

NOTICE OF PLANNING PERMISSION

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

To:

Ms Sarah Hilditch
Harcles Hill Farm
Moor Road
Holcombe
Ramsbottom, Bury
BL8 4NT

PART 1 - Particulars of Application

Application Number: 69646

Date of Registration: 08/06/2023

Proposal:

Demolition of existing buildings and erection
of replacement agricultural building

Location:

Harcles Hill Farm, Moor Road, Ramsbottom,
Bury, BL8 4NT

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 and Country Planning Act 1990 (as amended).

- 2 This permission relates to the following plans:

Drawing. no. HAR-01: Location Plan;
Drawing no. TQRQM23080112438726: Block Plan; and
Drawing no. Hilditch: Elevations & Layout 10.00m Agricultural Timber Portal Building

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 No clearance of the existing buildings to be removed in preparation for or during the course of development shall take place during the bird nesting season (March to

August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the building(s) to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any building shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

Reason: In order to prevent any habitat disturbance to nesting birds and due to the sites location adjacent to the West Pennine Moors SSSI, in accordance with the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

- 4 A minimum of three Bird Nesting cups shall be placed under the eaves of the south and west facing elevations of the building hereby approved.

Reason: To mitigate against the loss of any bird nests to ensure that the development does not adversely affect the favourable conservation status of protected species and to secure appropriate biodiversity mitigation and enhancements as part of the development given the sites location in close proximity to the West Pennine Moors SSSI, in accordance with the requirements of the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

- 5 The building hereby permitted shall be used for agricultural purposes only (as defined in Section 336(1) of the Town and Country Planning Act 1990); in conjunction with the remainder of the holding as identified in the supporting information submitted with the application. It shall be removed and the site reinstated to its original condition by a scheme to be agreed with the Local Planning Authority if at any time it ceases to be used for this purpose.

Reason: To ensure that the building is used solely for agricultural purposes connected with the workings of the holding due to the sites location in the Green Belt, in accordance with Policy OL1/2 - New Buildings in the Green Belt and the National Planning Policy Framework.

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:

OL1	OL1 - Green Belt
OL1/2	OL1/2 - New Buildings in the Green Belt
EN6	EN6 - Conservation of the Natural Environment
EN6/1	EN6/1 - Sites of Nature Conservation Interest (SSSI's, NNR's and Grade A SBI's)
EN6/5	EN6/5 - Sites of Geological Interest
EN9/1	EN9/1 - Special Landscape Areas
OL4/5	OL4/5 - Agricultural Development
MW1	MW1 - Protection of Mineral Resources

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. 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).
2. 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.
3. Section 336 of the Town and Country Planning Act 1990 defines 'agriculture' as including:
 - 'horticulture, fruit growing, seed growing, dairy farming;
 - the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land);
 - the use of land as grazing land, meadow land, osier land, market gardens or nursery grounds; and
 - the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.'

Signed:



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On behalf of the Council

Date of Decision: 03/08/2023