

NOTICE OF PLANNING PERMISSION

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

To:

Mr David Hamer
Bradshaw Gass and Hope LLP
21 Silverwell Street
Bolton
BL1 1PR

On Behalf Of:

Mr Graeme Morris
Greater Manchester Combined Authority
Greater Manchester Fire & Rescue Service
146 Bolton Road
Swinton
Greater Manchester
M27 8US

PART 1 - Particulars of Application

Application Number: 69940

Date of Registration: 01/09/2023

Proposal:

Demolition of existing fire station and erection of new fire station including new training tower, parking/manoeuvring areas, fencing and landscaping; Provision of temporary fire station on site for the duration of the redevelopment

Location:

Whitefield Fire Station, Bury New Road,
Whitefield, Manchester, M45 7SY

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 The permission hereby granted for the temporary fire station as shown on drawings WFS-BGH-02-XX-DR-A-0201 Rev P5, WFS-BGH-02-XX-DR-A-0401 Rev P5, WFS-BGH-02-XX-DR-C-0172 Rev P6, WFS-BGH-02-ZZ-DR-A-0301 Rev P5 is for a limited period only, namely for the duration of the redevelopment, and the use comprising the development for which permission is hereby granted is required to be respectively removed and discontinued at the end of the said period within 3 months of the occupation of the main fire station.
Reason. The development is of a temporary nature only.
- 3 This decision relates to drawings numbered 1978.35.4251 Rev P1, 1978.35.4252 Rev P1, 1978.35.4352 Rev P3, 1978.35.4351 Rev P1, 1978.35.4354 Rev P2, 1978.35.4452 Rev P2, 1978.35.4454 Rev P2, 1978.35.4455 Rev P2, 1978.35.4551 Rev P1, 1978.35.4552 Rev P2, 1978.35.4553 Rev P2, WFS-APP-XX-XX-DR-L-0001

Rev P04, WFS-BGH-02-XX-DR-A-0201 Rev P5, WFS-BGH-02-ZZ-DR-A-0301 Rev P5, WFS-BGH-02-XX-DR-A-0401 Rev P5, WFS-BGH-02-XX-DR-C-0172 Rev P6, WFS-BGH-XX-XX-DR-C-0151 Rev P8, WFS-BGH-XX-XX-DR-A-0203 Rev P7, Q11202 - 01, Q11202 - 02, H4214-H-01 Rev P1, H4182-H-02 Rev P1, H4182-DD-01 Rev P2, H4182-DD-02 Rev P1, H4182-DD-03 Rev P1 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.

- 4 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 prior to any above ground superstructure works being commenced (excluding temporary fire station). Only the approved materials/bricks 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 EN1/1 Visual Amenity.
- 5 Where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.
Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 6 A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.
Reason. To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 180 of the National Planning Policy Framework and Position Statement J of 'The Environment Agency's approach to groundwater protection'.
- 7 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 8 The Biodiversity Enhancement and Management Plan dated December 2023 hereby approved shall be implemented not later than 12 months from the date the building (excluding the temporary fire station) is first occupied. 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 Policies EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

- 9 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing WFS-BGH-XX-XX-DR-C-015 Rev P8. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding 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 NPPF.

- 10 All trees to be retained on and adjacent to the site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction" and the approved Arboricultural Impact Assessment with Arboricultural Method Statement received 27th July 2023. No development shall commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.

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

- 11 Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:

1. Formation of the proposed temporary access alterations on George Street to a scope and specification to be agreed, incorporating the reinstatement of the redundant access and all associated highway remedial upon completion of the development.

The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to occupation of the temporary fire station hereby approved.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design 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.

- 12 Notwithstanding the details indicated on the approved plans, no development other than demolition and siting of the temporary fire station shall commence unless and until full details of the following have been submitted on a topographical survey of the site and adjacent adopted highways to, and agreed with, the Local Planning Authority:

1. Formation of the proposed access alterations on Bury New Road to a scope and specification to be agreed, incorporating a review of the vehicle tracking undertaken to confirm whether a central section of footway/refuge on the Bury New Road footway can be provided as part of the adjacent works within the site to segregate the proposed access/egress arrangements, provision of tactile paving at the amended crossing point(s), accommodation works to tie into existing arrangements at the interface with the adjacent adopted footways, relocation/replacement of the affected road gully to ensure that it is not located within the proposed vehicular access, porous/permeable hardstanding/turn out apron/car park materials and/or measures to prevent the discharge of surface water onto the adopted highway, demarcation of the limits of the adopted highway and all associated highway and highway drainage remedial works and alterations to affected road markings required as a result of the development;
2. Review of the existing wig-wag signals and associated road marking positions on Bury New Road in accordance with the Guidance in Chapter 6 of the Traffic Signs Manual 2019 affected by the proposed access alterations and subsequent scheme of improvements/remedial works on the adopted highway, to a scope and specification to be agreed;
3. Provision of a street lighting assessment on Bury New Road as a result of the proposed access alterations and impact on the existing street lighting column and subsequent scheme of street lighting replacement on the adopted highway, to a scope and specification to be agreed.

The details subsequently approved shall be implemented to an agreed programme with all highway works completed prior to occupation of the development hereby approved. This condition can be satisfied in phases.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design 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.

- 13 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
1. Photographic dilapidation survey, to a scope to be agreed, of the footways and carriageways abutting the site in the event that subsequent remedial works are required following demolition works, construction of the development, works to the site boundary and as a result of any statutory undertakers connections to the site;
 2. Access point/arrangements from the adopted highway and all temporary works required to facilitate access for demolition, ground works and construction vehicles;
 3. Site hoarding/gate positions clear of appropriate visibility splays onto Bury New Road and/or George Street, including the provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
 4. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es);
 5. Confirmation of hours of operation, vehicle sizes and number of vehicle movements;
 6. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
 7. Parking on site of operatives' and construction vehicles together with storage on

site of demolition/construction materials, including any requisite phasing of the development to accommodate this;

8. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

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 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, 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.

- 14 The turning facilities indicated on the approved plans shall be provided prior to the development hereby approved being 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 and ensure that the turning facilities are not obstructed by parked vehicles pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 15 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being brought into use and thereafter maintained at all times.

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

- 16 Prior to occupation the applicant shall provide electric vehicle (EV) charging points for 20% of the proposed parking spaces. EV chargepoints shall be 7kW* as a minimum.

*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. In accordance with the NPPF, 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.

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 pre-application discussions 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:

CF1	CF1 - Proposals for New and Improved Community Facilities
CF1/1	CF1/1 - Location of New Community Facilities
EN1/2	EN1/2 - Townscape and Built Design
EN1/1	EN1/1 - Visual Amenity
EN6	EN6 - Conservation of the Natural Environment
EN5/1	EN5/1 - New Development and Flood Risk
EN6/3	EN6/3 - Features of Ecological Value
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
HT2/4	HT2/4 - Car Parking and New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework
EN8/2	EN8/2 - Woodland and Tree Planting
PFE	Places for Everyone

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:

1978.35.4251 Rev P1, 1978.35.4252 Rev P1, 1978.35.4352 Rev P3, 1978.35.4351 Rev P1, 1978.35.4354 Rev P2, 1978.35.4452 Rev P2, 1978.35.4454 Rev P2, 1978.35.4455 Rev P2, 1978.35.4551 Rev P1, 1978.35.4552 Rev P2, 1978.35.4553 Rev P2, WFS-APP-XX-XX-DR-L-0001 Rev P04, WFS-BGH-01-GF-DR-S-0101 Rev P1, WFS-BGH-01-GF-DR-S-0102 Rev P1, WFS-BGH-02-XX-DR-A-0201 Rev P5, WFS-BGH-02-ZZ-DR-A-0301 Rev P5, WFS-BGH-02-XX-DR-A-0401 Rev P5, WFS-BGH-02-XX-DR-C-0172 Rev P6, WFS-BGH-XX-XX-DR-C-0151 Rev P8, WFS-BGH-XX-XX-DR-A-0203 Rev P7, Q11202 - 01, Q11202 - 02, H4214-H-01 Rev P1, H4182-H-02 Rev P1, H4182-DD-01 Rev P2, H4182-DD-02 Rev P1, H4182-DD-03 Rev P1.

Supporting Documents

Planning Statement 30 August 2023
Design and Access Statement July 2023
Arboricultural Impact Assessment with Arboricultural Method Statement - November 2022
Greater Manchester Fire and Rescue Service – Waste & Recycling Specification
Phase 1 Geo-Environmental Investigation 3866a-01
Phase 2 Geo-Environmental Investigation Report 3866a-02
Flood risk assessment and outline drainage strategy FRA 22 1159
Surface Water Management Report
Hydrogeological Risk Assessment 3866a-03
Engagement and Consultation Report April 2023
UKHabs Baseline Map
Biodiversity Enhancement and Management Plan December 2023
Asbestos Demolition Survey

NOTES TO APPLICANT

1. Whilst the building to be demolished has been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

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

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

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

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

3. **United Utilities**
Adoption and construction of drainage systems

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration. This is important as drainage design can be a key determining factor of site levels and layout.

Acceptance of a drainage strategy does not infer that a detailed drainage design will meet the requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

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

Water pipelines

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

A water main crosses the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website:

<https://www.unitedutilities.com/builders-developers/your-development/planning/building-over-or-working-near-our-assets/working-near-our-pipes/>. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

Wastewater pipelines

United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities (see our website for further details).

Important information regarding water and wastewater pipelines and apparatus

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

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

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

Any agreement to divert our underground assets will be subject to a diversion application, made directly to United Utilities. This is a separate matter to the determination of a planning application. We will not guarantee, or infer acceptance of, a proposed diversion through the planning process (where diversion is indicated on submitted plans). In the event that an application to divert or abandon underground

assets is submitted to United Utilities and subsequently rejected (either before or after the determination of a planning application), applicants should be aware that they may need to amend their proposed layout to accommodate United Utilities' assets.

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

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

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

WATER AND WASTEWATER SERVICES

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

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

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

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

Business customers can find additional information on our sustainable drainage incentive scheme at
<https://www.unitedutilities.com/Business-services/retailers/incentive-schemes/>

To avoid any unnecessary costs and delays being incurred by the applicant or any

subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' Section below.

CONTACTS

Website

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

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

Email

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

Water mains and water supply, including metering -

DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - SewerAdoptions@uuplc.co.uk

Telephone - 0345 072 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.

4. Environment Agency Advice and Guidance to Applicant

Model Procedures and good practice This development site appears to have been the subject of past industrial activity which may pose a risk of pollution to controlled waters. We recommend that you should:

- Follow the risk management framework provided in Guidance on Land contamination risk management (LCRM) Land contamination risk management (LCRM) - GOV.UK (www.gov.uk), when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information
- Refer to 'The Environment Agency's approach to groundwater protection'
- All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether excavated material arising from site during remediation and/or land development works is waste or has

ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Piling and Penetrative ground improvement methods:

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers, and creating preferential pathways. Thus, it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Dewatering

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface. Any dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests. This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site. More information is available on gov.uk:

<https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

Regulatory position statements

Discharges from dewatering to surface water or groundwater will require an Environmental Permit unless you can meet the conditions of the RPS or exemptions or exclusions for groundwater activities. The following Regulatory Position Statement will apply: 'Temporary dewatering from excavations to surface water.'

<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>

Note to applicant

Should you wish us to review any technical documents or want further advice to address any of the environmental issues raised in this response, we may be able to do this as part of our charged for planning advice service. Further engagement will provide you with certainty of our position as to what our response to a planning application will be. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per person per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. Our standard terms and conditions are available to view online at www.gov.uk/government/publications/planning-and-marine-licenceadvice-standard-terms-for-our-charges/planning-and-marine-licence-advice-standardterms-for-our-charges.

If you would like more information on our planning advice service, including a cost estimate, please contact us at SPPlanning.RFH@environment-agency.gov.uk

5. The applicant's attention is drawn to the need to consult the Department for Operations regarding the specification for and implementation of the required highway, street lighting and signal works on the adopted highway. The cost of the works will be the responsibility of the developer.

Signed:



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On behalf of the Council

Date of Decision: 06/03/2024