

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 18/04/2024	Ref: 69792/FUL
Registration: 21/06/2023	LDfC: 28/07/2023	Expiry Date: 16/08/2023
Site Visit: 07/07/2023	Site Notice: 07/07/2023	Press Date: 13/07/2023
Objections: 0	Con Area: N/A	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Erection of a 1 no. dwelling with associated works

Location: Ainsworth Hall Farm, Ainsworth Hall Road, Ainsworth, Radcliffe, Bolton, BL2 5QT

Description

The site is part of a development, Ainsworth Hall Estate which is located in the Green Belt, Landscape Character Area (Pennine foothills - West/South Pennines). The site is in a rural area which is surrounded by open land and fields with the nearest property, Rothwell Fold Farm approx 70m to the south and the outskirts of Ainsworth Village to the north, over 300m away.

The site is accessed via Ainsworth Hall Road, a public right of way which continues past the site to the east.

The site comprises Ainsworth Hall Farmhouse which is a residential dwelling and a complex of former agricultural buildings to the southern part of the application site. There are a number of trees on the site which are protected by way of a Tree Preservation Order.

The application area itself formally accommodated a workers cottage which served the main house and which is evidenced on historical maps which date as far back as 1893 and possibly earlier. (The main house was previously located directly to the west of the application site but was demolished at some point in the past). Although the roof no longer remains, a large majority of the elevations of the workers cottage are still in situ, evidenced by photographs submitted with the application.

The application seeks the erection of 1 no dwelling which would be located on the same footprint as the previous workers cottage and would incorporate the walls which remain although there would be some element of demolition and re-build to the southern part. The proposed dwelling would be 2 storey and no higher than the former cottage comprising a volume of 820 sqm on a 115 sqm footprint.

The proposed dwelling would be finished in a natural stone with stone work to window mullions and surrounds with the roof finished in natural slate.

Internally, accommodation would comprise living accommodation at ground floor and 3 no bedrooms at first floor.

In terms of its setting, the proposed dwelling would front the PRow with the domestic curtilage surrounding the property to the side and rear which would be used as the garden area and provide a turning circle and parking for cars which would enter the site from an existing entrance to the north off Ainsworth Hall Road.

No trees or TPO trees would be removed to facilitate the development with tree works comprising crown lift to one beech only. All trees would be protected during the works.

Relevant Planning History

54931 - Two storey outbuilding (retrospective) - 25/09/2012
 54971 - Change of use of land from agricultural use to domestic garden (Retrospective) - 28/12/2012
 54972 - Erection of an orangery at rear - 25/09/2012
 56077 - Certificate of lawfulness for proposed single storey outbuilding. - 11/12/2013
 54069 - Retrospective application for alterations and extensions to existing dwelling - Approve with Conditions 15/08/2011
 54931 - Two storey outbuilding (retrospective) - Refused 02/05/2012
 54971 - Change of use of land from agricultural use to domestic garden (Retrospective) - Refused 08/05/2012
 54972 - Erection of an orangery at rear - Refused 23/05/2012
 55826 - Certificate of Lawfulness for proposed single storey outbuilding. - Refused 30/01/2013
 56077 - Certificate of lawfulness for proposed single storey outbuilding. - Refused 17/04/2013
 57504 - Single storey outbuilding at side of dwelling; Demolition of redundant agricultural building - Refused 25/07/2014
 69791 - Erection of domestic outbuilding with associated works - Approved 25/8/23

Publicity

Three letters sent on 7/7/23.
 Site notices posted 7/7/23
 Press advert 13/7/23.

No responses received.

Statutory/Non-Statutory Consultations

Conservation Officer - No objection subject to conditions
Traffic Section - No objection subject to conditions
Environmental Health - Contaminated Land - No objection subject to conditions
Environmental Health - Pollution Control - No response received
Waste Management - No response received
Environment Agency - No response received
United Utilities (Water and waste) - No response received
Greater Manchester Ecology Unit - No objection subject to conditions
Public Rights of Way Officer - No comments
Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)
 -Advise the fire service requirements should be met.

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

Unitary Development Plan and Policies

NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN6/3	Features of Ecological Value
OL1/2	New Buildings in the Green Belt
HT2/4	Car Parking and New Development
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling

JP-G1	Landscape Character
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD11	Parking Standards in Bury
GMMWP	Greater Manchester Minerals and Waste Plan
JP-Strat1	Strategic Green Infrastructure
3	
JP-S1	Sustainable Development
JP-C1	Our Integrated Network

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.

Housing - Principle

The National Planning Policy Framework (NPPF) should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future.

This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). In addition to the housing land supply in the SHLAA, the joint Places for Everyone Plan was adopted with effect from 21 March 2024 and allocates significant strategic sites for housing within Bury.

The adopted joint Places for Everyone Plan Policy JP-H1 sets a requirement for an average of 452 homes per year over the plan period, with stepped targets starting from a minimum housing target of 246 homes per year from 2022-2025 (increasing in future years of the plan). Following the adoption of PfE the Council is able to demonstrate a 5 year supply with a 20% buffer.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

The site is located in the Green Belt and therefore the tilted balance would not apply.

The application is assessed taking the following factors into consideration.

Green Belt- Principle

The site is designated as Green Belt under Policy JP-G9 and as a result any development on the site would be subject to NPPF Paragraph 154 and policy OL1/2 regarding new buildings in the Green Belt.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

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:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The applicant has submitted a Planning Statement and Heritage Statement which demonstrates that the application site has been occupied by the original workers cottages that formed part of the Ainsworth Hall estate. There are existing cottage walls which remain in situ. The proposal has done enough to demonstrate that the site is previously developed land and therefore considered under para 154 g) of the NPPF.

However the proposal would by virtue of the re-building of the remains of the former cottage have a greater impact on the openness than the existing development. Therefore, the proposal is inappropriate development which should not be approved except in very special circumstances.

The Planning Statement presents a case for Very Special Circumstances related to improvements of the setting of Ainsworth Hall farmhouse as a non-designated heritage asset and ecological management.

The proposed dwelling would also utilise the existing footprint and walls of the former cottage, would be well-screened by existing mature trees and would be within the existing settlement of the former Ainsworth Hall. The original garden and domestic features of the hall are also still evident in terms of the stone walling and gate pillars to the site entrance.

Together, it is considered that Very Special Circumstances can be demonstrated which collectively outweighs the harm to the Green Belt.

As such the proposed development would accord with the principles of the NPPF.

Landscape character

The site is located within the Landscape Character type known as the Pennine Foothills (West/South Pennines). Policy JP-G1: Landscape Character states that development within a Landscape Character Type should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, including having regard to:

- " Topography, geology and drainage;
- " Land use and field patterns;
- " Semi-natural habitats and woodland cover;
- " Archaeology and cultural heritage;
- " Settlement, road pattern and rights of way; and
- " Views and perceptual qualities.

The proposal is considered to reflect the historic land use of the area, particularly the historic settlement pattern of Ainsworth Hall Estate and improve the views of the site by bringing into use a derelict structure. It is therefore in accordance with JP-G1.

Layout

Policy JP-H4 (Density of New Housing) - states that new development should be delivered at a density appropriate to the location with regard to be had to minimum densities. Lower densities may be acceptable where there are site-specific issues such as wider landscape and green infrastructure policy requirements. 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 which would equate to 10 no dwellings on this site.

The proposed development is located within the designated 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. This is accepted.

Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. 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 layout of the proposed development is largely determined by the existing footprint and remaining walls of the former cottage, together with the location of the TPO trees and entrance to the site.

Reflecting the former cottage, the dwelling would front the PRow to the east with the garden area and parking located to the side and rear of the property. There are a number of protected trees which surround the building and which would be within the garden area and these are to be retained.

The development site is separated from the main Ainsworth hall and the former farm buildings by a stone wall and the private access route through the site.

For all intents and purposes, the layout of the site would largely remain unchanged and as such this is considered to cause limited harm to the Green Belt.

Internally, accommodation would comprise living areas at ground floor and 3 no beds at first floor. Policy JP-H3 (Type, Size and Design of New Housing) states that all new dwelling must comply with the nationally described space standards and be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The applicant has confirmed the development would satisfy Nationally Described Space Standards (NDSS) and would be built to the 'accessible and adaptable' standard in Part M4(2) of Building Regulations. This would be conditioned.

It is considered the proposed development would be acceptable and would comply with Policies H2/1, H2/2, H2/6, JP-H3 and JP-H4.

Design and appearance

Whilst the development would utilise the original walls, these would form the inner skin of the build, with natural stone forming the externality and natural slate to the roof which would not be dissimilar to the existing farmhouse. Windows would be framed by stone headers and cills.

Although a new building, the design and appearance would incorporate traditional design elements and would be built of materials considered appropriate to the rural character of the area.

It is therefore considered the proposed development would be acceptable and would comply with H2/1, H2/6 and JP-H3.

Impact on surrounding area

There are no properties nearby other than the applicant's own house at Ainsworth Hall Farm which would be affected by the proposed development.

Parking and access

Access to the site is via Ainsworth Hall Road and given the development would comprise a single residential dwelling, it is considered that traffic generation would not be a concern. The PRow which forms the access continues across the front of the site running parallel to the front of the proposed dwelling. This route is formed of compacted stone/ hardcore and is less formalised than the main tarmaced access but this would not be used by vehicular traffic associated with the development and as such, existing users would not be significantly affected.

Parking and turning for cars would be provided within the site and as such there would be no conflict with other users of the road or PRow.

The proposed development is therefore considered acceptable and would comply with policies HT2/4, JP-C5 and JP-C6.

Fire safety

The fire service requires vehicular access to a fire appliance to within 45m of all points within the dwellings.

The access road should be a minimum width of 4.5m. This proposal does not appear to meet this requirements. The access road after the fork and before the proposed site appears to narrow to approx 3m in width.

The access road should be capable of carrying 12.5 tonnes. Additionally, if the access road of more than 20m long a turning circle, hammerhead, or other turning point for fire appliances will be required.

The maximum length of any cul de sac should be 250m. This proposal does not appear to meet the requirements. The cul de sac length, measured from the junction of Greenside and Ainsworth Hall Road up to the fork in the road prior to the proposed site, appears to be in excess of 350m.

There should be a fire hydrant within 165m of the furthest dwelling. The plans provided do not show fire hydrants and records show the nearest is approx 350m away from the start of the proposed site.

Therefore the proposal does not meet this requirement.

The Fire Service strongly supports the installation of domestic sprinklers as a positive

measure to protect persons.

The access requirements for a dwelling fitted with an approved sprinkler system can deviate from the required standard, and will require further consultation.

The applicant has responded as follows -

- There is a fire hydrant in the driveway to his house (which would be within 165m of the cottage dwelling). This is a 63mm main at the required pressure so this should satisfy the requirements for the fire hydrant.
- With regard to the turning of a fire vehicle, there is an existing turning area at the entrance to the site that is more than adequate for the turning of vehicles.
- The domestic sprinkler system is something the applicant will consider, although it is not a building control requirement.

GMF&RS have commented on the applicant's response as follows -

- The proposal must ensure that a fire appliance can park within 45 meters of all internal parts of all floors of the dwelling, based on the realistic hose route, taking into consideration any external obstacles and the exact internal layout. This hard standing area must be capable of carrying 12.5 tonnes and also be within 20 meters of a turning area, therefore the maximum reversing distance for a fire appliance following an incident is 20 meters in total.
- The proposed hydrant indicated within the site boundary is a 'wash out' and not a designated fire hydrant. Until further clarification has been obtained from the Water Team, it cannot be confirmed that this particular wash out remains functioning, is adequate or maintained appropriately.
- The provision of firefighting water (fire hydrant) and access for a fire appliance (250 meter maximum single direction cul-de-sac length) are 2 separate requirements. In addition to the provision of firefighting water, it is also a requirement to provide adequate access for a fire appliance. GMFRS do not support a proposal with a 350 meter single access approach, without the provision of either a secondary access road, or the provision of domestic sprinkler protection to the required standard.
- The provision of a domestic sprinkler system is not a Building Regulations requirement, however, should a domestic sprinkler system be proposed, then the access requirements can deviate from the required standard, subject to further consultation with the Fire Authority.

In response, the fire service state that when assessing any new development, existing premises are not considered that were built prior to current standards. However, the Fire Service would consider a condition acceptable in accordance with BS:9251

The Applicant has confirmed they would be willing to install a sprinkler condition and would accept a condition.

Ecology

Summary

GMEU had previously broadly accepted the finding of the ecological report as part of the previous application. The ecological report is still valid.

Bats

The bat report for the building under construction assessed the building as having negligible bat roosting potential. GMEU have no reason to doubt the findings of the report. No further information or measures are required.

Other Protected Species

No evidence of any other protected species was found and GMEU are satisfied that no further survey is required given the nature of the development. There are no records of great crested newts from the locality with all ponds nearby having been surveyed in the past. GMEU also have no records of reptiles from the locality.

Nesting Birds

Scrub and some tree removal may be required potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. GMEU recommend a condition be applied to any permission to restrict removal of, or works to trees or shrubs.

Invasive Species

Himalayan balsam, rhododendron and japanese knotweed are recorded nearby. These species are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. It would appear that they may be avoidable, though exact location are not shown on the plans. GMEU recommend as a precaution a condition is applied to any permission for a method statement detailing control or avoidance measures for himalayan balsam, rhododendron and japanese knotweed.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment.

Policy JP-G8 - A Net Enhancement of Biodiversity and Geodiversity requires new development to follow the mitigation hierarchy by avoiding harm, adequately mitigating any harm and then adequately compensating for any harm. Development is required to achieve a measurable net gain in biodiversity of no less than 10%, and make appropriate provision for the long-term management of habitats connected to the development.

Whilst no trees appear to be removed, part of the woodland will be lost to garden, resulting in a net loss of biodiversity. There is however significant habitat to the south and west that could be enhanced. Species mitigation through provision of bird boxes is viable on site with enhancement for bats also feasible

GMEU recommend that prior to determination the developer confirms that they are willing to maintain and enhance the retained woodland and provide a defra metric demonstrating that biodiversity net gain is achievable on the site.

Note 10% BNG is now a material consideration in Greater Manchester following the 10% policy in PFE.

The applicant has responded to GMEU's request and is willing to maintain and enhance retained woodland and accept a condition for a scheme to be agreed if necessary. On the metric BNG calculator, there is a lot of scope for enhancement given the applicant's land ownership, including the 'woodland', and it is not a situation whereby it is questionable as to whether BNG uplift can be provided on-site.

GMEU have confirmed that they would have no issue with this approach and accept that achieving BNG is feasible on this site and as not yet mandatory for applications submitted prior to 2nd April 2024, a condition is considered reasonable.

Policy JP-P2: Heritage - states that the LPA will work to positively conserve, sustain and enhance our historic environment and heritage assets and their settings. The heritage significance of the site has been considered in accordance with national policy, and in the planning and design process. The applicant has submitted a Planning Statement and Heritage Statement which demonstrates a thorough consideration of the heritage of the site and therefore would comply with this policy.

JP-S2 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 states that the proposed development would satisfy Part L of the Buildings Regulations 2022 in terms of energy requirements.

The proposed development would also provide an electric charging point for the proposed house, and this can be secured by way of an appropriately worded planning condition.

Policy JP-C2 (Digital Connectivity) - requires all new development to have full fibre to premises connections unless technically infeasible or unviable.

The applicant has responded that there is no access to full fibre connectivity in this location. However, internet connections would be operational and immediately accessible to network providers upon occupation of the dwelling.

The existing property at Ainsworth Hall Farm is connected to the internet via 'Wave Internet' (www.waveinternet.co.uk) and this uses new technology to beam high-speed internet without the need for wires. There is a transmission mast at Meadow Business Park and the new house would access the network in the same way as Ainsworth Hall Farm does via Wave Internet.

The provision of operational and immediately accessible internet connection to network providers can be secured by way of an appropriately worded planning condition.

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.

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 numbered -

2250-G&T-Z0-00--DR-A-1000 A - Site location plan
2250-G&T-Z0-00DR-A -1001 - Existing plans and elevations (partially built)
2250-G&T-Z0-00DR-A -1002 A - Proposed plans
2250-G&T-A Z0-00DR-A -1003 - Proposed elevations
2250-G&T-Z0-00--DR-A-1005 A- Existing site plan and topographical
2250-G&T-Z0-00--DR-A - 1006 C - Proposed site plan (full site)
2250-G&T-Z0-00--DR-A -1008 A - Proposed refurbishment (for new cottage)

dwelling)

2250-G&T-Z0-00--DR-A-1009 B - Proposed domestic cutilage plan

2250-G&T-Z0-00DR-A -1013 A - Existing plans and elevations (historic)

2250-G&T-Z0-00DR-A -1014 - Overlay plans and elevations

2250-G&T-Z0-00DR-A-1106 - Arbtech TPP01 - Tree Protection plan

2250-G&T-Z0-00DR-A-1106 - Arbtech AIA 01 - Arboricultural Impact Assessment

File Note dated April 2024 for Policies JP-S2 and JP-C2 of the GM PfE Plan

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 4 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 one electric vehicle (EV) charging point (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 61851-1:2019 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.

- 6 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 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 Prior to any further earthworks or vegetation clearance a timetable and method statement detailing control or avoidance measures for himalayan balsam, rhododendron and japanese knotweed should be supplied to and agreed in writing to the LPA. The agreed method statement and timetable shall be adhered to and implemented in full by the Local Planning Authority.
- Reason. The scheme does not provide full details of the actual extent of invasive species in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 8 Prior to any further vegetation or groundworks on site, or prior to the occupation of the development hereby approved, which ever is the sooner, a Biodiversity Net Gain Design Stage Report shall be submitted to and approved in writing by the local planning authority which provides a measurable biodiversity net gain, using the DEFRA Biodiversity Metric 4.0 or any successor.
- The content of the Biodiversity Net Gain report should include the following:
- Baseline data collection and assessment of current conditions on site;
 - A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity;
 - Provision of the full BNG calculations, with detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality;
 - Details of the implementation measures, timetable for implementation and management of proposals;
 - Details of the monitoring and auditing measures.
- The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.
- Reason. To ensure the development delivers a biodiversity net gain and in accordance with Policies EN1/2 - Townscape and Built Design, EN8/2 - Woodland and Tree Planting, JP-G7 - Trees and Woodland and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 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 Public Rights of that abut and serve the site in the event that subsequent remedial works are required following construction of the development;
 - Proposed site hoardings and gates positions (if proposed);
 - Hours of operation, confirmation of delivery & construction vehicle sizes that can be accommodated on the Public Rights of Way leading to the site and number of vehicle movements;
 - Parking on site of operatives' vehicles together with storage on site of 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 Public Rights of Way and 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 the 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 prior to the development hereby approved being brought into use.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent streets, and ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design and JP-C5 and JP-C6.

- 10 Prior to first occupation of the development hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other 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 Policies H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and built Design.
- 11 The car parking indicated on the approved plans shall be made available for use prior to the 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 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 listed.
- 13 The development hereby approved shall be carried out in a manner to ensure the dwelling hereby permitted complies fully with Building Regulation M4(2) 'accessible and adaptable dwellings' before they are first occupied.
Reason. To ensure the development hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the NPPF (2023) and Places for Everyone Policy JP-H3 - Type, Size and Design of New Housing.
- 14 All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	18/4/24	DM	19/04/2024