

NOTICE OF PLANNING PERMISSION

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

To:

Mr Ashley Pettifer
Pettifer Architecture
61 Lower Hillgate
Stockport
SK1 3AW

On Behalf Of:

Elham Tavakol
Dearden Properties
19 Blueberry Road
Bowdon
Altrincham
WA14 3LS

PART 1 - Particulars of Application

Application Number: 71596

Date of Registration: 06/02/2025

Proposal:

Variation of condition no. 2 following approval of planning permission 66396 - To infill the parking space, reduce the number of bedrooms to 2 and amend the layout of the parking.

Location:

Land to south of Dearden Street, Bury

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered 003 C, 010 B, 011 B, 020, 025 C 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 Details/Samples of the (materials/bricks) 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 before the development is commenced. 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.

- 4 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 11 - Conserving and enhancing the natural environment.

- 5 Following the provisions of Condition 4 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 11 - Conserving and enhancing the natural environment.

- 6 A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or 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 H2/2 - The Layout of New Residential Development, 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.

- 7 No development shall commence unless or until details of a scheme for the disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The proposed scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDs options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of the proposed maintenance arrangements must be provided. Only the approved scheme shall be implemented prior to occupation of the dwellings hereby approved.

Reason. No details of the drainage have been submitted and to ensure a satisfactory means of drainage pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

8 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To enable the Local Planning Authority to assess the impact of such proposals on the stability of the canal feeder pipe minimising the risk of creating land instability arising from any adverse impacts from foundation construction, earthmoving, excavations or other construction works associated with such development, in accordance with the advice and guidance on land stability contained in paragraphs 120-121 of the National Planning Policy Framework 2012 and in the National Planning Practice Guidance

9 Notwithstanding the details indicated on the approved plans, no development shall commence unless and until full details on a topographical survey base of the provision of a footway around the Deardens Street turning head and all associated remedial works at the interface with the existing adopted highway and the boundary of Unit 1 have been submitted to and approved in writing by the Local Planning Authority. The details subsequently approved shall be implemented prior to occupation of the development hereby approved.

Reason. To ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

10 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:

- Access route for construction traffic from the highway network;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials.

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 turning/parking of vehicles and storage of construction materials.

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, in the interests of highway safety pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

11 Before the development is commenced, details shall be submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy H2/2 - The Layout of New Residential Development of the Bury Unitary Development Plan.

- 12 The turning facilities indicated on the approved plans shall be provided before the development is brought into use and 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 the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development

Policy H2/2 - The Layout of New Residential Development

Policy EN1/2 - Townscape and Built Design.

- 13 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.

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.

- 14 The dwellings hereby approved shall not be occupied unless or until a surface water exceedance flow plan has been submitted to and approved by the Local Planning Authority. The drainage scheme shall be constructed in accordance with the approved plan, reference 20013 - 102 rev B and associated calculations, dated 18/12/21.

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 NPPF.

- 15 Prior to the commencement of development (including any site clearance) a method statement shall first be submitted to and approved in writing by the Local Planning Authority. The method statement shall include a scheme for trial pits/a survey to be undertaken to establish the exact route and location of the existing piped Elton Feeder channel across the application site. The statement should also outline the means of construction of the foundations of the dwellings, including proposed earthmoving and excavation works required and set out how the feeder pipe would be protected during the works (including details of any proposed temporary protective fencing or buffer zone to be erected) to safeguard the waterway infrastructure during construction. The protective fencing/buffer zone should also prevent vehicles, plant, machinery or materials loading the pipe. The works shall be carried out in strict accordance with the agreed method statement.

Reason. To protect the structural stability of the canal infrastructure which could be adversely affected by the development and to accord with the advice and guidance relating to land stability contained in Paragraphs 187 and 196 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
EN1/2	EN1/2 - Townscape and Built Design
EN6/3	EN6/3 - Features of Ecological Value
EN7/5	EN7/5 - Waste Water Management
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
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G7	Trees and Woodland
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
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:

003 C
010 B
011 B
020
025 C

NOTES TO APPLICANT

1. The applicant/developer is advised to contact in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".
2. This recommendation relates to revised plan reference SK01 received by this Section on 12 July 2016.
3. It is brought to the attention of the applicant that the proposed estate road will not be eligible for adoption by the Council.
4. The applicant's attention is drawn to the need to consult the Department for Resources and Regulation regarding the specification for and implementation of the works required on or at the interface with the adopted highway. The cost of the works

will be the responsibility of the developer.

5. 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.

6. **DRAINAGE**

Directed by the principles set out in the National Planning Practice Guidance and the new National Standards for Sustainable Drainage Systems (2025) we require developers and Local Planning Authorities, to do all that they can to avoid surface water entering the public sewer, unless absolutely necessary. This applies to all proposed development. See Appendix 1.1 'Surface Water Hierarchy'.

All options for the sustainable management of surface water must be thoroughly investigated before we will accept any surface water connections from new development to the public sewer. Where a new surface water connection to the public sewer is proposed, we will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water.

To discuss their drainage proposals the applicant should contact our **Developer Services** team by email at SewerAdoptions@uuplc.co.uk. Alternative ways to contact the team are detailed in the Appendix, Section 5.0 'Contacts'.

When considering their drainage proposal, it is the applicant's responsibility to investigate the existence of any infrastructure that might impact their detailed design. This includes water, wastewater, operational and/or abandoned pipelines. United Utilities will not routinely carry out this assessment when reviewing drainage proposals submitted within a planning application.

Where infrastructure exists, the drainage design must comply with the relevant United Utilities guidelines and/or Building Regulations. Further information is available on our website: Working near our pipes - United Utilities. Failure to consider existing infrastructure when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

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.

Following our review of the proposed site layout, it appears that our required access to the water main is provided. This is based solely on the information contained within plan DRAWING No. 005 dated 13/12/24. The acceptability of any proposal is dependent upon the applicant knowing the exact location (line and depth) of the asset in question, confirmed through their site specific investigations. The precise location of United Utilities assets is critical as this could be material to the detail of the final site design; including any proposed crossings of the asset with either above or below ground features (including utility services). Should the scheme be approved and it is later discovered that an approved plan is not accurate (in relation to the

proximity of proposed development to United Utilities infrastructure), the proposals may not be acceptable to United Utilities. In these circumstances, we will liaise directly with the developer to find a satisfactory resolution.

We strongly recommend that if they have not already done so, the applicant contacts DeveloperServicesWater@uuplc.co.uk for advice on additional protection measures they must consider both during and after construction.

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

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 5.0 'Contacts'.

WATER EFFICIENCY IN NEW DEVELOPMENT

All new homes are required to meet the mandatory national standard of 125 litres of water used per person per day (l/p/d) as set out in Building Regulations Approved Document G. If your adopted development plan includes a policy that implements the tighter water efficiency standard of 110 l/p/d for new-build dwellings in Part 3 of Building Regulations, you should ensure that this is a condition of any planning permission you may grant. You should also consider whether there is any adopted development plan policy relating to water efficiency in the construction of non-residential development. As this is a matter for the local planning authority / building control body, United Utilities would not be involved in the discharge of conditions relating to water efficiency.

Signed:



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On behalf of the Council

Date of Decision: 29/01/2026