

NOTICE OF PLANNING PERMISSION

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

To:

Mr Gary Dearden
PPY design Ltd
2 Helmsore Road
Holcombe Village
Bury
BL8 4PA

On Behalf Of:

Mr Andrew Warburton
10 Carnoustie Drive
Ramsbottom
Bury
BL0 9QL

PART 1 - Particulars of Application

Application Number: 72383

Date of Registration: 15/12/2025

Proposal:

Conversion and extension of former garage
into 1 No. two storey dwelling

Location:

Smithie Garage, Spring Street, Ramsbottom,
Bury, BL0 9JQ

PART 2 - Particulars of Decision

Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered AW4-00, AW4-02C, AW4-03B, AW4-04A, AW4-05D, AW4-06, AW4-07A 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 A sample panel of facing stone, demonstrating the colour, texture, face bond and pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development. Samples of the roofing, natural stone headers, cills, jambs and all other external materials shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

- 4 Development shall not commence 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) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided.

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 Bury Unitary Development Plan Policies EN7/3 - Water Pollution, EN7/5 - Waste Water Management, Places for Everyone Joint Development Framework Policy JP-S4 - Flood Risk and the Water Environment and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.
- 5 The development shall be constructed in accordance with the programme of mitigation for bats as set out within the Dusk Survey Results PR-25-0196 undertaken by Tyrer Ecological Consultants Ltd. A European Protected Species Mitigation Licence (EPSML) for bats needs to be approved from Natural England for works to proceed. All mitigation measures shall be fully implemented prior to the commencement of the works and remain in situ on site for the agreed period of time.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 – A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Framework, EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.
- 6 No development shall commence unless and until a lighting scheme for any new external lighting, designed in line with best practice guidelines, has been submitted to and approved in writing by the Local Planning Authority.

Reason. In order to ensure that no harm is caused to a Protected Species pursuant to Development Plan Policies JP-G8 - A Net Enhancement of Biodiversity and Geodiversity and EN6/3 – Features of Ecological Value of the Development Plan and Section 15 of the National Planning Policy Framework.
- 7 Prior to any demolition works at the site a compensatory bat box should be provided on a retained sycamore as set out within Figure 6.1 of the Dusk Survey Results - Tyrer Ecological Consultants Ltd. An integrated bat box shall be installed on the new building on the south-east elevation (as shown in Figure 6.2) and a swift brick on the north or east facing elevation at least 3 metres above ground height prior to occupation.

Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 8 No removal of or works to any buildings shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist

has undertaken a careful, detailed check of vegetation for active birds' nests immediately before clearance and ensured that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies JP-G8 – A Net Enhancement of Biodiversity and Geodiversity of the Places for Everyone Joint Development Framework, EN6/3 – Features of Ecological Value of the Bury Unitary Development Plan and Section 11 of the National Planning Policy Framework.

- 9 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:

- I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
- II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.
- III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.

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).

- 10 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

- I. Remedial Options Appraisal.
- II. Remediation Strategy.
- III. Verification Plan.

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).

- 11 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:
Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.
A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. 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).

- 12 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).

- 13 The dwelling hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.

Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

- 14 The development hereby approved shall not be commenced unless and until a photographic dilapidation survey of the access to the site (Caltha Street) has been undertaken, submitted to, and agreed in writing by the Local Planning Authority. Within one month of the completion of the development a further survey shall be undertaken to assess the condition of the route in relation to this dilapidation survey and the dilapidation survey submitted as part of condition 14 of application 68578 to identify any remedial works required. Any remedial works as a result of damage caused by the demolition/construction traffic shall be undertaken at the expense of the applicant, to a specification commensurate to the status of the access and to a programme to be agreed with the Local Planning Authority.

Reason. To maintain the integrity of the unadopted highway in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, JP-C5 - Streets for All, and JP-C6 - Walking and Cycling.

- 15 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. Access point for construction traffic from the adopted highway/unadopted Caltha Street;
2. Site hoardings (if proposed) clear of the approved turning facility and any access to the adjacent residential properties;
3. Hours of operation and number of vehicle movements;
4. A scheme of appropriate warning/construction traffic signage in the vicinity of the site and its access from Spring Street;
5. Parking on site (or on land under the applicant's control) of operatives' and

demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;

6. Delivery management arrangements to ensure that such vehicles do not obstruct the adopted highway or access to the adjacent residential properties;

7. Measures to ensure that all mud and other loose materials are not spread onto the adjacent 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 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.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential 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 Policy EN1/2 - Townscape and Built Design and Places for Everyone Joint Development Plan Policies JP-C5 - Streets for All, and JP-C6 - Walking and Cycling.

- 16 The development hereby approved shall not be first occupied unless and until the pedestrian access alterations indicated on the approved plans have been implemented.

Reason. To ensure good highway design and secure satisfactory pedestrian and vehicular access to the development, in the interests of highway safety pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design and Places for Everyone Joint Development Plan Policies JP-C5 - Streets for All, and JP-C6 - Walking and Cycling.

- 17 Bin storage arrangements shall be provided within the curtilage of the dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of the dwelling.

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:

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|-------|--|
| 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 |
| EN1/2 | EN1/2 - Townscape and Built Design |
| EN2/1 | EN2/1 - Character of Conservation Areas |
| EN2/2 | EN2/2 - Conservation Area Control |

EN6/3	EN6/3 - Features of Ecological Value
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
HT2/4	HT2/4 - Car Parking and New Development
EC2/2	EC2/2 - Employment Land and Premises Outside the Employment Generating Areas
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S4	Flood Risk and the Water Environment
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

AW4-00, AW4-02C, AW4-03B, AW4-04A, AW4-05D, AW4-06, AW4-07A

NOTES TO APPLICANT

1. In accordance with S93G of the Town and Country Planning Act 1990 (As amended by Section 111 Levelling Up & Regeneration Act 2023) there is a legal requirement for you to inform the Council of the date when you intend to commence the development on site via submission of a Commencement Notice. This notice is mandatory for all developments and came into effect on 31 March 2024. You can find more information and download a copy of the Commencement Notice under the Before Starting Work section on our website at <https://www.bury.gov.uk/planning-building-control/planning-permission/planning-application-process>
2. ***The local planning authority considers that approval of a BIODIVERSITY GAIN PLAN WILL NOT BE REQUIRED BEFORE DEVELOPMENT COMMENCES***

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- and
- (a) a Biodiversity Gain Plan has been submitted to the planning authority,
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Bury Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- iv) the application for planning permission was made before 2 April 2024;
- v) planning permission is granted which has effect before 2 April 2024; or
- vi) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

iii) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

iv) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.6 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental

to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.7 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.8 Self and Custom Build Development, meaning development which:
iv) consists of no more than 9 dwellings;
v) is carried out on a site which has an area no larger than 0.5 hectares; and
vi) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* “original planning permission means the permission to which the section 73 planning permission relates” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
 - ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.
- 3. A European Protected Species Mitigation Licence (EPSML) for bats needs to be obtained from Natural England for works to proceed. As per the report, the application would be eligible for the streamlined "Earned Recognition" bat mitigation licence.
- 4. In order to discharge conditions, the actions required by Conditions 9, 10, 11 and 12 shall be completed in accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2024 and the Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

Purchasers, where applicable, are advised that they should satisfy themselves that land contamination issues, if present, have been satisfactorily discharged given that the Council expects full compliance with any contaminated land requirements prior to the occupation of the site. Upon occupation such matters could then be the responsibility of the owner to remedy.

5. **COPA INFORMATIVE 01 - THE CONTROL OF POLLUTION REGULATIONS 1974, SECTION 60. CONTROL OF NOISE ON CONSTRUCTION SITES**

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

- 1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
- 2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
- 3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
- 4. Any emergency deviation from the above (1 – 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Pollution Regulations 1974.

6. The site is to be drained on a separate system of drainage with surface water and foul sewage being combined at the last manhole before connection to public sewer.
7. Surface water discharge to be limited to existing flow from site less a minimum 40% reduction in run-off to allow for climate change to prevent surcharge of public sewerage system downstream of the proposed development Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and its associated SPD 16 Design and Layout of New Development in Bury. Climate change allowance should be increased to 70% for sites which fall within Flood Zone 3.
8. Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or online at www.unitedutilities.com
9. Applications for sewer requisitions should be obtained by telephoning United Utilities PLC at either Dawson House (01925 235871) or Hathersage Road (0161 609 7513)
10. The applicant should ensure that any proposed paved areas (in excess of 5m²) situated at the front of properties are constructed of permeable or porous materials. The applicant should refer to Dept. of Communities & Local Government publication "Guidance on the Permeable Surfacing of Front Gardens" for design & construction details.
11. The applicant's attention is drawn to the potential need to consult the Department of Operations regarding the specification for and implementation of required highway remedial works on Spring Street and Caltha Street. The cost of the works will be the responsibility of the developer.
12. 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 6621/7010, regarding the operation of this system.

Signed:



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On behalf of the Council

Date of Decision: 25/02/2026