

NOTICE OF PLANNING PERMISSION

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

To:

Mr Colm McLoone
Walker Design
Office G22
Bolton Arena
Arena Approach
Horwich, Bolton
BL6 6LB

On Behalf Of:

Mr S Lamb
Broad Oak Farm House
Broad Oak Lane
Bury
BL9 7SS

PART 1 - Particulars of Application

Application Number: 73139

Date of Registration: 20/07/2026

Proposal:

Change of use from summerhouse to dwellinghouse, change of use of adjoining land, including demolition of existing storage containers and formalisation of parking arrangements.

Location:

Broad Oak Farm House, Broad Oak Lane, Bury, BL9 7SS

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:

Drawing no. P.001: Scheme Proposal - Site Location Plan;
Drawing no. P.002 Rev. A: Scheme Proposal - Site Block Plan;
Drawing no. P103: Scheme Proposal Proposed Site Plan - Expanded Plan; and,
Drawing no. P.101 Rev. B: Scheme Proposal - Proposed Site Plan, Building Layout and Elevations.

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

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Local Plan, the 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 3 months of development first taking place a satisfactory hard and soft landscaping scheme which shall include hard surfacing, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented during the first planting season following the completion of development and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

Reason. To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in order to comply with Policy EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan, Policies JP-G1: Landscape Character and LP-P2: Heritage of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 Notwithstanding any details shown on the approved plans and the requirements of condition no. 2 [approved plans] of this permission, within 3 months of development first taking place details of the siting, height, design, materials and finish of all boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The duly approved boundary treatments shall be constructed in full accordance with the approved details before the building hereby approved is first occupied and shall be retained as such thereafter.

Reason. In the interests of site security and to ensure a satisfactory relationship with the character of surrounding buildings, including listed buildings, and the character and appearance of the countryside in which the site is set, in accordance with the requirements of Policy EN1/5: Crime Prevention, OL1/4: Conversion and Re-use of Buildings in the Green Belt and EN2/3: Listed Buildings of the Bury Unitary Development Plan, Policies JP-G1: Landscape Character and LP-P2: Heritage of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 5 Within three months of development first taking place, a scheme for the provision of a minimum of two (2) bicycle parking spaces on the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the siting, size, design and materials to be used in the construction of any bicycle store. The bicycle parking spaces shall be provided and made available for use in accordance with the duly approved scheme before the building hereby approved is first occupied and shall be retained as such thereafter.

Reason. In order to protect the setting of listed buildings, in the interests of visual amenity, safeguarding landscape character and in order to promote modal shift and increased use of sustainable methods of travel in accordance with the requirements of objective 2, policies JP-G1: Landscape Character, LP-P2: Heritage and JP-S5: Clean Air of the Places for Everyone Joint Development Plan and SPD11: 'Parking Standards in Bury'.

- 6 Before the dwelling hereby approved is first occupied, a scheme for the design, construction (including surface treatment) and drainage of its associated parking area(s) shall be submitted to and approved in writing by the Local Planning Authority. The parking areas shall be constructed in accordance with the duly approved scheme before the dwelling is first occupied and retained as such thereafter for the parking of vehicles.

Reason. In order that there is adequate provision for vehicles to be parked clear of the highway, to ensure appropriate surface treatment of parking areas and that satisfactory provisions are made for the disposal of surface water in accordance with the requirements of Policies HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan, Policies JP-S4: Flood Risk and the Water Environment and JP:C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 7 Notwithstanding the provisions of Schedule 2, Part 1, Classes A - G of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason. To ensure that future inappropriate alterations or extensions do not occur that would adversely affect the setting of listed buildings, visual amenity, the amenity of neighbouring residents or the openness of the Green Belt, pursuant to policies EN1/2: Townscape and Built Design, H2/1: The Form of New Residential Development, H2/2: The Layout of New Residential Development, and EN2/3: Listed Buildings of the Bury Unitary Development Plan and policies JP-G1: Landscape Character and JP-P2: Heritage of the Places for Everyone Joint Development Plan and the National Planning Policy Framework.

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

OL1/4	OL1/4 - Conversion and Re-use of Buildings in the Green Belt
H2/4	H2/4 - Conversions
H2/6	H2/6 - Garden and Backland Development
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
EN6/3	EN6/3 - Features of Ecological Value
EN8	EN8 - Woodland and Trees
HT2/4	HT2/4 - Car Parking and New Development
EN1/2	EN1/2 - Townscape and Built Design
GMMW	GMMWP - Greater Manchester Minerals and Waste Plan
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JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt

JP-P2	Heritage
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
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:

Drawing no. P.001: Scheme Proposal - Site Location Plan;
Drawing no. P.002 Rev. A: Scheme Proposal - Site Block Plan;
Drawing no. P103: Scheme Proposal Proposed Site Plan - Expanded Plan; and,
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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>

2. 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.

3. Public Right of Way - Bridleway

The applicant's attention is drawn to the existence of Public Right of Way, Bridleway, No. 57BUR running along the access and boundary of the site.

Existing Public Rights of Way adjoining the site should remain unobstructed and available for use unless and until an application (whether temporary or permanent) under Sections 247 or 257 of the Town and Country Planning Act (or any other relevant legislation) is approved to allow the diversion or stopping up of any of these routes. Approval of any such application should be confirmed prior to the carrying out of any operations that would obstruct the use of the relevant Public Rights of Way.

5. 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 the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

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

For the purposes of determining whether to approve a Biodiversity Gain Plan, the planning authority in respect of this permission is 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 listed 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: (i) the application for planning permission was made before 2 April 2024; (ii) planning permission is granted which has effect before 2 April 2024; or (iii) 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: (i) 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 (ii) 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).

4.3 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.

4.4 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).

4.5 Self and Custom Build Development, meaning development which: (i) consists of no more than 9 dwellings; (ii) is carried out on a site which has an area no larger than 0.5 hectares; and (iii) 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).

4.6 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 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.

6. Waste Management - Refuse Collection

The Council currently operate a curtilage system of refuse collection. The applicant is advised to liaise with Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system.

4. Protected Species Informative

Whilst the development has been assessed as low risk for protected species (including bats, great crested newts and nesting birds), the applicant is reminded that these species benefit from legal protection under the Habitat Regulations and the Wildlife and Countryside Act 1981 (as amended) and that it is an offence to disturb, harm or kill any protected species that may be encountered while carrying out the development. If any protected species are found during the development all work should cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the protected species in question. Natural England should also be informed as a protected species license may be required.

Signed:

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

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On behalf of the Council

Date of Decision: 06/10/2026