

NOTICE OF PLANNING PERMISSION

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

To:

Mr Bryan Youlden
Macmarshalls
112A-116 Hamill House
Chorley New Road
Bolton
BL1 4DH

On Behalf Of:

Paul Brown
Bury Independent Financial Advisors
Sunnybank
Arthur Lane
Ainsworth
Bolton
BL2 5PN

PART 1 - Particulars of Application

Application Number: 68988

Date of Registration: 03/11/2022

Proposal:

Change of use and conversion of existing stable building with single storey rear extension to form an office/home gym.

Location:

Land adjacent to Sunnybank, Arthur Lane, Ainsworth, Bury, BL2 5PN

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 2136-S01, S02, P01(Rev), P02, P04(Rev) and P05 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 listed.
- 3 The use of the outbuilding as a home office shall be carried on only by the householders/occupiers of the adjacent property known as Sunnybank, Arthur Lane.
Reason. In order to maintain the residential character of the locality in the interests of visual amenity pursuant to UDP Policy EN1/1 Visual Amenity and H2/3 Extensions and Alterations.
- 4 The external finishing materials for the proposal hereby approved shall match those of the existing building.
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.

- 5 A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include details of native species specific enhancement in line with the Appendices and section 8.0 of the ecological report submitted with the application. The approved scheme shall thereafter be implemented not later than 6 months from the date the building is first occupied or within the first available tree planting season, and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies EN1/1 Visual Amenity, EN1/3 Landscape Provision, EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 6 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 7 Prior to occupation details of all external lighting shall be submitted to the Local Planning Authority for approval. Any external lighting shall be in line with the Institute of Lighting Professionals guidance (01/21 obtrusive lighting and 08/18 wildlife sensitive lighting). Only the approved scheme shall be implemented.
Reason. In the interests of ecological protection pursuant to the NPPF and UDP Policies EN6/3 Features of Ecological Value and EN7 Pollution Control.
- 8 The recommendations of the Preliminary Ecological Appraisal (Sept 2022) section 9.3 with regard to protected species and site clearance shall be implemented in full.
Reason. In the interests of ecological protection, pursuant to the NPPF and UDP Policies EN6/3 Features of Ecological Value.
- 9 Where during any works on site, unforeseen contamination is suspected or found, or contamination is caused, works on the site shall cease and the Local Planning Authority shall be notified immediately. The developer shall then produce a risk assessment and submit remediation proposals, if required, for approval to the Local Planning Authority. On approval of the remediation strategy, the development shall then be carried out in accordance with the approved details and process including any required timescales.
Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 10 Prior to first occupation, the proposed parking and turning area indicated on the approved plan shall be completed and thereafter retained and made available at all times for the approved purposes.
Reason. In the interests of highway safety pursuant to UDP Policy HT2/4 Car Parking and New Development.
- 11 No development shall take place until details of landscaping have been submitted to and approved in writing by the local planning authority. The details shall include replacement hedging and additional planting along boundaries and planting

schedule. The landscaping shall be carried out in accordance with the approved details.

Reason. In the interest of visual amenity and ecology pursuant to UDP Policies EN1/1 Visual Amenity and EN1/3 Landscaping Provision.

- 12 Prior to first occupation visibility splays shall be provided as shown on the approved plan. The visibility splays shall be maintained thereafter free of obstruction above a height of 0.6 metres above ground level.

Reason. In the interest of highway safety pursuant to UDP Policy H2/4 Conversions.

- 13 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:
- Hours of operation and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
 - Parking on site of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials;
 - Measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials.

Reason. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent road, 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 Policies and HT6/2 Pedestrian/Vehicular Conflict.

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:

OL7/2	OL7/2 - West Pennine Moors
EN9/1	EN9/1 - Special Landscape Areas
EN1/1	EN1/1 - Visual Amenity
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
NPPF	National Planning Policy Framework
HT2/4	HT2/4 - Car Parking and New Development
H2/3	H2/3 - Extensions and Alterations
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

EN6/3 EN6/3 - Features of Ecological Value
EN7 EN7 - Pollution Control
EN1/3 EN1/3 - Landscaping Provision
H2/4 H2/4 - Conversions

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:

Drawings numbered 2136-S01, S02, P01(Rev), P02, P04(Rev) and P05.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'J. H. H.', is written over a horizontal dotted line.

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On behalf of the Council

Date of Decision: 20/04/2023