

NOTICE OF PRIOR APPROVAL DETERMINATION

Part 3 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

To:

Mr John Hodgkinson
20 Westgate Avenue
Ramsbottom
Bury
BL0 9SS

On Behalf Of:

Ms Christine Hodges
4 Delph Cottages
Hawkshaw
Bury
BL8 4JU

PART 1 - Particulars of Application

Application Number: 71324

Date of Registration: 11/11/2024

Proposal:

Prior approval of proposed change of use of agricultural building to one dwelling (Class C3)

Location:

Barn at Holcombe Hey Fold, Hawkshaw Lane, Tottington, Bury, BL8 4LD

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby determine that prior approval of the local planning authority is **REQUIRED** for the development set out in Part 1 of this decision notice.

The Metropolitan Borough of Bury hereby give **APPROVAL** for the development proposed in the above-mentioned application subject to the following conditions.

- 1 Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.
Reason. Required to be imposed by Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2 This decision relates to drawings Revised existing and proposed site plans (dated 28/02/2025), 24/786/01A, 24/786/02A, 24/786/03A, 24/786/04A 24/786/05A, 24/786/06, 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 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).

- 4 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).

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

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:

Revised existing and proposed site plans (dated 28/02/2025), 24/786/01A, 24/786/02A, 24/786/03A, 24/786/04A 24/786/05A, 24/786/06,

NOTES TO APPLICANT

1. The applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered, gates erected across their width (unless authorised by Bury Council the Highway Authority) or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels/surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made available.

Signed:

A handwritten signature in black ink, appearing to read "for havi".

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On behalf of the Council

Date of Decision: 07/03/2025