Application Combined Phasing Strategy Wider Site Plan (Existing Site
Overlay) 16012-HBA-ZZZ-ZZZ-D-AR-080003 Rev P06
External Services Layout Pyramid Park ref 16012-FUT-BRY-XXX-D-BV-000010 Rev
P02
Existing Canopy Plan ref 16012-HBA-BRY-CNP-D-AR-080011 Rev P04
Topographical Plan ref 16012-HBA-BRY-ZZZ-D-AR-080001 Rev P05
Existing Platform Plan ref 16012-HBA-BRY-ZZZ-D-AR-080010 Rev P04
Existing Platform Elevations ref 16012-HBA-BRY-ZZZ-D-AR-080012 Rev P02
Existing Platform - Section AA ref 16012-HBA-BRY-ZZZ-D-AR-080013 Rev P01
Existing Platform - Section BB ref 16012-HBA-BRY-ZZZ-D-AR-080014 Rev P01
Proposed Site Plan (1:1000) ref 16012-HBA-ZZZ-ZZZ-D-AR-080020 Rev P01
Proposed Site Plan (1:500) ref 16012-HBA-BRY-ZZZ-D-AR-080020 Rev P01
Site Masterplan ref 16012- OOB- ZZZ- ZZZ- D- LA- 080001 Rev P03
Site Plan 16012- OOB- ZZZ- ZZZ- D- LA- 080002 Rev P03
Proposed Canopy Complete GA Plan ref 16012-HBA-BRY-CNP-D-AR-080101 Rev
P07
Proposed Bridge GA Plan ref 16012 -HBA-BRY-CNP-D-AR-080107 Rev P07
Proposed Platform Complete GA Plan ref 16012-HBA-BRY-PFM-D-AR-080100 Rev
P05
Proposed Bridge GA Plan - Platform Level ref 16012-HBA-BRY-PFM-D-AR-080104
Rev P04

Proposed Platform Elevations ref 16012-HBA-BRY-ZZZ-D-AR-080200 Rev P04
 Proposed Bridge Elevations ref 16012-HBA-BRY-ZZZ-D-AR-080201 Rev P04
 Proposed Platform - Section AA ref 16012-HBA-BRY-ZZZ-D-AR-080300 Rev P04
 Proposed Platform - Section BB ref 16012-HBA-BRY-ZZZ-D-AR-080301 Rev P04
 Proposed Platform - Bay Study 1 ref 16012-HBA-BRY-ZZZ-D-AR-080500 Rev P04
 Proposed Platform - Bay Study 2 ref 16012-HBA-BRY-ZZZ-D-AR-080501 Rev P04
 Proposed Bridge - Bay Study 1 ref 16012-HBA-BRY-ZZZ-D-AR-080502 Rev P04
 Proposed Bridge - Bay Study 2 ref 16012-HBA-BRY-ZZZ-D-AR-080503 Rev P04
 Proposed Lift And Stair - Bay Study ref 16012-HBA-BRY-ZZZ-D-AR-080504 Rev P04
 External Works Plan ref 16012- OOB- ZZZ- ZZZ- D- LA- 080003 Rev P03
 Existing & Proposed Indicative Levels With Existing Tree 16012- OOB- ZZZ- ZZZ- D- LA- 080010 Rev P02
 Demolition Plan ref 16012- OOB- ZZZ- ZZZ- D- LA- 080005 Rev P02
 Boundary Treatment Strategy ref 16012- OOB- ZZZ- ZZZ- D- LA- 080020 Rev P02
 Circulation Strategy ref 16012- OOB- ZZZ- ZZZ- D- LA- 080030 Rev P02
 Planting Strategy ref 16012- OOB- ZZZ- ZZZ- D- LA- 080040 Rev P02
 Proposed Site Sections ref 16012- OOB- ZZZ- ZZZ- D- LA- 080050 Rev P02
 Lighting & Signage And Wayfinding Strategy 16012- OOB- ZZZ- ZZZ- D- LA- 080055 Rev P03
 Underpass Sections ref 16012 -REN-BRY-XXX-D-SE-142000 Rev P02
 Underpass Infill Plan ref 16012 -REN-BRY-GRF-D-SE-141110 Rev P03
 Below Ground Drainage Plan Sheet 1 ref 16012-REN-BRY-XXX-D-CE-131100 Rev P02
 Below Ground Drainage Plan Sheet 2 ref 16012-REN-BRY-XXX-D-CE-131101 Rev P02
 Lighting Scheme Footbridge ref 6012-FUT-BRY-XXX-D-BV-000011 Rev P01
 Lighting Scheme Pyramid Park ref 16012 -FUT-BRY-XXX-D-BV-000012 Rev P01
 Proposed site plan with Topographical Survey 16012-HBA-BRY-ZZZ-D-AR-080021 P02

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan and Places for Everyone Joint Development Plan listed.

- 3 Excepting demolition and site clearance, no development hereby permitted shall take place within Pyramid Park until a Site Condition Report is submitted to the Local Planning Authority for approval detailing land which falls both within this application and planning approval 70903 following completion of approved remedial works under 70903.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 4 The development hereby permitted shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.
If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

Where remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 5 Any soil or soil forming materials to be brought to site for use in soft landscaping, filling and level raising shall be tested for contamination and suitability for use. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to the Local Planning Authority for approval prior to the development being brought into use.
Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).
- 6 Prior to the commencement of development (except demolition and site clearance), 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 and 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 where applicable; and
 - (v) Full details of any proposed reconfiguration of the attenuation tank adjacent to 3KP / Premier Inn, including updated capacity assessmentThe scheme shall be in accordance with the principles outlined in the "Phase 1 - Southern Access Footbridge & Metrolink Platform Flood Risk Assessment" must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution.
Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Consultation with United Utilities should be undertaken to assess mitigations to reduce impacts on the combined sewer system which the system ultimately outfalls to.
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 pursuant to PfE Policy JP-S4 and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 7 No construction shall commence until details of the means of ensuring the water main that is laid within the site boundary is protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall outline the potential impacts on the water main from construction activities and the impacts post completion of the development on the water main infrastructure that crosses the site and identify mitigation measures to protect and prevent any damage to the water main both during construction and post completion of the development. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason. In the interest of public health and to ensure protection of the public water supply pursuant to policy JP-S4 and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 8 Prior to first occupation/public usage of the bridge hereby approved, a scheme shall be submitted to and approved in writing by the Local Planning Authority for the management, maintenance and control of vehicular access to and from Union Square. The scheme should include specifications for the siting and extent of any structures with details regarding the design, means of power supply, lighting, communication system, security management measures and programme of installation. The approved details only shall be implemented to an agreed timetable and thereafter maintained as approved by the LPA.

Reason. In order to ensure the safety of access of pedestrians in the dual purpose square pursuant to PfE Policies JP-C5 and JP-C6.

- 9 The development hereby approved shall be carried out in accordance with the mitigation measures for Construction Impacts detailed in section 4.3 of the Construction Environmental Management plan (CEMP) dated 10th March 2025 and the measures shall be implemented for the duration of the construction of the development hereby approved.

Reason. To protect the amenity of nearby occupiers and sensitive receptors and ensure the safe management of the site during construction works pursuant to Policies EN7/2 - Noise Pollution, JP-C8 - Transport Requirements of New Development and JP-S1 - Sustainable Development.

- 10 No development shall take place until a Metrolink Specific Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by Bury Council (approval to be in consultation with Transport for Greater Manchester) and an appropriate Asset Protection Agreement has been entered into. The approved Metrolink CMP shall include agreed safe methods of working on Metrolink Infrastructure and adjacent to the Metrolink Hazard Zone and shall be adhered to throughout the construction period. The CMP shall provide for: -

- the retention of 24hr unhindered access to the Metrolink 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 or Metrolink coralling infrastructure);
- the erection and maintenance of security hoarding/fencing; and;
- measures to control the emission of dust and dirt during construction.

Reason. To safeguard the amenities of the locality and to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working on and adjacent to the Metrolink system.

- 11 No works to Metrolink Infrastructure shall take place until the full details of the proposals for both the proposed works and the potential future reinstatement have been agreed with TfGM by way of the Metrolink Engineering Assurance and Change Processes.

The submission topics for review shall include, as a minimum, designs and supporting information relating to:-

- a. new structures and changes to existing;
 - b. fencing location, type and construction;
 - c. lighting and potential to impact tram drivers;
 - d. safety and security, e.g. climb and touch potential of overhead line equipment; the protection of Metrolink cables; and the requirements of the Light Rail Security Programme;
 - e. consideration of stray current and any earthing and bonding requirements;
- and
- f. Metrolink maintenance access to all Metrolink assets.
 - g. an appropriate monitoring regime of the Metrolink Infrastructure. All monitoring shall be carried out as agreed with Metrolink.

Please Note that updated H&S file(s) will be required for any amended Metrolink Assets in line with Metrolink Asset Information Requirements and CDM 2015 regulations.

Reason. In the interests of safeguarding Metrolink infrastructure pursuant to policies and for maintaining safety of customers and user of the development.

- 12 (a) Prior to the commencement of the development, an electromagnetic compatibility plan shall be submitted for approval in writing by Bury Council, as Local Planning Authority (approval to be in consultation with Transport for Greater Manchester). This plan shall detail that there are no electromagnetic compatibility impacts predicted from the development in line with BSEN 50121 and BS EN 61000-6-4 (emissions) including pre-development testing.

(b) Prior to the first use of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm compliance with the criteria agreed in part (a). In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the electromagnetic compatibility criteria. A verification report and measures shall be agreed until such a time as the development complies with part (a) of this planning condition.

Any mitigation measures shall be implemented in accordance with a timescale to be agreed with the Local Planning Authority. Any measures shall thereafter be retained and maintained in situ.

Reason. To safeguard Metrolink infrastructure and operations.

- 13 No development shall commence unless and until details of fencing to protect the SBI have been submitted to and approved by the Local Planning Authority. The approved details shall thereafter be implemented and maintained for the duration of the construction of the development.
Reason. To safeguard the ecological and biological importance of the SBI pursuant to Policy EN6/2 and EN6/3.
- 14 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and 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 EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 15 Prior to any vegetation clearance or earthworks a precautionary working measures method statement for mammals including hedgehog and amphibians shall be provided to and approved in writing by the Local Planning Authority. The approved measures shall be incorporated prior to the commencement of development and thereafter maintained for the duration of the construction of the development.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies 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.
- 16 Prior to any vegetation clearance or earthworks a control and biosecurity measures method statement and timetable for implementation for invasive species shall be provided to and approved in writing by the Local Planning Authority. The approved method statement shall thereafter be implemented to the agreed timetable. Should a delay of more than one year occur between the date of approval of the management scheme 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. To ensure the safe and satisfactory development of the site pursuant to interest National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 17 Prior to above ground works, details of the location of 4 no bird and 2 no bat boxes shall be submitted to the Local Planning Authority for approval. The approved bird and bat boxes and locations shall thereafter be implemented prior to the first use of the development thereby approved.
Reason. To ensure ecological enhancement of the site pursuant to Policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 18 No development shall commence unless and until a dilapidation survey of the adopted and unadopted footways and carriageways leading to and abutting the sites at Union Square/Duke Street/Knowsley Street in the event that subsequent remedial works are required following construction of, and statutory undertakers connection to, the development has been submitted to and agreed in writing with the Local Planning Authority. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being brought into use.

Reason. To maintain the integrity of the adopted highway, in the interests of highway safety pursuant to Policies JP-C5 and JP-C8.

- 19 In addition to the site access arrangements, measures and facilities detailed in the approved 'Construction Environmental Management Plan (CEMP)' reference 16012-WDC-BRY-XXX-T-XX-000050 P02 and on the approved plans, no development shall commence unless and until the following has been submitted to and agreed in writing with the Local Planning Authority:

1. Access point/arrangements for construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access to existing buildings served from Duke Street, and all temporary works required to facilitate access for construction vehicles.
2. Details of site hoarding/gate positions, taking into consideration the need to maintain vehicular access to existing buildings served from Duke Street.
3. The provision, where necessary, of temporary pedestrian facilities/protection measures.
4. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its accesses.
5. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres.
6. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site or on land within the applicant's control of construction materials.
7. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, ensure adequate construction traffic access and materials storage arrangements for the duration of the demolition and construction periods and that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policies EN1/2 - Townscape and Built Design and JP-C8 - Transport Requirements of New Development.

- 20 No development, other than site clearance, demolition, remediation or ground works, shall commence unless and until the required stopping-up order has been secured.
Reason. To secure the satisfactory development of the site in highway terms pursuant to Policy JP-C8 - Transport Requirements of New Development.

- 21 No development shall commence until Approval in Principle has been granted for the bridge by the Local Highway Authority, which will ultimately carry public highway subject to appropriate diversion processes being completed
Reason. To ensure good practice in design of structures and protect public safety pursuant to Policy JP- P1 and the principles of the NPPF.

- 22 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the Biodiversity Gain Plan including:

1. a non-technical summary;
2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
4. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
5. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority

has been submitted to, and approved in writing by, the local planning authority. Only the approved details and scheme shall be implemented.

Reason. To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Places for Everyone Joint Development Plan Policy JP-G8 A Net Enhancement of Biodiversity and Geodiversity.

- 23 Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development (excluding demolition, site preparation and remediation work) is commenced. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design
- 24 Upon first public use of the approved bridge, a survey of drop-off and pick up activity along Knowsley Street (in the vicinity of the Duke Street junction) shall be undertaken. The methodology comprising the length of time, scope and extent of the survey shall be first agreed prior to the facility becoming operable. The results of the survey shall be submitted to the LPA as shall be set out in the methodology.
Reason. To secure the satisfactory development of the site in highway terms and mitigate any potential drop-off and pick-up activities that may be created on the adopted highway pursuant to Policies EN1/2, JP-C5 and JP-C8.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

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

- NPPF National Planning Policy Framework
- EN1/2 EN1/2 - Townscape and Built Design
- EN1/5 EN1/5 - Crime Prevention
- EN1/7 EN1/7 - Throughroutes and Gateways

EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN2/3	EN2/3 - Listed Buildings
EN7/2	EN7/2 - Noise Pollution
RT4/3	RT4/3 - Visitor Accommodation
CF2/1	CF2/1 - Bury College
HT2/1	HT2/1 - The Strategic Route Network
HT2/4	HT2/4 - Car Parking and New Development
HT3/1	HT3/1 - Schemes to Assist Bus Movement
HT3/2	HT3/2 - Bus Services
HT3/3	HT3/3 - Design of Roads for Bus Routes
HT5/1	HT5/1 - Access For Those with Special Needs
HT6/1	HT6/1 - Pedestrian and Cyclist Movement
HT6/3	HT6/3 - Cycle Routes
Area	Area BY6 - Central Shopping Area
BY6	
Area	Area BY4 - Manchester Road/Knowsley Street
BY4	
Area	Area BY7 - Townside/Market Street
BY7	
JP-Strat	Main Town Centres
12	
JP-P1	Sustainable Places
JP-P6	Health
JP-J1	Supporting Long-Term Economic Growth
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C3	Our Public Transport
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-S3	Heat and Energy Networks
JP-S5	Clean Air
JP-S6	Resource Efficiency
JP-G2	Green Infrastructure Network
JP-G8	A Net Enhancement of Biodiversity and Geodiversity

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:

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Explosive Ordnance Desk Top Study ref 16012-EOD-BRY-XXX-RP-HS-000001 Rev P01
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Proposed Site Plan (1:500) ref 16012-HBA-BRY-ZZZ-D-AR-080020 Rev P01
Site Masterplan ref 16012- OOB- ZZZ- ZZZ- D- LA- 080001 Rev P03
Site Plan 16012- OOB- ZZZ- ZZZ- D- LA- 080002 Rev P03
Proposed Canopy Complete GA Plan ref 16012-HBA-BRY-CNP-D-AR-080101 Rev P07
Proposed Bridge GA Plan ref 16012 -HBA-BRY-CNP-D-AR-080107 Rev P07
Proposed Platform Complete GA Plan ref 16012-HBA-BRY-PFM-D-AR-080100 Rev P05
Proposed Bridge GA Plan - Platform Level ref 16012-HBA-BRY-PFM-D-AR-080104 Rev P04
Proposed Platform Elevations ref 16012-HBA-BRY-ZZZ-D-AR-080200 Rev P04
Proposed Bridge Elevations ref 16012-HBA-BRY-ZZZ-D-AR-080201 Rev P04
Proposed Platform - Section AA ref 16012-HBA-BRY-ZZZ-D-AR-080300 Rev P04
Proposed Platform - Section BB ref 16012-HBA-BRY-ZZZ-D-AR-080301 Rev P04
Proposed Platform - Bay Study 1 ref 16012-HBA-BRY-ZZZ-D-AR-080500 Rev P04
Proposed Platform - Bay Study 2 ref 16012-HBA-BRY-ZZZ-D-AR-080501 Rev P04
Proposed Bridge - Bay Study 1 ref 16012-HBA-BRY-ZZZ-D-AR-080502 Rev P04
Proposed Bridge - Bay Study 2 ref 16012-HBA-BRY-ZZZ-D-AR-080503 Rev P04
Proposed Lift And Stair - Bay Study ref 16012-HBA-BRY-ZZZ-D-AR-080504 Rev P04
External Works Plan ref 16012- OOB- ZZZ- ZZZ- D- LA- 080003 Rev P03
Existing & Proposed Indicative Levels With Existing Tree 16012- OOB- ZZZ- ZZZ- D- LA- 080010 Rev P02
Demolition Plan ref 16012- OOB- ZZZ- ZZZ- D- LA- 080005 Rev P02
Boundary Treatment Strategy ref 16012- OOB- ZZZ- ZZZ- D- LA- 080020 Rev P02
Circulation Strategy ref 16012- OOB- ZZZ- ZZZ- D- LA- 080030 Rev P02
Planting Strategy ref 16012- OOB- ZZZ- ZZZ- D- LA- 080040 Rev P02
Proposed Site Sections ref 16012- OOB- ZZZ- ZZZ- D- LA- 080050 Rev P02

Lighting & Signage And Wayfinding Strategy 16012- OOB- ZZZ- ZZZ- D- LA- 080055 Rev P03
Underpass Sections ref 16012 -REN-BRY-XXX-D-SE-142000 Rev P02
Underpass Infill Plan ref 16012 -REN-BRY-GRF-D-SE-141110 Rev P03
Below Ground Drainage Plan Sheet 1 ref 16012-REN-BRY-XXX-D-CE-131100 Rev P02
Below Ground Drainage Plan Sheet 2 ref 16012-REN-BRY-XXX-D-CE-131101 Rev P02
Lighting Scheme Footbridge ref 6012-FUT-BRY-XXX-D-BV-000011 Rev P01
Lighting Scheme Pyramid Park ref 16012 -FUT-BRY-XXX-D-BV-000012 Rev P01
Proposed Site Plan with Topographical Survey 16012-HBA-BRY-ZZZ-D-AR-080021 P02

NOTES TO APPLICANT

- . **Development Low Risk Area - Standing Advice**
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.
Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK
- . With regards to Contaminated land, if permission is granted, in order for this Section to be satisfied that this development does not pose a risk to human health or the environment, the following information needs to be submitted to the Council for approval:
 - (i) A site condition report.
 - (ii) A materials management plan, if the CL:AIRE Definition of Waste Code of Practice is to be used.
 - (iii) After completion of site works, confirmation that no unexpected contamination was encountered.
- . The applicant is reminded that under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. If a badger sett is found on or near the developments site work should cease immediately and a suitably experienced ecologist employed to advise on how best to proceed.
- . In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at <https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>
- . 1This development affects a highway (the underpass at Duke Street). This planning decision does not authorise the closure of the highway affected by the development. The applicant's attention is therefore drawn to the statutory procedures for obtaining a stopping-up/diversion order under Section 247 of the Town and Country Planning Act 1990 in order to authorise the removal ('stopping-up') of the affected highway and enable the development to be carried out in accordance with a valid and relevant planning permission.

The Order will also provide for the provision of improved highways as long as these

also form part of the planning permission (the pedestrian bridge structure). Development affecting the highway should not be commenced until the statutory requirements have been complied with and the stopping-up order made. Enquiries regarding the necessary procedures should be made to the Department for Place, Engineering Services, Bradley Fold Depot, Bradley Fold Road, Bolton, BL2 6RS. Telephone 0161 253 5788.

- . The applicant's attention is drawn to the need to consult the Department of Place regarding the specification for, and implementation of, any required highway works and/or traffic regulation orders regarding the specification for and implementation of any required highway remedial works. The cost of the works will be the responsibility of the developer.
- . With regards to condition 8, the applicant should contact the Council's Property Section at property@bury.gov.uk and to establish access rights to Union Square.
- . The site is to be drained on a separate system of drainage with surface water and foul sewage being combined at the last manhole before connection to public sewer.
- . Surface water discharge to be limited to existing flow from site less a minimum 45% reduction in run-off to allow for climate change to prevent surcharge of public sewerage system downstream of the proposed development Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and its associated SPD 16 Design and Layout of New Development in Bury. Climate change allowance should be increased to 70% for sites which fall within Flood Zone 3.
- . Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or on line at www.unitedutilities.com
- . Applications for Building Over Agreements or sewer diversions should be obtained by telephoning United Utilities PLC on 01925 464714
- . Approval for a surface water connection to the watercourse should be obtained from:
Main River - Environment Agency,
<https://www.gov.uk/government/organisations/environment-agency>
Ordinary Watercourse - Bury Council, Engineering and Streetscene
<https://www.bury.gov.uk/index.aspx?articleid=11128>

The local planning authority considers that approval of a BIODIVERSITY GAIN PLAN WILL BE REQUIRED BEFORE DEVELOPMENT COMMENCES

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority,
- and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Bury Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

The permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).]

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as

defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A “householder application” means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:
i) consists of no more than 9 dwellings;
ii) is carried out on a site which has an area no larger than 0.5 hectares; and
iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”)

there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The final version of the BNG statutory metric shall be submitted and the Biodiversity Gain Plan must include:

1. information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
2. the pre-development biodiversity value of the onsite habitat;
3. the post-development biodiversity value of the onsite habitat;
4. any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
5. any biodiversity credits purchased for the development; and
6. any such other matters as the Secretary of State may by regulations specify.

United utilities

APPENDIX:

Supporting information for the decision maker, applicant, developers and any other interested party

Whilst we provide the following information to support the design and delivery of the proposed scheme, we strongly recommend that the applicant, or any subsequent developer, contacts our Developer Services team at the earliest opportunity, using our pre-development enquiry service, to ensure they have fully considered all aspects of development and to avoid any potential issues or unexpected costs at a later date. Full details of the services offered to developers, guidance and application forms are available on our website: Building & Developing - United Utilities

1.0 DRAINAGE DESIGN

1.1 The importance of sustainable drainage systems

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

1.2 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.

If the proposal incorporates a SuDS component(s) which interacts with a sewer network that may be offered for adoption by United Utilities, we recommend the applicant seeks further advice regarding the SuDS design; detailed information is available on our website.

Our acceptance of any drainage strategy submitted by an applicant to the Local Planning Authority for approval 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 submitted directly to United Utilities, assessed and accepted in writing. 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.

2.0 UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

2.1 Water pipelines

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

For any works in the vicinity of water pipelines, including drainage, the applicant must comply with our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: Working near our pipes - United Utilities

2.2 Wastewater pipelines

United Utilities will not allow any new buildings or structures 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).

2.3 Water and wastewater pipelines and apparatus

A number of providers offer a paid for mapping service, including United Utilities (see Section 4.0 'Contacts' (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 Section 4.0. 'Contacts' (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.

Developers 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', which can be found on our website: [Working near our pipes - United Utilities](#)

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 in operation.

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.

3.0 WATER AND WASTEWATER SERVICES, METERING AND CHARGES

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 Section 4.0 'Contacts' (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 a water meter must be installed to premises. Detailed guidance on whether the development will require a compulsory meter is available on our website within our published Charges Schemes; [Our charges 2024/25 | United Utilities](#) (Section 8.7).

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. See Section 4.0 'Contacts' (below).

To promote sustainable development United Utilities offers a reduction in infrastructure charges to applicant's delivering water efficient homes and draining surface water sustainably (criteria applies). Further information can be found on our website: [Sustainability - United Utilities](#)

Business customers can find additional information on our sustainable drainage incentive scheme at [Incentive schemes | United Utilities](#)

4.0 CONTACTS

For advice on your development contact our DEVELOPER SERVICES team as follows:

Website (including 'Live Chat'): [Building & Developing - United Utilities](#)

Email:

WATER (water mains, supply and metering): DeveloperServicesWater@uuplc.co.uk
WASTEWATER (public sewers and drainage): SewerAdoptions@uuplc.co.uk
SLUDGE PIPELINES: DeveloperServicesWater@uuplc.co.uk
Telephone (Monday-Friday, 8am-6pm): 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 Property Searches | United Utilities

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.

UNITED UTILITIES LEGAL SERVICES (FOR EASEMENT DOCUMENTS):

Copies of relevant deeds may be purchased from United Utilities Legal Services. This information is also available from Land Registry.

To purchase a copy of easement documents from United Utilities, please email: LegalServices@uuplc.co.uk

. In relation to Condition 2 and approved plans, the approved red line site boundary shall relate to plan - Planning Application Phase 1a site Plan (Existing Site Overlay and Approved Red Edge) ref 16012-HBA-ZZZ-ZZZ-D-AR-080004 rev P03

Signed:



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On behalf of the Council

Date of Decision: 24/07/2025