

NOTICE OF PLANNING PERMISSION

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

To:

Mr Jonathan Davidson
Jonathan Davidson Architects
47 Hilton Street
Manchester
M1 2EF

On Behalf Of:

Mr Dominic Apenteng
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PART 1 - Particulars of Application

Application Number: 69673

Date of Registration: 31/05/2023

Proposal:

Variation of condition no. 2 (approved plans) of planning permission 67711 (conversion of existing church into single dwelling):
Amendments to internal layout, amended door with glazed roof above on east elevation and change of material to dormer roof

Location:

St John Shuttleworth, Whalley Road, Shuttleworth, Ramsbottom, Bury, BL0 0EF

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 from the date of the grant of the original consent of planning permission reference 67711 (approval dated 27/5/22).
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered - 367 PD -
Proposed ground floor plan 0006 E; Proposed mezzanine plan 0007 E; Proposed roof plan 0008 E; Proposed elevations 1/3 0009 D; proposed elevations 2/3 0010 E; Proposed elevations 0011 D; Proposed sections 0012 E; Proposed site plan 0013 D; Proposed section E-E 0014 C; Proposed south elevation alterations 0015
Arboricultural report Jun 2020 PM/FULL/24/06/20
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 works for the conversion to residential use of the church of St John in the Wilderness hereby approved shall not commence unless or until a level 1 photographic recording has been carried out of the stained glass windows to be

removed and any other internal historic fixtures and fittings to be removed. No works shall commence until such written approval has been given. The recording shall be carried out in accordance with Historic England's Understanding Historic Buildings - A Guide to Good Recording Practice, published May 2016.

Reason. To ensure the preservation of the building for future references and in accordance with the principles of the NPPF.

- 4 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.

- 5 Any works to the roof is likely to cause harm to common pipistrelle bats as identified in the bat survey date September 2020 by Anthony Nickson Ecology and shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or

b) a statement in writing form the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license

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 Section 11 of the National Planning Policy Framework.

- 6 No works to trees or shrubs shall occur or external works to the building 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 Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for himalayan balsam and monbretia should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing 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 11 - Conserving and enhancing the natural environment.

- 8 A landscaping scheme 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 a bird box on a retained tree and one on the converted church should be provided for loss of bird nesting habitat. 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.

- 9 The car parking and bin storage facilities provided within the curtilage of the site indicated on approved plan reference 367 PD 0013 Revision C shall be made available for use before the first occupation of the development hereby approved and shall subsequently be maintained available for use at all times.

Reason. To ensure adequate off-highway car parking and bin storage facilities are provided within the curtilage of the site, in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development.

- 10 The materials for the development hereby approved shall be carried out in accordance with the approved plans and the dormer clad in a 'Mountain Grey' zinc material Ral 7016 (as sample submitted 26/7/23).

Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.

- 11 Facilities for the storage of any construction materials shall be provided within the curtilage of the site. The measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off street materials storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to UDP Policies EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

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:

NPPF	National Planning Policy Framework
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
H2/4	H2/4 - Conversions
EN1/1	EN1/1 - Visual Amenity
EN1/2	EN1/2 - Townscape and Built Design
EN1/3	EN1/3 - Landscaping Provision
EN2/3	EN2/3 - Listed Buildings
EN5/1	EN5/1 - New Development and Flood Risk

EN6	EN6 - Conservation of the Natural Environment
EN6/3	EN6/3 - Features of Ecological Value
EN9/1	EN9/1 - Special Landscape Areas
OL1/4	OL1/4 - Conversion and Re-use of Buildings in the Green Belt
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
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
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
EN5/1	EN5/1 - New Development and Flood Risk
EN3	EN3 - Archaeology

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:

Doc references 367 PD -

Proposed ground floor plan 0006 E; Proposed mezzanine plan 0007 E; Proposed roof plan 0008 E; Proposed elevations 1/3 0009 D; Proposed elevations 2/3 0010 E; Proposed elevations 3/3 0011 D; Proposed sections 0012 E; Proposed site plan 0013 D; Proposed section E-E 0014 C; Proposed south elevation alterations 0015

Arboricultural report Jun 2020 PM/FULL/24/06/20

NOTES TO APPLICANT

1. The development hereby approved shall be carried out in full accordance with all legal requirements relating to any future re-location of The Garden of Remembrance and/or removal of any burial remains, monuments, memorials etc.
2. Advice should be sought from the Diocesan Advisory Committee (DAC) of the Manchester Diocese for the deposit or storage of elements of the church to be removed after recording, in accordance with condition 3 of this consent.
3. Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or on line at www.unitedutilities.com
4. The applicant's attention is drawn to the existence of Public Right of Way No. 181, Ramsbottom (Church Road), which abuts the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order.
5. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 7010, regarding the operation of this system if required.
6. The applicant's attention is drawn to the requirements of Section 153 of the Highways Act 1980 which prohibits the opening of doors, gates or bars outwards onto the highway.

Signed:

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

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On behalf of the Council

Date of Decision: 02/08/2023