

DELEGATED REPORT

Report by Helen Leach	Date of report: 15/12/2025	Ref: 72530/PIP
Registration: 11/11/2025	LDfC: 04/12/2025	Expiry Date: 15/12/2025
Site Visit: 20/11/2025	Site Notice: 20/11/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Application for permission in principle for the erection of 1 no. dwelling

Location: Land at Ivy Bank, Walmersley Old Road, Bury, BL9 6RU

Description

The site relates to a grassed field, which is located to the west of Walmersley Old Road. There is a stone wall, which marks the boundary with Walmersley Old Road and there is a line of trees adjacent to the wall. There is a group Tree Protection Order (TPO) on the whole site.

There is a residential property to the west with open fields beyond. Planning permission has been granted for a dwelling to the south of the site and there is a terrace of dwellings beyond. Walmersley Old Road forms the boundary to the east with a area of dense woodland beyond. To the north there is a bank of trees with a dwelling (Grade II listed building) beyond.

The applicant seeks a Permission in Principle (PiP) for the development of the site for 1 dwelling.

A PiP application is an alternative route for applying for planning permission for housing-led development which separately assesses the consideration of principle for proposed development 'Stage 1', from the technical detail of the development 'Stage 2'. This application relates to the Stage 1 of the process, to establish the principle aspect of the development for residential on this site.

The submission of a valid PiP application requires a completed application form, plan which identifies the land to which the application relates and the correct fee. There are no other details or reports which are required for the submission of a PiP. The application does include a Planning Statement.

A decision must be made in accordance with relevant policies in the development plan and material considerations including the National Planning Policy Framework.

To assess PiP applications, an Local Planning Authority's (LPAs) consideration is limited to location, land use and amount of development, with other matters considered at technical details stage.

Local Planning Authorities consult anybody that would be required to be consulted in relation to an application for planning permission but matters relating to ecology, landscaping, contamination, design, transport/highways and heritage are considered in a Stage 2 Technical Details application. Any responses received can be included as informatives notes to advise the applicant of the requirements at a technical details stage.

Conditions cannot be attached to a PiP.

Relevant Planning History

None relevant

Adjacent site

53835 - Erection of workshop building (retrospective) at Baldingstone works, Walmersley Old Road, Bury. Refused - 30 June 2011.

70409 - Demolition of existing building and erection of 1 no. dwelling at Ivy Bank, Walmersley Old Road, Bury. Approved with conditions - 14 March 2024.

72016 - Application to discharge condition 3 (Preliminary Risk Assessment), condition 7 (Natural England Licence), condition 8 (Non-native Invasive Species Management Plan), condition 10 (CTMP), condition 14 (materials) pursuant to application 70409 at Ivy Bank, Walmersley Old Road, Bury. Received - 6 June 2025.

Publicity

The neighbouring properties were notified by means of a letter on 12 November 2025 and site notices were posted on 20 November.

There has been no response.

Statutory/Non-Statutory Consultations

Traffic Section - No objections in principle.

Drainage Section - No objections in principle.

Environmental Health - Contaminated Land - No objections in principle.

Conservation Officer - No objections in principle.

Public Rights of Way Officer - No objections in principle.

Waste Management - No response.

GM Ecology Unit - No objections in principle.

United Utilities - No objections in principle.

Minerals and Waste Planning Unit - No objections in principle.

Pre-start Conditions - Not relevant.

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
EN1/2	Townscape and Built Design
EN2/3	Listed Buildings
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
OL1/2	New Buildings in the Green Belt
RT3/4	Recreational Routes
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-P1	Sustainable Places

JP-P2	Heritage
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

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

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

The elimination of discrimination, harassment and victimisation;

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

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

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

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

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

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

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

Principle - The Permission in Principle (PiP) application seeks to establish whether in principle, the site is suitable for a residential development for 1 dwelling. Consideration of PiP applications are limited to location, land use and amount of development. Other matters are considered at technical details stage.

Consultations on the planning application can be carried out but conditions cannot be attached to a PiP approval.

The issues to establish acceptance of the proposed PiP development are analysed below.

Land use and location

GREEN BELT - The application site falls within the Green Belt as designated by PfE Policy JP-G9 and as a result any development on the site is subject to NPPF Paragraph 154 and 155.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness.

Paragraph 154 of the NPPF is clear that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless one of the listed exceptions apply.

Paragraph 155 states that the development of homes should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the NPPF; and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

Grey belt is defined by the NPPF as "land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development."

The application site is within within the vicinity of a Grade II listed Baldingstone House, though at the 'Permission In Principle' stage, this does not immediately provide a strong reason for refusing or restricting development. As such, the first test is to determine whether the land does or does not contribute strongly to the following purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;

Planning guidance published on 27th February 2025 for assessing a site against these purposes is relevant to determine whether the land constitutes grey belt for decision making. In particular, paragraph 005 of the guidance sets out the key considerations to inform judgements as to whether land is grey belt (Reference ID: 64-005-20250225). As such, the site's contribution to these purposes is considered below.

Purpose A - to check the unrestricted sprawl of large built-up areas - The guidance is clear that this relates to the sprawl of large built-up areas, not villages.

The site is located on the northern edge of Bury, adjacent to Walmersley Old Road. The site is located within the green belt near the M66 as outlined within the adopted Places for

Everyone plan (March 2024).

The site does not contribute strongly to checking the unrestricted sprawl of large built-up areas as it is adjacent to existing development and is largely enclosed by existing housing near Walmersley Road. The site would be visually and physically contained which would reduce its role in maintaining a gap between urban areas.

Therefore, it is considered that the site makes a limited contribution to checking the unrestricted sprawl of large built-up areas.

Purpose B - to prevent neighbouring towns merging into one another - The guidance is clear that this relates to the merging of towns, not villages.

The site is not considered to play an essential role in maintaining the gap between Bury and Ramsbottom. The proposed development would not significantly erode the visual separation between the two towns, as the site occupies minimal space between the two. Its location adjacent to existing housing near Walmersley Old Road means it is largely contained by built form.

As such, it is considered that this site makes no contribution toward preventing the merging of neighbouring towns.

Grey Belt conclusion - As the site does not make a strong contribution to the Green Belt purposes (a), (b) or (d), the site falls within the definition of Grey Belt land. However, for the proposal to be considered as not inappropriate development it must satisfy all of the criterion, a to c, listed in NPPF paragraph 155.

Criterion A Considering the impact on the remaining Green Belt in the plan area -

This criterion requires that the development would not fundamentally undermine, the purposes when taken together, of the remaining Green Belt across the area of the plan.

Following reference to the guidance (Paragraph: 008 Reference ID: 64-008-20250225), it is considered that the development of the site in principle would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

Criterion B Demonstrable unmet need for the type of development proposed - This criterion requires there to be a demonstrable unmet need, which in the case of applications involving the provision of housing, means:

- A lack of a five-year supply of deliverable housing sites, including the relevant buffer where applicable; or
- Where the Housing Delivery Test is below 75% of the housing requirement over the previous three years.

Five year supply - The National Planning Policy Framework (NPPF) is a material planning consideration in planning decisions and emphasises the Government's objective of significantly boosting the supply of homes. The Framework states that local planning authorities should identify and update annually a supply of specific deliverable sites to provide a minimum of five years' worth of housing, with either a 5% buffer to ensure choice and competition in the market for land, or a 20% buffer where there has been significant under-delivery of housing over the previous three years. As set out in NPPF paragraph 78, the supply of housing must be assessed against the housing requirement set out in adopted strategic policies where these are less than five years old.

The joint Places for Everyone Plan was adopted with effect from 21 March 2024 and sets the up-to-date housing requirement for Bury against which the deliverable supply of housing land must be assessed. PfE Policy JP-H1 sets the following stepped targets for Bury:

- 246 homes per year from 2022-2025;

- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment is an assessment of potential sites for residential development and is used to assess the housing land supply. It includes sites that have an extant planning permission, sites allocated through the joint Places for Everyone Plan 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 deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed.

The Council has carried out an assessment of the housing land supply to determine whether sites meet the deliverability tests in the NPPF and can contribute to the five year supply of housing land. Based on the 2025 5-year supply statement, the Council has demonstrated a 4.3 year supply of housing land. This includes a 20% buffer (as currently required in Bury due to past under delivery) and accounts for past oversupply when assessed against the adopted PFE housing requirement.??The Council is therefore currently unable to demonstrate a deliverable five-year supply of housing land against the adopted housing requirement.

Housing Delivery Test - The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), 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%) the housing requirement over the previous years, this needs to be considered in the decision-taking process. The latest results published by the Government (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%.

The five year supply position and the housing delivery test result need to be treated as material factors when determining applications for residential development.

Paragraph 11(d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provide a strong reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

As a result of the lack of five year supply and the latest published HDT result, the 'tilted balance' set out in NPPF paragraph 11(d) applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

In this case, the site is located within the Green Belt so therefore paragraph 11 (d)(i) applies, and the proposal needs to be assessed against Green Belt policies. The latest published HDT result for Bury also means that NPPF paragraph 155(b) is triggered, and there is a demonstrable unmet need for the type of development proposed.

Criterion C Sustainable location - NPPF paragraph 155(c) requires consideration of whether the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework.

Paragraph 110 states that the planning system should actively manage patterns of growth to support the sustainable transport objectives in paragraph 109. Development should be focused on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 states that development should ensure that sustainable transport modes are prioritised and safe and suitable access to the site can be achieved for all users.

In this regard, PfE Policy JP-C1: An Integrated Network sets relevant advice, supporting:

- Patterns of development that minimises both the need to travel and the distance travelled by unsustainable modes to jobs, housing and other key services, including healthcare, education, retail, recreation and leisure facilities, green space and green infrastructure; and
- Locating and designing development, to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport;

The site is located approximately half a mile (a 10-minute walk) from Walmersley Local Centre where there are facilities such as a newsagents, Springside Primary School, a Post Office and a convenience shop. Here, there are also frequent bus services to Bury and Ramsbottom, and further afield to Blackburn and Burnley. As such, it is considered that the site is in a sustainable location in principle. However, technical details should demonstrate how sustainable transport modes will be prioritised and how safe and suitable access to the site will be achieved & promoted through the development.

Green Belt conclusion - The site falls within the definition of Grey Belt land and meets all the required criteria a-c of NPPF paragraph 155.

Therefore, the proposal is considered to be acceptable in principle.

Efficient use of land

PfE Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Policy JP-H4 sets out minimum densities that should be considered. The site falls in an area where a minimum density of 35 dwellings per hectare applies.

The total site area is circa 0.07 hectares and 1 dwelling would equate to 14 dwellings per hectare.

The site therefore fails to meet the PfE density requirements set out in policy JP-H4.

The policy allows for lower densities where they can be clearly justified by:

1. Local housing market issues, such as a demonstrable need for a particular type of housing that cannot be delivered at a higher density; or
2. Site-specific issues, such as the design context and any potential impact on the wider landscape or townscape including heritage assets and green infrastructure.

The site's Green Belt location would not automatically justify a lower density, and the applicant's planning statement doesn't provide a clear justification for a lower density. Developing the site for up 1 dwelling would therefore be contrary to JP-H4 and NPPF paragraph 130 which expects development to make efficient use of land.

Conclusion - The proposed development of 1 dwelling would not make efficient use of the land and would conflict with Policy JP-H4 of the Places for Everyone Joint Development Plan.

Therefore, the proposal is considered to be unacceptable in principle.

Consultation responses

Highways & Public Rights of Way

As part of the subsequent technical details consent stage, full details of the following should be submitted:

1. Proposed access to the site from the existing site access position, which is located outside the red-edge site submitted;
2. In the event that the existing site access position cannot not to be utilised, proposals for the formation of a new access to the site, incorporating an access width/arrangements determined by a swept path analysis of the junction with Walmersley Old Road and adequate facilities for pedestrians at the junction and to the dwelling from the adopted highway;
3. Provision of adequate levels of visibility at back edge of the highway and at the junction of the site access with Walmersley Old Road in accordance with the standards in Manual for Streets;
4. Provision of adequate facilities within the curtilage of the site to enable vehicles to enter and leave the site in a forward gear;
5. Provision of parking facilities within the curtilage of the site in accordance with the standards in Supplementary Planning Document 11 - Parking Standards in Bury;
6. Provision of bin storage arrangements within the curtilage of the site and/or each dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments' 3. The applicant is advised to liaise with Waste Management, Bradley Fold Depot on 0161 253 6621/7010, regarding the operation of this curtilage system of refuse collection.

The applicant's attention is drawn to the existence of Public Rights of Way No.'s 8, 9 & 10, Bury that abut the site. No development should take place which affects the Rights of Way in the absence of an appropriate closure or diversion order.

The applicant must be made aware of the need to safeguard people using public rights of way and that no public rights of way are damaged, widths altered (without permission), gates erected across their width (unless authorised by Bury Council the Highway Authority) or obstructed by any other means either during or as a result of development. The applicant must ensure that no changes to land levels/surface water runoff affects a public right of way. If a temporary obstruction of public rights of way is unavoidable, no development must take place until a temporary closure order has been made by Bury Council and a suitable temporary alternative route(s) made available.

Heritage

The application site is not within a conservation area, but it is within approximately 50m of the Grade II listed Baldingstone House. The building is screened from the site due to the topography of the land and a heavily treed area.

The technical stage application should ensure the size, scale and mass of the proposed dwellinghouse does not harm the setting of the listed building causing a loss of significance.

Drainage (Drainage Section)

Full details of surface water drainage proposals will be required at technical details stage. The proposals must be based on the hierarchy of drainage options in the National Planning Practice Guidance and and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided

The site is to be drained on a separate system of drainage with surface water and foul sewage being combined at the last manhole before connection to public sewer

Surface water discharge to be limited to existing flow from site less a minimum 40% reduction in run-off to allow for climate change to prevent surcharge of public sewerage system downstream of the proposed development Chapter 10 of the National Planning Policy Framework - Meeting the Challenge of Climate Change, Flooding and Coastal Change and Unitary Development Plan Policy EN5/1 - New Development and Flood Risk and its associated SPD 16 Design and Layout of New Development in Bury. Climate change allowance should be increased to 70% for sites which fall within Flood Zone 3

Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or online at www.unitedutilities.com

Applications for sewer requisitions should be obtained by telephoning United Utilities PLC at either Dawson House (01925 235871) or Hathersage Road (0161 609 7513)

The applicant should ensure that any proposed driveways/paved areas (in excess of 5m²) situated at the front of properties are constructed of permeable or porous materials. The applicant should refer to Dept. of Communities & Local Government publication "Guidance on the Permeable Surfacing of Front Gardens" for design & construction details.

Drainage (United Utilities)

We strongly recommend that the applicant or any subsequent developer contacts United Utilities, using our pre-development enquiry service to discuss their proposals directly with our Developer Services team. They can find further advice, along with a pre-development enquiry form, on our website: Building & Developing - United Utilities Alternative ways to contact the team are available in the Appendix, Section 6.0 'Contacts'.

DRAINAGE

Directed by the principles set out in the National Planning Practice Guidance and the new National Standards for Sustainable Drainage Systems (2025) we require developers and Local Planning Authorities, to do all that they can to avoid surface water entering the public sewer, unless absolutely necessary. This applies to all proposed development. See Appendix 1.1 'Surface Water Hierarchy'.

All options for the sustainable management of surface water must be thoroughly investigated before we will accept any surface water connections from new development to the public sewer. Where a new surface water connection to the public sewer is proposed, we will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water.

Should the applicant receive Planning in Principle permission for this proposal, United Utilities will review the drainage element of any application for Technical Detail Consent in line with comments made above.

To discuss their drainage proposals the applicant should contact our Developer Services team by email at SewerAdoptions@uuplc.co.uk. Alternative ways to contact the team are detailed in the Appendix, Section 6.0 'Contacts'.

When considering their drainage proposal, it is the applicant's responsibility to investigate the existence of any infrastructure that might impact their detailed design. This includes water, wastewater, operational and/or abandoned pipelines. United Utilities will not routinely carry out this assessment when reviewing drainage proposals submitted within a planning application. Where infrastructure exists, the drainage design must comply with the relevant United Utilities guidelines and/or Building Regulations. Further information is available on our website: Working near our pipes - United Utilities. Failure to consider existing infrastructure when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 6.0 'Contacts'.

WATER EFFICIENCY IN NEW DEVELOPMENT

All new homes are required to meet the mandatory national standard of 125 litres of water used per person per day (l/p/d) as set out in Building Regulations Approved Document G. If your adopted development plan includes a policy that implements the tighter water efficiency standard of 110 l/p/d for new-build dwellings in Part 3 of Building Regulations, you should ensure that this is a condition of any planning permission you may grant. You should also consider whether there is any adopted development plan policy relating to water efficiency in the construction of non-residential development. As this is a matter for the local planning authority/ building control body, United Utilities would not be involved in the discharge of conditions relating to water efficiency.

Type, size and design of housing

PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes. All new dwellings must 1. comply with the nationally described space standards and 2. be built to the 'accessible and adaptable standard in Part M4(2) of Building Regulations unless specific site conditions make this impracticable. The accessible and adaptable standard in Part M4(2) of Building Regulations would need to be secured by condition.

Landscape character area

The site is within the Knowl and Rooley Moors, Fringes and Foothills (LCA24), an area of Pennine Foothills (West/South Pennines) as assessed by the GM Landscape Character and Sensitivity Assessment.

Policy JP-G1: Landscape Character states that development within a Landscape Character Type should reflect and respond to the special qualities and sensitivities of the key landscape characteristics of its location, including having regard to:

- Topography, geology and drainage;
- Land use and field patterns;
- Semi-natural habitats and woodland cover;
- Archaeology and cultural heritage;
- Settlement, road pattern and rights of way; and
- Views and perceptual qualities.

The interface of new development with the surrounding countryside/landscape is of particular importance. These transitional areas require well-considered and sensitive treatment. In particular, opportunities to improve the intactness and condition of the landscape should be taken. This would be required at technical details stage.

Minerals and Waste

The site is covered by the Greater Manchester Joint Minerals Plan (2013), which forms part

of Bury's Development Plan. Policy 8 of the Minerals Plan focuses on the sterilisation of land that is safeguarded for mineral extraction by non-mineral development. The land the site is located on is within the Mineral Safeguarded Area for Sandstone. Proposals for non-mineral development within the Mineral Safeguarding Areas that do not allow for prior extraction of minerals will only be permitted if the development meets at least one of the 4 criteria identified in Policy 8 in the Minerals Plan. The criteria are as follows:

7. The need for the development outweighs the need to extract the mineral; or
8. It can be clearly demonstrated that it is not environmentally acceptable or economically viable to extract the mineral prior to non-mineral development taking place; or;
9. It can be clearly demonstrated that the mineral is either not present or of no economic value or too deep to extract in relation to the proposed development; or;
10. The development is limited or temporary and would not prevent minerals extraction taking place in the future.

The applicant has not provided direct information how the development would meet the requirements of Policy 8. However, due to the proximity to existing dwellings and the fact that it borders the site of a proposal that was approved in 2024 (Ref. 70409), it is likely to meet the requirements of criteria 2.

Contaminated Land

The site is proposed on undeveloped land and a sensitive end use is proposed. As such, to avoid pre-commencement conditions sufficient information must be submitted at Stage 2, Technical Details Consent stage, to demonstrate that no remedial measures are required or to agree such measures. Further information regarding Land Contamination and the planning process can be found in Bury Council's Developers Guide and on the Planning Portal.

Air Quality

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

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. To support the principles of the Greater Manchester Clean Air Plan in reducing levels of nitrogen dioxide and in order to manage current and future levels of air pollution Bury Council is encouraging the use of cleaner vehicles. As such and in line the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), as part of the Stage 2, Technical Details Consent stage, the developer should provide information regarding Electric Vehicle Infrastructure to the following specification:

- 1 no. electric vehicle (EV) charging point (minimum 7kW*) per dwelling/parking space.

*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>.

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

Ecology

The site appears to comprise an area of grassland surrounded by woodland, which could support protected species including roosting bats, nesting birds, and badgers. Therefore, a

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Preliminary Ecological Appraisal to assess the site's potential to support protected species, including bats, birds and badger, will need to be undertaken at technical details stage.

Based on the results of this PEA, further protected species surveys may be required prior to the granting of technical details consent.

Additionally, unless the development qualifies as a self-build, the application will be subject to statutory Biodiversity Net Gain requirements. Based on the small size of the site and the lack of high-quality habitats apparent on site, an overall 10% net gain should be feasible, either on or off site.

Overall, there are no major current ecological reasons why the application should not be permitted in principle, although species and habitat data gathered at the technical details stage may require further surveys and mitigation prior to the granting of full permission. Unless otherwise exempt, the technical details consent would also be subject to the biodiversity gain condition.

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

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposed development for 4 No dwellings on a 0.48ha site would not make optimal use of the potential of the site. Therefore, the proposed development would conflict with Policy JP-H4 of the Places for Everyone Joint Development Plan and Chapter 11, particularly paragraph 130 of the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 15/12/2025			