

DELEGATED REPORT

Report by Helen Pressley	Date of report: 07/02/2024	Ref: 68885/FUL
Registration: 12/09/2023	LDFC: 16/10/2023	Expiry Date: 07/11/2023
Site Visit: 21/09/2023	Site Notice: 21/09/2023	Press Date: 28/09/2023
Objections: 0	Con Area: RAMS	Adv Type: LBCA
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Erection of 1 no. dwelling

Location: Land at Carr Bank Lodge, 7 Ramsbottom Lane, Ramsbottom, Bury, BL0 9DJ

Description

The application site relates to the land behind Carr Bank Lodge, which was constructed as a gatehouse and is currently used as an office. The site is located in the Ramsbottom Conservation Area and is within the town centre. The gatehouse building is constructed from stone with a slate roof and there is a high stone wall along the eastern boundary. The application site consists of a grassed area with trees. Access to the site is from Ramsbottom Lane via an unadopted road/public footpath through a set of gates.

There are a mix of commercial, recreation and community facilities in the immediate locality. To the east is Ramsbottom Lane and a bus stop, shelter and a listed building containing apartments. There is a row of shops and restaurants to the south. The market chambers are located to the south west, which contain offices and commercial properties. There is an access road to the west, which leads to the residential properties on Ox Hey Close.

The proposed development involves the erection of a dwelling on land to the north of Carr bank Lodge. The proposed dwelling would be 2 storeys in height and would be perpendicular to the gatehouse building. The proposed dwelling would be constructed from pitched face stone with rendered panels and a slate roof. The proposed dwelling would be accessed from the access at the rear of Carr Bank Lodge and would provide 2 parking spaces in the form of the courtyard area.

The application is a resubmission of application 62605 which has lapsed.

Relevant Planning History

61027 - Change of use from restaurant (Class A3) to office building (Class B1) - Approve with Conditions 04/04/2017

62605 - Erection of 1no. dwelling - Approve with Conditions 22/03/2019

Publicity

Neighbour letters 15/09/2023 and 25/09/2023
Site Notice 21/09/2023
Press Notice 28/09/2023

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section and Public Rights of Way Officer - No objections raised subject to conditions in relation to the submission of a dilapidation survey, a Construction Traffic Management Plan, implementation of car parking, turning facilities and bin storage.

Borough Engineer - Drainage Section - No response

Environmental Health - Contaminated Land - No objection subject to the submission of a Contaminated Land Preliminary Risk Assessment, Site Investigation, Detailed Risk Assessment, Remediation Strategy and Site Verification Report.

Conservation Officer - No objection

Waste Management - No response

United Utilities (Water and waste) - Request for a SuDs condition

Greater Manchester Ecology Unit - All trees were assessed as having negligible bat roosting potential. Nesting bird and landscaping conditions requested.

Pre-start Conditions - Agreed by Agent

Unitary Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/7	Throughroutes and Gateways
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN2/3	Listed Buildings
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8	Woodland and Trees
EN8/2	Woodland and Tree Planting
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

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. 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 Conservation

Area which is a designated heritage asset as set out within footnote 7 of the NPPF, the 'titled balance' as set out within Paragraph 11d) 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 within the urban area and there are a mix of uses, including residential, a school, nursing home and nursery in the locality. As such, the proposed development would not conflict with the surrounding land uses and would be in a sustainable location with regard to services and public transport. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout and impact upon conservation area

The application site is located within the Ramsbottom conservation area and there are several listed buildings to the south of the site (10 - 18 Market Place, Christ Church Chapel, Market Chambers and the telephone kiosk).

The national legislative framework for development affecting listed buildings and conservation areas is provided by the Planning (Listed Buildings and Conservation Areas) Act 1990. This imposes a duty on local planning authorities to have regard to listed buildings and any buildings or land within a conservation area, when determining applications for planning permission. It is essential that these legal duties are considered, alongside the contents of the NPPF and other planning policies and guidance.

The Town and Country Planning (Listed Building and Conservation Area) Act 1990 imposes a duty under Section 72 on Local Planning Authorities to pay 'special attention to the desirability of preserving or enhancing the character or appearance of that area' (section 72(1))

Paragraph 203 of the NPPF states that when determining planning applications, Local Planning Authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 207 of the NPPF states that where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

The proposed dwelling would be detached and would be located on land to the north of the existing gatehouse (No. 7 Ramsbottom Lane). The existing gatehouse sits between the proposed development and the listed buildings. The proposed dwelling sits into the hillside, providing a split level property and has created a gap between the gatehouse and the proposed dwelling. This has reduced the massing and bulk of the proposed building when viewed from the town centre, and the conservation area.

The proposed dwelling would be of a modern design and would have a vertical emphasis through the design of the windows and the contrasting grey panels. The proposed dwelling would be constructed from stone with rendered panels with a slate roof, which would complement the conservation area and the listed buildings. The use of the differing materials and the provision of headers and cills and the feature window in the gable elevation would add interest to the elevations. Overall, the proposed development would preserve the character of the conservation area and would not impact upon the setting of the listed buildings. The Conservation Officer has no objections, subject to the inclusion of conditions relating to samples, reveals and the retention of the stone wall. Therefore, the proposed development would be in accordance with Policies EN1/1, EN1/2, EN2, EN2/1, EN2/2 and EN2/3 of the Bury Unitary Development Plan.

Residential Amenity

UDP policies H2/1 and EN1/2 and requires consideration of various factors relating to built design, including the relationship of the proposal to the surrounding area and impact on residential amenity. SPD6 provides guidance on aspect standards between residential properties and as such, would be relevant in this case.

There are ground floor and first floor windows that face towards the shared boundary and gable of No. 7 Ramsbottom Lane, which is included within the blue edge of the site location plan. Planning history for this site suggests that this site is currently in office use. Whilst there are windows within the side elevation of the neighbouring property the floor plans for 61027 suggest these are secondary windows or relate to non-habitable rooms.

Bedroom windows 2 and 3 are located at ground floor, facing towards this shared boundary and would be screened by the existing retaining wall between the sites. At first floor 2 dining room windows face towards the side boundary. The minimum distance between these windows and the shared boundary is 5 metres, which is below the 7 metres set out within SPD 6. As set out above however these windows however would face towards a gable of a non-residential property, under the applicant control. As such it is considered this deficit would not warrant the refusal of the scheme.

The ground floor ensuite, and first floor bathroom windows relate to non-habitable room. The first floor living room window would be a secondary window with the principal window for this window located on the elevation facing towards Ramsbottom Lane as such aspects have not been applied.

The proposed first floor living room window facing towards Ramsbottom Lane would be at an elevated position in relation to the road to the front. There are no residential properties directly facing the site. An area of protection of recreation provision, as set out under UDP Policy RT1/1 faces the site, but is separated from the site by a highway. Given the use of this land, and the separation by a highway no detrimental loss of privacy is foreseen through the location of this window.

The proposed first floor window relating to bedroom 1 would face towards the public right of way that runs along the west of the site. This public right of way would separate this window from the land to the west which is currently heavily tree'd. Given the use of this land, and the separation by a public right of way no detrimental loss of privacy is foreseen through the location of this window.

The proposed first floor kitchen window, and living room window located on the proposed rear elevation would either relate to non-habitable spaces or would be secondary windows and as such aspects have not been applied.

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.

All trees were assessed as having negligible bat roosting potential. GMEU have confirmed no further information or measures are required.

The development would result in the loss of trees and shrubs, potential bird nesting habitat. 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 can be attached to any permission restricting works to trees and shrubs to outside of the nesting season.

The existing site plan indicates replacement tree planting, and the details of these trees can be secured via a landscaping condition. GMEU would also recommend provision of two bird boxes within this landscaping scheme.

Trees

UDP Policy EN8/2 - Woodland and Tree Planting supports and encourages new woodland and tree planting within the borough.

The proposed development would result in the loss of all of the trees (5) on site. The tree report identifies that 3no. trees are Category B (moderate quality) and 2no. trees are Category C (low quality).

Collectively the trees make a contribution to the character of the conservation area. The proposed site plan indicates planting along the boundary with Ramsbottom Lane. Provided that these trees are of a suitable standard it is considered that this would be acceptable. These details can be conditioned via the submission of a landscaping plan. Therefore, the proposed development would preserve the character of the locality and would be in accordance with Policy EN8/2 of the Bury Unitary Development Plan.

Highways

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 proposed development would be accessed from the single track access adjacent to Carr Bank Lodge. The access varies in width from 3.8 to 4.3 metres in width and is identified as a Public Right Of Way (227). The proposed plans provide a courtyard area, which would be large enough to provide a turning area.

The Traffic Section has no objections, subject to the inclusion of conditions relating to the submission of a dilapidation survey and implementation of car parking and turning facilities. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1, H2/2 and HT6/2 of the Bury Unitary Development Plan.

Parking

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.

SPD11 states that the maximum parking standards is 2 spaces per 3 bed dwelling.

The proposed development would provide off road parking within the courtyard area marked on the proposed plans. This area would be large enough to accommodate 2 parking spaces. As such, the proposed development would comply with the maximum parking standards and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

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 01A, 02, 03 B, 04 B, 05 C, 06 C, 07 B, 08 C, 09 A, 10

Documents:

Bat Assessment - January 2024

Arboricultural Report and Arboricultural Impact Assessment - 21075/AJB

Planning Statement

Heritage Statement

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 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.

- 4 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.

- 5 Following the provisions of Condition 4 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.

- 6 Prior to occupation the applicant shall provide 1 Electric Vehicle Chargepoint (minimum 7kW*) for each dwelling.

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.

*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 61851-1:2011 to be used (note this version is due to be replaced by BS EN 61851-1:2019 on 5 July 2022).

- 7 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

1. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
2. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
3. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
4. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
5. Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution 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.

- 8 The new windows in the dwelling hereby approved shall be set back within the openings a minimum of 100mm from the outer wall face.
Reason. In order to preserve the special architectural or historic interest of the building pursuant to Policies EN1/2 - Townscape and Built Design and EN2/3 - Listed Buildings of Bury Unitary Development Plan.
- 9 If during the construction of the dwelling hereby approved, the wall adjacent to Ramsbottom Lane requires works, a scheme including details of the coursing of the stone shall be submitted to and approved in writing by the Local Planning Authority. The wall shall only be repaired in accordance with the approved details.
Reason. To ensure the development is carried out in a safe manner, will be structurally sound and will preserve the character of the conservation area, in accordance with Policy EN2/1 - Character of Conservation Areas of the Bury Unitary Development Plan.
- 10 The development hereby approved shall not be commenced unless and until a photographic dilapidation survey of the access to the site from the adopted highway (Ramsbottom Lane/Public Right of Way No. 277, Ramsbottom) has been undertaken and submitted to/agreed with the Local Planning Authority. Within one month of completion of the development, a further survey shall be undertaken to assess the condition of the route. Any remedial works required as a result of damage caused by construction traffic shall be undertaken at the expense of the applicant to a specification and programme to be agreed with the Local Planning Authority.
Reason. To maintain the integrity of the adjacent Public Right of Way and in the interests of highway safety pursuant to Bury Unitary Development Plan Policies pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, HT6/2 - Pedestrian/Vehicular Conflict and RT3/4 - Recreational Routes.
- 11 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. Access route for construction vehicles to the site from the Key Route Network;
 2. Access point/arrangements for construction traffic from Ramsbottom Lane/Public Right of Way No. 277, Ramsbottom, taking into consideration the need to maintain safe pedestrian/vehicular access on the adjacent Public Right of Way, and all temporary works required to facilitate access for construction vehicles;
 3. If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain safe pedestrian/vehicular access on the adjacent Public Right of Way;
 4. The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
 5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
 6. Confirmation of hours of operation, delivery & construction vehicle sizes that can be accommodated on the Public Right of Way that serves the site 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 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.

- 12 The car parking indicated on the approved plans shall be surfaced with permeable/porous paving materials and/or incorporate measures to prevent the discharge of surface water onto the adjacent Public Right of Way and be made available for use prior to the dwelling 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, HT2/4 - Car Parking and New Development and RT3/4 - Recreational Routes of the Bury Unitary Development Plan.

- 13 The turning facilities indicated on the approved plans 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 in the interests of road safety pursuant to Bury Unitary Development Plan 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 and and RT3/4 - Recreational Routes.

- 14 The bin storage facilities indicated on the approved plans shall be made available prior to the use hereby approved commencing and maintained thereafter.

Reason. To ensure adequate provision for the storage and disposal of refuse within the curtilage of the site, clear of the adjacent Public Right of Way and adopted highway pursuant to Bury Unitary Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, HT6/2 - Pedestrian/Vehicular Conflict and RT3/4 - Recreational Routes.

- 15 A landscaping scheme, including details of the replacement trees, 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 2no. 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.

- 16 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 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 7/2/2024			