

DELEGATED REPORT

Report by Helen Pressley	Date of report: 03/10/2025	Ref: 71979/FUL
Registration: 11/08/2025	LDFC: 18/09/2025	Expiry Date: 06/10/2025
Site Visit: 28/08/2025	Site Notice: 28/08/2025	Press Date: 21/08/2025
Objections: 0	Con Area:	Adv Type: ASB
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIDW

Proposal: Erection of 1 no. live/work unit

Location: Brick House Farm, Griffie Lane, Bury, BL9 8QS

Description

The site was previously located within the Green Belt however the adopted Places for Everyone Joint Development Plan has now been adopted, and the Green Belt boundaries amended. There were three large industrial buildings on site, with a central hardstanding. The buildings, which were last used for employment purposes (Class B2) have been demolished in order to commence the development. Access to the site is from Griffie lane and the site is surrounded by open fields with a golf course to the south. Brick House Farm is a Grade II listed building and is located to the north of the site with its own separate access.

Planning permission was granted in June 2011 for the demolition of the existing buildings and the erection of 7 live/work units, a central hub building and the provision of a bridge, ponds and internal access roads. Access to the site would be from Griffie Lane with a new bridge and 3 new ponds would be formed on site. Planning permission was subsequently granted in January 2013 for a change in the house types for the 7 live/work units. The main change involved making each unit detached, following advice from estate agents. The proposed units would consist of 67 square metres of workspace (Class B1) and associated living accommodation within the same building.

A series of material and non material amendments have been submitted for the site, and for individual units and are listed in the planning history section below.

Planning permission is sought for the construction of 1no. live work/work unit to replace an existing office block and workshop located to the north of the site. The proposed live/work unit would be two storeys in height with a single storey wrap around element to the side and rear. The proposed live/work unit would be accessed from Griffie Lane via a driveway with parking to the front of the dwelling. Amenity space is proposed to the side and rear of the proposed unit.

Relevant Planning History

53633 - 7 No. residential live/work units (one with associated barn); Central support hub building and development of site to include internal site road, bridge, ponds and landscaping - Approve with Conditions 10/06/2011

55289 - Variation of Condition No.2. following granting of planning permission 53633 to allow detached live/work units and provision of mezzanine/bed 4 - Withdrawn - Invalid 24/10/2012

55738 - Change of house type/design of 7 no. live/work units, approved under planning permission 53633 - Approve with Conditions 22/01/2013

57530 - Variation of condition no. 2 (plans) of approved planning permission 55738 - alterations to courtyard elevations, additional chimneys, ground floor access to Unit 1 and terrace over garage doors. - Approve with Conditions 16/06/2014

62273 - Non-material amendment following grant of planning permission 57530 for variation of condition no. 2 (plans) of approved planning permission 55738 - alterations to courtyard elevations, additional chimneys, ground floor access to Unit 1 and terrace over garage doors:

Unit 1 : the ground and first floor layouts now shown handed and the associated barn moved south. Unit 2 : this is now shown handed, and rotated. Unit 3 : this is now shown handed. Unit 8 : this is moved to the north, and one pond deleted. - Approve 22/05/2018

63895 - Erection of 1 no. live-work unit in lieu of approved office hub - Approve with Conditions 30/04/2019

63937 - Non-material amendment following grant of planning permission 57530: Basements to be added to units 2-7 - Approve 19/03/2019

64051 - Change of house type of approved dwelling on plot 3 approved under planning permission 53633 resulting in single storey side and rear lean-to - Approve with Conditions 10/06/2019

64294 - Non-material amendment following grant of planning permission 57530; Unit 2 to be re-positioned 5 metres to the south. The barn to be relocated 3.5 metres to the north. Glazing across the rear of the feature oak frame to be moved to the front of the frame. One additional rooflight on the roof pitches facing into the courtyard for units 2-8. - Approve with Conditions 17/06/2019

64460 - Non-material amendment following grant of planning permission 64051 for Change of house type of approved dwelling on plot 3 for: Staircase from basement to be directly beneath stair from ground to first, and be accessed from office space; Sub-dividing the work space into work space/office/brew; Remove external barn door to allow fire exit door from basement; Increase the size of the hall; Chimney to sitting room to be constructed externally and Roof pitch over single storey part slightly increased in pitch. - Approve with Conditions 07/08/2019

64697 - Change of house type of approved dwelling on plot 4 (approved under planning permission 57530) with addition of detached garage and removal of pergola at side - Approve with Conditions 07/05/2020

64703 - Non-material amendment following grant of planning permission 64051 for change of house type of approved dwelling on plot 3 approved under planning permission 53633 resulting in single storey side and rear lean-to:
Bi-fold doors (8 doors) to rear elevation. One window removed from side elevation. Five rooflights added in single storey lean-to. - Approve with Conditions 10/10/2019

64727 - Non-material amendment following grant of planning permission 57530 for variation of condition no. 2 (plans) of approved planning permission 55738 - alterations to courtyard elevations, additional chimneys, ground floor access to Unit 1 and terrace over garage doors:

1. Larger windows over all front doors, with 1.5m wide front entrance opening, and revised front door canopies to plots 4 and 5.
2. Replace 2 ground floor windows on the field elevation with patio doors.
3. Additional window on side elevation for en-suite.
4. Removal of chimney on kitchen dining side.
5. Remove barn door.
6. internal amendments to partitions and stair to basement.
7. Slot windows amended on plots 4 and 5. - Approve with Conditions 24/10/2019

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64729 - Non-material amendment following grant of planning permission 57530 for variation of condition no. 2 (plans) of approved planning permission 55738 - alterations to courtyard elevations, additional chimneys, ground floor access to Unit 1 and terrace over garage doors:

Rotate units 1 and 8. Unit 7 to have brick elevations (rendered areas deleted). - Approve with Conditions 13/05/2020

64857 - Non-material amendment following grant of planning permission 57530 for variation of condition no. 2 (plans) of approved planning permission 55738 - alterations to courtyard elevations, additional chimneys, ground floor access to Unit 1 and terrace over garage doors:

Window and door frames to be upvc timber effect. - Approve 06/03/2020

65337 - Non material amendment following granting of planing permission 57530: Rotate units 1 and 8. - Approve 13/05/2020

65439 - Change of house type of approved dwelling on plot 8 (p/p ref. 63895) with addition of single storey side and rear lean-to, use of basement for garage and enlargement of basement, conversion of attic to bedroom - Approve with Conditions 09/07/2020

65542 - Change of house type of dwelling on plot 7, approved under planning permission 57530 resulting in a single storey side and rear lean-to, with ramp to basement below. Plot rotated slightly and moved north by 1 metre. Previously approved pergola removed. - Approve with Conditions 17/08/2020

65543 - Change of house type of dwelling on plot 1, approved under planning permission 57530 resulting in a single storey side and rear lean-to, with some areas of render. Rotation from previous approval to avoid below ground mains. - Approve with Conditions 21/07/2020

65720 - Change of house type of approved dwelling on plot 4, approved under planning permission 57530 resulting in the addition of a detached garage, with mezzanine and external dormer, and no pergola on the side. - Approve with Conditions 11/11/2020

66031 - Non-material amendment following grant of planning permission 64051 for change of house type of approved dwelling on plot 3 approved under planning permission 53633 resulting in single storey side and rear lean-to:

Oak window frames and door frames amended to dark grey aluminium. - Approve 30/10/2020

67694 - Non material amendment following approval of planning permission 57530- Condition 10, details of the bricks to be used shall be submitted to the L.A before the development is commenced. An application to discharge this condition was approved on 26/03/2015 relating to our chosen brick 'York Handmade Old Clamp.' We wish to change this brick to be 'Newlyn Heritage Blend.' - Approve with Conditions 12/11/2021

69563 - Variation of condition no. 2 following approval of planning permission 65439 - lean-to roof above the single storey part (approved plans) to a terrace in place of the lean-to roof, plus minor changes to windows and an external door. - Approve with Conditions 08/05/2024

70509 - Erection of 1 no. live-work unit to replace barn - Approve with Conditions 20/11/2024

70658 - Change of use of vacant land to accommodate 2 no. static caravans for a temporary period of 2 years - Approve with Conditions 16/08/2024

70796 - Change of house type of dwelling to plot 1 - Approve with Conditions 18/07/2024

71547 - Non-material amendment following grant of planning permission 65542 for removal of previously approved ramp and entry to the basement below via external steps and modifications to doors and windows - Approve 20/02/2025

72129 - Variation of condition 9 (approved materials) following approval of planning permission 65542 to change roof tiles over single storey lean-to Planum Roof Tiles by La Escandella - Approve with Conditions

72220 - Variation of condition 2 (approved plans) following approval of planning permission 70796 amend to - This decision relates to drawings GK1-00 Rev B, GK1-01C, GK1-02C, GK1-03C, GK1-04C - Pending

Publicity

Neighbour letters sent 12/08/2025

Site notice posted 28/08/2025

Press notice 21/08/2025

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section and Public Rights of Way Officer - Access will be via 'Killy Lane' which carries a new bridleway route. The road on which the bridleway runs is wide and has been constructed with an additional stoned-up width behind bollards for pedestrians, cyclists and horses to use if motorised traffic requires it. The proposed development will benefit from this scenario and I have no objections to the application.

Conservation Officer - No objection

Environmental Health - Contaminated Land - Conditions requested in relation to the submission of a remediation strategy and verification and EV chargepoints.

Borough Engineer - Drainage Section - no response

Waste Management - No response

United Utilities (Water and waste) - No response

Greater Manchester Ecology Unit - Conditions requested in relation to nesting birds. Updated bat assessment also requested but no longer needed as building to be assessed no longer has a roof. Application is exempt from mandatory net gain.

Cadent Gas Ltd (formerly National Grid) - No objection. Informative requested in relation to Cadent's asset/s

Minerals and Waste - No response

Planning & Building Regs Consultation Fire Protection Dept - No response

Health and Safety Executive - HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Development Plan and Policies

EC2/2 Employment Land and Premises

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EC4/1	Small Businesses
EC6/1	New Business, Industrial and Commercial
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/5	Crime Prevention
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
JP-J1	Supporting Long-Term Economic Growth
JP-J2	Employment Sites and Premises
JP-C1	Our Integrated Network
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S4	Flood Risk and the Water Environment
JP-G1	Landscape Character
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-C8	Transport Requirements of New Development
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-S2	Carbon and Energy
JP-C2	Digital Connectivity
SPD1	Open Space, Sport and Recreation Provision
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework
RT3/3	Access to the Countryside

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 (Residential)

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.

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 (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 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 now able to demonstrate a deliverable 5 year supply of housing land when assessed against the adopted PfE housing requirement.

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%) 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.

In terms of housing delivery the Borough has underdelivered against the local housing need, and as a result the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

The site is now sits outside of the Green Belt and is located within the red edge of a previously approved residential scheme. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this site in principle.

The site is located within PfE allocation GMA1.1. The red edge of the site however is within the red edge of approved application 57530 and involves a replacement house type. As a scheme has already been approved on this site, prior to the adopted of PfE it is considered that this site can be excluded from the masterplan requirement.

Layout and Design

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 minimum density for the site would be 35 dwellings per hectare. The application form states that the site area is 0.17 hectares. The proposal would therefore lead to a density of 5.8 dwellings per hectare. As the proposal is an amended house type, that would replace an existing approved house type that could be implemented it is considered that the density of the site is acceptable.

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. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

The proposed dwelling is of a similar design to a previously approved dwelling on the site under application 70509 however this proposal has a wrap around single storey element to

the side and rear. The proposed dwelling is considered to be of a suitable scale when viewed in relation to the existing units on site, a number of which have a wrap around single storey element. The overall layout of the site is considered to be acceptable with the proposal providing private amenity space, as well as dedicated off street parking. A timber wheelie bin enclosure is shown to the side of the dwelling and there is adequate space in and around the dwelling for the storage of cycles are required. The use of post and wire fencing with a hawthorn hedge for the boundaries is considered to be appropriate given the location of the site.

Policy JP-H3: states that all new dwelling must:

1. Comply with the nationally described space standards; and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The proposed dwelling would be a 4 bed, two storey property. All bedrooms would comply with the minimum standards for double occupancy. The overall GIA exceeds the 124 square metres required. Adequate inbuilt storage is proposed.

Part M4(2) can be secured by condition.

Impact on Listed Building

The existing farmhouse is a Grade II listed building and is located to the north of the application site. The proposed building would be approximately 26 metres away from the listed building. The proposed development is located in a similar position to the previously approved plot 9 and no objections have been raised by the Conservation Officer. As such, the proposed development would preserve the character of the listed building and would be in accordance with Policies EN2/3 of the Bury Unitary Development Plan and the NPPF.

Residential Amenity

UDP 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. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

The proposed rear first floor bedroom windows would be located approximately 10.5 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6. The rear terrace would be located approximately 7.2 metres from this boundary complying with SPD 6.

The proposed terrace would be located approximately 7.3 metres from the side boundary of the site complying with SPD 6.

The proposed ground side and rear windows would open out onto the amenity space associated with the property.

The proposed front windows would face towards the driveway associated with the property, and the access to the wider development. No undue loss of privacy is therefore foreseen.

The proposed dwelling would be located to the north east of the dwelling labelled "site of future live-work unit" and as such no unduly overbearing relationships are foreseen.

Access

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and

provision for public transport and the existence of any public rights of way. Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

Policy RT3/3 - Access to the Countryside is also applicable as it requires the Council to seek to improve and extend the existing network of Public Rights of Way.

Access will be via 'Killy Lane' which carries a new bridleway route. The road on which the bridleway runs is wide and has been constructed with an additional stoned-up width behind bollards for pedestrians, cyclists and horses to use if motorised traffic requires it. The proposed development will benefit from this scenario.

Parking

In terms of parking standards, UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 provides parking standards for developments.

The site is located within Zone 4. The proposal is therefore required to provide 3no. spaces to comply with SPD 11. This can be provided within the curtilage of the site.

Ecology and Biodiversity Net Gain

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by UDP Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough. This is further supported by PfE Policy JP-G7 that aims to significantly increase tree cover and requires 2no. replacement trees for each tree lost or other measures that would also result in a net enhancement in the character and quality of the treescape and biodiversity value in the local area.

Great Crested Newts (gcn)

An updated assessment was provided by a suitably qualified consultant. This confirmed that the amphibian fencing is still in place and the development site sub-optimal for this species. There was no evidence that any gcn had managed to gain access to this long running development site. The recommendation of the amphibian assessment should be conditioned as part of any permission.

Bats and Nesting birds

The existing barn is proposed for demolition as part of this phase of the development. The roof of this building has however been removed and as such no further bat survey is required.

A standard bird nesting condition covering demolition of the barn and any removal of trees is required.

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

Section 187 of the NPPF 2024 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 development site currently consist primarily of unvegetated disturbed ground and the building and was developed land and the building at the time of the original survey. It is unclear whether the trees located at the end of the Barn are to be retained. Wildlife issues are restricted to great crested newts and nesting birds, gcn mitigation being dealt with as

part of the wider development site.

GMEU accept that the development is exempt from mandatory 10% BNG based on the self-build rule.

With regards mitigation and enhancement for this plot, GMEU recommend replacement native tree planting if existing trees are to be removed and the provision of a house sparrow terrace on the new build.

Carbon and Energy

JP-S2 - Carbon & Energy sets out the steps required to achieve net zero carbon emissions.

The submitted planning statement confirms compliance with Part L of the Building Regulations.

Digital Connectivity

Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas.

The submitted planning statement confirms that this policy will be fully embraced, with all ducting installed, along with pull chords, such that no builders work will be required to enable connection.

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.

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 JK9-00, JK9-02, JK9-03, JK9-04, JK9-05 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 Development Plan listed.
- 3 The business floorspace of the live/work unit shall not be used for any other purpose other than for purposes within Class E(g) in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).
Reason. To safeguard the amenities of the occupiers of nearby residential accommodation pursuant to the following Policies of Development Plan:
JP-J2 - Employment Sites and Premises
Policy EC6/1 - Assessing New Business, Industrial and Commercial Development

- 4 The building shall be occupied and operated only for the dual purposes of business floorspace with ancillary residential floorspace. The residential floorspace shall not be occupied unless the business floorspace is used for business purposes. The residential floorspace shall be occupied only by the person(s) who operate(s) the business and by members of his, her or their household and the business floorspace shall be operated to the extent that at least one occupant of the residential floorspace shall derive the equivalent of a full time employment from that operation. The only exception to this is where the building is occupied by a person who has retired from employment (or whose business has failed and is unemployed) following demonstrable use of the business floorspace for five years (during which time that person(s) shall have derived the equivalent of full time employment from that operation) or a widow or widower or other dependant of such a person who was residing with him or her when he or she died.

Reason. To retain the unit in employment use and due to its position, residential development would not normally be granted consent pursuant to Policies of the Unitary Development Plan listed below:

Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas

- 5 No internal alterations which would lead to a reduction in the area of the building allocated on approved plans as being used for employment purposes shall take place without the prior consent of the Local Planning Authority. In addition no internal openings into the approved business space shall be made or closed up without the prior consent of the Local Planning Authority.

Reason. To ensure the employment use is maintained at the building pursuant to Policy EC2/2 - Employment land and Premises Outside the Employment Generating Areas of the Bury Unitary Development Plan.

- 6 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 (Remediation and Enabling Works Strategy, REC, Reference: 44349p2r0, January 2014 and gas protection measures gk-let-19 9 February 2015), 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).

- 7 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).

- 8 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).

- 9 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).

- 10 The development hereby approved shall be carried out in accordance with the drainage scheme approved as part of condition 13 of permission 57530.

Reason. To reduce the risk of flooding by ensuring the satisfactory storage/disposal of surface water pursuant to Policy JP-S4- Flood Risk and the Water Environment and Policy EN7/5 - Waste Water management of the Development Plan and the National Planning Policy Framework.

- 11 The external finishing materials shall be those materials approved as part of condition 10 of permission 57530 and non material amendment application 67694.

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.

- 12 No works shall be carried out to the trees that would disturb nesting birds between 1st March and 31st August inclusive in any year .

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 and EN6/3 – Features of Ecological Value of the Development Plan and the National Planning Policy Framework.

- 13 The proposed development shall be carried out in full accordance with the Ecology Report, dated April 2019, containing a Great Crested Newt Method Statement and the provision of a new pond as shown on plan reference GK-03.1P.
Reason. To protect a protected species and its habitat within and adjacent to the development site pursuant to Policy EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan.
- 14 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the residential live/work unit hereby approved being occupied 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.
- 15 The development hereby approved shall only be carried out in accordance with the details approved as part of condition 14 of permission 57530.
Reason. To ensure compliance with the requirements of the Greater Manchester Fire & Rescue Service, in the interests of highway safety, pursuant to the following Policies of the Bury Unitary Development Plan:
Policy H1/2 - Further Housing Development
Policy H2/2 - The Layout of New Residential Development
Policy EC6/1 - Assessing New Business, Industrial and Commercial Development.
- 16 The boundary treatment shall be as stated on approved plan JK9-02.
Reason - To secure the satisfactory development of the site and in the interests of the visual amenities of the area pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 17 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order 2008, or as subsequently amended, no development shall be carried out within the terms of Classes A to H of Part 1 of Schedule 2 of the Order and Class A of Part 2 of Schedule 2 of the Order, without the prior written consent of the Local Planning Authority.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed below.
- 18 The residential unit (Plot 9) 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 development would on the basis of the details applied for would meet the criteria for an exemption under the Environment Act 2021.
- 19 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.

20 Prior to occupation the applicant shall provide:

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

*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).

21 Prior to occupation of the development hereby approved the applicant shall install a house sparrow terrace on the new build and replace any trees that are to be removed from the site with native trees.

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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 03/10/2025			