

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 13/02/2024	Ref: 70334/PIP
Registration: 15/12/2023	LDfC: 08/01/2024	Expiry Date: 19/01/2024
Site Visit: 22/12/2023	Site Notice: 22/12/2023	Press Date: N/A
Objections: 11	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Application for permission in principle for residential development of up to 9 no. dwellings

Location: Land off Holcombe Grove/south east of Milltown Street, Radcliffe, M26 1SE

Description

The site is a vacant piece of land which is located between Holcombe Grove and Milltown Street. The application form states that the site is 0.4 hectares in area. The site is a broadly rectangular shape. It is not located within the Green Belt, but is in the River Valley and a Wildlife Corridor.

There is a residential development of 14 no dwellings to the south east and the metrolink runs to south of the site beyond which is Coronation Park.

A PiP application for 9 no dwellings has been approved for a 0.4 hectare site which is located directly to the east and abuts the eastern boundary of this application site area (ref 69420). To date, a Technical Details application has not been submitted for this site.

The applicant seeks a Permission in Principle (PiP) for the development of the site for up to 9 no. dwellings. A PiP application is an alternative route for applying for planning permission for housing-led development.

The PiP consent route has two stages. The first stage, the Permission in Principle, establishes whether a site is suitable in principle and the second stage is the Technical Details Consent when the detailed development proposals are assessed.

The submission of a valid PiP application requires a completed application form, plan which identifies the land to which the application relates and the correct fee. There are no other details or reports which are required for the submission of a PiP.

A decision must be made in accordance with relevant policies in the development plan and material considerations including the National Planning Policy Framework.

To assess PiP applications, an Local Planning Authority's (LPAs) consideration is limited to location, land use and amount of development, with other matters considered at technical details stage.

Local Planning Authorities consult anybody that would be required to be consulted in relation to an application for planning permission but matters relating to ecology, landscaping, contamination, design, transport/highways and heritage are considered in a Stage 2 Technical Details application. Any responses received can be included as informatives notes to advise the applicant of the requirements at a technical details stage.

Conditions cannot be attached to a PiP.

Relevant Planning History

69420 - Application for permission in principle for up to 9 no. dwellings - Granted 27/6/23.

68869 - Residential development of up to 9 dwellings (Permission in Principle) at Land off Holcombe Grove, Radcliffe. Withdrawn - 1 March 2023.

Adjacent site

60723 - Demolition of existing buildings and redevelopment including erection of 14 detached dwellings and associated works at land adjacent to 19A New Road, Radcliffe. Approved with conditions - 11 April 2017.

62693 - Variation of conditions 2 (approved plans) and 18 (access alterations) of approved application 60723 to amend the approved access to reduce the width of part of the access road at land adjacent to 19A New Road, Radcliffe. Approved with conditions - 20 July 2018

63928 - Non-material amendment following grant of planning permission 62693 for variation of conditions 2 (approved plans) and 18 (access alterations) of approved application 60723 to amend the approved access to reduce the width of part of the access road: Amendments to proposed elevation appearance and materials at land adjacent to 19A New Road, Radcliffe. Approved - 22 March 2019.

63929 - Substitution of housetypes to Plots 1 and 8 of approved application 60723 as amended by 62693 at land adjacent to 19A New Road, Radcliffe. Approved with conditions - 1 May 2019

Publicity

Neighbouring properties notified by letter 18/12/23.

Site notice posted 22/12/23.

11 objections have been received which raise the following issues;

- Assume access from Radcliffe New Road will be via Holcombe Grove
- Sections of Holcombe Grove are too narrow to fit more than one vehicle through and there is a lack of any pavement.
- Increased volume of construction/resident traffic would increase the risk of collisions, particularly in the winter months as the road is poorly lit.
- Holcombe Grove is home to families with young children who can enjoy playing on the quiet and private road. Construction traffic would prevent this from continuing for the duration of the building of the new development.
- Holcombe Grove is a Private Road, which is maintained at the cost of the current residents.
- Heavy construction vehicles would cause damage to the road and cause noise and disturbance, dust and dirt
- Bury Council should carefully consider all comments aligned with previously decided applications for this area. There have been a significant number of comments and objections aligned to any further development using Radcliffe New Road as the access point. These recent proposals appear opportunistic and not in keeping with the interests of the local area or residents.
- Bury Council should consider the viability of anything put forward by the applicant and all potential impacts any approval will have now and in the future.
- To be factually correct, this is an application for 18nr executive homes (between this and PIP 69420) with no consideration for affordable housing on an area still under consideration for green belt adoption. Given the approved plans for locally significant schemes at Elton Reservoir and in Radcliffe itself for a significant number of homes (and infrastructure improvements) including affordable homes, this statement made by the applicant should actually negatively impact these applications.
- Unlike other local schemes, this development is not working towards any current housing policy but appears to be purely a "for profit" application to break up land, gain

planning permission and sell on for a profit.

- Section 4.3 wrongly states that access is available through the private Holcombe View development. The applicant doesn't have permission or support from those who own and maintain Holcombe View for either this or the previously granted PIP 69420.
- As both applications would require a single point of access from the Holcombe View development, Bury Council should view this as an application for 18nr properties and not 2 applications for 9nr. This would increase the current number of properties accessed from Radcliffe New Road to circa 40nr+. Bury Council previously restricted the development of Holcombe View to 14nr.
- Access from Milltown street is not viable financially given to topographical restrictions. This was previously explored by the developer of Holcombe View.
- Access to the site (subject of 69420 & 70334) from Holcombe Grove was stated as for small agricultural vehicles only (i.e. motorised mowers). Hence 4.3 of the PIP is incorrect, as the site cannot be accessed by vehicles from Radcliffe New Rd.
- With variations in width, a blind spot & lack of pedestrians paths, to allow traffic access from Radcliffe New Rd, would increase the risk of accidents & cause damage to the road.
- Weight of traffic at peak times makes it difficult to enter or exit Holcombe Grove on to Radcliffe New Rd. Queues form on both roads New Rd. This is compounded by the offset junction with Hollingshurst. Allowing more traffic increases the risk of accident & Holcombe Grove becoming a rat-run between Milltown St & Whitefield.
- There is already a huge risk due to delivery drivers, taxis and general traffic. Any additional traffic on the road will increase the risk of injury or death.
- GREED. This is the latest of a number of applications put in by the current owner. All previous applications have been rejected for a variety of reasons. Please revisit previous attempts to develop the land and study both the caveated responses and objections from local residents.
- The previously proposed developments go against the local plan for Radcliffe and the surrounding area. The proposed land in question has been and should continue to be classed as green belt with deer, foxes and wild birds nesting in the surrounding trees & fields.
- Disruption to a small private estate
- Further development will reduce the value of the estate and our properties by increasing traffic around the estate and removing the privacy that comes from living on a small out of the way road.
- There are plenty of other areas around Bury where additional safe housing can be built, especially with the redevelopment of Radcliffe town centre and the plans for new homes being built there.
- To destroy this great little award winning unique community by building an extra 18 homes and making Holcombe Grove into just another typical mass housing estate would be a massive shame
- Given the gradient of the terrain, any proposed works would undoubtedly affect the delicate ecological balance of the area and would lead to the displacement of a number of protected species.
- The current green aspects are a very welcome change when living in a major city.
- During the fire at the mill at the back of the estate on Milltown Street on 31st May numerous "sightseers" came onto Holcombe Grove and caused chaos with their vehicles, trying to enter and exit via New Road, so much so the police had to be called
- Registered covenants prevent access
- No choice other than an injunction being applied for to prevent access being granted, including offering any of Holcombe Grove via sec 37/38 Highways adoption attempting to allow public access up the Private Road to the site.
- TFGM seem to be being deceived, contact initiated ourselves to clarify legal position.
- Bury Council possibly guilty of misfeasance regarding the matter.
- Bury Council failure to defend PfE Green Belt addition for the rest of the lower field is abhorrent and speaks volumes for their new future development intentions, now it is deleted from PfE Green belt additions plan.
- Technical stage Highways requested access improvements quoted in mirror PIP 69420

to 21/23 New Road frontages do not improve the access to a legal standard even after works have been completed.

- The proposed development's violation of policy H1/2, accessibility via Milltown Street and Holcombe Grove, and deviation from NPPF objectives to curb urban sprawl and repurpose abandoned urban land nearby would inflict severe damage on the environment and exacerbate existing issues.
- Policy OL5/2 does not permit new buildings in the River Valley so the principle of residential development should not be supported.
- The Places for Everyone joint development plan allocates this area as Green Belt. Therefore the direction of policy is to further bolster protection at this river valley location rather than relax planning controls.
- This site is different to the development on the adjacent site which is well contained and deemed not to lead to further unrestricted development in the river valley (which this application is proposing). The land levels relevant to the application fall to the north and west, having more association with the river valley policy. The site and circumstances are different and the existing residential does not therefore set a precedent.
- As a principle location matter, access to this site is not possible without significantly increasing the risk of accidents as a result of larger traffic volumes entering from New Road - this is a serious concern as we have already (26 August) been involved in a road collision as a consequence of the highway inadequately protecting vehicles that need to stop on New Road to turn into Holcombe Grove.
- Installation of services and utilities of the road which would have to be excavated to supply these depending on where services are located.
- For all applications, whether for residential, rural, or commercial developments, it is vital to show the site's access to roads and the potential joining of the public highway.
- In effect, the application is invalid.

Statutory/Non-Statutory Consultations

Traffic Section - Raise an objection.

Environmental Health - Contaminated Land - Recommend conditions at the Technical Details stage.

Greater Manchester Ecology Unit - Require a Preliminary Ecological Survey and Biodiversity proposals at Technical Details Stage

United Utilities (Water and waste) - Would review the drainage element in a Technical Detail Consent

Borough Engineer - Drainage Section - No response received.

Environmental Health - Pollution Control - No response received.

Waste Management - No response received.

Transport for Greater Manchester - No objection in principle.

Metrolink - Recommend conditions at the Technical Details stage

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN5/1	New Development and Flood Risk
EN6	Conservation of the Natural Environment
EN6/4	Wildlife Links and Corridors
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management

OL5/2	Development in River Valleys
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the

exercise of its functions.

Principle - The Permission in Principle (PiP) application seeks to establish whether in principle, the site is suitable for a residential development for up to 9 dwellings. Consideration of PiP applications are limited to location, land use and amount of development. Other matters are considered at technical details stage.

Consultations on the planning application can be carried out but conditions cannot be attached to a PiP approval.

The issues to establish acceptance of the proposed PiP development are analysed below.

Land use and location

The site comprises a field at the end of an established residential development. The site is 0.4 ha in area.

The site is designated as River Valley under UDP Policy OL5/2 and Wildlife Link and Corridor under Policy EN6/4.

River Valley

Policy OL5/2 states that within the River Valleys, new buildings or the change of use of existing buildings or the change of use of land will not be permitted. The only exceptions considered acceptable will be those where the development would not lead to the division of the open parts of the valleys into sections and it falls within the terms below:

- a. where the area is designated as Green Belt the established Green Belt policies will apply; or
- b. where the area does not form part of the Green Belt, at least one of the following circumstances is met:
 - that the development represents limited infilling to an established valley settlement or industrial area;
 - that it is an extension to, or renewal of an existing industry, where the economic and employment factors are of overriding importance;
 - that the development is required in association with an outdoor recreation or appropriate tourist facility;
 - that the development is limited and will form part of, and be essential to, the maintenance of the provision and improvement of public services and utilities;
 - any other development that would be appropriate in the Green Belt.

The proposed development of 9 dwellings would not meet any of the purposes permitted under Policy OL5/2 and would not be an appropriate development within the Green Belt.

Although the proposal is not in accordance with the development plan, consideration must be given to other material considerations. Decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) represents up-to-date Government planning policy and is a material consideration that must be taken into account. It requires local authorities to meet housing needs and significantly boost the supply of housing and includes a presumption in favour of sustainable development. The Framework maintains the emphasis on identifying a rolling five year supply of deliverable housing land. If the NPPF is not followed, clear and convincing reasons for doing so are needed.

Housing Land Supply and Principle of Residential Development

The National Planning Policy Framework (NPPF) emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework states that unless they have an adopted plan that is less than five years old that identifies a five year supply of specific deliverable sites at the time

of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a four or five year supply of deliverable housing land when assessed against the Local Housing Need calculated using the standard method set out in Government guidance. However, the joint Places for Everyone Plan is at a very advanced stage and is considered to have significant weight in decision making. Using the targets and sites in PfE the Council is able to demonstrate a 5 year supply, and this is a material factor when determining applications for residential developments.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this is a material factor when determining applications for residential development.

Therefore, in relation to the proposed dwelling, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date¹, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

In this case the 'tilted balance' applies and permission in principle should be granted unless the above points Para 11(d) i or ii apply.

(¹This includes, for applications involving the provision of housing, situations where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years).

The site is considered to be in a sustainable location for housing, being close to the urban area and sitting outside the Green Belt. Similar sites are being released across the country to help meet local housing needs and appeal decisions for similar land designations to River Valley tend to favour their release.

In terms of housing delivery, the Borough has under delivered against the local housing need, and as a result the tilted balance applies at this time. River Valley sites can contribute towards meeting local housing needs and help to protect the Green Belt.

On balance, therefore, the principle of residential development on this River Valley site is considered to be acceptable given its sustainable location and the contribution that it would have to meeting local housing needs. The adverse impacts of developing this site for housing **in principle** are not considered to significantly and demonstrably outweigh the

benefits when assessed against the policies in the NPPF as a whole. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the release of this site for housing in principle, subject to detail.

Amount of development

The NPPF supports the efficient use of land, and the emerging PfE policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered, with this site falling in an area where a minimum net residential density of 50 dwellings per hectare applies, because the site is within 800 metres of Radcliffe metrolink stop.

The application proposes a development for 9 houses on this 0.32 hectare site, which amounts to a density of 28 dwellings per hectare. Whilst this is below the density set out in Policy JP-H4 it is considered that the proposed density would be acceptable given the sites location within the river valley policy designation.

Wildlife Corridor

Policy EN6/4 states that wildlife corridors should be consolidated and where appropriate, strengthened. Furthermore, the policy states that development which would adversely affect wildlife corridors will not be permitted. Any new development within or adjacent to wildlife corridors should contribute to their effectiveness by way of design, landscaping and siting of the proposals, along with mitigation works.

The principle of developing the site would conflict with the aim to consolidate and strengthen the wildlife corridors in this area, and would adversely affect the corridor, however due to the nature of the application, it is unclear as to whether the development would provide mitigation, contribute to the effectiveness of the wildlife corridor through landscaping, design, and siting. As such, the principle of the proposed development is in conflict with UDP Policy EN6/4.

Places for Everyone

The Places for Everyone Joint Development Plan Document (PfE) is a joint plan covering nine of the ten Greater Manchester districts, including Bury, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

PfE was published in August 2021 and subsequently submitted to the Secretary of State in February 2022. Inspectors have been appointed to carry out an independent examination of the Plan with the hearing sessions commencing in November 2022 and were concluding in July 2023. The examination of the plan is on-going.

Given the advanced stage in the preparation of PfE, it is already considered reasonable that the Plan (as proposed to be modified) should be given weight in the decision-making process in line with paragraph 48 of the National Planning Policy Framework.

Consequently, the principle of this application has been considered against PfE (as proposed to be modified).

This site forms part of an area which is affected by the proposed main modifications to PfE.

At submission stage, PfE proposed to allocate this area as Green Belt, however following examination hearings during March 2023, it was recommended by the inspectors that GBA7 'Off New Road, Radcliffe' be deleted. As such, the site is no longer proposed to be allocated as Green Belt.

JP-G2 Green Infrastructure Network is relevant and states that development within and around the Green Infrastructure Network (such as the River Valleys) should be consistent with delivering major green infrastructure improvements within them and should contribute to improvements.

JP-G3 River Valleys and Waterways states that the council will seek to retain the open character of river valleys, avoiding their fragmentation, avoid prominent development in river valleys, and protect and enhance the mosaic of semi-natural habitats.

Due to the nature of the PIP application, it is unclear whether the proposed development will be in accordance with PfE policies JP-G2 and JP-G3, and this is a matter that should be dealt with at detailed planning application stage.

Planning Obligations

This proposal is for 9 dwellings, which would not ordinarily require contributions for recreation or affordable housing. However, the adjoining land already has Permission in Principle for up to 9 dwellings (69420), and this application appears to be a subdivision of the wider site. This site would require access through the adjoining site and the two sites are in single ownership.

As set out in SPG5 (para. 2.5) the Council will seek to avoid situations whereby the landowner / developer attempts to subdivide the site to avoid meeting their obligations.

The requirement for planning obligations for the aggregated wider site (specifically affordable housing and recreation contributions) will need to be addressed at the technical details consent stage.

Consultee responses and considerations for a Technical Details Consent

Highways

The Highway Section have raised an objection to the proposal with the following as the reason for refusal -

The proposal and cumulative pedestrian and vehicle traffic generated would result in the intensification of use of the unadopted site access (Holcombe Grove) that is substandard in terms of pedestrian facilities, widths and forward visibility for the number of dwellings now proposed to be served, significantly in excess of the original highway design parameters, which is likely to lead to pedestrian and vehicular conflicts on the access road and at the junction of Holcombe Grove with New Road to the detriment of the free flow of traffic and road and pedestrian safety.

In their Planning Statement, the applicant has stated that 'Access to the site is available from both Milltown Street and Radcliffe New Road. These matters will be considered in greater detail at the Technical Details Consent stage'.

The Highways concerns have been noted. However, access is not a consideration in the PiP process and would be a consideration at the Technical Details stage.

The applicant would need to demonstrate that the site would be accessible for the scale of development proposed taking account of the existing development and any other approved development which would need to be part of the consideration.

It should be noted that the proposed development would be located directly adjacent to a site which also has the benefit of a PiP permission for 9 dwellings. Should both the previous and this current application come forward for Technical Details Consent then the applicant would need to ensure that the access would be capable of serving the scale and density of the combined developments.

A scheme of mitigation measures required by Greater Manchester Fire and Rescue Service (GMF&RS) would also need to be submitted with a Technical Details application.

Transport for Greater Manchester

The quantum of development would not trigger the requirement for a highway impact review by TfGM.

In terms of other comments, TfGM would note the following:

- The planning statement outlines that access would be available to the site from both Milltown Street and Radcliffe New Road. Access to the site should be designed to ensure the provision of tactile paving and dropped kerbs.
- TfGM would suggest that a review is undertaken of the Traffic Regulation Orders in the vicinity of the development, with a view to introducing additional parking restrictions as appropriate, as well as ensuring adequate parking restrictions remain in place, and are refreshed accordingly. This will help to discourage pavement parking associated with the development and therefore assist in improving the quality of the surrounding public realm.
- TfGM would refer to the LHA to confirm whether the quantum of development triggers the requirement for a Travel Plan. If this is not required, TfGM would recommend that a Travel Pack is produced which could include useful details of the nearest public transport services, journey planning etc.

Metrolink

Metrolink runs in a fairly deep cutting on ballasted track adjacent to the proposed development site and it is of paramount importance that the stability of this cutting slope, any retaining structures or the trees are not compromised by the works on the site or by changes to the drainage in the vicinity.

There is a change in level between the track and the development site. Close liaison with TfGM and the Metrolink Operator and Maintainer (KAM) will be required to ensure that the cutting slope is not destabilized by the works and it may be that monitoring of the slope and track will be required for the duration of the works.

A suitable fence would need to be proposed along the boundary that is shared with Metrolink and where any vehicle movements are close to the boundary a suitable vehicle restraint barrier installed along the boundary to prevent errant vehicles breaching the boundary and entering the tramway.

It does not appear that the development includes a sub station but if this was the case Metrolink would ask that the potential impacts on Metrolink from EMC and Stray Current are addressed and would request Conditions in this regard. It is worth noting that even if there is no requirement for this the developer should consider the impacts of stray current from Metrolink on the development.

Conditions would likely be recommended are listed below unless the subject matter is adequately addressed in the full Planning submission, although clearly these may vary depending on the details of the development. It may also be likely, due to the proximity of the development and potential to adversely impact Metrolink infrastructure and/or operations, that Metrolink will require that an Asset Protection Agreement is entered into for the duration of the works.

Conditions:

1. Submission of a Construction Management Plan with detailed method statements of construction and risk assessments.
2. Submission of boundary treatment to the Metrolink tramway adjacent to the Metrolink infrastructure.
3. Submission of a detailed drainage strategy

4. Track and monitoring to be carried out during construction works.
5. Submission of tree protection measures to the trees located within the Metrolink boundary.
6. Submission of vehicle restraint measures.

Ecology

The only potentially significant ecology issue would be badgers.

Badger

There is evidence of badger foraging across the site with setts nearby. There is the potential that the badger sett could be avoided through a suitable layout. The badger sett should not prevent some form of development on this site but could be a design constraint.

The site is not in a designated habitat site and therefore at the PiP stage is exempt from requiring any further information until the Technical Details stage. GMEU have raised no objection in principle to this approach.

Other Protected and Priority Species, Invasive Species etc

GMEU are satisfied that it is very unlikely that any other protected species will be adversely effected by this development. Similarly there is limited cover for species such as hedgehog or nesting birds. Any issues can be dealt with at technical details stage following submission of a preliminary ecological appraisal.

Biodiversity Net Gain

The baseline value of the site will be relatively low. GMEU are satisfied that 10% BNG should not be a significant issue and can be left to the technical details stage.

United Utilities

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.

UU strongly recommend that the applicant or any subsequent developer contacts United Utilities, using our pre-development enquiry service to discuss their proposals directly with our Developer Services team. They can find further advice, along with a pre-development enquiry form, on our website: <https://www.unitedutilities.com/builders-developers/>.

Drainage

UU strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish and 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.

Should the applicant receive Planning in Principle permission for this proposal, United

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

In the event of us reviewing an application for Technical Detail Consent, it is likely UU would request a condition for the submission of a sustainable surface water drainage scheme and a foul water drainage scheme is submitted to and approved in writing by the Local Planning Authority.

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.

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.

Contaminated land

In line with the National Planning Policy Framework, the site is proposed for a sensitive end use and it is recommended that a desk study/preliminary risk assessment is carried out as a minimum at the Technical Details stage. It is also considered likely that an intrusive investigation would be required.

A contaminated land implementation report and verification report would also be required by condition at the Technical Details stage. .

Air quality

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

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, and the requirements of the building regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), this Section would recommend a condition to be placed on any grant of a Technical Details permission for the provision of EV charge points (one EV chargepoint per dwelling).

Greater Manchester joint minerals plan policy

The site falls within GM joint minerals plan policy and the Technical details application should make reference to the land conditions relating to this plan.

Response to objections

- The scope and content of consideration is sufficient to process this PIP application. The scope of a PIP is restricted to a consideration of the principle only.
- Many of the points raised centre upon matters that would need to be addressed within

any technical details application. As such, the points cannot be considered at this time including matters commenting upon include siting, layout, all access arrangements, separation, scale, design and cumulative concerns.

- Private ownerships will exist regardless of the planning process. As such any grant of PIP relates to the possible use of land. The actual development of land would still need to resolve any private matters that exist away from any planning process. As such, private concerns are not the consideration of the Local Planning Authority.

Recommendation: Approve

Conditions and Reasons:

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

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	9/2/24	DM	13/2/24