

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 09/07/2025	Ref: 71688/FUL
Registration: 17/03/2025	LDfC: 17/04/2025	Expiry Date: 12/05/2025
Site Visit: 03/04/2025	Site Notice: 03/04/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Replacement dwelling with associated landscaping, servicing and incidental residential use of existing outbuildings

Location: Ferns Farm, Turton Road, Tottington, Bury, BL8 3QH

Description

The application relates to a farmstead site which is located in the Green Belt, Landscape Character Area, River Valley, Wildlife Corridor and West Pennine Moors. The site comprises the subject of this application, Ferns Farm which is the main dwellinghouse, two outbuildings, stables and menage.

The site is accessed via a tarmac lane which leads off Turton Road and the dwelling and associated outbuildings and equine facilities are located at a lower level to the main road.

The nearest properties are Fern Cottage which are located to the east but are accessed from the same lane as the site. The remaining surrounding area comprises open land and fields.

Fern Farm is a 2 storey part stone part rendered built farmhouse which has been added to in an ad hoc manner over time and includes extensions comprising a flat roof dormer and single storey extension.

This application seeks demolition of the farmhouse and a replacement 5no. bed dwelling with associated landscaping, servicing and incidental residential use of the existing outbuildings.

The majority of the proposed dwelling would sit on the footprint of the existing house within similar building lines to the side and minor changes to the ground area arrangement. The front of the dwelling would face southwards towards the driveway access with the rear of the dwelling overlooking the fields and hills. The dwelling would be 2 storey with a single storey rear extension and would have a total ridge height of 8.6m, which would be approximately 1.35m higher than the existing.

The applicant has provided a breakdown of the existing and proposed area and volume as follows -

Existing

Gross internal area (GIA) 444 sqm
Footprint 295 sqm
Volume 1395 cubic m

Proposed

Gross internal area (GIA) - 425 sqm
Footprint 285 sqm

Volume 1727 cubic m

% increase and decrease

GIA -4%

Footprint -3%

Volume + 24%

The proposed dwelling would have a traditional stone built farmhouse appearance with a slate tiled roof narrower and small pitched roof porch at the front.

The rear elevation would have a more modern appearance with larger glazed patio door openings from the rear elevation and Juliette balcony from the master bedroom.

Accommodation would comprise a kitchen/family room, living spaces and games room with 5 no bedrooms and bathrooms at the first floor.

Access would continue to be provided along the lane from Turton Road with improvements to the access to aid visibility from the site.

Parking would be located to the western side of the new house, next to an outbuilding.

The existing stables would be retained for use and the two outbuildings would be used in association with the dwelling.

Relevant Planning History

01912/E - Concrete hardstanding and erection of 60 x 21ft steel shed, erection of single 12 x 12 ft timber stable, plus concrete hardstanding and erection of no 3 10 x 12ft timber stables - Enquiry completed 23/12/2016

02839/E - Demolition of stables and erection of 1 no. dwelling - Withdrawn by Applicant 20/07/2023

03008/E - Proposed Replacement Dwelling & detached garage - Enquiry completed 18/12/2024

69172 - Demolition of stables and erection of 1 no. dwelling - Refused 06/03/2023

Publicity

Letters sent to 3 properties on 26/3/25.

Site notice posted 3/4/25.

No response received as a result of the publicity.

Statutory/Non-Statutory Consultations

Traffic Section - No objection

Waste Management - No response received.

Environmental Health - Contaminated Land - No objection subject to conditions

Greater Manchester Ecology Unit - No objection following submission of nocturnal bat surveys.

The Coal Authority - No objection.

Borough Engineer - Drainage Section - No response received.

United Utilities (Water and waste) -

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions

Development Plan and Policies

NPPF National Planning Policy Framework

EN1/2 Townscape and Built Design

EN6/3 Features of Ecological Value

EN6/4 Wildlife Links and Corridors

OL1/2 New Buildings in the Green Belt

OL5/2 Development in River Valleys

OL7/2 West Pennine Moors

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
MW1/1	Areas of Search
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights

posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Principle

The application site falls within the Green Belt as designated by PfE policy JP-G9.

Paragraph 154 d) allows for the replacement of a building, provided the building is in the same use and not materially larger than the one it replaces.

The development would be a replacement dwelling with a smaller footprint and ground floor area than the existing but with an increase in volume of 24%. This would be primarily due to the proposed increase in height by circa 1.35m comparative to the existing which the applicant states is needed to meet modern construction standards for room heights.

The proposed dwelling would be 0.6m lower than the adjacent cottages, nos 1 and 2 Ferns Cottages and the majority of public views of the new dwelling would be from Turton Road which is at a higher level and 60m or so away.

Given the proposed dwelling would be sited on the footprint of the existing dwelling, set at a lower level within the site to Turton Road, the distance away from public areas and the lower in height comparable to the neighbouring houses, the proposed increase in height comparative to the existing property is considered not to be significant nor would it be perceptible within the area and the development is therefore considered not to be materially larger than the house it would replace.

the applicant has also set out circumstances which would outweigh harm caused to the openness of the Green Belt, summarised as follows -

- The proposed development would not materially affect the five purposes of the Green belt
- The development would not be materially wider or deeper and would sit within an established residential curtilage on a similar footprint to the existing dwelling and would not encroach the Green Belt.
- The proposed ridge would be higher than the existing to accommodate modern construction standards but would remain lower than the adjacent cottages. the dwelling would sit below the level of Turton road and not impact on views across the valley to peel tower from Turton Road. the proposal would continue to be read as a group of buildings within the backdrop of the hillside when viewed from the lower valley slopes.
- The proposed traditional construction materials would reduce visual prominence within the landscape.

Given the above, it is considered the proposed development would be acceptable and compliant with para 154 d) of the NPPF.

Layout, scale and design

Type, size and design of new housing

Policy JP-H3 requires all new dwellings to:

1. comply with the nationally described space standards (NDSS) and
2. be built to the 'accessible and adaptable standard in Part M4(2) of Building Regulations

unless specific site conditions make this impracticable.

The proposed development would comply with the requirements of the NDSS and the applicant states that the proposed dwelling would be capable of meeting the criteria detailed in part M4(2) of Building regulations which would be secured by condition.

The proposed dwelling would be sited on the footprint of the existing house, in a slightly different form but not significantly to affect the access to the site which would continue from Turton Road.

Parking would be located to the western side of the new dwelling and there is ample room to turn and manoeuvre within the site area.

The front of the houses would be orientated southwards with a porched entrance which would lead to living accommodation at the ground floor and bedrooms at the first floor level. Garden and amenity space would comprise an area to the front of the dwelling and more private space at the rear.

The site also houses two outbuildings and stables which are located to the west of the dwelling. The applicant seeks to utilise the outbuildings for ancillary residential purposes and retain the stables for domestic purposes. Given the intensification of the site would not change from the existing arrangements, the proposals are considered acceptable.

In terms of scale, the proposed development would be 1.3m higher than the existing but lower than the cottages which lie adjacent to the site. The dwelling would sit at a lower level to Turton road and seen against the backdrop of existing buildings which viewed from the valley to the north. The footprint and floor area however would be slightly smaller. As such, it is considered the scale and massing of development would be an acceptable replacement building.

The design approach is one of a traditional farmhouse style, stone built with slate tiles and slimline randomly positioned windows to portray a cottage type appearance. A small pitched roof porch would frame the main entrance. At the rear, the dwelling would have a more modern flavour with large glazed patio openings to the ground floor rear projection and 1st floor Juliette balcony, but given the setting within the hillside and that views would be long-ranging these features are considered not to have a detrimental impact on the character of the area or countryside setting, and would be similar to the design of other farmhouse type dwellings in countryside localities.

The proposed development would not be significantly or fundamentally different from the scale, massing and setting of the existing dwelling and the design and appearance are considered to be appropriate to the character of the Green Belt and Special landscape setting.

It is therefore considered the layout of the proposed development would be acceptable and comply with Policies H2/1, H2/2, EN1/2, JP-H3 and JP-H4.

Impact on residential amenity

The nearest properties are Nos 1 and 2 Ferns Cottage located approximately 13m to the south east of the site and existing dwelling. The proposal would sit on the footprint of the existing and there are no windows proposed in the side elevation which would overlook the neighbours. Given the separation and position of the proposed dwelling, the increase in height of 1.3m would be barely perceptible from these houses.

There would be no fundamental changes to the layout of the parking access or amenity areas comparable to the existing.

As such, it is considered there would not be a detrimental impact on adjacent occupiers and the development would comply with Policies H2/1 and H2/2.

Highways

The existing access from Turton Road would be utilised, and part of the hedge at the entrance removed to aid visibility which is currently sub-standard and which would be a betterment for the application site and Fern cottages.

the access lane to the site would lead to parking which would be located next to the brick outbuilding at the side.

A Construction Traffic Management Plan would ensure the development was carried out with regard to highway safety.

It is therefore considered that the proposed development would be acceptable and comply with policies H2/2, HT2/4 and JP-C8.

Ecology

An Inspection & Assessment in relation to Bats & Breeding Birds (Tyrer Ecological Consultants, 2024) found the main dwelling to have moderate bat roosting potential, and as such two surveys between May and August (inclusive) were recommended. Given the assessment was undertaken in November 2024, GMEU assume these surveys are yet to be completed.

All species of bat and their roosts are protected under UK and European legislation and are a material consideration when determining planning applications. If the development is likely to disturb a potential bat roost then a bat survey should be carried out before the application is determined. As per Paragraph 98 and 99 of the ODPM Circular 06/2005, the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. As such, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development is established before the planning permission is granted. Ecological surveys should therefore only be left to coverage under planning conditions in exceptional circumstances.

Two further emergence surveys to be carried out between May and August (inclusive) are therefore required prior to determination.

The applicant has commissioned nocturnal bat surveys to be undertaken and the results found no bats were observed roosting within the building. No further surveys or a Natural England mitigation licence are required. However, as bats are highly mobile creatures, we would advise that the following informative be attached to any permission, should it be granted:

Whilst the works have been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

As per the Inspection & Assessment in relation to Bats & Breeding Birds, any new external lighting must be designed in line with best practice guidelines to ensure that the surrounding treelines remain un-lit and impacts on foraging, commuting, and potentially roosting bats will be avoided. this would also be included as an informative.

Nesting birds

Work that will impact on habitats where nesting birds may be present (for example external works to the building or the removal of vegetation), should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken. this would be conditioned.

Protected species

Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative would be included so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected species.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021) unless a development would fall within one of the exemptions, which includes a self-build.

The applicant has confirmed the development would be a self-build and as such would be exempt from BNG. This would be a condition of the application.

Planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application, these could include those proposed within the Biodiversity Enhancement Plan

It is therefore considered the applicant has made suitable and appropriate steps to incorporate ecological mitigations and enhancement proposals into the proposed development and as such would comply with Policies EN6/3 and JP-G8.

Coal Authority

Part of the application site falls within the defined Development High Risk Area (DHRA). The northern part of the subject site falls within the DHRA due to the presence close to the site boundary of an outcropping coal seam, which may have been worked in the past. Such workings can pose a risk to ground stability and public safety.

In this particular case the replacement dwelling would be located entirely outside the DHRA, i.e. in the Development Low Risk Area. As such, and on the assumption that no significant groundworks are proposed elsewhere on site, the Coal Authority's Planning & Development Team does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and do not object to this planning application.

However, they do recommend that an Informative Note is included on any planning permission granted that if any future development has the potential to encounter coal seams or a coal mining feature is encountered on site the applicant should contact the Coal authority.

Digital connectivity

The applicant states that the proposed dwelling would have full fibre connection built into the premises, unless technically infeasible and/or unviable, and will incorporate multiple-ducting, compliant with telecoms standards, to facilitate future-proof gigabit-capable network connections.

The internet connections will be operational and immediately accessible to network providers when occupiers move into the property.

The proposed development would ensure high speed digital connectivity to the infrastructure, and as such considered in accordance with Places for Everyone Policy JP-C2.

Carbon and energy

The applicant states that the proposals seek to make a sustainable use of the site and the building will utilise sensitive and appropriate materials to reduce the servicing and energy requirements and carbon emissions.

The dwelling would be designed to utilise solar gain, natural ventilation, and good daylighting. These passive technologies would reduce the need for artificial ventilation, heating, and lighting, thereby reducing the energy usage.

The principle of a fabric first approach will be taken, with substantially improved u-values proposed for the external fabric of the building.

An EV chargepoint would be provided at the property.

As such it is considered the proposed development would comply with policy JP-S2.

Air quality

The site is not located within an Air Quality Management Area. Due to the scale of the development, it is considered very unlikely that the development would create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

The proposed development would have off-street parking. Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. To support the principles of the Greater Manchester Clean Air Plan in reducing levels of nitrogen dioxide and in order to manage current and future levels of air pollution Bury Council is encouraging the use of cleaner vehicles. As such and in line the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), this Section recommends a condition to be placed on any grant of permission to provide an EV chargepoint.

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.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 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 -

Location plan 24103_P01B
Revised proposed site plan 24103_15G
Proposed ground floor plan 24103_P16E
Proposed first floor plan 24103_17E
Proposed front (south) elevation 24103_P19E
Proposed side elevation 24103_P20D
Proposed rear elevation 24103_21D
Proposed west side elevation 24103_P22D
Existing and proposed site context section 24103_P25B
Existing and proposed site context section 24103_P26A

Dusk survey results May 2025 ref PR-0317-24

Preliminary risk assessments parts 1,2,3&4

Carbon and energy statement and Digital connectivity statement July 2025 ref 24103 rev A

Biodiversity Enhancement Plan March 2025 ref PR-25-0058

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 and Places for Everyone Joint Development Plan listed.

- 3 No development shall commence unless and until the visibility improvements indicated on approved plan reference 24103_P15G have been implemented and maintained thereafter.

Reason. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to Policies H2/2, JP-C5 and JP-C8.

- 4 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

1. Photographic dilapidation survey of the footways and carriageways leading to and abutting the site in the event that subsequent remedial works are required following construction of the development, replacement/removal of all boundary features/hedges and as a result of any statutory undertakers connections to the site that may be required.

2. Access route for all construction vehicles to the site from the Key Route Network.

3. Access point/arrangements for construction traffic from and all temporary works that may be required to facilitate access for construction vehicles and retain access for existing residents.

4. If proposed, details of site hoarding/gate positions.

5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Turton Road.

6. Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated at the junction onto/on the private shared access from Turton Road and enter and leave the site in a forward gear, and number of vehicle movements.

7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres.

8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials.

9. Measures to ensure that all mud and other loose materials are not spread onto the adjacent highways as a result of the groundworks operations or 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 construction period.

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and private shared access, ensure adequate off-street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, all in the interests of highway safety pursuant to Policies EN1/2 - Townscape and Built Design and JP-C8.

- 5 The turning facilities indicated on approved plan reference 24103_P15G shall be provided before the dwelling is first occupied and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times
Reason. To minimise the standing and turning movements of vehicles on the highway/new access road, in the interests of road safety pursuant to Policies EN2/2 and JP-C8.
- 6 The car parking facilities indicated on approved plan reference 24103_P15G shall be surfaced and made available for use/implemented prior to first occupation of the dwelling hereby approved and thereafter maintained at all times
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
- 7 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);
- II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 8 Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

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 the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 9 The refuse storage and access arrangements to be provided within the curtilage of the site for the new dwelling shall be made available for use prior to first occupation of the dwelling hereby approved and thereafter maintained at all times.

Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to Policies EN2/2 and JP-C8.

10 Prior to occupation the applicant shall provide:

- 1 no. electric vehicle (EV) charging point (minimum 7kW*)

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted to Local Planning Authority for approval prior to the development being brought into use. The infrastructure shall be maintained and operational in perpetuity.

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

Reason. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

11 The residential unit ('unit') in the development hereby permitted shall be constructed as a self-build dwelling within the definition of self-build and custom build housing in the 2015 Act:

- (i) The first occupation of the unit in the development hereby permitted shall be by a person or persons who had a primary input into the design and layout of the unit and who intends to live in the unit for at least 3 years;
- (ii) The Council shall be notified of the persons who intend to take up first occupation of the unit in the development hereby permitted at least two months prior to first occupation.

Reason. The scheme as submitted and subsequently determined, is specifically based upon the scheme being a Small Scale Self-Build and Custom Housebuilding scheme, which benefits from The Biodiversity Gain Requirements (Exemptions) Regulations 2024 to otherwise provide for Biodiversity Net Gain.

12 The development hereby approved shall be carried out in accordance with the enhancement measures plan (Figure 1 24103 P15B) and measures detailed in the Biodiversity Enhancement Plan by Tyrer Ecological Consultants Ltd dated March 2025 ref PR-25-0058. The measures shall be implemented prior to first occupation of the development hereby approved and thereafter maintained.

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, JP-G8 and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

13 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 EN6/3 - Features of Ecological Value, JP-G8 A Net Enhancement of Biodiversity and Geodiversity and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

14 Prior to any above ground works, details/samples of the materials to be used in the

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external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/2 - Townscape and Built Design

- 15 The dwelling hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.

Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	9/7/25		