

# NOTICE OF PLANNING PERMISSION

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

**To:**

Mr N Butterworth  
89 Higher Ainsworth Road  
Radcliffe  
Manchester  
M26 4JJ

**On Behalf Of:**

Mr & Mrs David Neary  
115 Park Lane  
Whitefield  
Manchester  
M45 7GT

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### PART 1 - Particulars of Application

**Application Number:** 69703

**Date of Registration:** 02/06/2023

**Proposal:**

1 no. new dwelling in side garden of no. 115  
Park Lane

**Location:**

115 Park Lane, Whitefield, Manchester, M45  
7GT

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### 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:  
Location Plan dated 31/05/2023  
Proposed Plans, Elevations & Site Plan (Dwg no. 2 C)  
Section A-A (Dwg no. 3 A)  
Revised Side Car Parking/Bins Store Area and Pavement Crossing (Dwg No. 6)  
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 listed.
- 3 The Development shall be carried out in accordance with the materials approved in relation to planning permission 68351. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.  
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 EN1/1 Visual Amenity.

- 4 The development shall be constructed in accordance with the 'Construction Traffic Management Plan' (CTMP) submitted and agreed with the Local Planning Authority in relation to planning permission 68351.

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. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being occupied.

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

- 5 The development hereby approved shall not be first occupied unless and until the car parking and bin storage arrangements indicated on approved plan reference 2 Revision C, incorporating boundary wall foundations that do not encroach under, or surface water drainage that does not discharge onto, the adjacent adopted highway, the provision of a new footway crossing to limits to be agreed on site with flush edgings at the back of the footway to demarcate the limits of the adopted highway, new hardstanding a minimum of 5.0m in length in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway and all associated footway remedial works that may be required to reinstate the footway to its former condition prior to commencement of the development, have been implemented in full to an agreed specification with the Local Planning Authority.
- Reason. To ensure good highway design, allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway in the interests of highway safety, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 6 The visibility splays indicated on approved drawing number 2 C shall be implemented in full before occupation of the dwelling and subsequently maintained free of obstruction above the height of 0.6m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety, pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 7 Prior to the occupation of the dwelling hereby approved, one electric vehicle (EV) charging point (minimum 7kW\*) shall be installed.

\*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 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 8 The development hereby approved shall be carried out in accordance with a surface

water drainage scheme which shall 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 provision of potential SuDS options for surface water drainage, which shall be drained on a separate system to foul sewage. The drainage scheme shall be implemented prior to first occupation of any dwelling and thereafter maintained.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , 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 National Planning Policy Framework.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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                                      |
| H2/2  | H2/2 - The Layout of New Residential Development                        |
| H2/1  | H2/1 - The Form of New Residential Development                          |
| HT2/4 | HT2/4 - Car Parking and New Development                                 |
| EN1/2 | EN1/2 - Townscape and Built Design                                      |
| EN5/1 | EN5/1 - New Development and Flood Risk                                  |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict                                   |
| SPD11 | Development Control Policy Guidance Note 11 - Parking Standards in Bury |
| NPPF  | National Planning Policy Framework                                      |

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

**Applicant Plan Numbers:**

Location Plan dated 31/05/2023

Proposed Plans, Elevations & Site Plan (Dwg no. 2 C)

Section A-A (Dwg no. 3 A)

Revised Side Car Parking/Bins Store Area and Pavement Crossing (Dwg No. 6)

**NOTES TO APPLICANT**

**1. Highway Authority advice**

1. The developer's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the proposed accommodation and footway remedial works. The cost of the works will be the responsibility of the developer.

2. The developer's attention is drawn to Section 80 of the Building Act 1984 and the

need to give six weeks prior written notice to the Department for Business Growth and Infrastructure detailing any proposed demolition works in connection with the proposed development.

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

## **2. United Utilities advice**

### **DRAINAGE**

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

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

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

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.

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 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

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

### **WATER AND WASTEWATER SERVICES**

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

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable

for the new proposal.

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

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.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

#### UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

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

United Utilities may not allow building over or in close proximity to a public sewer.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required.

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

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.

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 earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their 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. See 'Contacts' section below.

## CONTACTS

### Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit:

<http://www.unitedutilities.com/builders-developers.aspx>

### Email

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

Water mains and water supply, including metering -

[DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Public sewers and drainage - [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

Telephone - 0345 072 6067

### Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

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

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map.

Signed:



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On behalf of the Council

**Date of Decision:** 28/07/2023