

NOTICE OF PLANNING PERMISSION

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

To:

Mr Jim Seymour
Seymour Planning Limited
27 Central Drive
Romiley
Stockport
SK6 4PE

On Behalf Of:

Mr T Hankins
Davenport Farm
Arthur Lane
Ainsworth
Bolton
BL2 5PW

PART 1 - Particulars of Application

Application Number: 69835

Date of Registration: 30/06/2023

Proposal:

Demolition of existing residential annex and replacement with new residential annex building ancillary to the existing dwelling

Location:

Davenport Farm, Arthur Lane, Ainsworth, Bolton, BL2 5PW

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. S1-XX-DR-A-0800 Rev. B: Site Location Plan;
Drawing no. S1-XX-DR-A-1001 Rev. C: Proposed Site Plan and Elevations; and,
Drawing no. B2-XX-DR-A-2001 Rev. D: Proposed Building Plans Elevations

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 Where during any works on site, unforeseen contamination is suspected or found, or

contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework.

- 4 Notwithstanding any description of materials in the application and the requirements of condition no. 2 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Samples of the materials shall also be made available for inspection on site. The development shall thereafter be implemented in accordance with the duly approved materials.

Reason. In the interests of visual amenity and to ensure a satisfactory development in the setting of listed building pursuant to Policy EN1/1: Visual Amenity, Policy EN1/2: Townscape and Built Design and Policy EN2/3: Listed Buildings of Bury Unitary Development Plan and the National Planning Policy Framework.

- 5 Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works shall take place until a sample panel (measuring no less than 2 metres x 1 metre) of the stonework to be used on the external surfaces of the annexe building hereby approved has been constructed on site for the inspection and subsequent written approval of the Local Planning Authority. The sample panel shall demonstrate the type, texture, size, bond and method of pointing for the stonework. All stonework shall be constructed in accordance with the duly approved sample panel and maintained as such thereafter.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the listed building and its setting in accordance with the requirements of Policy EN2/3 - 'Listed Buildings' and the National Planning Policy Framework.

- 6 Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 of this permission, the frames of each window and door hereby approved shall:

- (i) be of a timber construction;
- (ii) be set in 75 mm deep reveals; and
- (iii) be painted in a dark colour

Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the windows and doors shall be installed in full accordance with the above details before the part of the building served by those windows is first occupied. The duly installed windows shall be maintained as such thereafter.

Reason: To ensure an appropriate window treatment which is sympathetic to the character, appearance and setting of the host building, a listed building, in accordance with the requirements of Policy EN2/3 - Listed Buildings of the Bury

Unitary Development Plan and the National Planning Policy Framework.

- 7 The windows/ apertures shown on the north facing side elevation of the annexe hereby approved shall be obscurely glazed to a minimum of level 5 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

Reason: To safeguard the privacy of occupiers of neighbouring dwellings and to ensure satisfactory levels of amenity for adjoining residents in accordance with the requirements of Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

- 8 Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of any boundary treatment around the patio area to the west elevation of the annexe building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatment(s) shall be constructed in full accordance with the approved details before the building hereby approved is first occupied, and shall be retained as such thereafter.

Reason: In the interests of site security and to ensure a satisfactory relationship with the listed building in accordance with the requirements of Policy EN2/3 - Listed Buildings of the Bury Unitary Development Plan and the National Planning Policy Framework.

- 9 Notwithstanding the provisions of Schedule 2, Part 1, Classes A - H of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the annexe hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site, to safeguard the amenities of the occupiers of adjacent dwellings and in the interests of safeguarding the setting of the listed building, in accordance with the requirements of Policy EN1/2: Townscape and Built Design, Policy EN2/3: Listed Buildings, and Policy H2/3: Extensions and Alterations of the Bury Unitary Development Plan, SPD 6 - Alterations and Extensions to Residential Properties, and the National Planning Policy Framework.

- 10 The development hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as Davenport Farm.

Reason: The establishment of an additional separate unit of accommodation could give rise to an over intensification of the use of the site and lead to an unsatisfactory relationship between independent dwellings. In order to comply with Bury UDP Policy H2/3: Extensions and Alterations and DC Policy Guidance Note 6: Alterations &

Extensions.

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 pre-application discussions 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:

EN2/3	EN2/3 - Listed Buildings
OL1	OL1 - Green Belt
OL1/2	OL1/2 - New Buildings in the Green Belt
OL7/2	OL7/2 - West Pennine Moors
EN9/1	EN9/1 - Special Landscape Areas
H2/3	H2/3 - Extensions and Alterations
HT5	HT5 - Accessibility For Those With Special Needs
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
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
NPPF	National Planning Policy Framework

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:

NOTES TO APPLICANT

1. Whilst the site has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition 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.
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Signed:

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

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On behalf of the Council

Date of Decision: 01/09/2023