

NOTICE OF PLANNING PERMISSION

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

To:

Clare Hatchman
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Bolton
BL1 4QR

On Behalf Of:

Elizabeth Haslam
C/o Neil Pike Architects
17-19 Chorley New Road
Bolton
BL14QR

PART 1 - Particulars of Application

Application Number: 67787

Date of Registration: 08/02/2022

Proposal:

Conversion of existing stable block to form 1 no. dwelling with associated garage and stable block

Location:

Land adjacent to 9 Taylors Lane, Radcliffe, Bolton, BL2 6QS

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 - Red edge site plan received 12/11/21; Existing site plan EX K1003/01; Proposed site plan PL K1003/01 rev H; Existing floor plan EX K1003/02; Proposed floor plan PL K1003/02 rev G; Existing elevations EX K1003/03; Proposed elevations and Section E-E PL K1003/03 rev A; Proposed Section E-E PL K1003/06 rev A; Existing and proposed cross section B-B PL K1003/04; Structural Report by ING job no. 21268 dated 23/5/22; Inspection and Assessment in Relation to Bats and Breeding Birds Report by Tyrer Ecological Consultants January 2022 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 No development shall commence unless and until:-
 - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
 - Where actual/potential contamination and/or ground gas/landfill gas risks have

been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;

- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

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 Following the provisions of Condition 3 of this planning permission, 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.

- 5 Prior to occupation the applicant shall provide 1 electric vehicle (EV) 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.

- 6 No building works shall commence 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.

- 7 A landscaping scheme and details of works to any boundaries and boundary treatments including trees, landscaping and fencing/walls, of the site shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat and bird boxes and Swallow nest cups. 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.

- 8 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.
- 9 No development shall commence unless and until the following details have been submitted to and approved in writing by the Local planning Authority:
- Access route to the site from the adopted highway and detailed photographic survey of the route (Public Footpath No.'s 15 and/or 46, Christ Church, Radcliffe).
 - The survey shall include details of any preliminary works that would be required to maintain the structural integrity of the track during the construction phase of development. Such preliminary works shall be carried out prior to development commencing and maintained thereafter during construction.
 - Within one month of the completion of the development, a further survey shall be undertaken to determine if any damage has occurred due to construction traffic.
 - The findings of the survey and details of any remedial works, required to ensure that the access route is not deleterious than prior to commencement of construction works, shall be submitted to the Local Planning Authority. The survey shall include a timetable for implementation of any approved remedial works.
 - The remedial works shall be implemented to the approved timetable and the access route shall be available for public use.
- Reason. In order to ensure that the existing site access route/Public Rights of Way(s) is/are not damaged and in the interests of public safety pursuant to the NPPF and UDP Policies HT6/2 Vehicular and Pedestrian Conflict/RT3/4 Recreational Routes.
- 10 Prior to first occupation of the development hereby approved, a residential sprinklers to BS9251 standard or misting system to BS8458:2015 standard (or an equivalent/subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies), shall be installed in the dwelling hereby approved and shall thereafter be maintained at all times.
Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design
- 11 The car parking, including works to create and form the access to the proposed garage, indicated on approved plan reference PL K1003/01 Revision H shall be surfaced as appropriate and made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained available for use 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.
- 12 Bin storage facilities in accordance with Waste Management & Transport's 'Guide

To Refuse Collection Requirements & Storage Methods For New Developments' shall be provided within the curtilage of the site and implemented to the satisfaction of the Local Planning Authority prior to first occupation of the dwelling hereby approved and maintained thereafter.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adopted highway pursuant to H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design

- 13 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 before the development is commenced. 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.

- 14 A scheme to soundproof the walls and roof of the stables building hereby approved shall be implemented in accordance with standards of construction specified in current Building Regulations, and shall be completed before the development is brought into use.

Reason. To protect the residential amenities of the adjacent properties pursuant to UDP Policy EN7/2 Noise Pollution.

- 15 The internal garage hereby approved shall be used for domestic purposes only in association with the approved dwelling and for no other purposes.

Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

- 16 The parking area and driveway on the approved plans shall be used in conjunction for users of the stables only and occupiers of the dwelling hereby approved and for no other purposes.

Reason. In the interests of residential amenity pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design.

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:

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| H1/2 | H1/2 - Further Housing Development |
| H2/1 | H2/1 - The Form of New Residential Development |
| H2/2 | H2/2 - The Layout of New Residential Development |
| EN1/1 | EN1/1 - Visual Amenity |
| EN1/2 | EN1/2 - Townscape and Built Design |

EN1/3	EN1/3 - Landscaping Provision
EN5/1	EN5/1 - New Development and Flood Risk
EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN7	EN7 - Pollution Control
OL1/2	OL1/2 - New Buildings in the Green Belt
OL4/7	OL4/7 - Development Involving Horses
OL1/4	OL1/4 - Conversion and Re-use of Buildings in the Green Belt
RT3/4	RT3/4 - Recreational Routes
HT2/4	HT2/4 - Car Parking and New Development
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
SPD 9	Development Control Policy Guidance Note 9 - Conversion and Re-use of Buildings in the Green Belt
SPD10	Development Control Policy Guidance Note 10: Planning for Equestrian Development.
NPPF	National Planning Policy Framework
EN7/2	EN7/2 - Noise Pollution

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 site plan received 12/11/21; Existing site plan EX K1003/01; Proposed site plan PL K1003/01 rev H; Existing floor plan EX K1003/02; Proposed floor plan PL K1003/02 rev G; Existing elevations EX K1003/03; Proposed elevations and Section E-E PL K1003/03 rev A; Proposed Section E-E PL K1003/06 rev A; Existing and proposed cross section B-B PL K1003/04; Structural Report by ING job no. 21268 dated 23/5/22; Inspection and Assessment in Relation to Bats and Breeding Birds Report by Tyrer Ecological Consultants January 2022

NOTES TO APPLICANT

- Asbestos - Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor. Any asbestos identified shall 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.

- 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:

- 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.

. Whilst the building to be converted has been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations 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.

. This recommendation relates to the requirements of Greater Manchester Fire and Rescue Service detailed in their letter dated 07 March 2022 (reference SG-PLANAC-UPRN-10003110459).

. This recommendation relates to the email of 22 June 2022 from the applicant's agent confirming acknowledgement of GMFRS's response and specifically in relation to the location of the proposed property and excessive cul-de-sac length involved that could significantly impact on GMFRS attendance in an emergency, which may need to be divulged when agreeing insurance for the property. The risks identified should also be disclosed to any new buyer of the property to ensure they are also aware of the access deficiencies

. The full details of a scheme of mitigation measures required by Greater Manchester Fire and Rescue Service to overcome the site's emergency access deficiencies should be discussed with the fire service. The details/measures should incorporate the installation of a residential sprinkler/misting system in the dwelling to current appropriate standards as conditioned, as well as ensure that the recognised Approved Document requirements for Fire Service access will be met:

- The property is fitted with a comprehensive fire detection and alarm system. These measures will provide early warning for occupants in the event of fire and provide increased fire protection to reduce the risk to life and to allow occupants to evacuate safely, whilst also allowing extra time for GMFRS appliances to access the site;
- Vehicular access for a fire appliance to within 45m of all points within the dwelling;
- The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes;
- As the access road is more than 20m long, a turning circle, hammerhead, or other turning point for fire appliances will be required;
- There should be a suitable fire hydrant within 165m of the dwelling.

The details/measures subsequently agreed should be implemented to the satisfaction of GMFRS before the dwelling is first occupied and thereafter maintained at all times.

- . The applicant's attention is drawn to the existence of Public Rights of Way No.'s 15 and 46, Christ Church, Radcliffe, which form the access to and abut the site. No development should take place which affects the Rights of Way in the absence of an appropriate closure or diversion order.
- . The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', written over a dotted line.

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On behalf of the Council

Date of Decision: 01/11/2022