

DELEGATED REPORT

Report by Helen Pressley	Date of report: 08/02/2024	Ref: 69455/FUL
Registration: 24/10/2023	LDfC: 01/12/2023	Expiry Date: 19/12/2023
Site Visit: 10/11/2023	Site Notice: 10/11/2023	Press Date: 26/10/2023
Objections: 0	Con Area:	Adv Type: ARW
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Redevelopment of existing cottage/stables into 1 no. dwelling and 11 no. replacement stables with shared access and car parking; Conversion of existing barn to create 6 no. dwellings with new rear orangeries, gardens and parking provision

Location: Jackson Fold Farm, Pilsworth Road, Bury, BL9 8QZ

Description

The application relates to an existing farm on the north side of Pilsworth Road, opposite the quarry. Jackson Fold Farm comprises an assortment of buildings including a rendered stone farmhouse, stone barn used for stables, more modern agricultural buildings and associated agricultural/equestrian land. Situated around the site are various temporary structures, caravans and containers.

The surrounding land is open Green Belt and Pilsworth Quarry lies to the south. Junction 3 of the M66 and Park 66 is about 0.5km to the west. The site is accessed from Pilsworth Road.

Planning permission is sought for the conversion of the existing stone barn/stables into 6no. two storey dwellinghouses with single storey extensions and gardens located to the rear. Parking for the residents would either be to the south west of the building, close to the entrance and opposite the frontage, across the access road or to the south of the building. Each unit would be allocated two spaces.

Planning permission is also proposed for conversion of the existing stone/block and brick built stable to the north west to a single storey dwelling with new outleaf of brick and render. Two parking spaces for the dwelling would be located directly across the road with garden created to the rear of the dwelling.

11.no new stables and a feed store and waste store, in a horseshoe arrangement are also proposed to be located on the site of the existing agricultural sheds that are to be demolished. 6no. parking spaces and a turning area for the users of the stables would be situated to the east of the stable blocks.

The application is a resubmission of applications 58711 and 58924 combining the two previously approved schemes under one application. These permissions have lapsed.

Relevant Planning History

01576/E - Proposed residential conversion of a range of buildings at Jackson Fold Farm - Enquiry completed 24/10/2014

01640/E - Proposed residential development comprising nine houses including conversion of barn, new build and eco-subterranean house - Enquiry completed 27/04/2015

56825 - Refurbishment of vacant farmhouse - Approve with Conditions 28/11/2013

58711 - Conversion of barn into 6 no. dwellinghouses and single storey rear extension with associated gardens, shared access and car parking - Approve with Conditions 02/07/2015

58924 - Redevelopment of existing cottage/stables into 1 no. dwelling and 11 no. replacement stables with gardens, shared access and car parking - Approve with Conditions 14/08/2015

60640 - Variation of condition no. 4 of planning permission 56826 so that no development commences until a programme of works and timings have been approved by the LPA in accordance with the recommendations in the bat report - Approve with Conditions 17/11/2016

60641 - Variation of condition no. 4 of planning permission ref. 56825 so that no development commences until a programme of works and timings have been approved by the LPA in accordance with the recommendations in the bat report - Approve with Conditions 17/11/2016

Publicity

Site Notice 10/11/2023

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section and Public Rights of Way Officer - no objections subject to conditions in relation to the submission of details in relation to the access, submission of a construction traffic management plan and implementation of the parking and turning facilities.

Greater Manchester Fire Service- The plans provided do not show any provision of fire hydrants within the development and the distance from the furthest dwelling to the nearest fire hydrant is approximately 1000m. Therefore, this is well in excess of the 165m requirement.

Drainage Section - No response

Environmental Health - Contaminated Land - A Preliminary Risk Assessment has been submitted and reviewed. A site investigation and risk assessment have been recommended via condition.

Waste Management - No response

Conservation Officer - No objections

United Utilities (Water and waste) - No response

Greater Manchester Ecology Unit - No objections raised. Conditions and informatives requested in relation to bats, nesting birds, Himalayan Balsam and Biodiversity Net Gain.

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

Unitary Development Plan and Policies

OL1/2	New Buildings in the Green Belt
OL1/4	Conversion and Re-use of Buildings in the Green Belt
OL4/7	Development Involving Horses
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development

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H2/4	Conversions
H3/1	Assessing Non-Conforming Uses
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
NPPF	National Planning Policy Framework
EN9/1	Special Landscape Areas
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN8/2	Woodland and Tree Planting
EN7/5	Waste Water Management
EN5/1	New Development and Flood Risk
EN7/3	Water Pollution
EN7	Pollution Control
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
RT3/4	Recreational Routes
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
SPD 9	Conversion and Re-use of Buildings in the Green Belt
SPD10	Planning for Equestrian Development
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development in Bury

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) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

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 Policy 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 (Residential)

The National Planning Policy Framework (NPPF) should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. The Framework maintains the emphasis on identifying a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

In determination of this application, due to the sites location on land within the Green Belt, the 'titled balance' as set out within Paragraph 11d)i does not apply.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The site is located outside of the urban boundary and is surrounded by agricultural land and a farm house. The site however is not considered to be isolated with a busy main road (Pilsworth Road) running along the front. The site is currently occupied by a barn and outbuildings used as stables and storage with caravans and containers also present on site. Surrounding land uses include open land, quarries/landfill sites and the M66 motorway. The site has been occupied by Jackson Fold Farm since prior to 1848. A tyre works was also

situated on site. The site is situated between Pilsworth North and Pilsworth South sand quarries which later became landfill sites however the site itself is separated from these uses by a highway, or open land. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available. The proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Principle (Green Belt)

Paragraphs 152 and 153 of the NPPF state that inappropriate development in the Green Belt is by definition, harmful and should not be approved except in Very Special Circumstances (VSC). Planning Authorities should ensure that substantial weight is given to any harm in the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF states that the construction of new buildings would be inappropriate in the Green Belt. Exceptions to this are:

- (a) buildings for agriculture and forestry;
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (e) limited infilling in villages;
- (f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy OL1/2 - New Buildings in the Green Belt states that the construction of new buildings in the Green Belt is inappropriate unless it is for agriculture and forestry; essential facilities for outdoor sport and recreation; limited extension, alteration or replacement of existing dwellings provided that this would not result in disproportionate additions over and above the size of the original dwelling; and limited infilling in existing villages as set out under Policy OL1/3.

Residential conversions are subject to UDP Policy OL1/4 Conversion and Re-use of Buildings in the Green Belt. This policy states that conversion would not be inappropriate provided:

- it does not have a materially greater impact on the openness of the Green Belt
- the building is permanent and capable of conversion without substantial rebuild
- the massing and design is appropriate
- suitable access can be provided
- services can be provided and
- there is not a threat to endangered species

These policies are supported by Supplementary Planning Document 8 -New Buildings and Associated Development in the Green Belt and Supplementary Planning Document 9 - Conversion and Re-use of Buildings in the Green Belt that seek to provide guidance to

developers and applicants who wish to construct, convert or reuse buildings in the Green Belt.

The existing small outbuilding proposed for conversion is of a permanent construction, capable of conversion without substantial rebuilding. The scheme does not involve any extensions beyond the existing structure and new openings would be kept to a minimum. As such it would not have a seriously detrimental impact on the character and openness of the Green Belt. The domestic curtilage would be to the rear and considered modest in scale.

The stone built barn is also of a permanent construction, capable of conversion without substantial rebuilding. The general design and massing of the barn is not changing significantly. The scheme does not involve any increase in height and the main external alterations take the form of a relatively modest single storey extension at the rear. This would in part replace the existing unsightly extension on the rear of the current structure and would not constitute a disproportionate increase in the building mass or have a seriously detrimental impact on the character and openness of the Green Belt. The individual domestic curtilages to the new units, solely at the rear are modest in scale.

In terms of the stables, the most relevant Policy is OL4/7 - Development Involving Horses. The keeping of horses for recreational purposes or as part of commercially based equestrian activities will be considered acceptable where it would not have an adverse effect on the appearance of the rural areas. In particular, high standards of design, construction and maintenance will be expected as part of any development proposals. This is further supported by Supplementary Planning Document 10 - Planning for equestrian development that provides guidance for applicants who wish to establish or enhance equestrian facilities for recreational purposes or as part of commercially based enterprises on land designated as Green Belt or on other open land in the Borough.

The proposed stables would replace the substantially larger agricultural cattle sheds that would be demolished. In terms of principle, the stables would be considered appropriate within this Green Belt location.

Both the residential conversions and the new stables would not have a seriously detrimental impact on the character and openness of the Green Belt, rather the proposal would have a positive impact in allowing the site to be cleared of a lot of unsightly paraphernalia that has had a detrimental impact on the appearance, openness and character of the area for a number of years. The proposals are therefore considered to be acceptable and comply with UDP Policies OL1/2, OL4/7, OL1/4 and the NPPF.

Layout and Design

Policy H2/1- The Form of New Residential Development requires all new residential development to make a positive contribution to the form and quality of the surrounding area. Policy H2/2 - The Layout of New Residential Development seeks to ensure that new residential development will be acceptable in terms of layout in order to provide a good quality residential environment. Policy H2/4 - Conversions requires the application to be assessed in relation to the general character of the area, and the existing concentration of flats and the effect on the street scene of any changes to the external appearance of the building. In addition to this, Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

The application site is also considered to be a Non-designated Heritage Asset (NDHA). Paragraph 209 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The outbuilding proposed for conversion is currently unsightly and with the other paraphernalia around the site, adds to the poor quality of the immediate environment. The conversion, including the re-rendering and part cladding of the exterior in brick would significantly improve the appearance of the building. The design of the dwelling utilises the existing openings and the only three new openings on the rear would not adversely impact on the building.

The design and appearance of the converted stables would have a high amenity value and, with a minimal amount of new openings to the front and sides required, would be considered to be acceptable. At the rear the single storey extension would have a simple design that compliments the main building and would appear clearly subservient to it. As previously stated, the proposal would allow the site to be cleared of a substantial amount of clutter which gives the site a very untidy appearance.

The proposed stables are set out in a conventional u-shaped pattern and with timber walls and a lightweight onduline roof, would not appear out of keeping in this semi-rural setting. The stables would also relate well to the nearby manage.

The design and appearance of both the converted buildings and the new stables would significantly improve the amenity value of the site and as such the proposal would be acceptable. As previously stated, the proposal would allow the site to be cleared of a substantial amount of clutter which gives the site a very untidy appearance.

The Heritage Statement submitted with the application concludes that there will be a public benefit to the proposal, which would secure the future of the historic farm buildings. This assessment also considers that the design of the proposal has carefully considered the remaining historic fabric and sought to retain where possible. The buildings will also benefit in a long-term residential use for the buildings which will ensue a degree of active maintenance. No objections have been raised to the scheme by the Conservation Officer.

Given the sensitive nature of the site it is considered that permitted development rights should be removed to prevent impact on the Green Belt and identified NDHA.

As such the proposal is acceptable in terms of appearance and complies with UDP policies relating to visual amenity and conversions within the Green Belt.

Amenity

UDP Policy H1/2 states that the council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses. This is further supported by Policy H2/1 that requires an assessment of the impact of developments on residential amenity and the position and proximity of neighbouring properties. There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

The nearest residential neighbours would be the occupiers of the existing farmhouse, that is also included within the blue edge of the site location plan. The gable of this property faces towards the proposed cottage. A ground floor bedroom window within the cottage would face towards this gable, and further ground floor windows would face towards the garden of this property. Given that the cottage is separated from the site by the proposed access and parking areas, that it faces a side gable, that the proposed windows are located at ground floor and that the site is under the same ownership it is considered unlikely that the proposal would have a significant impact on the residential amenity of these residents. The proposal complies with H2/1 in respect to residential amenity.

In relation to the stables UDP Policy H3/1 - Assessing Non-Conforming Uses considers factors such as noise, vibration, smell, fumes, smoke, soot, ash, grit, dust, visual intrusion, traffic generation and parking arrangements, and hours of operation, and seeks to implement measures to control these where possible to minimise areas of conflict and potential nuisance. SPD10 states that applications for stables should incorporate a 30 metre buffer to avoid impact on nearby residential amenity caused from smells, noise and nuisance.

Given that the stables are part of the overall development of the site dwelling it is considered that the proposal is acceptable in terms of residential amenity. A scheme for the storage of manure has been conditioned.

Ecology

UDP Policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological value seek to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 - Woodland and Tree Planting.

A valid bat report has been provided for the buildings assessed as low and moderate risk. No evidence of bats roosting was detected and only low levels of bat activity, the first bat activity recorded well after dusk indicating no bat roosts in close proximity to the building. The cow sheds proposed for demolition were assessed as having negligible bat roosting potential. As individual bats can on occasion turn up in unexpected locations, GMEU recommend an informative is attached to any permission.

Barn owl are known to be present in the Pilsworth area. The bat survey submitted on the 14th December 2024 consider that no other protected species are considered likely to be present at the site. The dusk surveys confirmed however that swallows are still nesting in the outbuildings. Trees and shrubs potential bird nesting habitat will also be lost. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. A condition is proposed to restrict works and demolition to outside of the nesting season.

Various photographs within the application indicate that this species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) is present on the site. It is likely present in the surrounding landscape too. Eradication would therefore likely be unreasonable. Measures should however be applied to ensure it is controlled and spoil contaminated with balsam is not transferred off-site during the construction. A management strategy can be secured via condition.

The site consists primarily of buildings, hard standing and rough grassland. This will be replaced with buildings and gardens. The biodiversity net gain assessment indicates a small loss on site of biodiversity. Off-site planting has been proposed on additional land owned by the applicant that more than compensates for the loss of habitat on the site. Details of the on and off site compensation can be conditioned.

Trees

In general, the trees of the site were found to be in poor condition for their age and species. Any works identified in the above data tables should take place regardless of development in line with best practice. The quality rating for the trees on or affecting this site can be summarised as follows:

U – 5 trees (T1, T2, T3, T6 & T7)

C – 4 trees/groups (T4, G1, T5 & G2)

The arboricultural report confirms that T1, T2, T3, T6 & T7 should be removed due to their condition. Given that these trees have been identified as U category trees no objections are

raised to their removal. Submission of a landscaping scheme requiring native trees and shrubs should be conditioned.

Access and Parking

UDP Policy EN1/2 - Townscape and Built Design requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP Policy H2/2 - The Layout of New Residential Development that requires proposals to demonstrate adequate car parking provision, access for both vehicles and pedestrians, and provision for public transport and the existence of any public rights of way, and UDP Policy HT6/2 - Pedestrian/Vehicular Conflict that requires developments to reduce pedestrian/vehicular conflict.

The proposal would be accessed from Pilsworth Road utilising the existing access to the site. A driveway/access road would lead across the front of the converted buildings terminating at the proposed stable blocks. This access road would also lead to the parking associated with the scheme. The Traffic Section have been consulted on the proposal and have raised no objections to the scheme subject to conditions that relate to the submission of further details in relation to the configuration of the proposed access, a construction traffic management plan and the implementation of the parking and turning facilities.

Subject to the inclusion of these conditions it is considered that the proposal would comply with the policies set out above.

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements . Supplementary Planning Document 11 provides parking standards for developments.

The proposed barn conversion would create 3no. 3 bed dwellings, and 3 no. 2 bed dwellings. The proposed outbuilding conversion would create 1no. 3 bed dwelling. The site is located within a low access area and a such SPD 11 would require a maximum of 19.5 spaces for the proposed residential units. 14no. spaces are proposed which would provide 2no. spaces per unit. As the standards set out within SPD 11 are maximum provision it is considered that 2no. spaces per residential unit is sufficient.

6no. spaces are proposed for the stables. There are no specific parking standards set out within SPD 11 for stables, and the standards for Outdoor sports and recreation are assessed on an individual consideration. It is considered that approximately 1 parking space, per 2 stables is adequate.

Contaminated Land

The site is currently occupied by a barn and outbuildings used as stables and storage with caravans and containers also present on site. Surrounding land uses include open land, quarries/landfill sites and the M66 motorway. The site has been occupied by Jackson Fold Farm and tanks, including a sewage tank, since prior to 1848. A tyre works was also situated on site. The site is situated between Pilsworth North and Pilsworth South sand quarries which later became landfill sites. The site is not situated in close proximity to any major surface watercourses, however, ponds and a number of drainage features are located within the surrounding area. The site is situated above the Lower Coal Measures Secondary A Aquifer overlain by Fluvio-glacial Sand and Gravel Deposits. The site is not located within a Radon Affected Area.

A Preliminary Risk Assessment has been submitted and reviewed. A site investigation and risk assessment have been recommended via condition.

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.

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 numbered 2139-L01, 2239-S01, 2239-S02 Revision A, 2239-S03, 2239-S04, 2239-S05, 2239-S06, 2239-S07, 2239-S10, 2239-P01 Revision B, 2239-P02 Revision A, 2239-P03 Revision A, 2239-P04, 2239-P05, 2239-P06, 2239-P07, 2239-P08, 2239-P09, 2239-P10

Documents:

Phase 1 Environmental Assessment Report ES02614
Full Arboricultural Assessment for Development - July 2023
Bat Scoping Assessment - 7th February 2023
SUDS for Planning (including FRA for completeness) - July 2023
Planning Statement
Heritage Statement June 2023
Limited Structural Report 25th August 2023
Crime Impact Statement URN2023/0479/CIS/01
Further Bat Survey Addendum 27th October 2023
Ecology Briefing Note 24th January 2024
Existing Habitats
Biodiversity Metric 24th January 2024

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 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.
Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.
- 4 Details/Samples of the (materials/bricks) to be used in the 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 before the development is commenced. Only the approved materials/bricks 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 EN1/1 Visual Amenity.

- 5 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. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 6 Following the provisions of Condition 5 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 National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 7 Prior to occupation the applicant shall provide one electric vehicle (EV) charging point (minimum 7kW*) per unit (dwelling with dedicated parking) or a minimum 20% EV chargepoints (minimum 7kW*) (for unallocated parking). Photographic evidence of the installation of the agreed electric vehicle charge points shall be submitted.

*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. In accordance with the NPPF, to encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable. To safeguard residential amenity, public health and quality of life.

- 8 No works to trees or shrubs shall occur or building and demolition works commence 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 and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

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.

- 9 Prior to any development, demolition or vegetation clearance a management strategy for Himalayan Balsam shall be supplied to and agreed in writing to the Local Planning Authority. The agreed management shall be adhered to and implemented in full.

Reason. The scheme does not provide full details of the actual extent of Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National

Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 10 No development shall commence unless and until a Landscape and Ecological Management Plan (LEMP) (or equivalent) has been submitted to approved in writing by the Local Planning Authority. The contents of the LEMP shall include information which demonstrates the creation or management of habitats to secure a meaningful and measurable net gain for biodiversity, in line with the principles established in Ecology Briefing Note dated 24th January 2024. The approved plan will be implemented in accordance with the approved details.
Reason. To ensure improvements in the biodiversity of the site pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 11 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 native tree and shrub planting and the provision of bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) 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 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.
- 12 Notwithstanding the details indicated on approved plan reference 2239-P01 Revision B, no development shall commence unless and until full details of the following have been submitted to and agreed in writing with the Local Planning Authority:
1. proposed site access modifications on a topographical survey on the site and adjacent adopted highway incorporating the formation of a 90 degree junction with the adopted highway;
 2. kerb radii, a minimum access width of 5.5m, section of segregated footway(s) from the junction with Pilsworth Road, both within the proposed sightline(s) and within the site, of an appropriate width and length to serve the number of residential units proposed and turning facilities suitable for use by the Council's 18.5m long refuse collection vehicle;
 3. associated swept path analysis to ensure that a refuse collection vehicle can enter and leave the site in a forward gear, with the areas identified for the manoeuvring of the vehicle within the site subsequently maintained free of obstruction at all times;
 4. improvements to visibility at the reconfigured junction to ensure that the proposed 2.4m x 120m visibility splay to the right on egress can be provided and subsequently maintained free of obstruction above the height of 0.6m, incorporating the relocation of the existing telegraph pole if located within the splay and removal/cutting back as necessary of the affected hedgerow.

The details subsequently approved shall be implemented prior to the occupation of the development.

Reason. To ensure good highway design, the intervisibility of the users of the site and the adjacent highways and to minimise the standing and turning movements of vehicles on the highway, all in the interests of road safety pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

- 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:
1. Photographic dilapidation survey of the adopted abutting the site in the event that subsequent remedial works are required following construction of the development, replacement/alteration of all affected boundary features and as a result of any statutory undertakers connections to the site;
 2. Access route for all construction vehicles to the site from the Key Route Network;
 3. Access point/arrangements for construction traffic from Pilsworth Road and all temporary works required to facilitate access for construction vehicles and provision of the approved visibility splays prior to commencement of construction;
 4. If proposed, details of site hoarding/gate positions, incorporating the provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
 5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Pilsworth Road;
 6. Confirmation of hours of operation 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 adopted 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 demolition/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. 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 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 EN1/2 - Townscape and Built Design and HT6/2 - Pedestrian/Vehicular Conflict.

- 14 The car parking and associated turning facilities indicated on approved plan reference 2239-P01 Revision B shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied and thereafter maintained at all times.
- Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, HT6/2 - Pedestrian/Vehicular Conflict, HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan..
- 15 No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015).

DELEGATED REPORT

This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

- 16 The stables hereby approved shall be removed from site to the written satisfaction of the Local planning Authority within six months of it ceasing operation.

Reason: In the interests of the visual amenity pursuant to Policies H3/1 – Assessing Non-Conforming Uses, OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan, OL4/7 Development involving Horses and SPD10 Equestrian Development.

- 17 No development approved by this permission shall be commenced until, a scheme for the containment and storage of manure, has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed, in accordance with approved plans.

Reason. To prevent the pollution of the environment pursuant to Policies H3/1 – Assessing Non-Conforming Uses, OL1/2 – New Buildings in the Green Belt of the Bury Unitary Development Plan, OL4/7 Development involving Horses and SPD10 Equestrian Development.

- 18 Before the first occupation of the dwellinghouse shown on drawing number 2239-P06 hereby approved, the ground floor window on the east gable shall be fitted with obscured glazing (min obscurity level 3) and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of future occupiers and neighbours pursuant to UDP Policy H2/1 The Form of New Residential Development.

- 19 Prior to first occupation of the development hereby approved, a sprinkler/misting system to meet the requirements of BS 9251:2014 or other subsequent standard that meets the requirements of Greater Manchester Fire and Rescue Service and deemed suitable to overcome the site's emergency access deficiencies, shall be installed in the dwelling hereby approved and shall thereafter be maintained at all times.

Reason. In the interests of fire safety and to ensure the safe and satisfactory development of the site and for its future occupiers pursuant to Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/2 - The Layout of New Residential Development and EN1/2 - Townscape and Built Design

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 8/2/2024		HL 09/02/24	