

NOTICE OF PLANNING PERMISSION

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

To:

R Thompson MRTPI
13 Ringcoft Gardens
Manchester
M40 5GG

On Behalf Of:

Hussain
Orchid Care Ltd.
66 Rudgwick Drive
Bury
Bury
BL8 1YE

PART 1 - Particulars of Application

Application Number: 71366

Date of Registration: 11/12/2024

Proposal:

Change of use from Residential Property
(C3) to Children's Residential Care (C2)

Location:

66 Rudgwick Drive, Bury, BL8 1YE

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 permission relates to the following plans and documents:

Drawing no. 1983.100: Site and Site Location Plans;
Drawing no. 1983.102: Proposed Floor Plans and Elevations; and
Document: Orchard Care Management Plan

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan and Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 3 The premises to which this approval relates shall be used for residential care only to

a maximum of 3no. children/young persons and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: To ensure the intensification and scale of uses in the property does not extend beyond acceptable levels which could cause impact to residential amenity and highway safety in respect of the associated parking, access and servicing requirements or general activity and disturbance pursuant to policies EN1/2 - Townscape and Built Design, CF3 - Social Services, H4/2 - Special Needs Housing, HT2/4 - Car Parking and New Development, JP-P1 - Sustainable Places, JP-C5 Streets for All, JP-C6 -Walking and Cycling and JP-C8 - Transport Requirements of New Development.

- 4 Notwithstanding the details indicated on submitted plan reference 1983.100, the use hereby approved shall not be commenced unless and until revised vehicular access and parking arrangements, incorporating the extension of the existing footway crossing on its northerly side away from the Tonbridge Close junction and extended hardstanding in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, have been submitted to and approved by the Local Planning Authority. The alterations subsequently approved and any highway remedial works required to reinstate the adopted highway to its condition prior to commencement of the development shall be implemented to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing.

Reason. To ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway, in the interests of road safety pursuant to Policies CF1/1 - Location of New Community Facilities, H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling and JP-C8 - Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 5 Bin storage arrangements shall be provided within the curtilage of the dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments' and be made available to the satisfaction of the Local Planning Authority prior to the use hereby approved commencing and maintained thereafter

Reason: To ensure that adequate bin storage arrangements are provided within the curtilage of the site pursuant to Policies CF1/1 - Location of New Community Facilities, H4/2 - Special Needs Housing and EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan and Policies JP-C5 - Streets for All, JP-C6 - Walking and Cycling and Policy JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

The following policies of the Bury Unitary Development Plan, National and Regional Government were considered relevant:

EN1/2	EN1/2 - Townscape and Built Design
CF1/1	CF1/1 - Location of New Community Facilities
CF3	CF3 - Social Services
HT2/4	HT2/4 - Car Parking and New Development
H3/1	H3/1 - Assessing Non-Conforming Uses
H4/2	H4/2 - Special Needs Housing
EN7/2	EN7/2 - Noise Pollution
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-S2	Carbon and Energy
JP-H3	Type, Size and Design of New Housing
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development

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:

NOTES TO APPLICANT

1. The applicant's attention is drawn to the need to consult the Department of Operations regarding the specification for and implementation of any required highway remedial works. The cost of the works will be the responsibility of the developer.
2. The Council currently operates a curtilage system of refuse collection. The applicant is advised to liaise with Environment & Development Services, Waste Management & Transport - Bradley Fold, on 0161 253 7010/6635, regarding the operation of this system.
3. In the event any shrubs or trees are removed from the garden, the applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended, it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).
4. In the event any shrubs or trees are removed from the garden, the applicant is reminded that under the Habitat Regulations **it is an offence to disturb, harm or kill bats**. If a bat is found during any vegetation or tree removal 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.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harte', is positioned in the upper left area of the page.

4 of 4

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On behalf of the Council

Date of Decision: 19/02/2025