

NOTICE OF PLANNING PERMISSION

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

To:

MCK Associates Limited
Burnaby Villa
48 Watling Street Road
Fulwood
Preston
PR2 8BP

On Behalf Of:

Mr Ed Milner
Hive Homes (Greater Manchester) LLP
Greater Manchester Housing Providers Joint
Venture
2A Derwent Avenue
Chorlton
Manchester
M21 7QP

PART 1 - Particulars of Application

Application Number: 69233

Date of Registration: 18/01/2023

Proposal:

Residential development to erect 90 dwellings with associated parking and landscaping

Location:

Site of the former Riverside High School,
School Street, Radcliffe, M26 3BW

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 Subject to the requirements of the conditions below, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents:
Drawings:
Location plan (dwg no. SL01)
External Works - Sheet 1 (Dwg No. 21196-EDGE-XX-XX-DR-C-1101 P02)
External Works - Sheet 2 (Dwg No. 21196-EDGE-XX-XX-DR-1102 P02)
Plot Drainage - Sheet 2 (Dwg No. 21196-EDGE-XX-XX-DR-C-2012 P02)
External Works - Sheet 1 (Dwg No. 21196-EDGE-XX-XX-DR-C-1101 P02)
1.8m Brick Wall with Piers with Timber Infill Panels (Dwg No. BW01)
1800mm High Feathered Access Door (Dwg No. TG01)
1.8m Feather Edges Timber Fence (Dwg No. FB01)
Newbold End - Floor Plans (Dwg No. NB-END-001 A)
Newbold End - Elevations (Dwg No. NB-END-002 A)
Bowker mid - elevations and floor plans (Dwg No. BO-MID-001 18-122 REV.C)

Brooklands house type - elevations and floor plans (Dwg No. BR-001 18-122 REV.B)
 Construction details (Dwg no. 211196-EDGE-XX-XX-DR-C-3201 -P01)
 Bowker Alternative House Type - floor plans and elevations (Dwg no. BO-ALT-001)
 Timber fence detail (Dwg no. FB01)
 Hollinwood House Type - proposed floor plans and elevations (Dwg no. Hw 001)
 Timber gate detail (Dwg no. TG01)
 Brooklands Alternative Bay House Type - proposed elevations and floor plans (Dwg no. BR ALT B-001)
 Cornbrook Alt House Type - proposed floor plans and elevations (Dwg no. CO-ALT-001)
 Cornbrook end House Type - proposed floor plans and elevations (Dwg no. CO-END-001)
 Cornbrook mid house type - proposed floor plans and elevations (Dwg no. CO-MID-001)
 Firwood house type - proposed floor plans and elevations (Dwg no. FI-001)
 Newhey Alternative Bay House Type - proposed floor plans and elevations (Dwg no. NH-ALT B-001)

Proposed Layout (Colour) (Dwg No. 21-039 PL01 U)
 Proposed Layout (Dwg No. 21-039 PL01 U)
 Catchment Analysis ((Dwg No. 21196-EDGE-XX-XX-DR-C-2004 Rev. P03)
 Manhole schedule (dwg no. 211196-EDGE-XX-XX-DR-C-2201 P03)
 Longitudinal Sections - Sheet 2 (Dwg no. 211196-EDGE-XX-XX-DR-C-2102 P03)
 Road Setting Out - Sheet 1 (Dwg no. 211196-EDGE-XX-XX-DR-C-3002 P02)
 Road Setting Out - Sheet 2 (Dwg no. 211196-EDGE-XX-XX-DR-C-3003 P02)
 Kerb and Surfacing Layout (Dwg no. 211196-EDGE-XX-XX-DR-C-3006 P02)
 Longitudinal Sections - Sheet 1 (Dwg no. 211196-EDGE-XX-XX-DR-C-2101 P03)
 Drainage Layout (Dwg no. 211196-EDGE-XX-XX-DR-C-2002 Rev P03)
 Bowker End (Dwg No. BO-END-001 G)
 Indicative Sections (Dwg No. 21-039 CS01 C)
 Hard Landscaping Plan (Dwg No. 21-039 HL01 B)
 Land Use Plan (Dwg No. 21-039 LU01 B)
 Boundary Details Plan (Dwg No. 21-039 BD01 G)
 Indicative Streetscenes (Dwg No. 21-039 SS01 B)
 Proposed Soft Landscaping Plan - Sheet 1 of 2 (Dwg No. 21-039 L-S-001 B)
 Proposed Soft Landscaping Plan - Sheet 2 of 2 (Dwg No. 21-039 L-S-002 B)
 Materials Plan (Dwg No. 21-039 MP01 B)
 Refuse Management Plan (Dwg No. 21-039 RM01 B)

Documents:

Addendum Gas Risk Assessment and Updated Remediation Strategy (Ref. LKC 20 1836)
 Ambient Noise and Building Envelope Assessment (Ref. J004296-6055-TD-01)
 Crime Impact Statement (2022/0362/CIS/01)

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

No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be

submitted to, and approved in writing by the Local Planning Authority;

- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 4 Following the provisions of Condition 3 of this planning permission, 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.

- 5 No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, and all boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 6 Each dwelling hereby approved shall be provided with 1 electric vehicle (EV) charge point (minimum 7kW*) prior to its occupation.

*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.

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 Section 9 of the National Planning Policy Framework.

- 7 Notwithstanding the details indicated on the approved plans and in the supporting information, no development shall commence unless and until full details of the following have been submitted to a scope and specification to be agreed on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

1. Formation of the accesses onto School Street, incorporating the provision of adequate arrangements at the interface with the adopted highway and 1 in 20 plateau (maximum) at the junction, relocation of the affected speed cushions in a position to be agreed and any associated accommodation works, level access to the private footpaths serving Plots 80 - 85 and the public open space between Plots 79 & 80, provision of visibility splays appropriate for a design speed of 20mph, demarcation of the limits of the adopted highway, tactile paved crossing points, give-way markings and any associated alterations to existing road markings (subject to the requirements of the scheme of 20mph traffic calming measures and Traffic Regulation Order review) and all associated highway and

- highway drainage remedial works;
2. Formation of the access onto Abden Street/un-named back street adjacent to No.'s 65/67 Ulundi Street, incorporating the provision of adequate arrangements adequate arrangements at the interface with the adopted highway and tying-in with the existing kerbline of and parking lay-by/road markings on Abden Street, 1 in 20 (maximum) plateau at the junction, reconstruction of the section of Abden Street between Ulundi Street and the easterly site boundary and scheme of road markings/coloured surfacing, alterations to the boundaries at Plots 43/43 to form an acceptable junction with the back street and provide visibility splays appropriate for a design speed of 20mph, demarcation of the limits of the adopted highway, tactile paved crossing points, give-way markings and alterations to existing road markings (subject to the requirements of the scheme of 20mph traffic calming measures) and all associated highway and highway drainage remedial works;
 3. Revised footpath arrangements in the vicinity of Plot 69 to ensure that the new pedestrian route connects to and at the correct level on the existing southerly footway on Chard Street and all associated accommodation works on the adopted highway;
 4. All works around the perimeter of the site to either retain or replace the existing school boundary walls, pillars and railings, incorporating, where required, new foundations that do not encroach under the adopted highway, demarcation of the limits of the adopted highway with flush/50mm upstand edgings (as appropriate) and all associated accommodation works on the adopted highway;
 5. In the event that the site access/estate roads are not to be considered for adoption by the Council, measures to prevent the discharge of surface water onto the adopted highway;
 6. In the event that any retaining structures are required that abut/are sited in close proximity to the adopted highway, an 'Approval In Principle' for the proposed structures, incorporating full structural, construction and drainage details, calculations, pedestrian protection measures and a detailed construction method statement;
 7. Provision of a street lighting assessment to a scope and specification to be agreed for School Street between the site access and Hutchinson Way, Abden Street between the site access and Blackburn Street, the proposed residential estate roads, and, where necessary, a scheme of improvements;
 8. Review of need for the introduction of waiting restrictions to scope to be agreed at the junction of the site accesses with School Street and Abden Street, including, if required, all necessary road markings and signage;
 9. A scheme of 20mph traffic calming measures on the proposed estate roads to a scope and specification to be agreed, incorporating the formation of speed tables at all appropriate junctions, road markings, signage and works within the existing as required.

The details subsequently approved shall be implemented in full to a programme agreed with the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, in the interests of fire safety, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 8 In the event that it is intended for the proposed residential estate roads to be considered for adoption by the Council, notwithstanding the details indicated on the approved plans and supporting information, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:

1. Formation of the proposed estate roads (including any necessary land filling operations and method of compaction), incorporating minimum 5.5m carriageway and 2.0m footway widths;
2. Provision of long sections and cross sections at positions to be agreed through the proposed estate roads and turning heads to ensure that adoptable gradients will not exceed 1 in 14 for the purposes of adoption and incorporating a maximum 1 in 20 plateau at each junction within the development and at the interface with the adopted highway;
3. Demarcation of the limits of adoption at all relevant locations;
4. Provision of visibility splays and forward visibility envelopes appropriate for a design speed of 20mph at all internal junctions and bends in accordance with the standards in Manual for Streets with no obstructions above the height of 0.6m within them;
5. Revised access/parking arrangements for Plots 5, 31 & 36 to ensure that the new dwellings are served from the adjacent private shared accesses and to mitigate the need for long reverse manoeuvres into the adjacent junctions along the proposed adopted footways that would otherwise result from the layout as submitted;
6. Revised access/parking arrangements for Plot 40 to avoid the proposed driveway straddling the anticipated limits of adoption;
7. Provision of adequate levels of visibility at the back edge of the footway at Plots 27, 38 & 39;
8. Swept path analysis of the proposed estate roads to ensure that an 11.85m long refuse collection vehicle can pass a private car at all points and manoeuvre at all turning heads;
9. Facilities for the storage of bins on collection day at the interfaces of all shared accesses with the proposed adopted highway;
10. Proposed planting/surfacing details and management/maintenance arrangements for all landscaped/car parking areas abutting the proposed adopted highway;
11. Proposed porous/permeable shared driveway/hardstanding materials and/or measures to prevent the discharge of surface water onto the adopted highway.

The details subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways and maintain the integrity of the adopted highway, all in the interests of highway safety. pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 9 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
 1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
 2. Access route for all construction vehicles to the site from the Key Route Network, including the need to prohibit/limit the use of the residential street in the Abden Street/Lord Street area;
 3. Access point(s) for construction traffic taking into consideration existing residential properties and their accesses onto School Street and any temporary works/phasing of the development that may be required to facilitate safe access for construction vehicles;
 4. If proposed, details of site hoarding/gate positions, taking into consideration the

- need to maintain adequate levels of visibility onto the adopted highway;
5. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
 6. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access(es);
 7. Confirmation of hours of operation and number of vehicle movements;
 8. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
 9. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
 10. Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent highways, 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 policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 10 In the event that it is not intended for the proposed residential estate roads to be considered for adoption by the Council, no development shall commence unless and until details of the proposed arrangements for future management and maintenance of the proposed estate road within the development have been submitted to and approved by the local planning authority. The estate roads shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason. This is required prior to the commencement of development to ensure that the unadopted estate roads serving the development is maintained to an acceptable standard in the interest of residential/highway safety, to ensure a satisfactory appearance to the highways infrastructure serving the development, and to safeguard the visual amenities of the locality and users of the highway pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

- 11 The various turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.

Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 12 Minimum hardstanding lengths of 5.0m at all dwellings (10.0m when in tandem) shall be provided to the written satisfaction of the Local Planning Authority and thereafter maintained.

Reason. To allow adequate space to maintain vehicles clear of the highway in the interests of pedestrian safety, pursuant to policies H2/2, EN1/2 and HT6/2 of the Bury Unitary Development Plan.

- 13 The car parking indicated on the approved plans shall be surfaced and made

available for use to the satisfaction of the Local Planning Authority prior to the each dwelling/part of the site to which it relates being occupied 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 of the Bury Unitary Development Plan.

- 14 Bin storage shall be provided within the curtilage of each dwelling in accordance with the approved Refuse Management Plan (Dwg No. 21-039 RM01 B).

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling, pursuant to policies H2/2 and EN1/2 of the Bury Unitary Development Plan.

- 15 Any tree assessed as low risk by either TEP in the preliminary ecological assessment dated February 2021 drawing number g8603.001, or Arbtech in the preliminary ecological appendix 4 Habitat survey plan, shall be removed using soft felling techniques under the guidance of an ecological consultant, unless otherwise 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 Section 11 of the National Planning Policy Framework.

- 16 The drainage for the development hereby approved shall be carried out in accordance with the principles set out in the approved Drainage Layout 211196-EDGE-XX-XX-DR-C-2002 Rev P03, dated 11/05/2023, which was prepared by EDGE. For the avoidance of doubt surface water must drain at the restricted rate of 22.3l/s. Prior to occupation of the first dwellinghouse, the drainage scheme 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 Policy EN5/1 of the Bury Unitary Development Plan and Section 14 of the National Planning Policy Framework.

- 17 All trees to be retained on site, as indicated on approved drawing Proposed layout 21-039 PL01 Q, shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not 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.

- 18 The hard and soft landscaping shall be carried out in accordance with the approved Proposed Soft Landscaping Plan - Sheet 1 of 2 (Dwg No. 21-039 L-S-001 B) and Proposed Soft Landscaping Plan - Sheet 2 of 2 (Dwg No. 21-039 L-S-002 B). All planting, seeding and/or turfing shall be carried out in the first planting and seeding seasons following the occupation of the building(s) relating to that phase or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity and to ensure the protection of wildlife and supporting habitat and to

secure opportunities for enhancing the site's nature conservation value, pursuant to policies EN6/4, EN8/2 and EN10/2 of the Bury Unitary Development Plan and Section 15 of the National Planning Policy Framework.

- 19 The acoustic fence to the northern boundary of the site, as detailed in the submitted Ambient Noise & Building Envelope Assessment (Report Ref. J004296-6055-TD-01), shall be implemented in full prior to the occupation of the first dwellinghouse and where building fabric mitigation measures are indicated, these shall be completed in full prior to the first occupation of the associated dwellinghouse.
Reason. In order to ensure that the amenities of the future occupants of the proposed properties are not adversely impacted by noise from the nearby industrial builder's merchant, in accordance with Policy EN7/2 of the Bury Unitary Development Plan and the Section 15 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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

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

- | | |
|-------|---|
| H1/2 | H1/2 - Further Housing Development |
| H2/1 | H2/1 - The Form of New Residential Development |
| H2/2 | H2/2 - The Layout of New Residential Development |
| H4/1 | H4/1 - Affordable Housing |
| EN1/1 | EN1/1 - Visual Amenity |
| EN1/2 | EN1/2 - Townscape and Built Design |
| EN1/3 | EN1/3 - Landscaping Provision |
| EN1/5 | EN1/5 - Crime Prevention |
| EN5/1 | EN5/1 - New Development and Flood Risk |
| EN6 | EN6 - Conservation of the Natural Environment |
| EN6/3 | EN6/3 - Features of Ecological Value |
| EN7 | EN7 - Pollution Control |
| EN7/1 | EN7/1 - Atmospheric Pollution |
| EN7/2 | EN7/2 - Noise Pollution |
| EN7/5 | EN7/5 - Waste Water Management |
| EN8/2 | EN8/2 - Woodland and Tree Planting |
| RT2/2 | RT2/2 - Recreation Provision in New Housing Development |
| HT2/4 | HT2/4 - Car Parking and New Development |
| HT4 | HT4 - New Development |
| HT5/1 | HT5/1 - Access For Those with Special Needs |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict |
| CF1/1 | CF1/1 - Location of New Community Facilities |
| SPD1 | Supplementary Planning Document 1 - Open Space, Sport and Recreation Provision in New Housing Development |
| SPD5 | Development Control Policy Guidance Note 5: Affordable Housing Provision in New Residential Developments |
| SPD6 | Supplementary Planning Document 6 - Alterations and Extensions to Residential |

Properties.

SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
H5 H5 - Housing Improvement
H5/1 H5/1 - Area Improvement
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:

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Newhey Alternative Bay House Type - proposed floor plans and elevations (Dwg no. NH-ALT B-001)

REV

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Kerb and Surfacing Layout (Dwg no. 21196-EDGE-XX-XX-DR-C-3006 P02)
Longitudinal Sections - Sheet 1 (Dwg no. 21196-EDGE-XX-XX-DR-C-2101 P03)
Drainage Layout (Dwg no. 21196-EDGE-XX-XX-DR-C-2002 Rev P03)
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Materials Plan (Dwg No. 21-039 MP01 B)
Refuse Management Plan (Dwg No. 21-039 RM01 B)

NOTES TO APPLICANT

1. Environmental Protection Officer advice

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.

2. Coal Authority advice

1 - Ground investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for permission and further guidance can be obtained from the Coal Authority's website at:
www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

3. Highway Authority advice

The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of the required highway and street lighting works and implementation of any required traffic regulation orders. The cost of the works will be the responsibility of the developer.

The applicant's attention is drawn to the need to complete a Section 38 Agreement

under the Highways Act 1980, and a Section 104 Agreement under the Water Industry Act 1991, regarding the future adoption of the proposed roads and sewers.

The applicant's attention is drawn to Section 167 of the Highways Act 1980 which requires Highway Authority approval of all structural details and calculations of retaining structures adjacent to the highway, prior to works commencing.

It would be advantageous for the land affected by the highway proposals to be in the control of the Highway Authority. An appropriate course of action would be the free dedication of the land to the Highway Authority by the freeholder.

It is brought to the attention of the applicant that if the proposed estate roads are not eligible for adoption by the Council, the applicant is advised that to discharge the relevant condition regarding future maintenance of the estate roads, the Local Planning Authority will details of a private management and maintenance company confirming funding, management and maintenance regimes.

The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system and the specification for the proposed refuse collection facility at the interface with the adopted highway.

4. **United Utilities advice**

The developer is advised to visit the Council's website to view the comments at: <https://planning.bury.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>
(United Utilities dated 26/07/2023)

5. **Transport for Greater Manchester advice**

TfGM recommend that a Travel Pack is produced for future residents of the site which could include useful details of the nearest public transport services, journey planning etc. Additionally, incentives could be offered to encourage residents to use alternative modes of travel to the private car such as concessionary bus fares, discounted cycles, journey planning etc.

Signed:



11 of 12

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On behalf of the Council

Date of Decision: 24/11/2023