

NOTICE OF PLANNING PERMISSION

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

To:

William Holt
John Holt Architects Ltd
3 Manchester Road
Bury
BL9 0DR

On Behalf Of:

Mr Adrian Short
The Knoll
21 Bolton Road
Tottington
Bury
BL8 4HZ

PART 1 - Particulars of Application

Application Number: 70584

Date of Registration: 21/05/2024

Proposal:

Widening of existing driveway and formation of 5 no. car parking spaces; erection of 2 no. sliding access gates and 1.3 metres high fencing

Location:

Land fronting 21/23 Bolton Road, Tottington, Bury, BL8 4HZ

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 23/639.01 and 07B, 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 listed.
- 3 The access and boundary wall/fencing alterations indicated on approved plan, incorporating modifications at the interface with Bolton Road, sliding vehicle gates set back as shown clear of the limits of the adjacent adopted highway, foundations that do not encroach under the adjacent adopted highway and all associated highway remedial works that may be required as a result of the proposed development, shall be implemented to the satisfaction of the Local Planning Authority before the widened driveway and parking spaces hereby approved are brought into use.
Reason. In the interests of highway safety and to maintain the integrity of the adopted highway pursuant to UDP Policy H2/3 and guidance document SDP6

Alterations and Extension.

- 4 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.
Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to UDP Policy H2/3 and guidance document SDP6 Alterations and Extension.
- 5 No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a nesting bird survey method statement by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.
Reason. In order to protect nesting birds in the interests of ecology and pursuant to the NPPF, PfE and UDP Policy EN6 Conservation of the Natural Environment.
- 6 Prior to the first use of the proposal, a scheme for the planting of one native tree and the provision of a bird box within the site shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented not later than 6 months from the first use or within the first available tree planting season; and should the tree be removed, die or become severely damaged/diseased within three years of planting, it shall be replaced with a tree of similar size/species.
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.
- 7 All trees to be retained on site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 Townscape and Built Design and EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.

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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|------|---|
| H2/3 | H2/3 - Extensions and Alterations |
| SPD6 | Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties. |

EN1/2 EN1/2 - Townscape and Built Design
EN1/1 EN1/1 - Visual Amenity
OL1/2 OL1/2 - New Buildings in the Green Belt
HT6/2 HT6/2 - Pedestrian/Vehicular Conflict
PFE Places for Everyone
EN6 EN6 - Conservation of the Natural Environment
EN8/2 EN8/2 - Woodland and Tree Planting

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 23/639.01 and 07B

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. Whilst the tree to be removed is a low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease on the tree immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

Signed:



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On behalf of the Council

Date of Decision: 20/06/2024