

NOTICE OF PLANNING PERMISSION

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

To:

Mr John Hodgkinson
20 Westgate Avenue
Ramsbottom
Bury
BL0 9SS

On Behalf Of:

Mr Laszlo Hamar
Titus Barn Bradley Fold Road
Ainsworth
Bolton
BL2 5QR

PART 1 - Particulars of Application

Application Number: 69790

Date of Registration: 05/07/2023

Proposal:

Variation of condition no. 2 (approved plans) and no.14 (materials) on p/p 68002 (conversion of existing building to 1 no. dwelling including dormer on the rear):
Change of approved materials - roof, dormer and walls to be Kingspan colour black.

Location:

Titus Barn, Bradley Fold Road, Radcliffe, Bolton, BL2 5QR

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 from the date of the grant of the original permission ref 68002 (20/4/22).
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered - Red edge location plan received 21/6/23, Proposed site plan PL K1028/01 rev D, Proposed floor plans PL K1028/02 rev B; Revised proposed elevations (materials amended) 23/743/01C, landscaping plan 6762.01 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 Following the provisions of Condition 3 of planning permission ref 68002, 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.

- 4 Prior to occupation the applicant shall provide 1 Electric Vehicle Chargepoint (minimum 7kW*) .

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

Reason. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

- 5 If the conversion works hereby approved do not commence before 1st August 2022, the building shall be reassessed for bat roosting potential and the findings supplied to and approved 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.

- 6 The development hereby approved shall be carried out in accordance with the submitted landscaping scheme plan ref 6762.01 and shall also incorporate the provision of a bird box. The approved scheme and bird box 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 works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 8 The visibility splays indicated on approved plan reference PL K1028/01 Revision D, implemented by the removal of the existing hedge and gates and lowering of the existing stone wall/gateposts, shall be implemented to the written satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.9m.

Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Bury Unitary Development Plan

Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-use of Buildings in the Green Belt, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Access.

- 9 The turning facilities indicated on approved plan reference PL K1028/01 Revision D shall be provided before the development is brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, OL1/4 - Conversion and Re-use of Buildings in the Green Belt, HT2/4 - Car Parking and New Development and HT6/2 - Pedestrian/Vehicular Access.
- 10 The car parking indicated on approved plan reference PL K1028/01 Revision D shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the building hereby approved 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 - Car Parking and New Development of the Bury Unitary Development Plan.
- 11 The development hereby approved shall be carried out in accordance with a Sustainable Drainage Scheme 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). The Scheme shall be implemented prior to first occupation and thereafter maintained.
Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk, EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
- 12 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 ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 13 The development hereby approved shall be carried out in accordance with the sample submitted 27/7/23 and specified on approved plan 23/743/01 C. Only the approved materials shall be used for the construction of the development.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity, EN1/2 - Townscape and Built Design and H2/1 - The Form of New Materials and OL1/4 - Conversion and Re-use of Buildings in the Green Belt.

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

NPPF National Planning Policy Framework
EN1/1 EN1/1 - Visual Amenity

EN1/2	EN1/2 - Townscape and Built Design
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN9/1	EN9/1 - Special Landscape Areas
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
OL1	OL1 - Green Belt
OL1/4	OL1/4 - Conversion and Re-use of Buildings in the Green Belt
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
SPD 9	Development Control Policy Guidance Note 9 - Conversion and Re-use of Buildings in the Green Belt
EN5/1	EN5/1 - New Development and Flood Risk

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:

Red edge location plan received 21/6/23, Proposed site plan PL K1028/01 rev D, Proposed floor plans PL K1028/02 rev B; Revised proposed elevations (materials amended) 23/743/01C, landscaping plan 6762.01

NOTES TO APPLICANT

1. INFORMATIVE - The Control of Noise Regulations 1975, Section 60. Control of Noise on Construction Sites.

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

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

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

2. Asbestos - Prior to demolition of any structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified should be disposed of in an appropriate manner.

Reason: This is to secure the satisfactory development of the site in terms of human

health, controlled waters and the wider environment and pursuant to the National Planning Policy Framework.

3. It is brought to the attention of the applicant that none of the windows on the eastern side elevation of the building hereby approved will not now nor at any time in the future be classifiable as a principle window to a habitable room for planning purposes and therefore will not prejudice any future development of the vacant land to the east of the site.
4. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this system.

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a dotted line.

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On behalf of the Council

Date of Decision: 18/08/2023