

NOTICE OF OUTLINE PLANNING PERMISSION

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

To:

Alan Chorlton
Chorlton Planning Ltd
61 Nudger Green
Dobcross
Oldham
OL3 5AW

On Behalf Of:

The Cornell Group
C/o Chorlton Planning Ltd

PART 1 - Particulars of Application

Application Number: 71178

Date of Registration: 18/09/2024

Proposal:

Outline application for 1 no. dwelling (all matters reserved except 'access')

Location:

Land to the north of 2 Hollins Close,
Unsworth, Bury, BL9 8AX

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 Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, scale, appearance and the landscaping of the site.

Reason. To ensure the satisfactory development of the site and because this application is in outline only.

- 3 This decision relates to drawings -

Red edge location plan EAD_121_01 S2
Existing topographical EAD_12103
Proposed site plan (for indicative purposes only) EAD_121_04 S8
Arboricultural Report and Impact Assessment JCA ref 19956/AM
Phase 1 Desk Top Study

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 and Places for Everyone Joint Development Plan listed.

- 4 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:

I. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.

I. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 5 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:

In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

I. Remedial Options Appraisal.

II. Remediation Strategy.

III. Verification Plan.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 6 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs

187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 7 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 8 Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 9 Prior to occupation the applicant shall provide:

- a minimum of 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking space.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the

development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 10 The dwelling hereby approved shall not be occupied until the necessary infrastructure to enable that dwelling to directly connect to fibre optic broadband has been delivered and is capable of being fully operative.
Reason. To ensure the provision of high capacity broadband as part of the development, in accordance with Policy JP-C2 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.
- 11 Prior to the occupation of the development hereby approved, details shall be submitted to the LPA for approval to state what measures are intended to be put in place to demonstrate how the development would comply with Policy JP-S2 - Carbon and Energy.
Reason. To ensure measures are put in place to contribute towards sustainable development and energy saving processes pursuant to PfE policy JP-S2.
- 12 The development hereby approved will need to demonstrate the new dwelling shall be built to the accessible and adaptable standard in Part M4(2) of Building Regulations unless site specific conditions make it impracticable and which are justifiable.
Reason. To ensure the residential dwelling hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with the PfE Joint Development Plan Document Policy JP-H3: Type, Size and Design of New Housing and the National Planning Policy Framework.
- 13 As part of reserved matters a fully update ecological assessment shall be provided to and approved in writing by the LPA along with mitigation proposals for any significant ecological issues identified. Any identified mitigation measures required shall be carried out in accordance with the recommendations and to an approved timetable.
Reason. To ensure the satisfactory development of the site and that no harm is caused to a Protected Species pursuant to policies EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan, PfE Policies JP-G7 - Trees and Woodland, JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 14 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a nesting survey method statement by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan, PfE Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 15 As part of reserved matters a biodiversity mitigation and enhancement plan including, but not necessarily restricted to, replacement trees * and hedge planting utilising native species and provision of bird boxes and swift bricks, shall be provided to and agreed in writing by the LPA.
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.

* To note Policy JP-G7 requires replacement on the basis of two new trees for each tree lost.

- 16 The residential unit ('unit') in the development hereby permitted shall be constructed as a self-build dwelling within the definition of self-build and custom build housing in the 2015 Act:

- (i) The first occupation of the unit in the development hereby permitted shall be by a person or persons who had a primary input into the design and layout of the unit and who intends to live in the unit for at least 3 years;
- (ii) The Council shall be notified of the persons who intend to take up first occupation of the unit in the development hereby permitted at least two months prior to first occupation.

Reason . The scheme as submitted and subsequently determined, is specifically based upon the scheme being a Small Scale Self-Build and Custom Housebuilding scheme, which benefits from The Biodiversity Gain Requirements (Exemptions) Regulations 2024 to otherwise provide for Biodiversity Net Gain.

- 17 Notwithstanding the details indicated on approved plan reference EAD_121_04 Revision S8, full details of the following highway aspects shall be submitted on a topographical based survey of the site and adopted highways at first reserved matters application stage:

- Realignment of the westerly kerbline and radius of Hollins Close to form a 90-degree junction with Hollins Lane, provision of give-way markings, low level planting area located clear of the limits of the proposed adopted highway and all associated highway and highway drainage remedial works;
- In association with and relative to the above, formation of 2.0m footways on the Hollins Close and Hollins Lane site boundaries outside of any tree root protection areas to be determined and all associated highway and highway drainage remedial and accommodation works to tie into existing arrangements on site;
- Provision of 2.4m x 25m visibility splays and pedestrian visibility splays at the back edge of the footway on land within the applicant's control at the junction of the site access with Hollins Close, with no obstructions above the height of 0.6m within them;
- Provision of a 2.4m x 59m visibility splay on land within the applicant's control to the left on egress at the junction of Hollins Close with Hollins Lane, with no obstructions above the height of 0.6m within it;
- Formation of a single width dropped crossing onto Hollins Close and appropriate boundary treatment clear of the required of the required visibility splays and/or under the height of 0.6m to control use of the access position and proposed hardstanding;
- Proposed car parking/hardstanding area and turning facilities in permeable/porous materials and/or measures to prevent the discharge of surface water onto the adopted highway and Hollins Close;
- Structural details and calculations of any retaining structures that may be required adjacent to the adopted highway;
- Review of the need for the introduction of waiting restrictions to scope to be

agreed at the junction of the Hollins Close with Hollins Lane including, if required, all necessary road markings and signage.

- A phasing and layout plan for the implementation of the construction and the development of the site

The highway works subsequently approved shall be implemented to an agreed programme before the dwelling hereby approved is first occupied.

Reason. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of road safety and to maintain the integrity of the adopted highway pursuant to PfE Policies JP-C5, JP-C6 and JP-C8.

- 18 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:

- 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, replacement of all boundary features and as a result of statutory undertakers connections to the site;
- Access route for all construction vehicles to the site from the Key Route Network;
- Access point/arrangements for construction traffic from Hollins Close, all temporary works required to facilitate access for construction vehicles and retain access for existing residents;
- If proposed, details of site hoarding/gate positions, incorporating the provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its accesses onto Hollins Close/Hollins Lane;
- Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated on/enter and leave Hollins Close in a forward gear and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site/Hollins Close and/or measures to control/manage delivery vehicle manoeuvres;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential street and classified road, ensure adequate off-street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, all in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design and JP-C8.

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:

NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide
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
HT2/4	HT2/4 - Car Parking and New Development
OL1/2	OL1/2 - New Buildings in the Green Belt
OL1/3	OL1/3 - Infilling in Existing Villages in the Green Belt
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury

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 EAD_121_01 S2

Existing topographical EAD_12103

Proposed site plan (for indicative purposes only) EAD_121_04 S8

Arboricultural Report and Impact Assessment JCA ref 19956/AM
Phase 1 Desk Top Study

NOTES TO APPLICANT

- . INFORMATIVE - The Control of Noise Regulations 1974, 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 1974.

- . The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.
- . 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 works and implementation of any required traffic regulation order(s). The cost of the works will be the responsibility of the applicant/developer.
- . 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.
- . 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 that may be required adjacent to the highway, prior to works commencing.
- . In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at <https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written in a cursive style.

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On behalf of the Council

Date of Decision: 20/03/2025