MANCHESTER CITY COUNCIL

IMPORTANT

Planning Permission and Notices of Consent

Compliance with Conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures required to protect trees.
- Some conditions will require action before you start the development and it is imperative that you seek to have these discharged before any work commences.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee of £85 is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town and Country Planning Act 1990

PLANNING PERMISSION

MANCHESTER CITY COUNCIL

Name and Address of Applicant	Name and Address of Agent
Brookshaw Developments Ltd C/o Agent	Mrs Michelle Steel Deloitte LLP 5 New York Street Manchester M14JB

Part I – Particulars of Application

Date of Application	Application ref. no.
31 March 2011	095911/FO/2011/N2

Particulars and location of development:

Constraints removal works and preparatory ground works in order to prepare land for future development

Land Bounded By Ashton New Road/Score Street/ Ashton Canal/ Wilson Street And Alan Turing Way
Openshaw
Manchester
M11 3BE

Part II – Particulars of Decision

The Manchester City Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 of the following decision

Decision Approved
Approve on the basis that the proposed works accord with policies E1.3 and E3.1 of the adopted Unitary Development Plan for the City of Manchester.
Date of Decision 2 June 2011

for the carrying out of development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

Part III – Conditions and Reasons

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:
- Drawing Ref 001 `Site Boundary Plan Rev A;
- Planning and Regeneration Statement ref 19776782_1 Version: 1 prepared by DJD;
- Design and Access Statement ref 19225834 Version: 1 prepared by DJD;
- Statement of Community Consultation ref 19226743_1 Version: 1 prepared by DJD;
- Impact on Humans Statement ref 19785399_1 Version: 1 prepared by DJD;
- Flood Risk Assessment March 2011 prepared by WYG;
- Constraints Removal Strategy March 2011 prepared by WYG
- Quantitative Risk Assessment March 2011 prepared by WYG
- Openshaw West Ground Conditions and Mining Hazard Data Review July 2010 prepared by WYG;
- Factual Report on Ground Investigation at Openshaw West Manchester November 2010;
- OMG Site Openshaw, Ground Contamination and Mining Hazard Desk Top Assessment March 2011 prepared by WYG,
- Openshaw West Ground Investigation Interpretative Report prepared by WYG;
- Tree Survey 17/03/2011 prepared by WYG;
- Environmental Statement March 2011 prepared by WYG;
- Non-Technical Summary of the Environmental Statement March 2011 prepared by WYG
All date stamped as received by the local planning authority on the 30th March 2011.

- Drawing Ref 001 `Site Boundary Plan¿ Rev C date stamped as received by the local planning authority on the 3rd May 2011;
- Openshaw West, Clayton Archaeological Excavation report dated April 2011, Issue No: 2010-11/1171 prepared by Oxford Archaeology North date stamped as received by the local planning authority on the 3rd May 2011.

Reason - To ensure that the development is carried out in accordance with the approved plans.

3) Prior to the commencement of the works hereby approved a Phasing plan of the works hereby approved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed phasing plan which shall include:
- Defined areas and the timing of works relating to each phase of works;
- A description of the works to be undertaken as part of that phase;
- With reference to the agreed Construction Management Plan, Environmental Management Plan, Construction Traffic Management Plan and Site Waste Management Plan details of any necessary mitigation measures required as part of that phase;
- The location, type, height and colour of any additional temporary site hoarding/temporary fencing or barriers required as part of that phase of works; and,
- The way in which highways within the site will operate during the proposed phase of works.

Reason - To ensure that the development is undertaken in a managed and co-ordinated manner in the interests of residential amenity, and ecology of the site pursuant to policy H2.2 of the adopted Unitary Development Plan for the City of Manchester.

4) Prior to the commencement of the works hereby approved a Construction Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Construction Management Plan which shall include:
- Dust management and monitoring method statement;
- Odour management and monitoring method statement;
- Noise management and monitoring method statement;
- Asbestos management and monitoring method statement;
- Remediation techniques method statement; and
- Identification of an Ecological Clerk of Works to be approved in writing by the local planning authority to be employed for the duration of the construction period and details of their responsibilities.

Reason - To ensure that the development is not prejudicial or a nuisance to adjacent dwellings, and in the interests of, public health and amenity, pursuant to policies H2.2 and E2.4 of the Unitary Development Plan for the City of Manchester.

5) Prior to the commencement of the works hereby approved an Environmental Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Environmental Management Plan which shall include:
- The identification of a suitably qualified and experienced ecologist approved in writing by the local planning authority to supervise the implementation of the ecological mitigation measures;
- Full details of all ecological mitigation measures to be implemented during the constraints removal phase including those required to protect the adjacent Ashton Canal Site of Biological Important to prevent any potential pollution event from the approved works reaching the canal; and,
- A scheme for, the provision and ongoing maintenance and management of bat and bird boxes and timescales for there installation.

Reason - In the interest of the ecology of the site and the adjacent Ashton Canal Site of Biological importance pursuant to policies E2.4 of the adopted Unitary Development Plan for the City of Manchester.

6) Prior to the commencement of the hereby approved works a Site Waste Management Plan with the objective of ensuring that waste is managed in an appropriate and sustainable manner for the duration of the construction phase, shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Site Waste Management Plan which shall include:
- How the generation of waste will be avoided or minimised;
- Appropriate procedures for managing any wastes that are generated to include the promotion of the re-use or recycling.

Reason - To ensure that any waste generated by the site is dealt within in a sustainable manner to maximise the reuse of on site and recycled materials pursuant to policy E1.6 of the adopted Unitary Development Plan for the City of Manchester.

7) Prior to the commencement of the hereby approved works a Construction Traffic Management Plan shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the agreed Construction Traffic Management Plan which shall include:
- Method statements and details of the quantity and routing of construction traffic;
- Qualitative assessment of existing traffic flows in the area;
- Identify proposed access points into the site and advisory routes to and from the site;
- Identify measures to control dust and mud on the surrounding public highway including: details of how the wheels of contractors vehicles are to be cleaned; and the sheeting of vehicles entering and leaving the site during the construction period;
- Specify the working hours for the site;
- Identify advisory routes to and from the site for staff and HGVs
- Describe the road closures being implemented across the site in the interest of road safety.

Reason - In the interest of pedestrian and highway safety, and to ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

8) Prior to the commencement of any hereby approved works, details of the hours of working for the site or any phase of construction works shall be submitted to and agreed in writing by the local planning authority. The hereby approved works shall thereafter be undertaken in accordance with the agreed details.

Reason - In the interests of residential amenity pursuant to policy H2.2 of the adopted Unitary Development Plan for the City of Manchester.

9) Prior to the commencement of any works or phase of works, details of both temporary construction lighting and lighting associated with any site compound(s) installed on the site shall be submitted to, and approved in writing by, the City Council as local planning authority. The submitted details shall include the location and heights of lighting poles, and timings of their illumination. The development shall be implemented in accordance with the approved details.

Reason - In the interests of ecology, amenity, crime reduction and the personal safety of those using the proposed development in order to comply with the requirements of government guidance in Planning Policy Statement 1 and Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

10) If any lighting units of the works hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning

authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) Prior to the commencement of any works hereby approved details of the location, type, colour and height of all site hoarding/temporary fencing required for the construction works shall be submitted to, and approved in writing by, the City Council as local planning authority, prior to the fencing being erected. The approved works shall be implemented in accordance with the approved details.

Reason - In the interests of the visual amenity of the area, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

12) Prior to the commencement of any works hereby approved, a plan indicating the position of those trees to be removed and those to be retained shall be submitted to and approved in writing by the local planning authority. The plan shall also include details of the tree protection measures to be employed during the construction works of those trees which are to be retained. The works shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason - In order avoid damage and loss of trees adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies E2.4 and E2.6 of the Unitary Development Plan for the City of Manchester.

13) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on those plans and particulars agreed under condition 12 of this approval. Paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the completion of the hereby approved works.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or

placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with Policies E2.4 and E2.6 of the Unitary Development Plan for the City of Manchester.

14) Prior to the completion of the works hereby approved a scheme for the provision of tree replacements shall be submitted to and approved in writing by the City Council as local planning authority, The scheme shall include:
- The location, species and size of the proposed replacement trees;
- Reprovision of an additional 10% of trees to those removed as agreed under condition 12, and if applicable condition 13 a), 13 b) of this approval; and,
- A timescale for its implementation.

The development shall then be completed in accordance with the agreed scheme unless otherwise agreed in writing by the local planning authority.

Reason - To ensure the re-provision of suitable replacement trees pursuant to policy E2.6 of the adopted Unitary Development Plan for the City of Manchester.

15) No works shall take place within the areas known as `OMG and Mantax site as identified on the approved plan reference 001 Rev C prepared by WYG and date stamped as received by the local planning authority on the 3rd May 2011, until the applicant or their successors in title has secured a programme of archaeological work in accordance with a Written Scheme of Investigation agreed in advance with the Local Planning Authority. The scheme shall include timetabled provision for the evaluation of potentially significant heritage assets; a further programme of archaeological mitigation in the form of excavation and recording of these assets if significant remains are identified; post-excavation reporting; deposition of the archive with an appropriate museum or archive service; and a publication in the Greater Manchesters Past Revealed Series. The approved written scheme of investigation shall be implemented in full subject to any variations approved in writing by the Local Planning Authority.

Reason - To investigate the archaeological interest of the site and record and preserve any remains of archaeological interest, pursuant to Policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in PPS5.

16) If within a period of 12 months of this approval no archaeological works have commenced on the `OMG and Mantax site as identified on the approved plan reference 001 Rev C prepared by WYG and date stamped as received by the local planning authority on the 3rd May 2011 then the existing archive from the main site evaluations and excavations will be deposited with an appropriate museum or archive service as set out within paragraph 2.5.1 of the approved Openshaw West, Clayton Archaeological Excavation report dated April 2011, Issue No: 2010-11/1171 prepared by Oxford Archaeology North; and a publication in the Greater Manchesters Past Revealed series will be produced for the main site archaeological works.

Reason - To ensure a record of any remains of archaeological interest are published in a timely manner, pursuant to Policy DC20.1 of the Unitary Development Plan for the City of Manchester and guidance in PPS5.

17) Prior to the completion of the hereby approved works the details of any materials that are surplus to the regrading/levelling of the site shall be submitted to and approved in writing by the City Council as local planning authority. The details shall include:
- The locations and extent (width, length and heights) of any surplus materials;
- The content and make up of the surplus materials;
- Any measures required to ensure the surplus materials do not pose any ongoing risk in relation to surface water run off, or wind loss.

Reason - In the interests of residential and visual amenity of the area pursuant to policy H2.2 of the adopted Unitary Development Plan for the City of Manchester.

18) The hereby approved works shall be carried out in accordance with the previously agreed Constraints Removal Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is completed, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

This condition relates to those areas of the application site which are not identified as `Areas with no site investigation data on plan reference 041 prepared by WYG received by the local planning authority via email on the 20th May 2011.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to E3.2; of the Unitary Development Plan for the City of Manchester.

19) Prior to the commencement of the hereby approved works in those areas identified as `Areas with no site investigation data¿ on plan reference 041 prepared by WYG as received by the local planning authority via email on the 20th May 2011, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to that part of the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence on that part of the site until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating that part of the site identified in the Site Investigation Proposal shall be carried out, before the development of that part of the site commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development of the land identified on `Areas with no site investigation data on plan reference 041 prepared by WYG as received by the local planning authority via email on the 20th May 2011 commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is completed, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to E3.2; of the Unitary Development Plan for the City of Manchester.

20) No part of the works hereby approved shall commence until cross section plans of the existing external ground levels have been submitted to and approved in writing by the City Council as Local Planning Authority. Within 12 months of the hereby works commencing cross section plans of the proposed external ground levels shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason - To ensure that a satisfactory development is carried out, in accordance with policy H2.2 of the Unitary Development Plan for the City of Manchester.

21) Within 12 months of the commencement of the hereby approved works, details of the proposed ground level surface finish of the site in order to replicate a suitable habitat for ground nesting birds, shall be submitted to and agreed in writing by the City Council as local planning authority. The scheme shall also include:
- Details of the extent of the proposed ground surface finish on the site; and,

- A timescale for its implementation.

Once agreed the ground surface finish should be implemented in full.

Reason - The site is used by Little Ringed Plover, a species protected under Schedule 1 of the Wildlife and Countryside Act (1981) and in order to ensure adequate and suitable replacement habitat is provided pursuant to policy E2.4 and E3.1 in the Unitary Development Plan for the City of Manchester.

22) Following completion of the hereby approved works a review of the on site capabilities to cater for any intense rainfall event shall be undertaken in accordance with the recommendations contained within the approved Flood Risk Assessment document prepared by WYG and as date stamped as received by the local planning authority on the 30th March 2011. The review shall identify any requirements for a site wide drainage ditch system to ensure surface water can drain to an area where adequate infiltration can occur and be sized to allow for any storage of run off that is necessary. The development shall be implemented in accordance with the approved details.

Reason - In the interest of pedestrian and highway safety, and to ensure that the proposed development is not prejudicial or a nuisance to adjacent dwellings, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

23) Prior to the commencement of the hereby approved works a Communications Strategy shall be submitted to and approved in writing by the City Council as local planning authority. The works shall be implemented in accordance with agreed details. The strategy shall include:
- Confimation of contact details of relevant personal of the project;
- A Signage strategy for the works
- The notification method and timing of notification to residents and businesses of the nature and type of work involved in the works or any particular phase of works.

Reason - To ensure that the development is undertaken in a managed and co-ordinated manner in the interests of residential amenity pursuant to policy H2.2 of the adopted Unitary Development Plan for the City of Manchester.

24) Prior to the commencement of the works hereby approved, a proposed Local Employment Agreement strategy with the objective to ensure best endeavours are taken to recruit local people in the undertaking of the works, shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The works shall then be implemented in accordance with the approved strategy.

Reason - To facilitate the opportunity for local employment, pursuant to policy R1 of the Unitary Development Plan for the City of Manchester

Part IV – Informatives

The developer is advised to contact the British Waterways Third Party Works Engineer Team at Wigan to ensure that any necessary consents are obtained and that the works comply with their current Code of Practice.

The Flood Risk Assessment (FRA) from White Young Green (Ref A064184 dated March 2011) submitted with this application has referred to the Manchester/Salford/Trafford Strategic Flood Risk Assessment (SFRA) Level 2 reports and maps. The FRA has demonstrated how surface water runoff will be managed following the completion of the Constraints Removal Works using infiltration techniques.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Further information on SUDS can be found in:

- PPS25 page 33 Annex F
- PPS25 Practice Guide
- CIRIA C522 document Sustainable Drainage Systems
- CIRIA C697 document SUDS manual
- The Interim Code of Practice for Sustainable Drainage Systems.

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's website: www.environment-agency.gov.uk and CIRIA's website: www.ciria.org.uk

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste legislation, which includes:

i) Duty of Care Regulations 1991
ii) Hazardous Waste (England and Wales) Regulations 2005
iii) Environmental Permitting Regulations 2010

The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and /or land development works are waste.

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.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If material to be taken off site is hazardous waste the developer may need to register with us as a hazardous waste producer.

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an Environmental Permit under the Environmental Permitting Regulations 2010.

If the operator wishes more specific advice they will need to contact the Environment Agency's Environment Management Team at the Appleton House offices on 01925 543524 or look at available guidance on our website www.environment-agency.gov.uk/subjects/waste/.

Where groundwater is to be extracted at more than 20m3/day a groundwater consent may also be required.

An environmental permit may be required in relation to the backfilling of underground voids. Our current position in regard to such activities is that where we are provided with sufficient detail on the method and scope of such works to determine that the risk of pollution arising from the proposed activity is very low, we may decide not to pursue the requirement for a permit prior to commencing the activity. However, should the activity cause pollution this may result in enforcement action and if we subsequently become aware that the activity is posing an increased risk of pollution we may serve notice prohibiting the activity or requiring an environmental permit before proceeding further. We recommend that further detail of the proposed grouting works be provided and discussed with the Environment Agency's groundwater team on 01925 543455.

The site contains the invasive plant - Japanese Knotweed (Fallopia japonica), the spread of which is prohibited under the Wildlife & Countryside Act (1981). Care should be taken to prevent its spread during any operations relating to the proposal. Any soils brought onto the applicant's site should be free of the seeds/root/stem of any invasive plant covered under the Environmental Protection Act (1990). Approval for herbicide applications to eradicate invasive species must be obtained from the Environment Agency prior to use near a watercourse/waterbody.

The applicant should contact United Utilities water fittings section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 2DS. They can readily supply water for domestic purposes, but for larger quantities they will require further information before we can

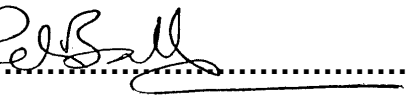
determine whether the local network can support the application. A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

A water main crosses the site. As access for operating and maintaining it is required, United Utilities will not permit development in close proximity to the main. An access strip of no less than 5 metres wide measuring at least 2.5 metres either side of the centre line of the main. A modification of the site layout, or diversion of the main at the applicant's expense, may be necessary. If a diversion is required the applicant must contact United Utilities Regional Mains Diversion team on 01925 677994. This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense.

Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 & 159, United Utilities have the right to inspect, maintain, adjust, repair or alter the mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not the property of United Utilities and they have no record of them.

The applicant must undertake a complete soil survey, as and when land proposals have progressed to a scheme design i.e. development, and results submitted to United Utilities along with an application for water. This will aid in the design of future pipework and materials to eliminate the risk of contamination to the local water supply. Please note that for properties over two stories high United Utilities recommend the developer considers the installation of tanks and pumps

United Utilities encourages the use of water efficient designs and development wherever this is possible. The most up to date advice for water efficiency and water efficiency products can be found at Water wise who have recently published a best practice guide on water efficiency for new developments. United Utilities encourage utilisation of the following water efficiency activities:
- Installing the latest water efficient products, such as a 4.5l flush toilet instead of the 6l type.
- Minimise run lengths of hot and cold water pipes from storage to tap/shower areas. This minimises the amount of waste during the time the water goes from cold to hot.
- Utilising drought resistant varieties of trees, plants and grasses when landscaping.
- Install water efficient appliances such as dishwashers, washing machines.

Signed**……**

Peter Babb, Head of Planning

on behalf of the Council
Town Hall,

NOTES

1. Leaflets attached:

2. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation**.**

3. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

4. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

5. If either the local planning authority of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

6. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to

conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, 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. Such activities could include site investigation boreholes, digging of 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 Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com