

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 14/11/2024	Ref: 70951/FUL
Registration: 06/09/2024	LDFC: 27/09/2024	Expiry Date: 01/11/2024
Site Visit: 18/09/2024	Site Notice: 18/09/2024	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Demolition of existing garage/store to be replaced with 1 no. dwelling with attached garage

Location: Land adjacent to 41 Bury Old Road, Ainsworth, Bolton, BL2 5PF

Description

The site is situated on land to the west of Ainsworth Village on a corner plot at the junction of Bury Old Road and Arthur Lane. It relates to a single storey building which is located within the grounds of a residential property, No 41 Bury Old Road. The site is in the Green Belt and a Landscape Character Area under Policies JP-G9 and JP-G1.

The building sits within a curtilage and grounds of 1624 sqm (0.4 acres). The building is positioned towards the front of the site in an 'L' shape. The building has been used for garaging and storage purposes in association with the dwellinghouse at No 41 Bury Old Road.

No 41 Bury Old Road is a semi detached dwelling which has extensive grounds to the side and rear. Both No 41 and the garage/storage building front onto Bury Old Road and there is a vehicular access off Bury Old Road which leads to a hardstanding into the site which No 41 also uses as parking.

Planning permission was granted in December 2021 for the demolition of the garage and redevelopment for 1 no dwelling.

This is a full application which simiallry proposes redevelopment for 1 no dwelling and essentially proposes the same site layout, footprint and height of dwelling, design, access and parking.

The ground floor would provide the entrance, living areas and an annex (comprising an en suite bedroom, lounge, kitchenette) There would be an integral double garage on the front. The first floor would include a master bedroom and 3 further bedrooms.

The existing access to the site off Bury Old Road would be retained as would the hard standing area to the front part of the site.

The proposed garden would extend 12m to the north and the east and would be enclosed by rail and post fencing with landscaping and tree planting around the boundary.

Comparative to the approved scheme, the changes proposed in this application seek an additional bedroom at the 1st floor, other more minor layout changes (by reconfiguring the approved floor area) and the following external amendments -

- Omission of covered external balconies.
- Omission of corner window to open plan space.
- Reduction of garage door to East Elevation.

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- Reduction of window sizes throughout.

The design would be of a contemporary approach with slate and rendered elevations, feature windows and grey slate roof tiles.

Comparative volume, footprint and height of the existing and proposed -

Ground floor footprint of existing building = 220m²
Ground floor footprint of the proposed dwelling = 220m²
(Ground floor footprint of the extant dwelling = 220m²)

Volume of existing building = 800m³
Volume of proposed dwelling = 820m³
(Volume of the extant dwelling = 820m³)

Maximum height of existing building = 4.2m
Maximum height of proposed dwelling = 5.6m
(Maximum height of extant dwelling = 5.6m)

Relevant Planning History

53423 - Conversion of existing building to boarding cattery with external exercise area - Approve with Conditions 10/02/2011
61734 - Change of use of storage building to dwelling with new front porch - Approve with Conditions 01/09/2017
63246 - Detached 1 no. bungalow to replace existing storage building - Approve with Conditions 08/11/2018
67459 - Demolition of existing garage/store to be replaced with 1 no. dwelling with attached garage - Approved 14/12/2-21

Publicity

Letters sent on 6/9/24.
Site notice posted 18/9/24.

No responses received as a result of the publicity.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Borough Engineer - Drainage Section - No response received

United Utilities (Water and waste) - No objection

Greater Manchester Ecology Unit - No objection subject to condition/informative

Environmental Health - Contaminated Land - No objection subject to conditions

Waste Management - No response received

Minerals and Waste Planning Unit (Urban Vision Partnership Ltd)- No response received.

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Development Plan and Policies

NPPF	National Planning Policy Framework
GMMWP	Greater Manchester Minerals and Waste Plan
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
HT2/4	Car Parking and New Development
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling

JP-C8	Transport Requirements of New Development
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the

likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Policies

The site is designated as Green Belt under Policy JP-G9 and Special Landscape Character under Policy JP-G1.

The proposed development on the site would be subject to NPPF Paragraph 154 and policy OL1/2 regarding new buildings in the Green Belt.

Paragraph 154 of the NPPF is clear that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are bullet points d) for the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces and g) limited infilling or partial or complete redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development.

Supplementary Planning Document 8 states that where a replacement dwelling is proposed, the new dwelling should reflect the original dwelling in terms of massing, siting and area of footprint and height and should not be materially larger than the one it replaces. Any significant deviation would need to be justified as very special circumstances. Calculations and workings of any increase in volume must be submitted with an application. In general terms, the Council may allow the original volume to be increased by up to one third as part of a proposal for a replacement dwelling. However, each proposal is considered on its own merits and it is not to say that something larger or smaller would not be supported or be appropriate in certain situations.

According to case law in the Court of Appeal judgement *Turner v Secretary of State* 2016 at para 14, "The concept of openness of the green belt is not narrowly limited to volumetric approach..... (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspects which the Green Belt presents."

Principle and Green Belt

The application proposes the demolition of the existing garage/store building and its replacement for a residential dwelling.

The proposed dwelling would not be in the same use as the existing garage/store building in terms of compliance with part d) of para 154. However, it was established in principle on the previously approved scheme (ref 68459) in terms of the site having a residential/domestic use in association with the residential dwelling, No 41 and therefore exception g) of para 154 would apply, in that the site is considered to be previously developed land. Exception g) requires proposals not to have a materially greater impact on the openness of Green Belt than currently exists.

The applicant has also submitted a case for very special circumstances -

- The site benefits from an extant permission.
- The proposed scheme would be the same footprint, volume and height as the approved scheme.
- The proposed dwelling would have the same footprint as the existing building and would be marginally large in terms of volume.
- High quality eco-home and would achieve high standards of sustainability.
- Visual impacts minimised by hedging and additional landscaping

The proposed dwelling would be located centrally within an established and defined site and curtilage and therefore would not encroach any further into the green belt.

The size of the proposed dwelling would have the same footprint as exists and only a 2% increase in volume. Whilst the dwelling would be 1.4m higher, it would be considerably lower than the adjacent pair of semi-detached dwellings and would also be significantly screened from views from Bury Old Road and Arthur Lane by established mature hedging and additional landscaping.

The proposed dwelling would also deliver a high quality design and incorporate energy efficient measures which would contribute to the principles of sustainable development advocated in the NPPF.

Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered. Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 35 dwellings per hectare at this site.

The proposed development would not meet the criteria to provide 5 dwellings for a site of this size.

The proposed development is located within the Green Belt and is subject to national Green Belt planning policy set out through the Framework and therefore a higher density of development would not be appropriate given the Green Belt planning policy designation and the character of the wider landscape setting. The site also benefits from an extant approval which was for the grant of 1 no dwelling which could still be built out.

As such, the proposed density in this case is considered acceptable.

In view of the above, it is considered that as previously developed the proposed development would be acceptable and in compliance with g) of para 154 of the NPPF.

Layout and siting

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence.

The proposed dwelling would be positioned centrally within the plot in a 'T' shaped arrangement. The longer linear element would be 2 storey and run west to east with the two single storey projection wings to the front and rear.

There is an existing hardstanding area to the front of the site, formally used to store the applicant's cars and this would be retained and used for the parking and manoeuvring of vehicles in association with the dwelling.

The existing access off Bury Old Road is an acceptable highway standard and no modifications are needed to facilitate the development. No 41 would have its own separate driveway and works to this would be conditioned.

The garden for the new dwelling would be at the eastern side and to the rear, and would be contained within the existing site curtilage ensuring no further encroachment into the Green Belt. A new rail and post fence would be erected along the north and eastern boundaries with a line of landscaping and tree planting which would soften and screen part of the built

development. A timber fence would be erected to the boundary with No 41 which would provide privacy to both properties.

A low brick wall would run along the front boundary behind which would be tree planting and a hedge which would screen parts of the front elevation from views.

It is considered the proposed siting of the dwelling would utilise the existing developed area and areas of hardstanding and would be sensitively positioned within the site to minimise impacts on the Green Belt to an acceptable degree.

Internally, accommodation would comprise living areas and 5 no beds. Policy JP-H3 states that all new dwellings must comply with nationally described space standards and be built to the 'accessible and adaptable standard' in Part M4(2) of Building Regulations unless specific site conditions make this impracticable.

The applicant has confirmed the development would comply with this standard -

- The house will be the forever home of the applicant and has therefore been designed to be futureproof.
- The design complies with all Part M4(2) requirements including access to the dwelling, parking arrangements, entrance, circulation, bedrooms, sanitary facilities and bathrooms.
- To achieve the above, the proposal includes a ground floor bedroom annexe and all kitchen and living accommodation on the same level. Level access is achieved to the rear garden suitable for wheelchair use, and level access is proposed between the front driveway and the rear.

It is therefore considered that the proposed development would therefore be acceptable and H2/1, H2/2, EN1/2, JP-H3, JP-G8 and the principles of the NPPF.

Design and appearance

The sensitivity of the Green Belt and Special Landscape area demand high standards of design when considering new development.

One of the key considerations therefore is the approach taken to the design and how the building would relate directly to the site and the context of the wider surrounding area.

Taking into account the setting on a corner plot and topography of the land form a single/two storey build in a 'T' formation is proposed and has been designed to address and acknowledge both main road frontages without 'turning its back' on street the streetscape.

A modern and contemporary approach to design has been taken, with elevations formed of clean lines, modern shaped windows and gabled projections to create interest and features.

The palette of materials would be simple and comprise a grey slate feature cladding, render, dark grey slate roof tiles and grey aluminium windows.

Comparative to the extant scheme, the external appearance would not be significantly different, the only changes would be the omission of covered external balconies and a corner window, reduction of window sizes throughout and a reduction in the garage door on the east elevation.

Whilst the development proposes a modern and contemporary build, there is no defined design or character of buildings in the vicinity. The adjacent houses are 2 storey post war semi-detached with a mix of both traditional and contemporary type properties set in various arrangements and plot sizes in the surrounding area.

It is therefore considered the proposed development would deliver a quality design which

would be sensitive to the setting of the Green Belt and would comply with policies H2/1, EN1/2, SPD8 and the principles of the NPPF.

Impact on the surrounding area

The closest property would be No 41 Bury Old Road. There would be no habitable room windows in the proposed first floor side elevation which would face this property and no part of the built development would affect the privacy or outlook for these occupiers. The habitable room window on the proposed side elevation of the ground floor would be screened by the 1.8m high boundary fence and planting.

The site is a corner plot and there are no other properties which would be affected by the siting and position of the proposed development.

As such, the proposed development would comply with H2/1 and H2/2.

Highways

It is proposed to retain the existing access into the site. As this site already serves a driveway, garage and parking for No 41, in principle it would be acceptable for the proposed single dwelling and the Highway Section have raised no issue or require any further details or works to this access.

As the development site would be separate from No 41 Bury Old Road, a new access to this property would be required and the proposed plans show that a driveway and parking for 2 cars with room within the site to manoeuvre and exit in a forward gear, would be provided.

The Highway Section have raised no objection and as such the proposals are considered to comply with UDP Policies H2/2, HT2/4 and JP-C5 and JP-C6.

Ecology

Summary

The developer's ecological consultant identified no significant ecological issues.

Bats

As for the previous survey the buildings were assessed as having negligible bat roosting potential. The photos again clearly support the assessment and GMEU therefore have no reason to doubt the findings. As individual bats can on occasion turn up in unexpected locations GMEU recommend an informative to advise the applicant that under the 2019 Regulations it is an offence to disturb, harm or kill bats.

Nesting Birds

The building is very low risk for nesting birds. It appears that the existing hedgerow and trees are retained. GMEU therefore recommend an informative is applied to any permission to advise the applicant of their responsibility under the Wildlife and Countryside Act 1981 as amended, and that it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

The development results in the loss of existing buildings and what appears to be low ecological grassland to dwelling and garden. There appear to be no wildlife issues associated with this development. Good numbers of native trees are proposed.

The applicant has claimed the development is exempt from mandatory BNG as it is a

self-build application. If this is a self-build development then the applicant is correct.

GMEU are satisfied that the proposed soft landscaping is adequate and that the proposals can be conditioned and recommend provision of one bird and one bat box as enhancement for wildlife. The details can be conditioned.

The proposed development is therefore considered to be acceptable and would comply with Policy JP-G8 and the principles of the NPPF.

Digital Connectivity

Requires all new development to have full fibre to premises connections unless technically infeasible or unviable.

- Despite being located outside the settlement boundary, the site is not isolated. The site is well connected to mains services, infrastructure, neighbouring developments, road networks, and towns and villages such as Ainsworth, Bury, and Bolton. There is no reason why any of the above would not be achieved with all the above services and connections available within the immediate vicinity.
- With regards to public transport, a bus stop is located immediately adjacent to the site, and Ainsworth Bus Terminus is approximately 80metres walk from the site. These bus stops provide regular public transport to Bury, Bolton and surrounding towns and villages.
- Therefore, the site is located within a sustainable location within walking distance to public transport. The inclusion of an EV charging point and cycle storage will also promote sustainable transport methods reducing the reliance on car travel.

The development is therefore considered to comply with Policy JP-C2.

Carbon and energy

Requires new development to be net zero carbon in relation to regulated operational carbon emissions unless it can be demonstrated that it is not practicable or financially viable.

Development proposals should set out how this has been achieved in an energy statement in accordance with the energy hierarchy, which in order of importance seeks to:

- i. Minimise energy demand;
- ii. Maximise energy efficiency;
- iii. Use renewable energy;
- iv. Use low carbon energy; and
- v. Utilise other energy sources.

JP-S2 Carbon and Energy also requires new residential development to incorporate adequate electric vehicle charging points and to achieve energy demand reductions (in terms of space heat demand & hot water energy demand).

The applicant has submitted a statement as follows -

- The proposal has been designed to minimise energy usage with a reduced carbon footprint, requiring minimal energy for heating, cooling and lighting. To achieve this, the design incorporates an overall sustainable design strategy involving the siting, thermal mass, sustainable heating and ventilation systems. A fabric first approach aims to prevent thermal bridging with high levels of insulation and airtightness.
- On-site energy generation and battery storage is proposed to offset the building's energy usage via an integrated solar roof system. The building will be constructed to meet and potentially exceed Building Regulations 2022 Part L.
- The building will be constructed using timber framed Structurally Insulated Panels (SIPs), selected based on the reduced carbon footprint, off-site production, and high levels of insulative and airtightness properties.
- To support sustainable transport methods, an EV charging point has been included within the garage, along with cycle storage.

The proposed development would therefore comply with Policy JP-S2.

Air quality

The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered very unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

The proposed development will have off-street parking. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, and the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), the EH Section recommends that one EV chargepoint be provided.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 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 -
Location plan 01 A
Existing site plan 02 A
Existing floor plans and elevations 03
Proposed site plan 04 A
Proposed ground floor plan 05 A
Proposed first floor 06
Proposed elevations 07
Existing and proposed streetscene 08

Proposed site plan HPL-BOR-GA-001
Proposed hard landscape plan HPL-BOR-GA-002
Proposed soft landscaping layout plan HPL-BOR-GA-003
Proposed boundary treatment plan HPL-BOR-GA-004

Preliminary Roost Assessment by Gritstone Ecology
Statement of Compliance with PfE Policies November 2024

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.

- 3 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. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
- II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.
- III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

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 15 - Conserving and enhancing the natural environment.

- 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:

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 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.

- 5 The development hereby permitted within any approved phase shall not be occupied 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 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.

- 6 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 validity 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 180(f), 189 and 190 of the National Planning Policy Framework (December 2023).

- 7 Prior to occupation/first use the applicant shall provide:
one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking).
Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted.

*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. 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.

- 8 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.

- 9 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 carriageway and footway that abuts the site in the event that subsequent remedial works are required following construction of the development;
- Access point(s) for demolition/construction traffic from the highway;
- Hours of operation and number of vehicle movements;

- Proposed site hoardings (if proposed);
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site (or on land under the applicant's control) of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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.

The approved plan shall be adhered to throughout the demolition and construction periods and the measures shall be retained and facilities used for the intended purpose for the duration of both periods.

The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of demolition/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 occupied.

Reason. Information not submitted at application stage. To maintain the integrity of the adopted highway, mitigate the impact of the demolition/construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the demolition/construction periods and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety in the interests of highway safety pursuant to Bury Development Plan Policies EN1/2 and JP-C8.

- 10 The proposed access and driveway alterations indicated on approved plan reference 04 Revision A, incorporating the provision of a footway crossing extension, foundations for the boundary wall alterations that do not encroach under the adjacent adopted highway, driveways/hardstandings/turning areas in porous/permeable materials and/or measures to prevent the discharge of surface water under the adjacent adopted highway and all associated highway remedial works required to reinstate the adjacent footway to its former condition prior to commencement of the development, shall be implemented prior to the dwelling hereby approved being occupied.

Reason. To ensure good highway design and maintain the integrity of the adopted highway pursuant to Development Plan Policies H2/2, JP-C5, JP-C6 and JP-C8.

- 11 The car parking for the existing and proposed dwellings indicated on approved plan reference 04 Revision A shall be surfaced, demarcated and made available for use prior to the dwelling 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 policies HT2/4 of the Bury Development Plan.

- 12 The turning facilities for the existing and proposed dwellings indicated on approved plan reference 04 Revision A shall be provided prior to the dwelling hereby approved being occupied 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 and private access road, in the interests of road safety pursuant to Bury Development Plan H2/2, JP-C5, JP-C6 and JP-C8.

- 13 The development hereby approved shall be carried out in accordance with the proposed soft landscaping layout plan HPL-BOR-GA-003. The landscaping shall 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.
The development shall also provide one bird and one bat box as enhancement for wildlife which shall be provided prior to first occupation and thereafter maintained.
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 PfE Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 14 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT -	13/11/2024	HL	14/11/24