

NOTICE OF PLANNING PERMISSION

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

To:

Mr Richard Shuttleworth
Equilibrium Architects Ltd
3 Manchester Road
Bury
BL9 0DR

On Behalf Of:

Mr & Mrs Delaney
2 Poplar Street
Golborne
WA3 3BF

PART 1 - Particulars of Application**Application Number:** 71758**Date of Registration:** 25/04/2025**Proposal:**

Erection of 1 no. detached dwelling;
Alterations to parking areas at front of 31 &
33 Victoria Court

Location:

Land at side of 31-33 Victoria Court, Ryecroft
Avenue, Tottington, Bury, BL8 3GY

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 drawings numbered -

Site location plan R0823-00 rev A
Proposed site plan R0823 01 Rev C
Proposed dwelling floor plans and elevations R0823-02 rev A
Site sections R0823-03 Rev A
Existing site plan R0826-04
Arboricultural Survey TCP/5239/Y/100
Proposed landscape plan by dwg 7593.01 by tba
Construction Environmental Management Plan R0823-05

Preliminary Ecological Appraisal, Bat Roost Assessment and BNG Draft Plan dated 26/2/2025 ref JE8459-25
Digital connectivity statement
Carbon and energy statement
Phase 1 Desk Study by GeoAssist Nov 2024
Construction Environmental Method Statement dated 3rd June 2025

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 Prior to any above ground works, 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. 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
- 4 No tree or shrub clearance 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 works and written confirmation provided that no active bird nests are present, which has been agreed in writing by the LPA.
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.
- 5 No development, site clearance, or earth moving shall take place or material or machinery brought on site until a method statement via a Construction Environmental Management Plan (CEMP) to protect the Black Brook from accidental spillages, runoff, dust and debris has been supplied to and agreed by the Local Planning Authority. All measures shall be implemented and maintained for the duration of the construction period and for future operations in accordance with the approved details.
Reason. Information not submitted at application stage. To ensure a safe and satisfactory development of the site in relation to the protection of the adjacent watercourse from any pollutants and construction disturbance which may cause risk, pursuant to chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 6 Prior to any earthworks, vegetation clearance or demolition a method statement detailing eradication or avoidance measures for Himalayan Balsam and Giant Blackberry should be supplied to and approved in writing to the Local Planning Authority. The approved method statement shall be adhered to and implemented in full.
Reason. Information not submitted at application stage. To ensure the safe and satisfactory development of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 7 Prior to development a reasonable avoidance measures method statement (RAMS) for amphibians and small mammals shall be provided to and approved in writing by the Local Planning Authority. The mitigation measures recommended in the RAMS shall be implemented prior to the commencement of the development and shall thereafter be retained for the duration of the construction of the development hereby approved.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 – Features of Ecological Value and JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and Section 11 of the National Planning Policy Framework.

- 8 The Biodiversity Gain Plan shall 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.
- 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.
- 9 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and 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.
- 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.
- 10 The development hereby approved shall not be occupied unless and until:
1. the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 2. a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority
- The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.
- 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.
- 11 Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.
- 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.

- 12 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:
- I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
 - II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.
 - III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.
- 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).
- 13 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:
- I. Remedial Options Appraisal.
 - II. Remediation Strategy.
 - III. Verification Plan.
- 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).
- 14 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. 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).
- 15 Prior to occupation the applicant shall provide:
- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking

space.

- Details of the proposed EV charging points to be installed including the information sheet detailing the make and model, to demonstrate that they meet the required specification.
- Evidence of the installation of the chosen EV charging points, such as photographs.

The infrastructure shall be maintained and operational in perpetuity.

*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. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 16 The dwelling hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.
Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.
- 17 In addition to the measures and facilities indicated in the approved 'Construction and Environmental Method Statement' to be implemented, no development shall commence unless and until the following additional details have been confirmed:
1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site access from Ryecroft Avenue and the private access route from Ryecroft Avenue to the site in the event that subsequent remedial works are required following construction of the development and as a result of any statutory undertakers connections that may be required to/within the site;
 2. Access route for all construction vehicles to the site from the Key Route Network utilising the section of Ryecroft Avenue between the access to Victoria Court and Market Street;
 3. All temporary works that may be required to facilitate access for construction vehicles and retain access for existing residents;
 4. If proposed, details of site hoarding/gate positions, incorporating the provision, where necessary, of temporary pedestrian facilities/protection measures;
 5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Ryecroft Avenue;
 6. Confirmation of delivery & construction vehicle sizes that can be accommodated on/enter and leave Victoria Court in a forward gear and number of vehicle movements;
 7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and measures to control/manage delivery vehicle manoeuvres;
 8. Parking on site or on land within the applicant's control of all operatives' and construction vehicles;
 9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site in the event that the measures

proposed are not sufficient, and measures to minimise dust nuisance caused by the operations.

The submitted and approved details 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 residential streets and private shared access, ensure adequate off-street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, all in the interests of highway safety pursuant to Policies EN1/2 and JP-C8.

- 18 The 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 H2/2 and JP- C8.
- 19 The car parking alterations indicated on the approved plans shall be surfaced, demarcated and made available for use prior to first occupation of the dwelling hereby approved 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.
- 20 The refuse storage and access arrangements to be provided within the curtilage of the site for the new and existing dwellings shall be made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained at all times.
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to policies EN1/2 and JP-C8.
- 21 The proposed air source heat pump shall comply with MCS Planning Standards, and the volume of the air source heat pump's outdoor compressor unit (including any housing) shall not exceed 0.6 cubic metres.
Reason. No details have been submitted with the proposed application and to protect the amenity of neighbouring occupiers pursuant to Development Plan Policy EN7/2 - Noise Pollution.
- 22 The landscaping scheme hereby approved shall be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season, whichever is the sooner. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy JP-G8.
- 23 Prior to commencement of the development hereby approved the applicant shall provide a scheme for the implementation of swift bricks and bat boxes. The details subsequently approved shall be implemented prior to the occupation of the dwelling and retained thereafter.

Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 24 No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance a submitted Surface Water Sustainable Drainage Assessment and 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). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Development Plan Policies JP-S4 - Flood Risk and the Water Environment, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

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:

- H1/2 H1/2 - Further Housing Development
- H2/1 H2/1 - The Form of New Residential Development
- H2/2 H2/2 - The Layout of New Residential Development
- EN6/3 EN6/3 - Features of Ecological Value
- EN7/3 EN7/3 - Water Pollution
- EN7/4 EN7/4 - Groundwater Protection
- HT2/4 HT2/4 - Car Parking and New Development
- EN1/2 EN1/2 - Townscape and Built Design
- SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
- SPD16 Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
- JP-H1 Scale of New Housing Development
- JP-H3 Type, Size and Design of New Housing
- JP-H4 Density of New Housing
- JP-P1 Sustainable Places
- JP-S1 Sustainable Development
- JP-S2 Carbon and Energy
- JP-S3 Heat and Energy Networks
- JP-S4 Flood Risk and the Water Environment

JP-S5 Clean Air
JP-C1 Our Integrated Network
JP-C2 Digital Connectivity
JP-C5 Streets For All
JP-C6 Walking and Cycling
JP-C8 Transport Requirements of New Development
JP-G7 Trees and Woodland
JP-G8 A Net Enhancement of Biodiversity and Geodiversity
NPPF National Planning Policy Framework
NPPG National Planning Policy Guide

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:

Site location plan R0823-00 rev A
Proposed site plan R0823 01 Rev C
Proposed dwelling floor plans and elevations R0823-02 rev A
Site sections R0823-03 Rev A
Existing site plan R0826-04
Arboricultural Survey TCP/5239/Y/100
Proposed landscape plan by dwg 7593.01 by tba
Construction Environmental Management Plan R0823-05

Preliminary Ecological Appraisal, Bat Roost Assessment and BNG Draft Plan dated 26/2/2025 ref JE8459-25
Digital connectivity statement
Carbon and energy statement
Phase 1 Desk Study by GeoAssist Nov 2024
Construction Environmental Method Statement dated 3rd June 2025

NOTES TO APPLICANT

. Location : Land at side of 31-33 Victoria Court, Ryecroft Avenue, Tottington, Bury, BL8 3GY
Proposal : Erection of 1 no. detached dwelling; Alterations to parking areas at front of 31 & 33 Victoria Court
United Utilities provides the following comments to support the Local Planning Authority in their determination of the planning application detailed above, and to direct the applicant to further sources of support and guidance on matters that might impact their proposal.

The letter and Appendix should be read in their entirety to support the determination, the design, and should the scheme be approved, the subsequent delivery of the proposal.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0

'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix. Section 4.0 'Contacts'

Public sewer

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.

DRAINAGE

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.

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

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

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

When considering their drainage proposal, the applicant should investigate the existence of any pipelines and/or apparatus that might impact their detailed design (see Section 'UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE').

United Utilities will not carry out an assessment on the acceptability of submitted drainage proposals in relation to our water pipelines when responding to a planning application. It is the applicant's responsibility to ensure that any detailed drainage plans comply with our 'Standard Conditions for Works Adjacent to Pipelines' which can be found on our website: Working near our pipes - United Utilities. Failure to consider existing pipelines when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

WATER EFFICIENCY IN NEW DEVELOPMENT

Local planning authorities have the option to set additional technical requirements in respect of water use for the construction of new build dwellings, exceeding the minimum standards required by Building Regulations. All new homes are required to meet the mandatory national standard of 125 litres of water used per person per day as set out in Building Regulations Approved Document G. Where there is a clear local need, a local planning authority's development plan policies can require new-build dwellings to meet the tighter Building Regulations optional requirement of 110 litres of water used per person per day. If your adopted development plan includes a policy that implements the tighter water efficiency standard for new-build dwellings in Part 3 of Building Regulations, you should ensure that this is a condition of any planning permission you may grant. You should also consider whether there is any adopted development plan policy relating to a water efficiency in the construction of non-residential development. As this is a matter for the local planning authority / building control body, United Utilities would not be involved in the discharge of conditions relating to water efficiency.

APPENDIX:

Supporting information for the decision maker, applicant, developer 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

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. Alternatively, the plans can be viewed for free (see Section 4.0 'Contacts' for further details).

The position of underground apparatus shown on water and wastewater asset maps is approximate only and is given in accordance with the best information currently available. The actual positions may be different from those shown on the plans and private pipes, sewers or drains may not be recorded. 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. 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. This advice is also relevant to any uncharted pipelines (pipelines that do not appear on our asset maps) that might be discovered on site either before or during construction. In this instance, the developer should contact our Developer Services team as soon as possible. See Section 4.0 'Contacts'.

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. 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 household charges 2025/2026 | United Utilities (Section 8.7).

To promote sustainable development United Utilities offers a reduction in infrastructure charges to applicants 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

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. Contacts' (below).

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

GROUNDWATER PROTECTION ZONES:

Where the proposed site is located in a Groundwater Source Protection Zone, the

applicant should contact our Engineering team for advice, by email at

Groundwater@uuplc.co.uk

PROPERTY SEARCHES (FOR ASSET MAPS):

The public water and sewer records can be viewed via our online viewing facility for free. Viewings are by appointment only. Email propertysearches@uuplc.co.uk or call 0370 751 0101 to book an appointment.

Alternatively, 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 our website: Property Searches | United Utilities

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

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.

Whilst the trees and shrubs on land to be developed have been assessed as negligible for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

- Bury Council's Developers Guide for Contaminated Land provides an overview of the assessment of contaminated land in Planning and developing potentially contaminated land.
- The Environment Section has used all reasonable endeavours to determine the risk from contaminated land and ground gas based upon the information available to it. However, the comments made above should not be taken to imply that the land is safe or otherwise suitable for this or any other development. The ultimate

responsibility for safe implementation of the development scheme resides entirely with the landowner and/or Planning Applicant.

- Developments that are brought into use prior to the requirements of pre-occupation conditions being satisfied, would be result in breach of condition and could result in the site being considered under Part 2A.
- All parties involved with waste and soil movement at the site should be aware that materials illegally deposited or deposited at inappropriate sites may be subject to relevant landfill taxes, payable by all parties. Only robust due diligence is a defence against joint liability. Illegal deposits can include moving waste soil material on sites, or between sites, without the appropriate permits, exemptions or duty of care.

- . The applicant's attention is drawn to the need to consult the Place Department regarding the specification for and implementation of any required highway remedial works. The cost of the works will be the responsibility of the applicant/developer.
- . The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.

Signed:



16 of 16

.....
On behalf of the Council

Date of Decision: 25/06/2025