

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 22/09/2026	Ref: 73446/FUL
Registration: 27/07/2026	LDFC: 20/08/2026	Expiry Date: 21/09/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: MIDW

Proposal: Demolition of existing dwelling and erection of 1 no. replacement dwelling

Location: 299 Middleton Road, Manchester, M8 4LY

Description

The application relates to an existing single detached dwelling. The property sits on the boundary with Manchester City Council (MCC). The dwelling and front garden/driveway are located in the Bury Borough and the footway and road in front of the house located in the jurisdiction of MCC.

The dwelling sits within a row of 4 other detached properties and there are dwellings to the rear on Edgeware Avenue.

The dwelling is a 2 storey red brick detached build with a cat slide roof form at the side and bay window frontage. Accommodation comprises 4 living spaces at the ground floor and 3 bedrooms and a bathroom at first floor. There is a garden at the rear which extends 10.8m to the boundary and a driveway at the front where 3 cars can park.

The application seeks the demolition of the existing dwelling and a replacement dwelling.

The dwelling would be set back from the footway by 5.6m and extend into the site by 14.2m. leaving a garden depth of 6m at the rear. There would be a driveway at the front for 2 cars to park and cycle store at the rear for 6 bikes.

The new dwelling would be 2 storey in height with room in the roof space and a rear dormer. The new dwelling would be a red brick double fronted property with a covered central arched porch flanked by glazing either side and piked roof form. At the rear would be glazed bi-fold doors at ground floor, windows above and the flat roof dormer would span across the length of the roof.

Accommodation would comprise kitchen/diner, living room and reception room at ground floor and an integral single garage, 4 en-suite bedrooms at first floor and 2 en-suite bedrooms in the roof space and dormer.

Relevant Planning History

71800 - Demolition of existing dwelling and erection of 1 no. replacement dwelling - Refused 01/10/2025

Publicity

Letters sent to 14 properties on 30/7/26.
No responses received

Statutory/Non-Statutory Consultations

Traffic Section - No response received.

Borough Engineer - Drainage Section - No objection subject to submission for SuDS

Environmental Health - Contaminated Land - No objection subject to conditions.

United Utilities (Water and waste) - Recommend a SuDS is investigated.

Greater Manchester Ecology Unit - No objection

Manchester City Council - No response received

Prestwich Village Neighbourhood Forum - No response received

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

Development Plan and Policies

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
EN1/7	Throughroutes and Gateways
EN6/3	Features of Ecological Value
HT2/4	Car Parking and New Development
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C8	Transport Requirements of New Development
NPPF	National Planning Policy Framework

Issues and Analysis

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

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

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

The elimination of discrimination, harassment and victimisation;

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

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

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

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

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

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

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

Principle - residential

The site has a residential use and a replacement dwelling would be acceptable in principle.

Density

PfE Policy JP-H4 requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high-quality design. Policy JP-H4 sets out minimum densities that should be considered and the site falls in an area where a minimum density of 50 dwellings per hectare should be had regard to.

The development would be a replacement dwelling and the site requires 1 dwelling for the size of plot. The proposal would therefore accord with JP-H4.

Layout and design

Layout

The proposed dwelling would be set back from the footway by approx 5.6m and project rear wards by 14.2m. It would be set slightly forward of the building line on Middleton Road by 1m but this is considered not to be excessive to disrupt the pattern of the streetscene.

The front of the property would be partly bounded by a wall at the back of the footway with an access to the driveway which would be sufficient to accommodate two cars. There would also be an integral single garage. As such, the proposed development would provide a total of 3 parking spaces which would comply with SPD11 for a 6 bedroomed dwelling in this location.

It is proposed to provide 6 cycle spaces in the rear garden which would be acceptable.

At the rear, there would be a garden which would extend 6m to the rear boundary. The first floor and dormer would be set back and there would be a distance of 8m from the habitable room windows at the first floor to the rear boundary and there would be non-habitable rooms to the rear dormer windows which would comply with SPD6.

Internally, accommodation would comprise living areas of a kitchen/diner, living room and a reception room with 4 en-suite bedrooms at the first floor and 2 en-suite bedrooms in the

2nd floor roofspace/dormer.

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

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

The proposal would comply with minimum space standards and each bedroom would exceed the minimum floor areas and widths.

The applicant states that the row of properties on Middleton Road have a raised floor finish level therefore accessible and adaptable standards may not be fully achievable which is acceptable given the site constraints.

Whilst a larger footprint than the existing dwelling, the proposed development would provide an adequate amenity area, sufficient parking and would comply with national space standards.

it is therefore considered the proposed development would be acceptable and comply with policies EN1/2, H2/1, H2/2, SPD6 and SPD11.

Design and appearance

The proposed dwelling would be two storey in height and whilst there would be additional accommodation in the roofspace and rear dormer, the ridge height of the dwelling would align with the two adjacent properties and as such considered to continue the rhythm within the streetscene.

The overall design follows a modern and contemporary approach to provide fully glazed pike roof gables either side of a central entrance way, with the remaining elevations built in red brick. Whilst replacing a relatively modestly designed dwelling, it would be similar to other new developments or alterations which have been carried out in the area and on this part of Middleton Road and as such considered acceptable.

At the rear, the property would have standard bi-fold openings at ground floor and windows at the first. The rear dormer would have a grey clad finish and window openings.

In terms of design, on balance the proposed development is considered to be acceptable within the streetscene and character of the area and would comply with H2/1, H2/2 and EN1/2.

Highways

The driveway would continue to be accessed from Manchester Road and would provide 2 parking spaces and there would also be a suitably sized integral single garage. This would comply with SPD11 for a 6 bedroomed property.

A cycle store for 6 bikes would be located at the rear, again in compliance with SPD11. The access arrangements and parking would not be significantly different to the current arrangements.

This length of Middleton Road and the footway are within the jurisdiction of Manchester City Council (MCC) who have been consulted on the proposal. No response has been received and it is therefore considered there would be no issues with the access and parking arrangements.

The proposed development is therefore considered to be acceptable and comply with policies H2/2, HT2/4, JP-C5 and JP-C8.

As MCC have not responded, a condition has been recommended that facilities for the

storage of materials be provided within the curtilage of the site for the duration of the construction period.

Ecology

A Bat Emergence Survey Report, July 2026 (Ecology 360) has been submitted and GMEU consulted.

Bats

The Preliminary Roost Assessment assessed the building to be demolished as 'moderate' bat roosting potential, and therefore two emergence surveys were conducted.

The bat emergence surveys were undertaken on the building, during which no bats were found to be roosting within the building. The survey was undertaken in accordance with best practice guidelines, and GMEU therefore have no reason to doubt the results. As such, no further surveys or licences are required, though an informative would be recommended if permission is granted:

- Whilst the works to the existing building have been assessed as very low risk for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found 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.

Planning policy encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible, measures to enhance the site for biodiversity should be secured as part of this planning application and should include the integration of at least one bat box and at least one bird box onto the new building, prior to habitation, to provide biodiversity enhancements, which should be secured via a condition.

GMEU also recommend that any new external lighting must be designed in line with best practice guidelines as per Appendix B of the Emergence Survey Report which can be secured via a condition.

Nesting Birds

There is no habitat suitable for nesting birds present in the dwelling, however the garden could support nesting birds. Work that will impact on habitats where nesting birds may be present (for example building works near to vegetation, or vegetation removal/works), should not be undertaken in the main bird nesting season (March - August) unless suitable checks for active bird nests have been undertaken. This should be secured via a condition.

Other Protected Species

Protected species can turn up in unexpected places, and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected species.

Biodiversity Net Gain (BNG)

The Application Form states that the application is exempt from mandatory BNG due to the de minimis exemption as it is a replacement dwelling and therefore exempt. However, the Application Form also states that there are no trees or hedges on-site, but from a review of Google Maps and Google Earth, it seems that there is a hedge on-site at the front of the property, and a tree and vegetation to the rear. The hedge may be removed for the proposed development, and as the new property will be larger, it is likely some vegetation will be removed.

The applicant has confirmed the hedge at the front and single tree at rear are to be retained. GMEU have confirmed the development would be exempt from Mandatory BNG via the de minimis exemption.

United Utilities (UU)

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

When considering their drainage proposal, it is the applicant's responsibility to investigate the existence of any infrastructure that might impact their detailed design.

A public sewer crosses the site and UU will not permit building over it and require an access strip for maintenance or replacement and this access must not be compromised in any way. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

The applicant has been informed of UU's response

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 plan sheet 1

Revised existing elevations sheet 3 rev B

Revised proposed plans (ground and first) sheet 4 rev B

Revised proposed plans (second and roof plan) sheet 5 rev B

Revised proposed elevations sheet 6 rev B

Revised existing site plan sheet 7 rev B

Revised proposed site plan sheet 8 rev B

Existing and proposed streetscene sheet 9

Carbon and energy statement rev P01

Digital connectivity statement rev P01

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 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. Generic Quantitative Risk Assessment (GQRA). Submission of this document only if PRA requires it.

II. 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 Policies L2(1)(a) and P2 of the National Planning Policy Framework (August 2026)

- 4 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 Policies L2(1)(a) and P2 of the National Planning Policy Framework (August 2026)

- 5 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 Policies L2(1)(a) and P2 of the National Planning Policy Framework (August 2026)

- 6 The development hereby approved within any approved phase shall not be brought into use until written confirmation is provided to the Local Planning Authority that unexpected or previously unidentified contamination was not encountered during the course of development works.

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

I. Risk Assessment (GQRA or DQRA);

II. Remediation Strategy & Verification Plan;

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

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Policies L2(1)(a) and P2 of the National Planning Policy Framework (August 2026)

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

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

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

Reason. To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Policies L2(1)(a) and P2 of the National Planning Policy Framework (August 2026)

- 8 Prior to occupation the applicant shall provide:

{Residential less than 10 parking spaces}

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

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 policies P3, TR3(d) and TR4(1)(e) of the National Planning Policy Framework (August 2026) and Places for Everyone Policy JP-S5 (Clean Air).

- 9 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 Policies EN7/3, EN7/5, JP-S4 and chapter 5 - Meeting the challenge of climate change and chapter 18 - Managing flood risk and coastal change of the NPPF.

- 10 Any new external lighting must be designed in line with best practice guidelines as per Appendix B of the Emergence Survey Report.

Reason. To ensure satisfactory development of the site for Protected Species pursuant to policy EC6/3 and chapter 19 - Conserving and enhancing the natural environment of the NPPF.

- 11 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 EN6/3 - Features of Ecological Value and National Planning Policy Framework Chapter 19 - Conserving and enhancing the natural environment.

- 12 Prior to first occupation, the development hereby approved shall provide one bat box and at least one bird box which shall thereafter be maintained.

Reason. To secure the satisfactory development of the site and in the interests of ecological enhancement pursuant to policy EC6/3 and chapter 19 - Conserving and enhancing the natural environment of the NPPF.

- 13 The car parking indicated on the approved plans shall be made available for use prior to the first occupation of the development hereby approved.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

- 14 The development hereby approved shall not be commenced unless and until facilities for the storage of construction materials have been provided within the curtilage of the site. The facilities shall be retained for the intended purpose and the area identified shall not be used for any other purposes other than the storage of construction materials for the duration of the construction period.

Reason. To maintain the integrity of the adopted highway and ensure adequate off highway materials storage arrangements are provided for the duration of the construction period, in the interests of highway safety pursuant to policies EN1/2 and JP-C8.

<u>Case Officer</u> JT 22/9/26	<u>Date</u>	<u>Sign off Officer</u> DM 23/9/2026	<u>Date</u>
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