

NOTICE OF PLANNING PERMISSION

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

To:

Mr Phil Bygrave
Witby Investments Ltd
25-29 Sandy Way
Yeadon
Leeds
LS19 7EW

On Behalf Of:

Across Property Ltd
C/o Agent

PART 1 - Particulars of Application

Application Number: 70557

Date of Registration: 28/02/2024

Proposal:

Change of use of existing 6 bedroom House in Multiple Occupation (HMO) (Class C4) to 10 bedroom (single occupancy) House in Multiple Occupation (HMO) (Sui Generis) together with external works and hard landscaping to create car parking spaces

Location:

2 Ferngrove House, Rochdale Old Road, Bury, BL9 7LS

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
Site Location Plan and Proposed Site Plan (Dwg No. 2FH/200/PL P5)
Proposed Elevations (Dwg No. 2FH/204/PL)
Proposed Floor Layouts (Dwg No. 2FH/203/PL P2)
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 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.

- 4 The car and cycle parking and turning facilities indicated on approved plan reference 2FH/200/PL Revision P5 shall be surfaced, demarcated and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being brought into use 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.
- 5 The use of the building hereby approved shall not commence until a scheme for the provision of secure cycle parking has been implemented in accordance with details which shall have previously been submitted to and approved in writing by the local planning authority. The approved facility shall remain available for users of the development thereafter.
Reason. As full details have not been submitted and to secure satisfactory cycle facilities on site and in accordance with Places for Everyone Joint Development Plan Document Policy JP-C6 and Unitary Development Policies HT6/1 - Pedestrians and Cycle Movement.
- 6 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.
Before development of the car parking area commences a full Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority which shall include numbering and detailing trees, and where relevant, confirming root protection areas, routing of service trenches, overhead services and carriageway positions and any details of no dig techniques along with associated use of geotextiles and an indication of the methodology for necessary ground treatments to deal with compacted areas of soil. The works shall implemented in accordance with the approved details.
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 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:

- | | |
|-------|--|
| 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 |
| H2/4 | H2/4 - Conversions |
| HT2/4 | HT2/4 - Car Parking and New Development |
| HT6/2 | HT6/2 - Pedestrian/Vehicular Conflict |
| JP-C2 | Digital Connectivity |

JP-S2 Carbon and Energy
JP-C6 Walking and Cycling
SPD13 Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation
SPD11 Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD13 Development Control Policy Guidance Note 13 - Conversion of Buildings to Houses in Multiple Occupation
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:

Site Location Plan and Proposed Site Plan (Dwg No. 2FH/200/PL P5)
Proposed Elevations (Dwg No. 2FH/204/PL)
Proposed Floor Layouts (Dwg No. 2FH/203/PL P2)

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', is written over a dotted line.

3 of 3

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On behalf of the Council

Date of Decision: 02/05/2024