

NOTICE OF PLANNING PERMISSION

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

To:

Plande
1st Floor
Kennedy House
31 Stamford Street
Altrincham, Cheshire
WA14 1ES

On Behalf Of:

Mr & Mrs Gaddes
Ferns Farm
Turton Road
Tottington
Bury
BL8 3QH

PART 1 - Particulars of Application

Application Number: 71688

Date of Registration: 17/03/2025

Proposal:

Replacement dwelling with associated landscaping, servicing and incidental residential use of existing outbuildings

Location:

Ferns Farm, Turton Road, Tottington, Bury,
BL8 3QH

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 decision relates to drawings -

Location plan 24103_P01B
Revised proposed site plan 24103_15G
Proposed ground floor plan 24103_P16E
Proposed first floor plan 24103_17E
Proposed front (south) elevation 24103_P19E
Proposed side elevation 24103_P20D
Proposed rear elevation 24103_21D
Proposed west side elevation 24103_P22D
Existing and proposed site context section 24103_P25B
Existing and proposed site context section 24103_P26A

Dusk survey results May 2025 ref PR-0317-24
Preliminary risk assessments parts 1,2,3&4
Carbon and energy statement and Digital connectivity statement July 2025 ref 24103 rev A

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 shall commence unless and until the visibility improvements indicated on approved plan reference 24103_P15G have been implemented and maintained thereafter.

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 pursuant to Policies H2/2, JP-C5 and JP-C8.

- 4 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:

1. 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/removal of all boundary features/hedges and as a result of any statutory undertakers connections to the site that may be required.
2. Access route for all construction vehicles to the site from the Key Route Network.
3. Access point/arrangements for construction traffic from and all temporary works that may be required to facilitate access for construction vehicles and retain access for existing residents.
4. If proposed, details of site hoarding/gate positions.
5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Turton Road.
6. Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated at the junction onto/on the private shared access from Turton Road and enter and leave the site in a forward gear, and number of vehicle movements.
7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres.
8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials.
9. 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 streets and private shared access, 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.

- 5 The turning facilities indicated on approved plan reference 24103_P15G shall be provided before the dwelling is first 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/new access road, in the interests of road safety pursuant to Policies EN2/2 and JP-C8.
- 6 The car parking facilities indicated on approved plan reference 24103_P15G shall be surfaced and made available for use/implemented prior to first occupation of the dwelling hereby approved 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.
- 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 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 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).
- 9 The refuse storage and access arrangements to be provided within the curtilage of the site for the new dwelling shall be made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained at all times.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to Policies EN2/2 and JP-C8.

10 Prior to occupation the applicant shall provide:

- 1 no. electric vehicle (EV) charging point (minimum 7kW*)

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).

11 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.

12 The development hereby approved shall be carried out in accordance with the enhancement measures plan (Figure 1 24103 P15B) and measures detailed in the Biodiversity Enhancement Plan by Tyrer Ecological Consultants Ltd dated March 2025 ref PR-25-0058. The measures shall be implemented prior to first occupation of the development hereby approved 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, JP-G8 and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

13 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.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6/3 - Features of Ecological Value, JP-G8 A Net Enhancement of Biodiversity and Geodiversity and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 14 Prior to any above ground works, details/samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used for the construction of the development.
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design
- 15 The dwelling hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.
Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

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.

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

NPPF	National Planning Policy Framework
EN1/2	EN1/2 - Townscape and Built Design
EN6/3	EN6/3 - Features of Ecological Value
EN6/4	EN6/4 - Wildlife Links and Corridors
OL1/2	OL1/2 - New Buildings in the Green Belt
OL5/2	OL5/2 - Development in River Valleys
OL7/2	OL7/2 - West Pennine Moors
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
HT2/4	HT2/4 - Car Parking and New Development
MW1/1	MW1/1 - Areas of Search
JP-P1	Sustainable Places
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
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt

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:

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Biodiversity Enhancement Plan March 2025 ref PR-25-0058

NOTES TO APPLICANT

- . Coal Authority informative note

The application site lies in an area defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required from the Coal Authority. Further information regarding Incidental Coal Agreements can be found at:

www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements.

If any suspected coal mining feature is encountered on site, this should be reported immediately to the Coal Authority on 0800 288 4242. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority.

- . Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. The applicant must seek ecological advice should they find or suspect that the proposals will impact on protected species.
- . As per the Inspection & Assessment in relation to Bats & Breeding Birds, any new external lighting must be designed in line with best practice guidelines (e.g. <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>) to ensure that the surrounding treelines remain un-lit and impacts on foraging, commuting, and potentially roosting bats will be avoided.
- . Whilst the works have been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also

be informed.

- . The applicant's attention is drawn to the need to consult the Places Department regarding the specification for and implementation of any required highway remedial works. The cost of the works will be the responsibility of the applicant/developer.
- . The applicant's attention is drawn to the need to consult the Places Department regarding the specification for and implementation of any required highway remedial works. The cost of the works will be the responsibility of the applicant/developer.
- . The developemnt hereby approved shall be carried out in accordance with 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).

Signed:



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On behalf of the Council

Date of Decision: 10/07/2025