

# NOTICE OF PLANNING PERMISSION

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

**To:**

Mr Jim Eccles  
JPE Consultancy Limited  
9 Woodend Drive  
Stalybridge  
SK15 2SF

**On Behalf Of:**

Mr Dudley  
c/o Agent  
SK15 2SF

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### PART 1 - Particulars of Application

**Application Number:** 69945

**Date of Registration:** 27/07/2023

**Proposal:**

Variation of condition 2 (approved plans) on 53450: to refer to replacement proposed site plan showing amended siting of detached garage (Drawing ref: 23/1301/201)

**Location:**

Barrack Fold Farm, Knowsley Road,  
Radcliffe, Bolton, BL2 5PS

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### 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 1381/200A, 381/201B, 1381/202, 1381/203, 1381/204 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 policies of the Bury Unitary Development Plan listed below.
- 3 Sample panels of stonework and mortar, demonstrating the colour, texture, face bond and pointing for the stonework repair/rebuild, replacement and re-pointing, not less than 1 sq.m in size, shall be erected on site for inspection, and approval in writing, by the Local Planning Authority prior to the commencement of the development.  
Notwithstanding the submitted plans, samples of the roofing materials (stone flags) shall also be made available for inspection on site. Thereafter the development shall be constructed in the approved materials and manner of construction.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury and Policy EN2/3 -

Listed Buildings Unitary Development Plan.

- 4 The internal fireplace in the eastern elevation, which are removed in accordance with this consent, together with as much as practicable of the original external materials shall be incorporated in the new fireplace. Full details of the design of the proposed fireplace shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. The approved details shall be implemented in full.  
Reason. In order to preserve the interior of the building of special architectural or historic interest pursuant to Policy EN2/3 - Listed Buildings of the Bury Unitary Development Plan and as provided for by Section 17 (1) (c) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5 No development shall commence unless or until full details of the window frames and doors and their fixing and siting in relation to the reveals at a scale of 1:20, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented as part of the development hereby approved.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to the following policies of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy EN2/3 - Listed Buildings
- 6 No works shall be carried out on the site until a detailed scheme for the treatment, repair, replacement and upgrading of the cruck frames and roof structure, including the padstone details has been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with those details.  
Reason. In order to preserve features of special architectural or historical interest and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7 No development shall commence unless or until full details of the method to support the retained beams as shown in pictures 1A, and 1B - 6B of the historical/condition analysis and design justification, during the construction works has been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with those details.  
Reason. In order to preserve features of special architectural or historical interest and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8 No development shall commence unless or until a method statement for the breaking through of walls to form doorways has been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in complete accordance with those details.  
Reason. In order to preserve features of special architectural or historical interest and as provided for under Section 17(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9 The garage hereby approved shall not be converted to additional living accommodation without the written approval of the Local Planning Authority.  
Reason. To ensure adequate car parking provision is retained pursuant to Policy H2/3 -Extensions and Alterations of the Bury Unitary Development Plan and Associated DC Guidance Note 6- Extensions and Alterations.
- 10 No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the

actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;

- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

- 11 Following the provisions of Condition 10 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

- 12 Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. 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 and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and;  
The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

- 13 All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to Planning Policy Statement 23 - Planning and Pollution Control.

**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:**

|       |                                                                                                         |
|-------|---------------------------------------------------------------------------------------------------------|
| EN1/1 | EN1/1 - Visual Amenity                                                                                  |
| EN1/2 | EN1/2 - Townscape and Built Design                                                                      |
| EN2/3 | EN2/3 - Listed Buildings                                                                                |
| EN3/1 | EN3/1 - Impact of Development on Archaeological Sites                                                   |
| EN3/2 | EN3/2 - Development Affecting Archaeological Sites                                                      |
| EN6/3 | EN6/3 - Features of Ecological Value                                                                    |
| EN7   | EN7 - Pollution Control                                                                                 |
| EN9/1 | EN9/1 - Special Landscape Areas                                                                         |
| OL1/2 | OL1/2 - New Buildings in the Green Belt                                                                 |
| OL7/2 | OL7/2 - West Pennine Moors                                                                              |
| RT3/3 | RT3/3 - Access to the Countryside                                                                       |
| RT3/4 | RT3/4 - Recreational Routes                                                                             |
| HT2/4 | HT2/4 - Car Parking and New Development                                                                 |
| 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 |
| SPD11 | Development Control Policy Guidance Note 11 - Parking Standards in Bury                                 |
| NPPF  | National Planning Policy Framework                                                                      |

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:**

23/1301/201

**NOTES TO APPLICANT**

2. The applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered, 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/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.
1. The applicant's attention is drawn to the existence of Public Rights of Way No.'s 32, 33, 34 & 35 Christ Church, Radcliffe across the site. No development should take place which affect the Rights of Way in the absence of an appropriate closure or diversion order.

Signed:

A handwritten signature in black ink, appearing to read "P. H. H.", is positioned in the upper left area of the page.

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On behalf of the Council

**Date of Decision:** 19/10/2023