

NOTICE OF PLANNING PERMISSION

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

To:

Mr Robert MacKenzie
MacMarshalls
112A-116 Hamill House
Chorley New Road
Bolton
BL1 4DH

On Behalf Of:

Mr & Mrs R Speakman
Bentley Hall Farm
Bentley Hall Road
Bury
BL8 3PH

PART 1 - Particulars of Application

Application Number: 69398

Date of Registration: 30/03/2023

Proposal:

Erection of multi-purpose agricultural building with formation of vehicular access track from Bentley Hall Road

Location:

Land adjacent to Bentley Hall Farm, Bentley Hall Road, Bury, BL8 3PH

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 permission relates to the following plans:

Drawing no. Drawing number: 003, Revision E: Location Plan;
Drawing no. Drawing number: 004, Revision E: Existing Site Plan;
Drawing no. Drawing number: 005, Revision. J: Proposed Site Plan;
Drawing no. Drawing number: 006, Revision B: Site Section; and,
Drawing no. Drawing number: C154 - 7 Revision B: Proposed Plans.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan and the National Planning Policy Framework.

3 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 Public Rights of Way No.'s 47 Christ Church, Radcliffe & 130, Bury, which forms the access to and abut the site in the event that subsequent remedial works are required following construction of the development and as a result of statutory undertakers connections to the site;
- Access route/point(s) for construction traffic to the site from the adopted highway;
- If proposed, details of site hoarding/gate positions clear of Public Rights of Way No.'s 47 Christ Church, Radcliffe & 130, Bury;
- The provision, where necessary, of temporary pedestrian facilities/protection measures;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated on the Public Rights of Way that serves the site and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site 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 clear of Public Rights of Way No.'s 47 Christ Church, Radcliffe & 130, Bury;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent Public Right of Way/adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and,
- Measures to minimise dust nuisance caused by the operations.
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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. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use.

Reason: To mitigate the impact of the construction traffic generated by the proposed development on Bentley Hall Lane, PROW no. 337BUR to ensure the safety of all users of the Public Rights of Way.

4 Any soil or soil forming materials brought to site for use in filling and level raising shall be tested for contamination and suitability for use on site.

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 and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and the approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) 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.

- 5 The vehicular and pedestrian access arrangements, turning facilities and parking/hardstanding for the new agricultural building indicated on approved plan reference C 154 - 7 Revision B, incorporating measures to prevent the discharge of surface water from the vehicular access track onto Bentley Hall Road/ Public Rights of Way No.'s 47 Christ Church, Radcliffe & 130, Bury, shall be implemented to the satisfaction of the Local Planning Authority 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 maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the PROW, 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, in the interests of highway safety.

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

OL1	OL1 - Green Belt
OL1/2	OL1/2 - New Buildings in the Green Belt
EN9/1	EN9/1 - Special Landscape Areas
OL7/2	OL7/2 - West Pennine Moors
OL4/5	OL4/5 - Agricultural Development
EN1/1	EN1/1 - Visual Amenity
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
HT2	HT2 - Highway Network
HT2/4	HT2/4 - Car Parking and New Development
HT4	HT4 - New Development
HT6	HT6 - Pedestrians and Cyclists
SPD3	Development Control Policy Guidance Note 3: Planning Out Crime in New Development
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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:

Drawing number: 003, Revision E: Location Plan
Drawing number: 004, Revision E: Existing Site Plan
Drawing number: 005, Revision. J: Proposed Site Plan
Drawing number: 006, Revision B: Site Section
Drawing number: C154 - 7 Revision B: Proposed Plans

NOTES TO APPLICANT

1. The applicant's attention is drawn to the existence of Public Right of Way No. 337BUR. which abuts the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order. Approval of any such application should be confirmed prior to the carrying out of any operations that would obstruct the use of the relevant Public Rights of Way.

Signed:

A handwritten signature in black ink, appearing to read 'for the Council'.

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On behalf of the Council

Date of Decision: 06/10/2023