

Biodiversity Mitigation and Enhancement Plan

In support of a Discharge of
Conditions Application at 305
Middleton Road, Manchester
M8 4LY

October 2022



4th Floor
Churchgate House
56 Oxford Street
MANCHESTER M1 6EU
www.mialex.co.uk
Regulated by RTPi

Contents

1. Introduction
2. Planning History
3. Policy Context
4. Storage Provision and Access
5. Conclusion

Appendices

1. Decision Notice for Application Ref 73298/APP/2020/1194
2. Delegated Report for Application Ref 73298/APP/2020/1194
3. Proposed Site Plan approved under Application Ref 73298/APP/2020/1194
4. Exemplar Batbox Manufacturer Specification

1 INTRODUCTION

- 1.1 This Biodiversity Mitigation and Enhancement Plan has been prepared to support the discharge of Condition 8 attached to planning application **Ref 67944** at No. 305 Middleton Road, Manchester M8 4LY. Please refer to the Decision Notice enclosed at **Appendix 1**.
- 1.2 The development consists of the demolition of existing detached two storey dwellinghouse on site and its replacement with a new two storey dwellinghouse.
- 1.3 The Biodiversity Mitigation and Enhancement Plan (BMEP) sets out mitigation measures and principles to enhance the developed site for protected and priority species and to allow the Local Planning Authority to discharge its duties under S40 of the NERC Act (2006).
- 1.4 As a result, this plan shall ensure that no harm is caused to a protected species in pursuit of Policies EN6 (Conservation of the Natural Environment) and EN6/3 (Features of Ecological Value) of the Bury Unitary Development Plan and Section 15 of the NPPF (Conserving and Enhancing the Natural Environment).
- 1.5 Prior to this plan being produced a number of pieces of ecological work have been undertaken on site, most notably:
 - Preliminary Bat Roost Assessment (prepared by Pennine Ecological); and
 - Bat Presence/Absence Survey (prepared by Pennine Ecological);
- 1.6 The site currently consists of one residential property and associated curtilage garden. A site location plan is enclosed at **Appendix 2** as necessary.

2 PLANNING HISTORY

2.1 As stated within Section 1, this BMEP has been prepared in support of the discharge of Condition 8 in relation to application **Ref 67944** for the demolition of the existing detached two storey dwellinghouse on site and its replacement with a new two storey dwellinghouse. Please refer to the Decision Notice and Delegated Report enclosed here at **Appendix 1** and **2**.

2.2 When considering the requirement for this BMEP of particular importance is Page 4 of the Delegated Report (enclosed here at **Appendix 2**) that states:

The accompanying bat survey identified no evidence of bats and the building was assessed as having negligible bat roosting potential. The GMEU have advised that the proposal is therefore acceptable subject to conditions relating to bird nesting, the provision of bat/bird boxes and enhancement of the natural environment.

2.3 As a result the primary aim of this BMEP is to ensure adequate provision of bird/bat boxes on site and mitigation measures to ensure an overall biodiversity net-gain following development.

3 PLANNING POLICY

- 3.1 With regard to the Local Development Framework, Policy EN6 (Conservation of the Natural Environment) sets out Bury Council's overarching policy on the natural environment stating:

The council will retain, protect and enhance the natural environment of the Borough, particularly in relation to areas of ecological, wildlife and geological importance.

- 3.2 Policy EN6/3 expands on this statement outlining with specific regard to development proposals that:

The effect of land use changes on existing features of ecological or wildlife value will be taken into account when assessing development proposals. Any proposal should seek to retain such features and incorporate them into the development.

- 3.3 As a result all relevant Local Plan policies have been carefully considered in the preparation of this BMEP in order to deliver a strategy that accords with all relevant standards.

4 BIODIVERSITY MITIGATION, MANAGEMENT AND ENHANCEMENT MEASURES

- 4.1 The following sub-sections details the mitigation and enhancements of the site for ecological interest. The enhancement will include a range of site-specific, suitable and achievable gains. Best practice management regimes will be implemented to further increase the ecological interest of the site. It will be the responsibility of the site manager/lead contractor to ensure that these enhancements are implemented and monitored according to the information detailed within this report.
- 4.2 A plan of all ecological enhancements is enclosed at **Appendix 3**. It is also confirmed as part of this plan that all new planting measures shall be restricted to UK native species only.

Bat Enhancements

- 4.3 To enhance the roosting value of the site for native bat species one bat box will be installed. Ideally integrated into the fabric of the new building, an external bat box shall be provided if not as per manufacturer specifications enclosed at **Appendix 4**. This box shall face southwest, south or south east so that bats are exposed to the sun for large parts of the day. If this particular batbox is unavailable at the time of installation a similar model shall be selected as necessary.

Amenity Grassland

- 4.4 Given the siting of the proposed works are largely contained within the existing footprint of the site it is expected that the majority of existing amenity grassland shall be retained following development. Nevertheless, where additional areas of grassland are required post development a species rich turf such as Meadowmat shall be utilised. As a result, biodiversity and amenity needs shall be met with a lawn that is well adapted to mowing and trampling whilst being of benefit to pollinators and other invertebrates.

Sensitive Lighting Scheme

- 4.5 To avoid disturbing nocturnal animals such as hedgehogs and bats which may commute through or forage on site all lighting will be controlled across the developed site. As a result no external lighting is proposed to be installed externally thereby maintaining existing dark areas in and around the developed site. In particular, special care shall be taken to avoid illuminating the bat boxes on site.

Trees

- 4.6 It is not anticipated that any trees shall be removed to facilitate development. As per planning application **Ref 67944** there are no known trees of any value on site and no TPO's present. Nevertheless, should any trees be removed upon the commencement of

development they shall be replaced with new, native tree shrubs along the development boundary.

Boundary Treatment

- 4.7 As outlined within the Landscaping Plan enclosed at **Appendix 3** the existing low brick boundary wall and hedge shall be retained following development.

5 CONCLUSION

- 5.1 Significant improvements to biodiversity will be secured post development by the retention of existing boundary treatments and grassland where possible in addition to the installation of one bat box. Where further landscaping works are required on site they will utilise native, high quality planting to ensure the maximum biodiversity net gain is delivered from the site.
- 5.2 The responsibility for the ongoing implementation of this BMEP will be carried by the lead contractor/site manager.

Appendix 1

NOTICE OF PLANNING PERMISSION

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

To:

Mr Johnson
Mialex
Workplace
4th Floor Churchgate House
56 Oxford Street
Manchester
M1 6EU

On Behalf Of:

Sarfraz
71 Wilton Road
Crumpsall
Manchester
M8 4NG

PART 1 - Particulars of Application

Application Number: 67944

Date of Registration: 04/02/2022

Proposal:

Demolition of the existing detached two storey dwellinghouse on site and its replacement with a new two storey dwellinghouse

Location:

305 Middleton Road, Manchester, M8 4LY

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 decision relates to drawings:
Location & Block Plans (Dwg no. 2021/163-10 E)
Proposed Site Plan (Dwg no. 2021/163-08 E)
Proposed Ground Floor Plan (Dwg no. 2021/163-03 E)
Proposed First Floor Plan (Dwg no. 2021/163-04 E)
Proposed Ground Floor Plan (Dwg no. 2021/163-03 E)
Proposed Loft Floor Plan (Dwg no. 2021/163-05 E)
Proposed Elevations (Dwg no. 2021/163-06 E)
Proposed Roof Plan (Dwg no. 2021/163-07 E)
Proposed Street Elevations - A (Dwg no. 2021/163-11 D)
Proposed Street Elevations - B (Dwg no. 2021/163-12 A)

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 No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.
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 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:
- Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development/boundary treatment and as a result of any statutory undertakers connections to the new dwelling;
 - Access point for demolition/construction traffic from the adopted highway;
 - Site hoardings (if proposed) clear of the adopted highway;
 - Hours of operation and number of vehicle movements;
 - A scheme of appropriate warning/construction traffic signage in the vicinity of the site and its access;
 - Parking on site (or on land under the applicant's control) of operatives' and demolition/construction vehicles together with storage on site of

demolition/construction materials, including any requisite phasing of the development to accommodate this;

- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

Reason. As the information has not been submitted at application stage and to maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure 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 and HT6/2.

- 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 A biodiversity mitigation and enhancement plan shall be submitted to and approved in writing by the local planning authority, prior to the erection of any external wall. The content of the plan should include elements to mitigate for loss of trees shrubs, bat roosting and bird nesting habitat and shall include the provision of a bat and bird box. The approved plan shall be implemented in accordance with the approved details.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 9 Prior to the occupation of the dwelling hereby approved, one electric vehicle (EV) charging point (minimum 7kW*) shall be installed.
*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).
Reason. 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 pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 10 The development hereby approved shall be carried out in accordance with a surface water drainage scheme which shall be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the

Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include provision of potential SuDS options for surface water drainage. The drainage scheme shall be implemented prior to first occupation of the dwelling and thereafter maintained.

Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

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.

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

H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H1/2	H1/2 - Further Housing Development
HT2/4	HT2/4 - Car Parking and New Development
HT6/2	HT6/2 - Pedestrian/Vehicular Conflict
EN1/2	EN1/2 - Townscape and Built Design
EN1/7	EN1/7 - Throughroutes and Gateways
EN5/1	EN5/1 - New Development and Flood Risk
EN7/3	EN7/3 - Water Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/2	EN8/2 - Woodland and Tree Planting
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
SPD16	Development Control Policy Guidance Note 16 - Design and Layout of New Development in Bury
NPPF	National Planning Policy Framework

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:

Location & Block Plans (Dwg no. 2021/163-10 E)
Proposed Site Plan (Dwg no. 2021/163-08 E)
Proposed Ground Floor Plan (Dwg no. 2021/163-03 E)
Proposed First Floor Plan (Dwg no. 2021/163-04 E)
Proposed Ground Floor Plan (Dwg no. 2021/163-03 E)
Proposed Loft Floor Plan (Dwg no. 2021/163-05 E)
Proposed Elevations (Dwg no. 2021/163-06 E)
Proposed Roof Plan (Dwg no. 2021/163-07 E)
Proposed Street Elevations - A (Dwg no. 2021/163-11 D)

NOTES TO APPLICANT

1. **Advice from the Council Environmental Health Officer**

Prior to demolition of the structures on site an asbestos survey is to be carried out by an appropriately qualified contractor and any asbestos identified shall be disposed of in an appropriate manner.

Works carried out in connection with the planning permission shall comply with the above regulations which require the following:

1. All works and ancillary operations which are audible at the boundary of the nearest house or noise receptor, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1400 on Saturdays and at no time on Sundays and Bank Holidays.
2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times.
3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturer's instructions.
4. Any emergency deviation from the above (1 – 3) shall be notified to Bury Council without delay.

Any contravention of these requirements will trigger the serving of a Notice under Section 60 of The Control of Noise Regulations 1975.

2. Whilst the building to be demolished has been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition 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.

3. **Foul Drainage Connection**

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or

less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: Septic tanks and sewage treatment plants: what you need to do: Overview - GOV.UK (www.gov.uk)

4. Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

The applicant should not presume that the principles outlined within a drainage strategy will meet the detailed requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit:

<http://www.unitedutilities.com/builders-developers.aspx>

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering -

DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk

Telephone - 0345 072 6067

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', is written over a dotted line.

8 of 8

.....
On behalf of the Council

Date of Decision: 09/09/2022

Appendix 2

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 07/09/2022	Ref: 67944/FUL
Registration: 04/02/2022	LDfC: 03/03/2022	Expiry Date: 01/04/2022
Site Visit: 22/02/2022	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: Demolition of the existing detached two storey dwellinghouse on site and its replacement with a new two storey dwellinghouse

Location: 305 Middleton Road, Manchester, M8 4LY

Description

The proposal relates to a corner two storey detached dwelling located on the inside of the junction of Middleton Road and Sheepfoot Lane, opposite Heaton Park to the north. The existing dwelling features bay windows with a hipped roof and has previously been extended at the rear.

The proposal is for the erection of a replacement seven bedroom two storey dwelling of a larger footprint and incorporating a second floor in the roof space.

It would be positioned forward of the existing dwelling such that it would generally align with the building line of neighbouring dwellings to the south. It would incorporate two projecting two storey bays to the principal elevation, a single storey flat roofed 'conservatory' to the rear and a hipped flat roof with rear box dormers. The application is silent on proposed external finishes, but indicates that they would match the existing (brick and tile)). However, the elevation drawing appears to indicate a render finish to first floor.

The existing access from Middleton Road would be retained with off-street parking for 3 vehicles. The existing brick wall and hedge boundary would be retained.

The proposal has been amended since the original submission.

Relevant Planning History

66679 - Demolition of existing dwelling to be replaced with 1 no. new dwelling - Refused 28/10/2021

65784 - Demolition of existing dwelling and erection of new three storey dwelling - Withdrawn by Applicant 18/09/2020

64892 - Dropped kerb; New driveway - Withdrawn by applicant 03/01/2020

64566 - 1 No. new dwelling - Withdrawn - Invalid 25/09/2019

Publicity

Advertised by direct neighbour notification. No comments received.

Statutory/Non-Statutory Consultations

Traffic Section: Bury Council is not the Highway Authority for the access. A Construction Traffic Management Plan should be required

Manchester City Council: No comments received

Environmental Health - Contaminated Land: No objection, subject to conditions relating to site investigation, remediation and verification and requiring an electric vehicle charging point.

Greater Manchester Ecology Unit: No objection, subject to conditions relating to bird nesting, the provision of bat/bird boxes and enhancement of the natural environment

Environment Agency: No objection

Environmental Health - Pollution Control: No comments received

Borough Engineer - Drainage Section: No comments received

United Utilities (Water and waste): No objection, subject to a condition concerning drainage

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

Unitary Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H1/2	Further Housing Development
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
EN5/1	New Development and Flood Risk
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD16	Design and Layout of New Development 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.

ASSESSMENT

Principle (Residential)

Whilst the housing land shortfall in Bury is well documented, the principle of residential development is established regardless, due to the existence of a single dwelling at the site. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Layout and Design

UDP Policy H2/1 requires all new residential development to make a positive contribution to the form and quality of the surrounding area. Policy H2/2 seeks to ensure that new residential development will be acceptable in terms of layout in order to provide a good quality residential environment. Policy EN1/2 seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

The site is flanked by a two storey dwelling to the south, which is an extended version of the dwelling presently in situ at the site, and a bungalow to the west, which is set at a higher level, accounting for the immediate rise of Sheepfoot Lane. The immediate residential character is thereafter made up of two storey dwellings of a traditional suburban appearance.

The general design of the proposed dwelling has been muted somewhat from the original submission such that it would more appropriately assimilate in the street scene, exhibiting projecting gablet bays with a hipped roof (that would disguise the flat roof element), thus reflecting the predominant architectural features. The eaves and building line would align with the neighbouring dwelling to the south and a meaningful undeveloped area would remain to the Sheepfoot Lane frontage. The materials would reflect the palette of materials exhibited in the area.

In this instance it is considered that the proposal would not have a detrimental impact on the character of the street scene and would therefore comply with UDP Policies H2/1, H2/2 and EN1/2.

Residential Amenity

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

Due to the relative position of the proposed dwelling compared to flanking and opposing dwellings, the position of the present dwelling at the site and the arrangement of fenestration and the rooms they would serve, the development would not impinge upon existing neighbouring residential amenity to an unacceptable degree. The proposal would also be compliant with the Technical housing standards - nationally described space standard.

The development would therefore comply with the above stated policies.

Access and highway safety

The proposal would utilise the existing dropped kerb access from Middleton Road. There would be room for up to three parking spaces within the front forecourt space, but with no turning facility. Presently, it would appear that the existing drive could potentially accommodate four off-street parking spaces. The Highway Officer has not objected to the proposal, given that the site is accessed from a highway under the jurisdiction.

SPD11 sets a maximum parking standard of 3 spaces for a four bed dwelling in a high accessibility area. The number of parking spaces would therefore be acceptable. It is also noted that the existing parking arrangement does not allow for turning within the site. Manchester City Council, which has not commented on the proposal.

Subject to a condition requiring agreement of a Construction Traffic Management Plan (CTMP), the proposal would comply with UDP Policies HT2/4 and HT6/2 and SPD 11.

Ecology

The accompanying bat survey identified no evidence of bats and the building was assessed as having negligible bat roosting potential. The GMEU have advised that the proposal is therefore acceptable subject to conditions relating to bird nesting, the provision of bat/bird boxes and enhancement of the natural environment.

Other matters

Ground conditions - The Environmental does not object to the proposal, subject to conditions noted above requiring further intrusive investigations/remediation and verification that mitigation measures have been implemented.

Drainage - United Utilities advise the imposition of a condition requiring that a surface water scheme be delivered based on the hierarchy of drainage options in the National Planning Practice Guidance. As no scheme has been submitted with the application, such would be required by condition.

Electric vehicle charging - It would be appropriate to require the installation of a single charge point as advised by the Environmental Health Officer.

Conclusion

The proposed dwelling is acceptable in principle and would not have unacceptable impacts on the character and appearance of the area, highway safety, ecology or residential amenity. As such, the proposal would comply with the above policies of the Local Plan and the NPPF. Therefore, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act, the proposal merits approval.

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:
Location & Block Plans (Dwg no. 2021/163-10 E)
Proposed Site Plan (Dwg no. 2021/163-08 E)
Proposed Ground Floor Plan (Dwg no. 2021/163-03 E)
Proposed First Floor Plan (Dwg no. 2021/163-04 E)
Proposed Ground Floor Plan (Dwg no. 2021/163-03 E)
Proposed Loft Floor Plan (Dwg no. 2021/163-05 E)
Proposed Elevations (Dwg no. 2021/163-06 E)
Proposed Roof Plan (Dwg no. 2021/163-07 E)
Proposed Street Elevations - A (Dwg no. 2021/163-11 D)
Proposed Street Elevations - B (Dwg no. 2021/163-12 A)

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 No development comprising the erection of any external walls shall take place until details of the materials to be used in the construction of the external surfaces of the development, including the roof, have been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details. The materials to be used throughout the development shall be consistent in terms of colour, size and texture with the approved details.
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 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development/boundary treatment and as a result of any statutory undertakers connections to the new dwelling;
- Access point for demolition/construction traffic from the adopted highway;
- Site hoardings (if proposed) clear of the adopted highway;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic signage in the vicinity of the site and its access;
- Parking on site (or on land under the applicant's control) of operatives' and demolition/construction vehicles together with storage on site of demolition/construction materials, including any requisite phasing of the development to accommodate this;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the parking of vehicles and storage of demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied.

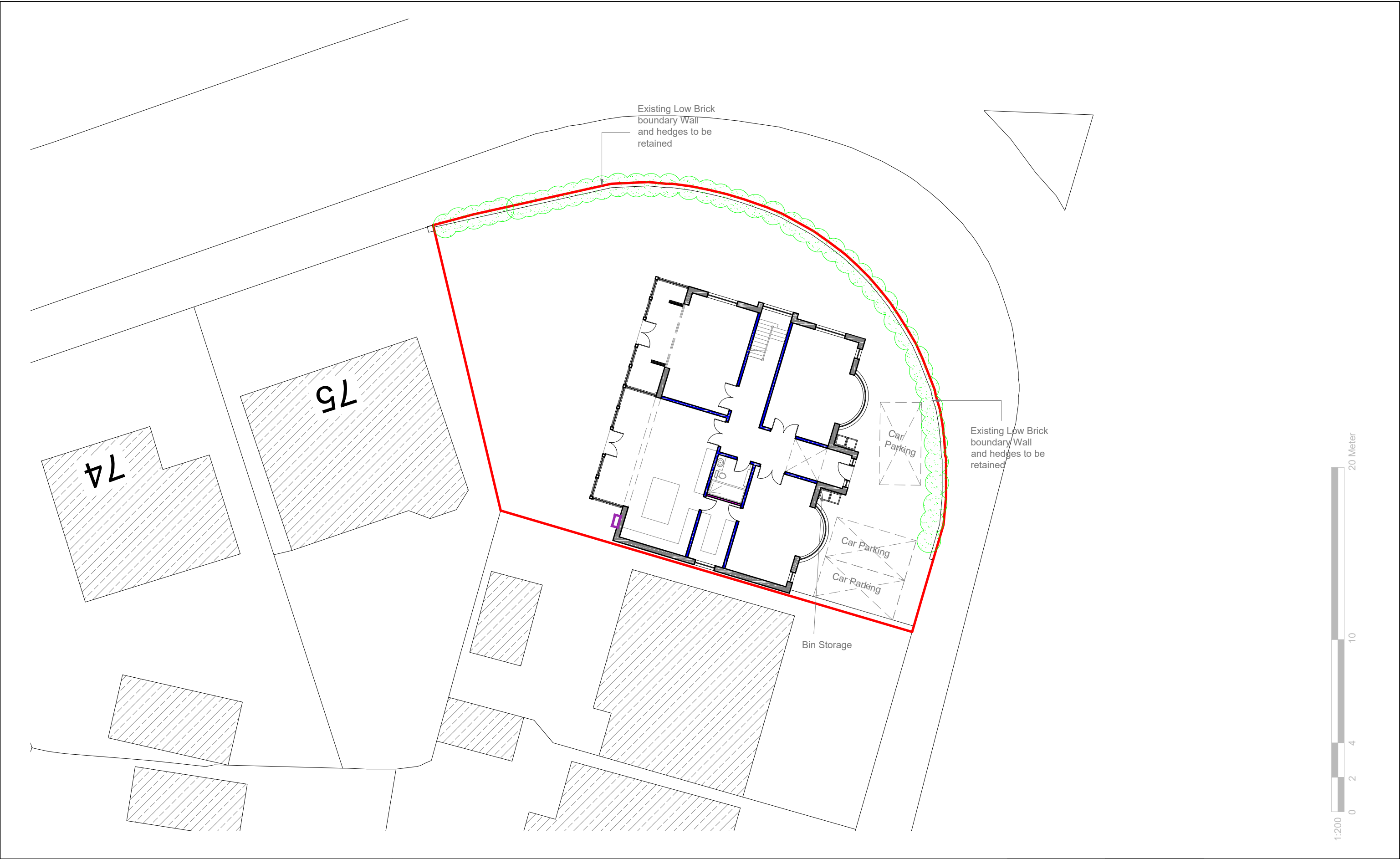
Reason. As the information has not been submitted at application stage and to maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure 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 and HT6/2.

- 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 A biodiversity mitigation and enhancement plan shall be submitted to and approved in writing by the local planning authority, prior to the erection of any external wall. The content of the plan should include elements to mitigate for loss of trees shrubs, bat roosting and bird nesting habitat and shall include the provision of a bat and bird box. The approved plan shall be implemented in accordance with the approved details.
Reason. In order to ensure that no harm is caused to a Protected Species pursuant to policies EN6 - Conservation of the Natural Environment and EN6/3 - Features of Ecological Value of the Bury Unitary Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 9 Prior to the occupation of the dwelling hereby approved, one electric vehicle (EV) charging point (minimum 7kW*) shall be installed.
*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).
Reason. 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 pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.
- 10 The development hereby approved shall be carried out in accordance with a surface water drainage scheme which shall be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include provision of potential SuDS options for surface water drainage. The drainage scheme shall be implemented prior to first occupation of the dwelling and thereafter maintained.
Reason. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

<u>Case Officer</u> DSC	<u>Date</u> 07/09/2022	<u>Sign off Officer</u>	<u>Date</u>
----------------------------	---------------------------	-------------------------	-------------

Appendix 3



GENERAL NOTES: 1. ALL DIMENSIONS ARE IN MILLIMETER. 2. VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BUILDING OR STARTING CONSTRUCTION. NOTIFY THE DESIGNER IMMEDIATELY OF ANY DISCREPANCY OR VARIATION. 3. ALL WORK TO COMPLY WITH CURRENT BUILDING REGULATIONS AND CODES OF PRACTICE	Title: Proposed Landscaping Plan	Site Address 305 Middleton Road, Manchester, M8 4LY	Key	
				Retained boundary wall and hedge
				Proposed Bat Box

Appendix 4

All Shops

Search



Log in/Sign up



(/site/login)

View Basket



(/basket)

[EU Shipping Update](#) - read more (/eu)

[Home \(/\)](#)
[Promotions \(/promotions\)](#)
[Equipment shop \(/equipment\)](#)
[Bookstore \(/books\)](#)
[Wildlife Survey & Monitoring \(/wildlife-survey-monitoring\)](#)
[Practical Conservation Equipment \(/practical-conservation-equipment\)](#)
[Practical Conservation Equipment \(/4/practical-conservation-equipment?q=&hPP=60&idx=titles&p=0&fR\[hide\]\[0\]=false&fR\[live\]\[0\]=true&fR\[shops.i](#)

Eco Bat Box



Select product



Cavity Box

In stock

£39.95

#232523



Crevice Box

Usually dispatched within

1-2 months

£39.95

#232524

Selected

£39.95

ADD TO BASKET

product:

[About this product](#) | [Specification](#) | [Customer reviews](#) |

[Related products](#)


Additional images


[jackets/jackets-receiver-kings-83632523-01.jpg](#)

- ✓ Made from recycled plastic and FSC wood
- ✓ Excellent thermal properties
- ✓ Requires no maintenance

Alternatives



Eco Kent

A durable bat box

£39.95

(/eco-kent-

bat-box?

bkfno=242609)



Improved

An attractive bat box

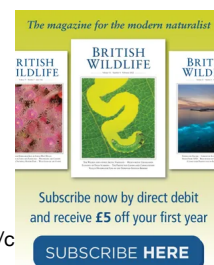
£34.99

(/improved-

cavity-bat-

box? bkfno=187778)

Current promotions


[https://www.nhbs.com/bird-guide-book?](https://www.nhbs.com/bird-guide-book?bkfno=255852&ad_id=4260)
<https://www.britishwildlife.com>

<https://www.britishwildlife.com>

About this product

An attractive bat box consisting of a waterproof recycled plastic shell which contains a wooden internal roost chamber. The clever design of this box means that it is highly thermally efficient: the box is coloured black to capture heat from the sun and the gap between the internal wood and external plastic shell provides excellent insulation.

Available with either a crevice or cavity design. The crevice box has two internal chambers which are each 22mm wide – this box is ideal for crevice dwelling species such as pipistrelles. The cavity box features a single internal cavity which is 60mm wide. Both boxes have rough internal walls and ceiling that is suitable for bats to hang from.

The Eco Bat Box can be sited on a tree or external wall – it has three holes at the top of the box and a single hole at the base through which a nail or screws can be fitted. Boxes should be positioned as high as possible in a sheltered place.

Specification

- * Materials: Recycled LDPE plastic outer with internal FSC certified OSB chamber
- * Construction: Outer panels welded, internal chamber formed from stapled panels
- * Finish: Black
- * Dimensions: 42cm H, 21.5cm W, 11.1cm D
- * Entrance: 17mm wide
- * Internal (Crevice): Divided internal chamber with two 22mm wide crevices
- * Internal (Cavity): Single internal chamber 60mm wide

4.9 ★★★★★
Google
Customer Reviews

Customer Reviews

Review this product (/review/create?id=232524)

Bestsellers in Bat Boxes for External Walls



Large Multi Chamber WoodStone Bat Box
(https://www.nhbs.com/large-multi-chamber-woodstone-bat-box?bkfno=246918)

£49.99



Beaumaris Woodstone Bat Box
(https://www.nhbs.com/beaumaris-woodstone-bat-box?bkfno=231796)

£28.99 ~~£31.45~~



Vivara Pro WoodStone Bat Box
(https://www.nhbs.com/vivara-pro-woodstone-bat-box?bkfno=210820)

£20.99



2F Woodstone Bat Box
(https://www.nhbs.com/2f-woodstone-bat-box?bkfno=210820)

£20.99

Browse products in Bat Boxes for External Walls (/4?q=&hPP=60&idx=titles&p=0&fR[doc_s][0]=false&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=4&hFR[subjects_equipment.lv11][0]=Bat%20Boxes%20%3E%20Bat%20Boxes%20for%20External%20Walls)

Keep up-to-date with NHBS products, news and offers

SIGN UP HERE

(http://www.facebook.com/pages/NHBS-Practical-Conservation-Equipment/120171464674249)

CUSTOMER SERVICES

WHAT WE OFFER

ABOUT NHBS

OUR SHOPS

Need help? (/help)
Contact us (/contact)
Payment options (/help? q=&hPP=1000&idx=help&p=0&hFR[doc_s][0]=false&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=1)
Shipping information (/help? q=&hPP=1000&idx=help&p=0&hFR[doc_s][0]=false&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=1)
Where is my order? (/help? q=&hPP=1000&idx=help&p=0&hFR[doc_s][0]=false&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=1)
Need to return an item? (/help? q=&hPP=1000&idx=help&p=0&hFR[doc_s][0]=false&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=1)
Terms and conditions (/help? q=&hPP=1000&idx=help&p=0&hFR[doc_s][0]=false&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=1)
Privacy Policy (/privacy-notice) services)
Opening hours (/contact)
Change your email preferences (/user/preferences)

Conservation Pro Reward Scheme (/conservation-pro)
Manufactured by NHBS
Libraries (/library-services)
Trade distribution (/trade-distribution)
Magazines (/magazines)
equipment-catalogue)
Conservation Pro Reward Scheme (/conservation-pro)
Manufactured by NHBS
Libraries (/library-services)
Trade distribution (/trade-distribution)
Magazines (/magazines)
equipment-catalogue)
Conservation Pro Reward Scheme (/conservation-pro)
Manufactured by NHBS
Libraries (/library-services)
Trade distribution (/trade-distribution)
Magazines (/magazines)
equipment-catalogue)

About NHBS (/about)
The NHBS team (/staff)
Supporting conservation
Environmental policy
Shipping and delivery
Jobs at NHBS (/recruitment)
Work with us (/work-with-us)
Feedback (/feedback)

Wildlife Survey & Monitoring (/1/wildlife-survey-and-monitoring? q=&hPP=60&idx=titles&p=0&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=1)
Practical Conservation Equipment (/2/practical-conservation-equipment? q=&hPP=60&idx=titles&p=0&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=2)
Academic & Professional Books (/3/academic-and-professional-books? q=&hPP=60&idx=titles&p=0&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=3)
Field Guides & Natural History (/2/field-guides-and-natural-history? q=&hPP=60&idx=titles&p=0&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=2)
Good Reads (/6/good-reads? q=&hPP=60&idx=titles&p=0&fR[hide][0]=false&fR[live][0]=true&fR[shops.id][0]=6)

4.9 ★★★★★
Google
Customer Reviews

https://www.nhbs.com/eco-bat-box

2/3

[0]=false&fR[live]
[0]=true&fR[shops.id][0]=6)

VAT: GB 407 4846 44 NHBS Ltd is registered in England and Wales: 1875194