

DELEGATED REPORT

Report by Claire Booth	Date of report: 01/09/2025	Ref: 71417/FUL
Registration: 07/02/2025	LDFC: 28/02/2025	Expiry Date: 04/04/2025
Site Visit: 13/03/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Erection of replacement dwelling with landscaping and extension to driveway

Location: 4 Ringley Close, Whitefield, Manchester, M45 7HR

Description

The application site contains a detached gable fronted property with a garage and car port to the side. The main dwelling has a pitched roof and the garage/car port has a flat roof. The dwelling is constructed from beige brick with a tiled roof. There are gardens to the front and rear and a driveway with parking for 2 vehicles.

The site is surrounded by residential properties, which are of a variety of styles and materials

The proposed development involves the demolition of the existing dwelling and the erection of a replacement dwelling, which would be a self build unit. The proposed dwelling would be located on the same footprint as the existing dwelling and would be two storeys in height with rooms in the roofspace. The proposed dwelling would be constructed from beige brick, grey render with slate roofing and zinc grey standing seam on the rear dormer. Access would be taken from Ringley Close via the existing driveway.

Relevant Planning History

None relevant.

Publicity

The neighbouring properties were notified by means of a letter on 7 February 2025. There has been no response.

Statutory/Non-Statutory Consultations

Traffic Section - Unable to support a driveway of 3 cars width.

Drainage Section - No comments.

Environmental Health - Contaminated Land - No objections, subject to conditions relating to contaminated land.

Environmental Health - Air Quality - No objections, subject to the inclusion of a condition relating to an electric vehicle charging point.

United Utilities - No objections, subject to the inclusion of informatives relating to drainage.

GM Ecology Unit - No objections, subject to the inclusion of a condition relating to nesting birds and informative relating to bats.

Pre-start Conditions - Applicant/Agent has agreed with pre-start conditions.

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
EN6/3	Features of Ecological Value
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
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-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-P1	Sustainable Places
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 - Residential - 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 considered to be in a sustainable location for housing within the urban area and sitting outside the Green Belt. There is residential development to the east, west and south of the site and as such, the proposed development would not conflict with the surrounding land uses. There would be adequate infrastructure available and there would be access to services. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this site in principle. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

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 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 deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed. The joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council is able to demonstrate a deliverable 5 year supply of housing land with a 20% buffer (as currently required in Bury due to past under delivery) when assessed against the adopted PfE housing requirement.

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 taken into account 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%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

Therefore, 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 latest published HDT result the 'tilted balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

NPPF paragraph 80 requires the latest published HDT results to be used. However, the Government is currently operating to a delayed publication timetable for the HDT, and although the latest published results for 2023 are below 75%, based on the current HDT rulebook Bury's result for 2024 will be above 75% and the tilted balance will no longer be triggered by the housing delivery test result.

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 would constitute the replacement of an existing dwelling. The site is surrounded by housing and as such the proposed development would not conflict with the surrounding land uses. There would be adequate infrastructure available and there would be access to services. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this site in principle. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Design and layout

Density - NPPF paragraph 130 seeks to ensure the efficient use of land, and to avoid homes being built at low densities.

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 and the site falls in an area where a minimum density of 35 dwellings per hectare should be had regard to.

The net site area (excluding the shared access) is around 0.05 hectares, which would indicate that 1 dwelling equates to a density of 20 dwellings per hectare.

PfE Policy JP-H4 states that lower densities may be acceptable where they can be clearly justified by:

Local housing market issues, such as a demonstrable need for a particular type of housing that cannot be delivered at a higher density; or

Site-specific issues, such as the design context and any potential impact on the wider landscape or townscape including heritage assets and green infrastructure.

Given that the proposed development involves the replacement of an existing dwelling, the layout of the site is somewhat fixed. As such, whilst the proposed density would be below the density set out in Policy JP-H4, the proposed density would be acceptable in view of the character of the area, including the building line and the layout.

Space standards - PfE Policy JP-H3 also states that all new dwelling must:

1. Comply with the nationally described space standards (NDSS); and
2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

The dwelling would be a 5 bed, 8 person, three storey dwelling. The proposal would have a GIA of 400 square metres which would exceed minimum standards. Each of the proposed bedrooms would exceed the minimum floor areas, and widths for double occupancy rooms. There would be 10.8 square metres of storage, which would exceed the standard of 3.5 square metres. The proposal would therefore comply with NDSS and M4(2) compliance would be secured by a condition.

Therefore, the proposed development would be in accordance with Policy JP-H3 of the Places for Everyone Joint Development Plan.

Design - The proposed dwelling would be two storeys with rooms in the roofspace and would be located centrally within the plot. The proposed development is located in an area of predominantly large detached houses of differing styles, character and heights. The detached dwellings are predominately two storeys in height with pitched roofs.

The proposed dwelling would be two storeys with a single rear dormer and rooms in the roofspace. The eaves and ridge of the proposed dwelling would be similar height to the adjacent dwelling. The ground levels at the rear are slightly higher than the house and the two steps to the rear garden would be replicated on the proposed dwelling. As such, the proposed development would be appropriate in terms of height and scale.

The use of 3 pikes, headers and cills, bay window and a front porch at the front would add to the visual interest. The proposed windows would have a vertical emphasis, which would be acceptable. There would be a small patio at the rear with steps up to the garden and sun deck. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - The proposed dwelling would have a garden at the front and rear, which would provide a suitable level of private amenity space. There would be space at the side of the dwelling for bin storage. The existing vegetation on the perimeter of the site would be retained as boundary treatments. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon residential amenity - SPD6 provides guidance on aspect standards between residential properties and would be relevant in this case. The aspect standards are based on a two storey building and for each additional storey in height a further 3 metres should be added onto the aspect standard.

The proposed dwelling would have a single storey rear element, which would have a flat

roof. The proposed single storey element would project 3.2 metres past the rear elevation of No. 2 Ringley Road and 1.2 metres past the canopy at No. 6 Ringley Road. The proposed single storey element would be under or just over 3 metres past the adjacent dwellings and as such, would comply with the guidance in SPD6.

There would be 16 metres from the rear elevation of the proposed dwelling to the garden boundary, which would be in excess of the 10 metre aspect standard required.

There would be 22 metres between the proposed dwelling and the dwellings opposite, which would be in excess of the aspect standards in SPD6.

The proposed dwelling would be level with the adjacent properties at the front and as such, would not impact upon the amenity of these occupiers.

Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Ecology - The proposed development involves the demolition of the existing dwelling and bat surveys were submitted as part of the application. A full internal and external inspection of the property concluded that the building had negligible potential to support roosting bats. There are records of foraging bats in the area and as such, GM Ecology Unit has no objection, subject to the inclusion of an informative relating to bats and conditions relating to nesting birds and landscaping. Therefore, the proposed development would not cause harm to a protected species and would be in accordance with Policy EN6/3 of the Bury Unitary Development Plan and the NPPF.

Biodiversity Net Gain (BNG) - Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by Policy EN6/3 that seeks 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.

The question on the application form relating to the type of housing has been left blank. However, the agent has confirmed via e-mail that the proposed dwelling would be a self build, replacement dwelling. As such, the proposal is exempt from BNG as it is a self build property and a condition will be attached to secure the self-build exemption from BNG.

Therefore, the proposed development would be in accordance with Policy JP-G8 of the Places for Everyone Joint Development Plan and the NPPF.

Highways issues - The proposed dwelling would be accessed from Ringley Close and the proposed driveway would be in the same position as the existing driveway. As such, there would be appropriate levels of visibility. The Traffic Section were unable to support the driveways, which would have created a 3 car width dropped kerb as this would have restricted on street parking. Revised plans have been provided that show a 2 car width driveway, which have addressed these concerns. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the parking standards for a dwelling with 4 or more bedrooms would be 3 spaces, cycle storage for 5 bikes and an electric vehicle charging point.

The proposed dwelling has an existing driveway of 2 spaces and a garage/car port. Although the existing garage/car port would not comply with the minimum measurements in SPD11 and as such, are too narrow to be able to park a vehicle. The Traffic Section has confirmed that the provision of an additional parking space would result in a dropped kerb

of over 4.5 metres in width, which cannot be approved as this would reduce on street parking for visitors. Given that the proposed development would increase the number of bedrooms by 1 and would retain the same level of parking (2 spaces) and on street parking for visitors, it is considered that the level of parking provision would be acceptable in this instance.

There would be space within the rear garden for a cycle store for 5 bikes and an electric vehicle charging point can be accommodated at the front of the property. The provision of the cycle store and electric vehicle charging point would be secured by condition.

Therefore, the proposed development would comply with the 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 Location plan, 2234/1, 2234/2, 2234/3, 2234/4, 2234/5, 2234/6, 2234/7, 2234/8, 2234/9 Rev A, 2234/10, 2234/11 - existing roof plan, 2234/11 - existing streetscene plan, Construction Traffic Management Plan, dated 1 September 2025 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 and Places for Everyone Joint Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall be those on plan 2234/4.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
- 4 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the Local Planning Authority for approval:

- I. Risk Assessment (GQRA or DQRA);

II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 5 Any soil or soil forming materials to be brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use.

Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to the Local Planning Authority for approval prior to any soil or soil forming materials being brought onto site.

The approved contamination testing shall then be carried out and validity evidence (soil descriptions, laboratory certificates, photographs etc.) submitted to Local Planning Authority for approval prior to the development being brought into use.

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 6 Prior to occupation the applicant shall provide:

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

Certification and photographic evidence of the installation of the agreed electric vehicle charge points shall 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.

*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. To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable and to safeguard residential amenity, public health and quality of life with respect to Local Air Quality, in accordance with paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 7 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.

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.

- 8 The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date

the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.

- 9 The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwelling hereby approved being brought into use.
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 10 The development shall only be carried out in accordance with the Construction Traffic Management Plan (CTMP), dated 1 September. 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. 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HL - 01/09/2025		DM - 03/09/2025	