

DELEGATED REPORT

Report by Helen Pressley	Date of report: 19/12/2025	Ref: 72370/FUL
Registration: 13/11/2025	LDFC: 10/12/2025	Expiry Date: 08/01/2026
Site Visit: 03/12/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Demolition of former works and Erection of 1 no. single storey dwelling for persons in adult social care

Location: Land to rear of 29 Raven Street, Bury, BL9 5AU

Description

The application relates to an eclectic series of established single storey buildings to the immediate rear of the neighbouring terraced dwellings at 27 and 29 Raven Street. They are in poor condition and whilst now unoccupied, they were last in use for storage and distribution purposes (Use Class B8) and the OS map extract notes them as 'works'. The surrounding environment is mainly made up of residential properties and the site has a dual frontage to Back Warmersley Road West and Regent Street.

Planning permission is sought for the construction of a single storey, detached dwelling for persons in adult social care. The proposed dwelling would comprise 2no. bedrooms, and 1no. carers bedroom. No parking is proposed.

Relevant Planning History

68123 - Construction of new single storey offices (Use Class E) following demolition of existing works - Approve with Conditions 23/05/2022

Pre-application advice:

03037/E - Construction of two single storey dwellings following demolition of the existing works - Enquiry Complete 27/01/2025

Publicity

Letters sent to 32 neighbouring properties. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - Recommendation for refusal due to inadequate parking provision and insufficient information in relation to the storage of waste.

Waste Management - No response

Drainage Section - Surface water drainage proposal condition requested.

Environmental Health - Contaminated Land - Contaminated Land conditions in relation to site characterisation and risk assessment, remediation strategy and verification, unexpected contamination and imported soil requested.

Environmental Health - Pollution Control - No comment

Greater Manchester Ecology Unit - The site is likely to hold very limited ecological value as there appears to only be remains of buildings left with no roof and very sparse

vegetation and one small tree in the garden. Therefore, the application is highly unlikely to impact protected species. Conditions requested in relation to nesting birds, integration of soft landscaping and bat and bird boxes and an informative requested in relation to protected species. Application would appear to be exempt from BNG.

United Utilities (Water and waste) - no further comment on this application.

Pre-start Conditions - Not relevant

Development Plan and Policies

CF3	Social Services
CF1/1	Location of New Community Facilities
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/2	Noise Pollution
EN7/3	Water Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H3	Incompatible Uses in Residential Areas
H3/1	Assessing Non-Conforming Uses
H3/2	Existing Incompatible Uses
H4/2	Special Needs Housing
EC2/2	Employment Land and Premises
HT2/4	Car Parking and New Development
JP-J1	Supporting Long-Term Economic Growth
JP-J2	Employment Sites and Premises
JP-C1	Our Integrated Network
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-C8	Transport Requirements of New Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-P1	Sustainable Places
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G7	Trees and Woodland
NPPF	National Planning Policy Framework
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD14	Employment Land and Premises

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 (Loss of Employment)

Whilst the present buildings have an immediate juxtaposition to neighbouring terraced dwellings, there pertains a lawful B8 use and historically, the buildings were noted as 'works', which probably related to an industrial use.

The site is unallocated within the UDP. UDP Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas states that the Council will seek the retention of existing employment land and premises outside of the Employment Generating Areas except where it can be clearly demonstrated that an existing employment site or premises is no longer suited in land use terms to continued employment use.

The submitted Design and Access Statement, and Case Officer site visit confirms that the works are currently derelict and in poor condition. No case however has been made in relation to whether the site is no longer suited in land use terms to continued employment use. Previously an office use was accepted at this site which would be considered to be an employment use. The need to address this was confirmed at pre-application stage. It is therefore considered that the applicant has failed to demonstrate that the land is no longer

suited in land use terms to continued employment use contrary to UDP Policy EC2/2.

Principle (Residential)

Whilst the application is for a dwelling, that is likely to fall under use class C2 the description of development is "Erection of 1 no. single storey dwelling for persons in adult social care" and as such it is considered appropriate to assess the application in relation to the housing policies as well as the care use policies.

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.

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%.

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.

This means that 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.

The site is located within an established urban area, outside of the Green Belt. As such the proposal is considered to be acceptable in principle in this respect.

Principle (Care)

The NPPF advocates the objectives to achieve sustainable development, one such objective is to support strong, vibrant and healthy communities by fostering well-designed and safe built environments with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

Chapter 8 - Promoting healthy and safe communities, states that policies and decisions should aim to achieve healthy, inclusive and safe places which, amongst things, promote social interaction, are safe and accessible and enable and support healthy lifestyles. Account should also be taken to support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

UDP Policy CF1/1 states that proposals for new and improved community facilities will be considered with regard to the following factors:

- impact on residential amenity and the local environment;
- traffic generation and car parking provision;
- the scale and size of the development;
- where applicable, access to shops and other services;
- if the use is intended to serve a local community, or catchment area, the suitability of the chosen location in relation to that community or catchment area;
- accessibility by public and private transport;
- the needs and requirements of the disabled.

This is supported by UDP Policy CF3 - Social Services, which states that the Council will, where appropriate, consider favourably proposals for the provision of new, and the improvement of existing social services facilities for children, young people, elderly people, people with mental and/or physical handicaps and illnesses, and other groups with special needs.

UDP Policy H3/1 states that the Council will assess proposals for the development of non-confirming uses in primarily residential areas and will not permit proposals considered to be incompatible. Factors which will be taken into account when assessing such proposals will include noise, vibration, smell, fumes, smoke, soot, ash, grit, dust, visual intrusion, traffic generation and parking arrangements, and hours of operation.

UDP Policy H4/2 states that the Council will encourage the provision of special needs housing. Proposals will be assessed with regard to the following factors:

- sites should be conveniently located for local shops, public transport and community facilities;
- the location of health care facilities;
- the gradient of the site;
- the gradient between the site and the public transport network;
- the necessary car parking and amenity space (including gardens) should be provided;
- the development should be of a high standard in terms of design, layout and

landscaping so that a satisfactory environment is achieved.

PfE Policy JP-H3 states development across the plan area should seek to incorporate a range of dwelling types and sizes including for self build and community led building projects to meet local needs and deliver more inclusive neighbourhoods. Where appropriate, this should include incorporating specialist housing for older households and vulnerable people.

This is further supported by PfE Policy JP-P1 that states that all development, where appropriate should be socially inclusive:

- A. Responding to the needs of all parts of society;
- B. Enabling everyone to participate equally and independently;
- C. Providing opportunities for social contact and support; and
- D. Promoting a sense of community.

The proposed use, to provide a dwelling for 2 adults within social care would provide a facility for more vulnerable members of society that would be compliant with the intentions of the above policies and the principles of the NPPF in relation to this matter.

Layout and Design

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.

Therefore in accordance with Policy JP-H4 regard should be had to a minimum net residential density of 50 dwellings per hectare at this site. The application form states that the site is 136 square metres which equates to 0.0136 hectares, which based on a total of 1 dwelling would result in a density of 73 dwellings per hectare. This exceeds the minimum density on site and as such it is considered that the proposal would achieve efficient use of land in accordance with the above Policy.

UDP Policies H2/1 and H2/2 provide the assessment criteria for detailed matters relating to height, appearance, density and character, aspects and finishing materials for new residential developments. UDP Policy EN1/2 seeks to ensure that development proposals would not have a detrimental effect on the visual amenity and character of a particular area. PfE Policy JP-P1 seeks to create a city region that consists of a series of beautiful, healthy and varied places. High quality design is fundamental to achieving this. PfE Policy JP-H3 seeks to provide an appropriate mix of dwelling types and sizes reflecting local plan policies and having regard to relevant local evidence. Development across the plan area should seek to incorporate a range of dwelling types and sizes, including for self-build.

In addition to the above UDP Policy H2/2 in particular seeks acceptable standards of layout in relation to density; space about and between dwellings; and open space. Paragraph 129 d) of the NPPF states that LPAs should take into account “the desirability of maintaining an area’s prevailing character and setting (including residential gardens)”. The need for carefully designed open spaces, and gardens is also highlighted in the MHCLG National Design Guidance. UDP Policy H4/2 confirms that special needs housing should be of a high standard in terms of design, layout and landscaping so that a satisfactory environment is achieved.

The immediate street scene is depicted by two storey terraced dwellings, the majority of which are slightly back from the main highway and have access to yard areas to the rear that provide areas of residential amenity space. The larger detached properties immediately to the east of the site that front Walmersley Road are flats.

The proposal seeks to introduce a single storey dwelling at the site however no street

scenes have been provided to show how this dwelling would integrate with the wider street scene. The proposed site plan shows that the site would be located to the rear of a boundary wall and lean to that appear to be associated with No. 29 Raven Street and it is considered that this detail should be included within the application to allow for a full assessment of the impact of the proposed dwelling in terms of visual amenity.

With regards to external layout the proposal seeks to introduce an area of amenity space to the north west corner of the dwelling. This area would measure approximately 8.8 square metres in size and would be immediately adjacent to one of the proposed bedroom windows which will be discussed further below in relation to amenity. This proposed area of amenity space would provide approximately half of the amenity space currently provided by the properties at 2 - 30 Regent Street, which appear to have the smallest yards of properties within the vicinity of the site. It was confirmed within the pre-application response for this site that amenity space for any dwelling/s at this site should reflect those of the dwellings within the immediate vicinity of the site, and it is considered that the proposal would fail to do this. The layout and extent of the footprint of the proposed dwelling would lead to overdevelopment of the site, resulting in this unsatisfactory rear yard arrangement in particular, and would result in conflict with the Policies set out above.

The proposed layout also shows bin storage for 2no. 240 litre standard bins to the front of the property, directly fronting Regent Street. The proposed elevations show indicates a screen would be provided around these two bins. Given that Bury MBC require 4 bins per property and no means of bin storage for the additional bins has been submitted as part of the application it is considered that this would lead to further bins being located to the front of the property without screening which would have a negative impact on the character of the area and as such fails to make a positive contribution to the street scene.

It is considered that the size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for space about the dwelling for the provision of adequate private amenity space and bin storage. As such, the proposal would have a detrimental impact on residential amenity of the future occupiers and would fail to provide a good quality residential environment. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Policy H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-H3 - Type, Size and Design of New Housing, JP-P1 - Sustainable Places and the NPPF.

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.

NDSS standards do not specific standards for dwellings to be utilised for adult social care however they would be a reasonable guide in this case.

Overall the proposal would create 3no. bedrooms, 2 for future residents and one for a carer. The floor space provided by the proposed dwelling would be 83 square metres, which would exceed the requirements for a single storey 3 bed, 4 person dwelling and as such would be acceptable in terms of overall floor space.

All bedrooms would meet the requirements for single occupancy rooms in terms of floor area including the carers room which would also have access to a small ensuite. The carers room however would only be 1.85metres in width which is below the 2.15metres required. At 1.5 square metres the built in storage would also be less than NDSS requirements for a 3 bed property. Whilst acknowledged that the Places for Everyone statement submitted by the applicant states that a carer would be required "from time to time", and the use of the property would be of a different tenure to a standard C3 dwelling to which NDSS is usually

applied it is still considered that any future occupants of the dwelling, including the carer should have access to suitably sized bedrooms. The lack of in built storage would also have potential to impact on the size of these rooms further.

The proposed dwelling would therefore fail to meet Nationally Described Space Standards (NDSS) for in built storage and bedroom width for the proposed carer's bedroom. The proposal would therefore fail to comply with Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

M4(2) compliance can be secured by condition.

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 (SPD6) provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

For clarity the following aspect standards would be applicable:

- 20 metres between directly facing habitable room windows;
- 13 metres between an existing habitable room window and a proposed two storey blank wall
- 6.5 metres between an existing habitable room window and a proposed single storey blank wall
- 7 metres between a proposed first floor habitable room window and a directly facing boundary with a neighbouring property.

It is considered that the aspect standards above, can be applied to the proposed windows in terms of assessing their amenity. The bedroom window for bedroom 2 would be located approximately 2.5 metres from the directly facing rear boundary wall which would be significantly below the 6.5 metres required for a single storey, to habitable room window relationship. The window would also be adjacent to the only area of shared amenity space for future occupants. This particular arrangement would result in very poor living standards for the future resident of bedroom 2 and would represent poor design. In addition the outlook from the bedroom into the very limited area of shared yard would represent overdevelopment. Aspect standards were clarified within the pre-application response, and whilst these comments did relate to a different layout it was confirmed that a poor outlook would not be acceptable.

The window for bedroom 1, and the sitting room would face towards the rear boundary wall of the flats on Walmersley Road. These windows would be separated from this property by a highway and a minimum separation distance of 6.5metres can be provided. It is considered therefore that these windows would have an adequate outlook.

The window associated with the carers bedroom would be located approximately 16.5 metres from the directly facing residential property at No. 3 Regent Street. This is below the 20 metres required by SPD 6 however the properties would be separated by a highway and SPD 6 does state "In terraced streets, where the current aspect standards are not available, the existing distances between habitable room windows will be maintained as a minimum" and therefore it is considered that the proposed window onto Regent Street is unlikely to cause an undue loss of privacy for the directly facing property.

Access and Parking

UDP Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by UDP Policy H2/2 that requires proposals to demonstrate adequate car parking provision, access for both vehicles and

pedestrians, and provision for public transport and the existence of any public rights of way. PfE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

In terms of parking standards UDP Policy HT2/4 requires all applications for development to make adequate provision for their car parking and servicing requirements. Supplementary Planning Document 11 (SPD11) provides parking standards for developments.

The site is located within Zone 3 as defined by SPD 11. SPD11 states that C2 uses within this zone should provide 1 space per 1 staff and one space per 4 beds. This would equate to roughly 1 -2no. spaces at this site. It is acknowledged that the existing terraced properties currently utilise on street parking however no information has been provided in relation to how the dwelling may be run, how many staff, carers or the level of support that future occupiers would need to assess whether this could be accommodated for this development. It was confirmed at pre-application stage that parking may be able to be accommodated at the site if layouts were reviewed in relation to the 2 dwellings that were proposed and this has not been included within this reduced proposal for 1 dwelling.

It is acknowledged that PfE Policy JP-C8 seeks to enable a reduction in the need to travel by private car and prioritise sustainable transport opportunities ahead of capacity enhancements on the highway network, and that the site is in a sustainable location in terms of access to public transport that operates along Walmersley Road to the east of the site and the shops on Walmersley Road however this would not negate the need to address the parking requirements the proposal may require. PfE Policy JP-C8 is further Supported by SPD 11 that seeks to facilitate an increase in journeys that are cycled and confirms that it is important that conveniently located secure cycle parking is provided at every new residential development for both residents and visitors. No cycle storage however is proposed as part of this development for either future residents, or the carer.

It is therefore considered that the proposed car parking and cycle storage provision is inadequate and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety.

The need to store additional bins to the front of the site, not shown within the bin store proposed bin store on the front elevation would also have the potential to restrict visibility at the junction of Back Walmersley Road West and Regent Street, or for bins to be stored on the adopted highway.

Ecology and Biodiversity Net Gain

PfE Policy JP-G8 states that through local planning and associated activities a net enhancement of biodiversity resources will be sought. This is supported by UDP Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 187 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough.

No ecological documents have been provided for this application, however, the site is likely to hold very limited ecological value as there are only limited remains of buildings left with no roof and very sparse vegetation and one small tree in the garden. Therefore, the application is highly unlikely to impact protected species.

There appears to be a small tree present in the private garden, however as per BNG guidance, small trees in gardens do not need to be included in the baseline BNG assessment. It appears likely that less than 25m² of other habitat will be removed and therefore the application is exempt from BNG under the de minimis exemption.

Carbon And Energy

PfE Policy JP-S2 sets out the steps required to achieve net zero carbon emissions.

The applicant has confirmed that the development would be consistent with the 2022 Part L Building Regulations.

Digital Connectivity

PfE Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections, particularly in the most frequented areas.

The applicant has confirmed that this policy would be fully embraced, with all ducting installed, along with pull chords, such that no builders work will be required to enable connection.

Other Considerations

The Local Planning Authority (LPA) seeks to determine applications within the statutory timescales, unless an extension of time is genuinely required. In this instance given the number of issues, the extent of the changes required, and the subsequent consultation necessary once these amendments have been made the LPA has decided to proceed to determination within the required timescales.

It is acknowledged that the applicant did seek to front load the application process through submission of a pre-application enquiry for 2no. dwellings however there were a number of issues raised as part of this pre-application enquiry by the LPA that have not been addressed within the application and as such a recommendation has been made.

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 applicant has failed to demonstrate that the land is no longer suited in land use terms to continued employment use contrary to Bury Unitary Development Plan Policy EC2/2 - Employment Land and Premises Outside the Employment Generating Areas.
- 2 The application and submitted plans contain insufficient information to enable them to be properly assessed in terms of the impact of the proposal in relation to visual amenity and streetscene. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Policy H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-H3 - Type, Size and Design of New Housing, JP-P1 - Sustainable Places and the NPPF.

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- 3 The size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for space about the dwelling for the provision of adequate private amenity space and bin storage. As such, the proposal would have a detrimental impact on residential amenity of the future occupiers and would fail to provide a good quality residential environment. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Policy H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-H3 - Type, Size and Design of New Housing, JP-P1 - Sustainable Places and the NPPF.
- 4 The proposed dwelling would fail to meet Nationally Described Space Standards (NDSS) for in built storage and bedroom width for the proposed carer's bedroom. The proposal would therefore fail to comply with Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.
- 5 The proposed dwelling would result in an unacceptable level of amenity and outlook for future occupiers by reason of the sub-standard distances between the window for bedroom 2 and the directly facing rear boundary. The proposal would have a detrimental impact on residential amenity of the occupiers and would fail to provide a good quality residential environment. The proposed development therefore conflicts with Bury Unitary Development Plan Policies H1/2 - Further Housing Development, H2/1 - The Form of New Residential Development, H2/2 - The Layout of New Residential Development, Policy H4/2 - Special Needs Housing, EN1/2 - Townscape and Built Design, Places for Everyone Joint Development Plan Policies JP-H3 - Type, Size and Design of New Housing, JP-P1 - Sustainable Places, Supplementary Planning Document 6: Alterations and Extensions to Residential Properties and the NPPF.
- 6 The proposed car parking and cycle storage provision is inadequate and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposed development therefore conflicts with Bury Unitary Development Plan Policies HT4/2 Car Parking and New Development, Places for Everyone Joint Development Plan Policies JP-C5: Streets for All, JP-C6: Walking and Cycling, JP:C8 Transport Requirements of New Development and Supplementary Planning Document 11: Parking Standards in Bury June 2025.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 18/12/25		DM 19/12/25	