

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 20/03/2025	Ref: 71278/FUL
Registration: 09/01/2025	LDFC: 05/02/2025	Expiry Date: 06/03/2025
Site Visit: 23/01/2025	Site Notice: 23/01/2025	Press Date: 23/01/2025
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 1 no. dwelling at rear

Location: 12 Owlerbarrow Road, Bury, BL8 1RD

Description

The proposal relates to no. 12 Owlerbarrow Road, which comprises a contemporary detached dwelling with a large linear rear garden flanked by mature trees of various species and which slopes gently downhill from north to south. The site is bounded by similar residential development to the west, north and east (there is an intervening public right of way to the east) and farmland at the south (which falls within the designated Greater Manchester Green Belt). The existing dwelling at the site is split level and comprises single and two storey elements.

The proposal is for the erection of a dwelling in the rear garden with an altered and extended shared access.

The area of existing garden that would form the curtilage to the proposed new dwelling would be 64.5m long, 16m wide at the northern end (closest to the rear of the existing dwelling), tapering to around 9m wide at the southern boundary.

The proposed dwelling would be sited in the most northern end of the site and would extend 11m in length parallel to the side boundaries and be 6m wide.

The principal front elevation would face the host property approximately 29m away, set at a lower level due to the fall and topography of the land.

The proposed dwelling would be contemporary and follow a 'cubist' approach in its design and shape. It would be finished in timber cladding with an eco and part sedum roof with solar panels and metal vertical style windows.

The new build would be 2 storey, 5.5m in height with a length of 11m and width of 6m with a small balcony projection at first floor on the rear.

Accommodation would comprise a kitchen/lounge, WC and combined bedroom/study at ground floor with 2 en-suite further bedrooms at the 1st floor

The existing access and driveway to the host dwelling would be utilised with the driveway extended to lead to the parking area which would be located in front of the new dwelling for 2 cars with bins at the side of the driveway.

Parking for the existing property would be on a newly created driveway at the front of this house.

Trees flanking the side boundaries would be removed to facilitate the development.

Relevant Planning History

02084/E - Construction of new dwelling with detached double garage; Construction of new garage for existing house. - Enquiry completed 08/02/2018

02961/E - Proposed new dwelling to rear of 12 Owlerbarrow Road. - Enquiry completed 31/05/2024

45678 - Single storey extension to west elevation & two storey extension to east elevation; conservatory to south elevation (raised due to levels) - Approve with Conditions 02/02/2006
62733 - Erection of detached double garage with new hardstanding; New porch and modifications to front elevation - Approve with Conditions 19/06/2018
69063 - Erection of dwelling in rear garden with shared access including all associated works; Garage extension and porch to existing house - Refused 29/11/2023

Publicity

Letters sent on 15/1/25 to 9 properties.
Site notice posted 23/1/25
Press advert 23/1/25

No response as a result of the publicity

Statutory/Non-Statutory Consultations

Public Rights of Way Officer - No objection

Traffic Section - No objection subject to conditions

Borough Engineer - Drainage Section - No response received.

The Coal Authority - No objection

Environmental Health - Contaminated Land - No objection subject to conditions

United Utilities (Water and waste) - No objection

Planning & Building Regs consultation Fire Protection Dept Bury Fire Station (Part B)
- No response received.

Greater Manchester Ecology Unit - No objection subject to conditions.

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

Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland Development
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment

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.

Principle - Housing

The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions, and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant undelivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

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. The joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is able to demonstrate a deliverable 5 year supply of housing land with a 20% buffer (as currently required in Bury due to past under delivery) when assessed against the adopted PfE housing requirement.

The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), 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%) 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 (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, paragraph 11(d) 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, provide a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

As a result of the latest published HDT result the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

NPPF paragraph 80 requires the latest published HDT results to be used. However, the Government is currently operating to a delayed publication timetable for the HDT, and although the latest published results for 2023 are below 75%, based on the current HDT rulebook Bury's result for 2024 will be above 75% and the tilted balance will no longer be triggered by the housing delivery test result.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located within the urban area and is situated within an established residential estate.

As such, the principle of the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with regard to services and public transport.

Type, Size and Design of New Housing

PfE Policy JP-H3 – Seeks to provide an appropriate mix of dwelling types and sizes, including for self-build building projects.

The applicant has confirmed the development would be a self-build.

PfE Policy JP-H3 also requires all new dwellings to 1. comply with the nationally described space standards and 2. be built to the 'accessible and adaptable standard in Part M4(2) of Building Regulations unless specific site conditions make this impracticable.

The proposed dwelling would comply with nationally described space standards and the requirement for the dwelling to be built to Part M4(2) would be secured by condition to ensure they are met at the Reserved Matters stage.

PfE Policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Policy JP-H4 sets out minimum densities that should be considered. The site falls in an area where a minimum density of 35 dwellings per hectare should be met which would equate to 3 dwellings on this plot.

In relation to site-specific issues, the access to the site leads to a PRow and also serves a small cul de sac and a development of more than one dwelling would significantly intensify use of the access road which would cause highway safety issues.

The form of the plot and narrow width at the southern end would also restrict the number of houses which could be accommodated in this site.

As such it is considered that 1 no dwelling in this instance would be acceptable.

Layout, design and visual amenity

Policies H2/1, H2/2, H2/6 and EN1/2 consider the relationship of new residential development in relation to their immediate context and expects that they make a positive contribution to the form and quality of the surrounding area. Policy H2/6 states that the Council will not support proposals that will result in the loss of private gardens and backland for infill development unless it can be shown that such proposals would not adversely affect the character and amenity of the area, when considering the relative density, impact on neighbouring properties and access arrangements.

Proposed dwelling

The site would be accessed through an extension of the existing driveway (which currently serves the garage at the host dwelling), into the rear garden adjacent to the eastern boundary and public right of way where parking for two cars would be provided.

The proposed dwelling would be located in the south of the plot and at a lower level to No 12. Whilst the proposed dwelling would not hold any street presence, its scale, size of footprint and form would be one of a subservient development comparative to the host dwelling and surrounding properties and as such its location within this garden plot and access to it are in this instance considered acceptable.

A contemporary 'cube' type design approach has been taken, incorporating flat roofs to help maintain a low level build and which would integrate a part green eco friendly roof and rooflights which would enhance the environmental value of the dwelling.

Elevations would be simple and unfussy and would use timber cladding on the external elevations and elongated styled windows with a small balcony projecting from the first floor with obscure glazing to prevent overlooking.

Whilst a departure from the more traditionally designed dwellings in the area, given it would be relatively small in scale and form and a backland development, the proposed design is considered to be acceptable.

The garden to the new dwelling would extend 50m to the boundary and whilst some trees would be removed to facilitate access, trees along the remaining east and western boundaries would be retained and replacement planting (two trees for every one removed) would be required by condition under PfE policy JP-G8.

Given the location, form of the plot and the access to it, it is considered the scale and siting of the development would be acceptable and comply with UDP policies H2/, H2/2 and H2/6 and PfE policies JP-H3 and JP-H4.

Existing dwelling

Access to the host dwelling would be reconfigured off Owlerbarrow Road and would lead to a new driveway in front of the property for parking. The garage doors would be removed and gap blocked up to ensure this part of the dwelling would not be used for parking so as not to conflict with vehicles accessing the property. At the rear, a garden area of 14.6m would be provided which would comply with SPD6.

It is therefore considered the layout of the existing dwelling would not be compromised and would be acceptable.

Residential amenity

The nearest properties to the new development would be The Meadows, No 15, to the east which would be approx 8m away. The side elevation of the proposed dwelling would be directly opposite the garage to No 15 and there is also the intervening public right of way which would separate the site. With this relationship, distance away and also tree planting which would screen part of the site, it is considered there would not be significant issues of overlooking or privacy.

To the west, the proposed dwelling would be set approx 4.8m away from the west boundary and which is the lower end of the garden to No 14 Owlerbarrow. As such it is considered there would not be significant harm caused to what is considered to be the less usable or used outdoor space of this property.

To No 3 Brookthorpe Meadows the new dwelling would be more than 30m away and as such comfortably satisfy aspect standards.

Windows on the upper floors would be obscured glazed and the maximum height of the building would be 5.5m in height and as such considered not to be an overly dominating building, given the distance from neighbours and intervening features.

No objections have been received.

The proposed development is therefore considered to be acceptable and comply with H2/2 and H2/6.

Highway issues

The existing drive, which is accessed from the unadopted highway, would be widened and extended beyond the existing dwelling to serve the proposed new dwelling at the rear. Proposed parking provision for 2 cars would be acceptable in quantitative terms.

For the existing dwelling, part of the hedge along the frontage would be removed and the front garden turned into hardstanding for the parking of 2 cars and area to manoeuvre.

The scale of development would not generate significant additional traffic to the area and subject to conditions, the Highway Authority are satisfied with the proposed access arrangements.

The proposed development would therefore comply with policies HT2/4, JP-C5 and JP-C8.

Ecology

Summary

Further information on bats is recommended. Issues relating to nesting birds and biodiversity mitigation and enhancement can be dealt with via condition.

Bats

The trees and garage were assessed for bats. One tree was assessed as having low potential and the canopy over the garage door also assessed as having bat roosting potential. Low risk trees can be felled under pre-cautionary working measure such as soft felling. The consultant has recommended presence on the site to supervise the tree with the potential bat roosting feature. GMEU have no objection to this approach and recommend a condition is applied to any permission that the removal of trees within Group G2 shall not in any circumstances occur unless a bat consultant is present during felling or a precautionary working measures method statement has been provided to and agreed in writing by the local planning authority

The canopy over the garage door was also assessed as having bat roosting potential, with further survey required if removal was proposed. GMEU therefore recommended that prior to determination clarification is provided on whether or not the canopy is to be retained. If removal is proposed further survey should be provided prior to determination. The applicant has confirmed the canopy would be retained and as such no further survey work is required.

Nesting Birds

Trees and shrubs will be lost, 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 that no works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

The developer has declared the application to be exempt from mandatory biodiversity net gain under the self-build rule which would be included as a condition.

The development would result in the loss of trees and garden, along with associated bird nesting habitat. The area lost is small but difficult to mitigate on the site, as the remainder of the site is already garden with boundary trees. Native tree and hedge planting is however feasible along with provision of bird boxes.

GMEU recommend biodiversity enhancement measures ie tree, hedge and bird and bat boxes are provided via condition.

Air quality

The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered very unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

The proposed development will have off-street parking. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. The required measures to do this are currently under discussion. Due to this requirement, and the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure

for the charging of electric vehicles), the Section recommends a condition to be placed on any grant of permission for 1 no. electric vehicle (EV) charging point (minimum 7kW) per dwelling/parking space.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

Coal

The site falls within the Coal Authority's defined Development Low Risk Area. On this basis the Coal Authority have no specific comments to make.

However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.

Digital connectivity and Carbon and energy

The applicant states the proposed development would have full fibre digital connectivity and that the proposed dwelling would comply with Part L and S of the Building Regulations .

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 -
Revised proposed red edge site location plan received 11/3/25
Existing dwelling side elevations/fence detail ref no 1407 received 7/3/25
Revised proposed site plan ref 1407 rev 4
Proposed elevations and floor plans ref 1407 Proposal
Digital connectivity and Carbon and energy statement
Bat survey report dated 17/12/24 by Angela Graham Bat Consultancy Service.
Arboricultural Method Statement dated 27 October 2024 ref TRE/12OR/Rev E

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 and Places for Everyone Joint 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 validity 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).

- 5 Prior to occupation the applicant shall provide:

- 1 no. electric vehicle (EV) charging point (minimum 7kW*).

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*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. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 6 The dwelling hereby approved shall be built to the accessible and adaptable standard in Part M4(2) of Building Regulations unless site specific conditions make it

impracticable and which are justifiable.

Reason. To ensure the residential dwelling hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with the PfE Joint Development Plan Document Policy JP-H3: Type, Size and Design of New Housing and the National Planning Policy Framework.

- 7 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.
- 8 The removal of trees within Group G2 may have the potential to cause harm to bats as identified in Bat Survey Report Angela Graham Bat Consultancy Service Report Date 17/12/24 and shall not in any circumstances occur unless a bat consultant is present during felling or a precautionary working measures method statement has been provided to and approved in writing by the local planning authority and thereafter implemented as approved.
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.
- 9 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.
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.
- 10 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 replacement tree planting of a native species (two trees for every one tree removed), hedge and shrub planting and the provision of bat and bird boxes. 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 JP- G8 and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 11 The residential unit ('unit') in the development hereby permitted shall be constructed as a self-build dwelling within the definition of self-build and custom build housing in the 2015 Act:
(i) The first occupation of the unit in the development hereby permitted shall be by a person or persons who had a primary input into the design and layout of the unit and who intends to live in the unit for at least 3 years;
(ii) The Council shall be notified of the persons who intend to take up first occupation of the unit in the development hereby permitted at least two months prior to first occupation.

Reason . The scheme as submitted and subsequently determined, is specifically based upon the scheme being a Small Scale Self-Build and Custom Housebuilding scheme, which benefits from The Biodiversity Gain Requirements (Exemptions) Regulations 2024 to otherwise provide for Biodiversity Net Gain.

- 12 No development shall commence unless and until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to PfE Policy JP-S4 and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 13 Notwithstanding the details indicated on the approved plans including the retention of the existing hedge shown, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways, unadopted shared access and Public Footpath No. 144, Bury to the Local Planning Authority:

1. Scheme of resurfacing and highway remedial works on the unadopted section of Owlerbarrow Road, at the interface with the adopted section of Owlerbarrow Road and westerly end of the adopted footway on Owlerbarrow Road to a scope, extents and specification to be agreed, incorporating the provision of edge of carriageway/give-way markings in a position to be agreed;
2. Formation of the proposed new access onto the unadopted section of Owlerbarrow Road to serve the new driveway for the existing dwelling to a scope and specification to be agreed, incorporating works at the interface with the shared private access to demarcate the extents of the carriageway, adequate levels of visibility at the junction in accordance with the standards in Manual for Streets and removal of a sufficient section of the existing hedge to achieve the visibility splays required;
3. Proposed new hardstanding in a porous/permeable material and/or measures to prevent the discharge of surface water on the unadopted and adopted sections of Owlerbarrow Road;
4. Extents of the proposed 1.8m high timber overlap fence and concrete posts along the 'entire eastern site boundary', to be sited clear of the adjacent Public Right of Way;
5. In association with the above, construction method statement for the erection of the fence incorporating appropriate pedestrian protection measures and retention of adequate pedestrian facilities/access arrangements on Public Footpath No. 144, Bury, that abuts the site.

The highway works subsequently approved shall be implemented to an agreed programme and to the satisfaction of the Local Planning Authority before the dwelling hereby approved is first occupied and the measures subsequently approved in relation to the works abutting the Public Right of Way shall be implemented to the satisfaction of the Local Planning Authority and maintained for the duration of the works.

Reason. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of road safety and to maintain the

integrity of the adopted highway pursuant to Policies H2/1, H2/2, JP-S4, JP-C5 and JP-C8.

- 14 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:
1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development, replacement of all boundary features and as a result of statutory undertakers connections to the site;
 2. Access route for all construction vehicles to the site from the Key Route Network;
 3. Access point/arrangements for construction traffic from Owlerbarrow Road, all temporary works required to facilitate access for construction vehicles and retain access for existing residents;
 4. If proposed, details of site hoarding/gate positions, incorporating the provision, where necessary, of temporary pedestrian facilities/protection measures;
 5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its accesses onto Hollins Close/Hollins Lane;
 6. Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated on/enter and leave Owlerbarrow Road in a forward gear and number of vehicle movements;
 7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site/Hollins Close and/or measures to control/manage delivery vehicle manoeuvres;
 8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
 9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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 construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and private shared access, ensure adequate off-street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, all in the interests of highway safety pursuant to policies EN1/2 and JP-C8.

- 15 The turning facilities indicated on the approved plans shall be provided before the areas of the development to which they relate are brought into use and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.
- Reason. To minimise the standing and turning movements of vehicles on the highway/new access road in the interests of road safety pursuant to policies JP-C5 and JP-C8.
- 16 The car parking and alterations to the existing dwelling to abandon the integral parking facilities indicated on the approved plans shall be surfaced, and made available for use/implemented to the satisfaction of the Local Planning Authority prior to first occupation of the dwelling hereby approved and thereafter maintained 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.

- 17 The refuse storage and access arrangements to be provided within the curtilage of the site for the new and existing dwellings shall be made available for use to the satisfaction of the Local Planning Authority prior to first occupation of the dwelling hereby approved and thereafter maintained at all times.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to policies EN1/2 and JP-C8.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	20/3/25	HL	20/03/2025