

DELEGATED REPORT

Report by Helen Pressley	Date of report: 31/10/2025	Ref: 72230/FUL
Registration: 20/08/2025	LDFC: 18/09/2025	Expiry Date: 15/10/2025
Site Visit: 28/08/2025	Site Notice: 28/08/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIDW

Proposal: Erection of 2 no. detached dwellings with associated means of access

Location: Land adjacent to 100 Bury New Road, Radcliffe, Bolton, BL2 6QB

Description

The application relates to a site located off Bury New Road. The site fronts Bury New Road, and is sited to the west of a detached two storey dwelling house. To the north is the converted Ainsworth Mill with a public house and residential properties running eastwards along Bury New Road. To the west and south is open land. The site is located within the Green Belt.

Planning permission is sought for the construction of 2 no. detached dwelling. The proposed dwellings would be two storey in height with additional accommodation provided within the roof space. Parking, and separate accesses for both properties are proposed to the front of the dwelling. Private amenity spaces are indicated to the rear of each dwelling.

Relevant Planning History

56933 - Change of use of land to metal recycling/storage (Sui Generis) and siting of 2 no. containers and refurbishment of existing temporary building for office use - Withdrawn by Applicant 17/02/2014

63611 - Outline - Erection of 2 no. detached dwellings with details of access, layout and scale (reserved matters for appearance and landscaping) - Approve with Conditions 07/03/2019

69254 - Outline application for erection of 2 no. detached dwellings with details of access, layout and scale (appearance and landscaping matters reserved) - Approve with Conditions 15/03/2023

Publicity

Neighbour letters sent 21/08/2025

Site notice posted at the front of the site 28/08/2025.

No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - CTMP condition and conditions in relation to boundary wall and implementation of parking and turning agreed.

Drainage Section - No response

Environment Section - Contaminated Land - Conditions requested in relation to the submission of a site characterisation and risk assessment and a remediation strategy and verification plan.

Environment Section - Air Quality - EV chargepoint requested by condition.

Waste Management - No response

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

Bolton MBC - No response

Greater Manchester Ecology Unit - The proposed site predominantly comprises hardstanding and the proposed works are unlikely to impact on any protected species. LPA will need to verify self build exemption. Conditions requested in relation to nesting birds and the integration of bat or bird boxes within the proposed buildings. Informative requested in relation to protected species.

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

Development Plan and Policies

OL1/2	New Buildings in the Green Belt
EN1/2	Townscape and Built Design
EN6/3	Features of Ecological Value
EN7/2	Noise 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
H2/3	Extensions and Alterations
HT2/4	Car Parking and New Development
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-P1	Sustainable Places
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-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S1	Sustainable Development
JP-S5	Clean Air
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
SPD8	DC Policy Guidance Note 8 - New Buildings in the Green Belt
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to

be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

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

The elimination of discrimination, harassment and victimisation;

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

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

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

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

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

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

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

Principle (Residential)

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

- 246 homes per year from 2022-2025;
- 452 homes per year from 2025-2030; then
- 520 homes per year from 2030-2039.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up of sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the deliverable land supply calculations as many sites will take longer than five years to come forward and be fully developed. The joint Places for Everyone Plan allocates significant strategic sites for housing within Bury and will accelerate housing delivery within the Borough to meet housing needs.

Following the adoption of Places for Everyone, the Council (through the 2024 SHLAA) is able to demonstrate a deliverable 5-year supply of housing land with a 20% buffer (as currently required in Bury due to past under delivery) when assessed against the adopted PfE housing requirement.

Housing Delivery Test

The National Planning Policy Framework also sets out the Housing Delivery Test (HDT), which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government (the 2023 measurement published on 12 December 2024) show that Bury has a HDT result of less than 75%, and therefore, this needs to be treated as a material factor when determining applications for residential development.

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

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

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

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

In this case, the site is located within the Green Belt so therefore paragraph 11 (d)(i) applies, and the proposal needs to be assessed against Green Belt policies.

Principle (Green Belt)

The site is designated as Green Belt under PfE JP-G9.

Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF makes it clear that development in the Green Belt is inappropriate unless one of eight exceptions apply:

- a. buildings for agriculture and forestry;
- b. the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e. limited infilling in villages;
- f. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g. limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h. Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Policy OL1/2 states that the construction of new buildings in the Green Belt is inappropriate development, unless it is for one of more of the following purposes: agriculture and forestry essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it; limited extension, alteration or replacement of existing dwellings, provided that this would not result in a disproportionate additions over and above the size of the original dwelling, or, in the case of replacement existing dwellings, the new dwelling is not materially larger than the one it replaces; limited infilling in existing villages.

The site is situated in the Green Belt but is considered to be previously developed land, immediately adjacent to a built up area that is 'washed over' by the Green Belt. It is acknowledged that there is an extant outline application on the site that has set the principle of development for two houses on this site that can be implement, subject to the submission of a reserved matters application.

The site is not infill but would be considered as the redevelopment of previously developed land as set out in paragraph 154g of the NPPF. As this is the case, paragraph 154g further sets out criteria by which any proposal would be assessed which in this instance is to not cause substantial harm to the openness of the Green Belt.

The applicant considers that the matter of principle has been agreed within the outline previous application as set out within the background section of their Design and Access Statement. The LPA has therefore revisited the principle of development that was previously accepted for the extant application 69254 in the context of the current NPPF.

The applicant has set out justification for the development within a supporting statement that accompanied the previous extant outline. The applicant highlighted that there is no definition of openness within the NPPF, and references a number of cases where the concept of openness has been debated. The applicant highlights that the 'lack of built development is one commonly cited meaning when referencing openness. Dove J observed however in *Lea Valley Regional Park Authority v Epping Forest DC* however 'that if openness is taken simply to mean the absence of development, then all development will "in truth" have an impact on openness.

The applicant's statement also referenced the judgement of *Turner v SoS for Communities and Local Government* (2016) it was ruled that 'The word "openness" is open textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents'. This point is further argued in *Samuel Smith Old Brewery (Tadcaster) v North Yorkshire County Council* (2018) where it is concluded that a number of different factors are capable of being relevant to the case and continues by stating that 'The first part of the question posed by the preamble in paragraph 90 – whether the development would “preserve” the openness of the Green Belt – cannot mean that a proposal can only be regarded as “not inappropriate in the Green Belt” if the openness of the Green Belt would be left entirely unchanged. It can only sensibly mean that the effects on openness must not be harmful – understanding the verb “preserve” in the sense of “keep...safe from harm” – rather than “maintain a state of things.'

It was argued by the applicant that, in the light of the above and other rulings 'inappropriateness' means the effects on 'openness' must not be harmful. The case of *Euro Garages v SoS* (May 2018) states 'that it is the openness of the Green Belt that must be considered, not the site as such'. It goes on to state that 'for there to be a greater impact on the openness of the Green Belt there must be something more than just change to the environment'.

Presently, the site is bordered by solid timber fencing on three sides and is used for parking. There are currently no buildings on the site. The proposed two dwellings will no doubt result in a change to the environment and would have a greater impact on the site itself than the current development (parked cars, hardstanding and boundary fencing) however that does mean that this would lead to substantial harm which is the current policy test within the NPPF. The proposal would not encroach into the open countryside and extend from what is a previously developed site and in the context of the immediate surroundings (adjacent dwelling and large converted mill across Bury New Road). This visual context is equally as important as the spatial context and should be given due consideration. Certainly long range views from the east and north would be restricted by existing buildings. Views of the development from the west would be set against the adjacent house and from the south, against the mill across the road.

The applicant also argued previously that the development should be considered in the

context of the Green Belt as a whole (60% of the Borough) and not just the individual site. When the proposal is considered against the Green Belt as a whole the applicant considers that the proposal's impact will be negligible particularly given the proposal will utilise a small, previously developed site, which is located on a busy main road. The applicant considered that the proposal will not result in encroachment into the open countryside and nor will it result in the unrestricted sprawl of the built up area as the site is already surrounded to the north, east and west by built form, which would therefore comply with the purposes of the Green Belt set out in Paragraph 143 of the NPPF.

Given the matters above, the existing extant permission for 2no. dwellings and the case previously presented it is considered that given the nature of this particular scheme, and the context of the site, the proposal would not have a harmful impact on the Green Belt, and would be considered, on balance, to be acceptable and complies with paragraph 154 of the NPPF and UDP Policy OL1/2.

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 35 dwellings per hectare at this site. The submitted density statement confirms that the site is 0.16 hectares which based on a total of 2 dwellings would result in a density of 12.5 dwellings per hectare. As set out within the density statement, and referenced above the site has an extant outline permission for 2no. dwellings. The lesser density at this site is therefore considered acceptable. If however future applications come forward, without the fallback position set out here the applicant may have to seek to reduce the size of the properties, or amend the layout to provide a higher density of the development.

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. 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.

The proposal would introduce a pair of semi-detached dwellings, with gable detailing adjacent to a row of 3 no. detached dwellings. The proposed sections show the dwellings within the street scene and it considered that the dwellings would be of a suitable height, with the proposed windows suitably aligned when viewed in relation to the existing window arrangements of the neighbouring properties. Whilst gable features are not prominent within the row given that each of the dwellings is of a different style it is not considered that this would be particularly at odds with the streetscene.

The two dwellings would sit relatively comfortably on the site with adequate space around them. The dwellings would be set back from the frontage of Bury New Road but reflect the linear residential street pattern, with sufficient parking, refuse storage and private amenity space, the layout of the proposed site is considered acceptable.

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.

Both plots would be a 3 storey, 4 bed, 7 person dwellings with an overall GIA of 152.48

square metres when reviewing the floor areas annotated on the proposed floor plans. This would exceed the 121 square metres required by NDSS. It does not appear that the entire second floor however would be over 1.5 metres in height and this would reduce the overall GIA. However, the GIA of just the first floor and second floor would be 125.02 square metres and therefore the dwellings would still comply.

Bedroom 1 would be located at first floor rear, and would measure approximately 12.3 square metres with a width of 3.4 metres exceeding the standards for a double occupancy room.

Bedroom 2 would be located at front first floor and would measure approximately 4.4 metres with a width of approximately 3.6 metres exceeding the standards for double occupancy.

Bedroom 3 would be located within the roof space. The proposed side elevation indicates floor level/ceiling heights and approximately 14 square metres of bedroom space would be above 1.5 metres in height complying with the 11.5 metres required by NDSS for double rooms. a width of approximately 3.5 metres can be provided at the tallest part of the room exceeding the width required for NDSS compliance.

Bedroom 4 is also located at first floor rear and would measure approximately 8.6 square metres with a width of approximately 2.5 metres exceeding the standards for a single occupancy room.

In built storage would be provided at ground floor accessed from the utility, first floor adjacent to bedroom 2, and at second floor through in built wardrobes. The overall in built storage would exceed the 3 metres required by NDSS.

As set out above the proposed side elevation indicates the floor heights of the proposal. The ground floors and first floors would have ceiling heights of at least 2.3 metres. This can not be provided for the whole of the second floor. NDSS states that the minimum floor to ceiling height is 2.3m for at least 75% of the GIA. The combined floor areas of the ground floor and first floors would equate to approximately 81.9% of the floor area of the dwelling indicated on the proposed floor plans. The dwellings would therefore appear to comply.

Compliance with Part M4(2) can be secured by condition and the applicant has provided a summary of requirements clarifying that they can comply with the standards.

Permitted Development

It is considered reasonable, given the nature of the site, that the 'permitted development' right for future residents be removed in order to control any future development on the site in the interests of visual amenity and the Green Belt.

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.

The site slopes towards the rear boundary however there would not be a different in heights of more than one storey and as aspect standards have not been increased.

The proposed first floor rear windows would be located approximately 12.8 metres from the directly facing rear boundary exceeding the 7 metres required by SPD 6. The proposed rear ground floor windows would be partially screened by the proposed rear boundary treatment

and again would be located 12.8 metres from the shared rear boundary. Due to the height of the proposed roof lights within the proposed rear roofslope no overlooking foreseen.

Proposed front windows, would be separated from the Mill Industrial Estate by a highway. No undue loss of privacy is foreseen.

Proposed side windows would relate to non-habitable rooms (landings at first and second, wc at ground) and therefore aspect standards not applied.

The proposed dwellings would project approximately 8.6 metres beyond the rear of no. 100 Bury New Road which is included within the blue edge of the location plan. Plot 2 would be separated from the shared boundary with the property by the existing driveway at no. 100 and the proposed driveway for plot 2. Due to this separation the two storey element would not impact on a 45 degree line as taken from the midpoint of the nearest ground floor habitable room window (see drawing 1269/BNR/SLP Rev A). The single storey rear element would impact on this 45 degree line, with about 1 metre projecting beyond it. Plot 2 however would be sited at a slightly lower finished floor level than the adjacent site, with the single storey element having a lean to style roof. Given that the minimal impact on the 45 degree line, the changes in levels, the reduction in height of the roof and the ownership of the adjacent property this relationship is considered to be acceptable.

The proposal seeks to install an air source heat pumps as part of the proposal but no details have been submitted in relation to their location. The main consideration in relation to this installation will be in relation to the noise created. As such UDP Policy EN7/2 - Noise Pollution is required to be considered for this application. This policy states that the Council will not permit development which could lead to an unacceptable noise nuisance to nearby occupiers and or/amenity users or development close to a permanent source of noise. The installation of an air source heat pumps on domestic premises is considered to be permitted development, not needing an application for planning permission, provided limits and conditions are met however permitted development rights would not apply until the property is built and occupied. On the 29th May 2025 Class G was altered to relax the rules around Air Source Heat Pumps (ASHP), allowing for larger units however the heat pump must comply with the Microgeneration Certification Scheme (MCS). The applicant has confirmed that they would seek to install a heatpump that has a rated operating sound level of 48db. The heat pump would be located to the side of plot 2 approximately 6 metres away from the ground floor windows of No. 100 (which is included within the blue edge). Given the distances proposed and the intervening proposed close boarded fence it appears that the proposed unit would meet MCS standards.

A condition will therefore be attached to the permission to ensure that the proposed air pumps do not exceed the noise limits defined by permitted development rights to ensure that the proposal would not impact on the amenity of the neighbouring properties.

Highways and Access

Policy EN1/2 requires the consideration of the design and appearance of access, parking and service provision. This is further supported by 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. 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.

The proposed access points for each house onto Bury New Road are appropriate with adequate visibility. Three parking spaces are proposed for each unit and there is sufficient space for turning within the site. Refuse storage within the site and collection arrangements from Bury New Road are acceptable.

Parking

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 provides parking standards for developments.

The site is located within Zone 4 as set out within SPD 11. As such the proposal should provide 3 spaces. 3no. spaces at 2.5 x 5 metres as shown to the front/side of the dwelling. To the side/rear of the dwelling sheds are also indicated to provide storage for cycles. As such the proposal complies with SPD 11.

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 Policy EN6/3 that seeks to retain, protect and enhance the natural environment and seeks to retain features of ecological or wildlife value. Paragraph 180 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. UDP Policy EN8/2 supports and encourages new woodland and tree planting within the borough.

The proposed site predominantly comprises hardstanding and the proposed works are unlikely to impact on any protected species.

While every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition, commencement and transitional arrangements, as well as exemptions, mean that certain permissions are not subject to biodiversity net gain. The site is proposed for self-build dwellings and therefore a condition can be utilised to secure this element.

Carbon And Energy

JP-S2 - Carbon & Energy sets out the steps required to achieve net zero carbon emissions.

The applicant has confirmed that the dwellings would be constructed to meet or surpass the current U value building fabric requirements and also be built to a low air pressure change requirement meaning that heating of the dwellings will take less energy to do so. The applicant has also include solar PV panels to the roof planes to work in conjunction with suitably sized Air Source Heat pumps which have been referenced above.

Digital Connectivity

JP-C2 - Digital Connectivity - this policy requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting.

The applicant has confirmed that the construction phase of the two no. self build dwellings would incorporate high speed fibre optic digital connections to comply with Part R of the building regulations. Checks have been undertaken by the applicant via Openreach Fibre Checker data and existing supplies in the area are capable of internet speeds up to 1600 mbps.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered 1269/BNR/LP, 1269/BNR/ESLP, 126/BNR/HW, 1269/BNR/SLP Rev B, 1269/BNR/HT1P Rev A, 1269/BNR/SS1 Rev 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 and Places for Everyone Joint Development Plan listed.
- 3 Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.
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 EN1/2 - Townscape and Built Design
- 4 Development shall not commence until details of surface water drainage proposals have been submitted to and approved by the Local Planning Authority. The scheme must 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) or subsequent revisions of it. This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Design details should comply with guidance contained in the Greater Manchester's Sustainable Drainage Design Guide, March 25. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.
Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Development Plan Policies JP-S4 Flood Risk and Water Environment , 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.
- 5 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:
With consideration to human health, controlled waters and the wider environment, the following documents shall be completed to characterise potential risk to sensitive receptors and submitted to the Local Planning Authority for approval:
 - I. Preliminary Risk Assessment (PRA). Submission of this document is the minimum requirement.
 - II. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.
 - III. Detailed Quantitative Risk Assessment (DQRA). Submission of this document if GQRA requires it.Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs

187(f), 196 and 197 of the National Planning Policy Framework (December 2024).

- 6 No development hereby permitted (except demolition and site clearance) within any approved phase shall take place until the works relating to land contamination detailed below are fully completed:

In accordance with the findings of site characterisation and risk assessment as previously approved, documents from the following shall be submitted to the Local Planning Authority for approval:

- I. Remedial Options Appraisal.
- II. Remediation Strategy.
- III. Verification Plan.

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

- 7 The development hereby permitted within any approved phase shall not be occupied/brought into use until the works relating to land contamination detailed below are fully completed:

Where remediation is required, it shall be carried out in full accordance with the approved Remediation Strategy.

A Verification Report must be submitted to the Local Planning Authority for approval upon completion of remediation works. The Verification Report must include information validating all remediation works carried out; details of imported materials (source/quantity/suitability); details of exported materials; and details of any unexpected contamination.

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

- 8 Prior to occupation the applicant shall provide:

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

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

*Mode 3, 7kW (32A) single phase, or 22kW (32A) three phase, and for 50kW Mode 4 rapid charging may be required. British Standard BS EN 61851-1:2019 to be used. Further information regarding minimum standards can be found at <https://www.gov.uk/transport/low-emission-and-electric-vehicles>.

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

- 9 No works to trees or shrubs or demolition 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 JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 10 Prior to occupation of the development hereby approved the applicant shall install bat boxes or bird boxes within the proposed dwellings.

Reason. To secure the satisfactory development of the site and ensure enhancements and net gains for biodiversity pursuant to policies JP-G8: A Net Enhancement of Biodiversity and Geodiversity and EN6/3 - Features of Ecological Value of the Development Plan and National Planning Policy Framework Section 15 - Conserving and enhancing the natural environment.

- 11 The proposed air source heat pump shall comply with Microgeneration Certification Scheme (MCS) Planning Standards, and the volume of the air source heat pump's outdoor compressor unit (including any housing) shall not exceed 1.5 cubic metres.
Reason. No MCS details have been submitted with the proposed application and to protect the amenity of neighbouring occupiers pursuant to Development Plan Policy EN7/2 - Noise Pollution.

- 12 The dwelling hereby approved shall be built in accordance with the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations.

Reason. To secure the satisfactory development of the site pursuant to Places for Everyone Joint Development Plan Policy JP-H3: Type, Size and Design of New Housing.

- 13 The residential unit ('unit') in the development hereby permitted shall be constructed as a self-build dwelling within the definition of self-build and custom build housing in the 2015 Act:

- (i) The first occupation of the unit in the development hereby permitted shall be by a person or persons who had a primary input into the design and layout of the unit and who intends to live in the unit for at least 3 years;
- (ii) The Council shall be notified of the persons who intend to take up first occupation of the unit in the development hereby permitted at least two months prior to first occupation.

Reason. The scheme as submitted and subsequently determined, is specifically based upon the scheme being a Small Scale Self-Build and Custom Housebuilding scheme, which benefits from The Biodiversity Gain Requirements (Exemptions) Regulations 2024 to otherwise provide for Biodiversity Net Gain.

- 14 Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application.

Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan listed.

- 15 No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by the Local Planning Authority and shall confirm/provide the following:

- 1. 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 and as a result of statutory undertakers connections to the site;

2. Access route for all vehicles to the site from the Key Route Network and any temporary works required to facilitate access for ground works/construction vehicles;
3. If proposed, details of site hoarding/gate positions clear of required visibility splays onto Bury New Road;
4. The provision, where necessary, of temporary pedestrian facilities/protection measures on the adopted highway;
5. A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access onto Bury New Road;
6. Confirmation of hours of operation and number of vehicle movements;
7. Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
8. Parking on site or on land within the applicant's control of operatives' and construction vehicles, together with storage on site of construction materials;
9. 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 demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented prior to the development hereby approved being occupied.

Reason. To maintain the integrity of the adopted highway, mitigate the impact of the demolition/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 Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

- 16 The development hereby approved shall not be first occupied unless and until the access, parking, cycle storage, turning facilities and bin storage arrangements indicated on the approved plans, incorporating the 600mm front boundary wall and any new areas of hardstanding constructed in a porous/permeable material and/or measures to prevent the discharge of surface water onto the adopted highway, have been implemented in full.

Reason. To ensure good highway design and maintain the integrity of the adopted highway in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

- 17 Notwithstanding the details shown indicatively on approved plan reference 1269/BNR/SS1 Rev A, prior to the commencement of development full details of measures to construct the boundary wall abutting Bury New Road, incorporating foundations that do not encroach under the adjacent adopted highway and all associated highway remedial works required to reinstate the footway to its former condition, shall be submitted to and agreed in writing with the Local Planning Authority. The details subsequently approved shall be implemented prior to the occupation of the dwellings hereby approved and thereafter maintained.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, all in the interests of highway safety pursuant to Development Plan Policies EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Residential

DELEGATED REPORT

Development, JP-C5 - Streets for All and JP-C6 - Walking and Cycling.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	31/10/2025	DM	31/10/25