

NOTICE OF PLANNING PERMISSION

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

To:

Mr Joseph Lockley
KDB Services Ltd
28 Bridge Street
Bury
BL9 6HH

On Behalf Of:

Mr Ashley & Mrs Jennifer Kennell
Brick Barn Farm
Whipney Lane
Tottington
Bury
BL8 4HT

PART 1 - Particulars of Application

Application Number: 72283

Date of Registration: 11/09/2025

Proposal:

Erection of self-contained granny annex
ancillary to the existing dwelling

Location:

Brick Barn Farm, Whipney Lane, Tottington,
Bury, BL8 4HT

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 permission relates to the following plans and reports:

Drawing ref. Location Plan, received 14 November 2025;
Drawing ref. Existing Site Plan, received 14 November 2025;
Drawing no. 001 Rev. A: Existing Stable Block Layout & Elevations;
Drawing ref. Proposed Site Plan, received 14 November 2025;
Drawing no. 002 Rev. C: Proposed Annex Layouts and Elevations; and,
Supporting Statement: KDB Services, Places For Everyone (PfE) Statements

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings and reports.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 [approved plans] of this permission, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type, species, siting, planting distances and the programme of planting of native trees, replaced on a 2 for 1 basis, hedges and shrubs and details and locations of 2 x bat boxes and 2 x bird boxes. The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason. To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of EN1/2 - Townscape and Built Design, OL5/2: Development in River Valleys and EN8/2: Woodland and Tree Planting of the Bury Unitary Development Plan and Policy JP-C1: Landscape Character of the Greater Manchester Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 Prior to occupation of the annexe hereby approved, the stables building, shown within the approved plans (Condition 2) shall be fully demolished and the site returned to field.

Reason. In the interests of safeguard the character of the landscape in which the site is set and in the interests of visual amenity, pursuant to Policy JP-C1: Landscape Character of the Greater Manchester Places for Everyone Joint Development Plan and Policies EN1/2: Townscape and Built Design and OL5/2: Development in River Valleys of the Bury Unitary Development Plan.

- 5 The development hereby approved shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as Brick Barn Farm.

Reason. To ensure the proposed use remains ancillary to the principle use on the site. The establishment of an additional separate unit of accommodation in this location would not accord with the locational requirements for new housing required by Policy JP-C1: 'An Integrated Network' of the Greater Manchester Places for Everyone Plan.

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.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

OL1/2 OL1/2 - New Buildings in the Green Belt

OL5/2	OL5/2 - Development in River Valleys
H2/3	H2/3 - Extensions and Alterations
EN1/2	EN1/2 - Townscape and Built Design
EN8/2	EN8/2 - Woodland and Tree Planting
HT5/1	HT5/1 - Access For Those with Special Needs
HT6	HT6 - Pedestrians and Cyclists
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-S2	Carbon and Energy
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guide

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

Applicant Plan Numbers:

NOTES TO APPLICANT

1. Commencement of Development Notice
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>

4. 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.

2. Public Right of Way

The applicant's attention is drawn to the existence of Public Right of Way No. 33: Tottington which abuts the site/ provides access to the site. No development should take place which affects the Right of Way in the absence of an appropriate closure or diversion order.

The applicant is made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered (without permission), gates erected across their width (unless authorised by Bury Council the Highway Authority), or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels and/ or surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made available.

3. Bat Protection

Whilst the site has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition of the stables, or in the trees to be removed, all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England and of Department of the Environment, Food and Rural Affairs, should be informed.

Signed:



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On behalf of the Council

Date of Decision: 25/11/2025