

Sedgwick Associates

Chartered Town Planners

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Land r/o
**354 Manchester Road,
Bury BL9 9NR**

Full application for the erection of one dwelling

Planning Statement

April 2026

1. INTRODUCTION

- 1.1. This planning statement is for the erection of a single dwelling on land to the rear of 354 Manchester Road, Bury. The statement sets out the main town planning considerations that arise in determining the application, which is a resubmission with minor modifications of a proposed development refused by the council on 13/11/2025 under application reference 72313.
- 1.2. It is considered here that the modifications and explanations adequately deal with the nine reasons for refusal set out in the decision notice.

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2. THE APPLICATION SITE AND ITS SETTING

- 2.1. The application site is within a primarily residential area and is situated to the rear of 354 Manchester Road. It is an area of land that has not previously been developed, although the historic mapping from 1923-1928 shows surface ground workings had been undertaken. Since then, the site has become overgrown with vegetation, including trees, some of which are protected by a tree preservation order.
- 2.2. Land to the west of the site was developed for housing in the 1930s and this forms the western boundary. Housing on land immediately to the east and north of the site is shown as having developed in the 1980s, and since then there has been very little change in this developed part of Bury.
- 2.3. The housing development close to the site is mixed in character and form, with terraced, semi-detached and detached dwellings. The houses on Manchester Road closest to the site are large, detached dwellings with large private gardens a feature of which is mature tree cover. Some of the trees are protected by TPOs and TPO 274 relates to trees on the application site.
- 2.4. The dwellings most visible to the site are of traditional brick construction with pitched roofs, including some dwellings with hipped gables. No 354a, which is the only building with a visual interface with the proposed dwelling, presents a piked gable elevation exhibiting a double and single garage door with a balcony above.

3. PLANNING HISTORY

- 3.1. The only relevant planning history for the site is the previous application for the development of a single 4-bedroom dwelling, reference 72313, which was refused on 13/11/2025 for 9 reasons. A copy of the decision notice is appended.

4. RELEVANT PLANNING POLICIES

- 4.1. The adopted development plan comprises:
- The Joint Places for Everyone (PfE) Development Plan Document, which was adopted by Bury Council with effect from 21 March 2024; and
 - Bury Unitary Development Plan saved policies, excluding those replaced or modified by PfE.
- 4.2. The policies most relevant to this application are found in Places for Everyone:
- JP-H3: Type, Size and Design of New Housing
JP-H4: Density of New Housing
JP-P1: Sustainable Places
JP-S2: Carbon and Energy
JP-S4: Flood Risk and the Water Environment
JP-C2: Digital Connectivity
JP-G7: Trees and Woodland
JP-G8: A Net Enhancement of Biodiversity and Geodiversity
- 4.3. Planning policies not set out in the adopted development plans can be material considerations in determining applications. The NPPF is an important source of such policies, and the following sections are relevant to this application:
2. Achieving sustainable development
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
- 4.4. Additional policies are found in supplementary planning documents, which may set standards or provide guidance. Relevant to this case are:

- Parking standards (2025)
- Design and layout of new development (2008)
- Planning out crime in new development (2001)

4.5. These policies have informed the application proposals.

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5. PLANNING ASSESSMENT

- 5.1. The application proposals are for a single 4-bedroom dwelling in a residential area within the established urban area of Bury. The site is adjacent to an existing dwelling, and between housing development fronting onto Manchester Road and housing development fronting onto Windermere Drive.
- 5.2. The site has no current use but is an area of land that has become wooded over time, and some trees are now protected by a TPO. Arboricultural advice has been taken with regard to siting the dwelling outside of root protection zones so that no harm comes to protected trees.
- 5.3. The design of the dwelling has been influenced by the size and location of the identified development platform. The distance from living room windows of 354a Manchester Road meets the requirement for space between dwellings as there are no main room windows facing towards it. The active frontage faces towards the access drive providing a clear and legible view of the entrance to the dwelling, and to parking provision. The form of development of 2-storey with a pitched and hipped roof and facing materials proposed are characteristic of the locality.
- 5.4. In policy terms, the site is located within the urban area and is unallocated. Since the adoption of PfE the council considers that it is now able to demonstrate a five-year supply of deliverable housing sites with a 20% buffer. However, this is no reason to not grant further consents for housing, including on windfall sites such as this one. The results of the latest Housing Delivery Test mean that the presumption in favour of development set out in §11d of the Framework is engaged and planning permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 5.5. The biological net gain metric forming part of the application shows that there is a requirement to enhance the habitat within the site, or to provide additional habitat units off-site through a certified provider.

- 5.6. As noted above, the previous application was refused for nine reasons, which are discussed below.
- 5.7. The revised application deals with each of these reasons for refusal as follows, either by amending the scheme, providing additional explanation or otherwise rebutting the RfR. As no relevant changes to policy or site-specific matters have occurred since the previous application was determined, dealing with all the former reasons for refusal is definitive.

RfR 1 The development would not make optimal use of the site's potential

- 5.8. The officer's report considers that an additional number of dwellings could be located on the site, especially as the 183 m² gross internal area "...*could easily accommodate 4 x 1 bed, 1 person properties.*" This is an extraordinary approach to be taken in determining an application, especially as this is an area characterised by larger dwellings and that will influence the determination of the appropriate form of development. The officer's report has the proviso that this assessment is: "...*without prejudice to the other policy and material considerations that need to be weighted...*" but that is a luxury that is not afforded to the applicant who has to balance all of the relevant considerations in making the proposal.
- 5.9. The Nationally Described Space Standard has a minimum of 37m² for a single person, single storey home. As only the ground floor would be developed, the 92m² of footprint area would accommodate only 2 dwellings and 2 people. It is clear that even on the simplistic assessment undertaken by the LPA the development site would not "... *easily accommodate 4 x 1 bed, 1 person properties*" and even if it did there would only be half the number of bed spaces, so population density would be halved. This does not take account of the requirements for space around dwellings, and no space is available to provide the additional parking space that would be required.
- 5.10. The strict constraints on the site that are provided by the protected trees the access and neighbouring development means that the application proposals for a 4-bedroom dwelling with 3 parking spaces is the optimal development that can be achieved within this site. Accordingly, the

housing density statement has again been submitted in support of the application.

RFR 2 the development would be unsympathetic to the established arrangement of streets, buildings and spaces.

5.11. Assessment of the application proposals shows that they do not have any adverse impact on the arrangement of streets, buildings or spaces. It is development in a private area already accessed through a long private driveway which serves a detached dwelling located to the rear of 350-352 Manchester Road and which in turn is immediately south of the gated housing development served by Orchard Close, also a private access. It can therefore be seen that the application proposal is based on the existing pattern of development in the area, utilises an existing access and does not have any negative impact to the established pattern of development. It therefore does not offend the relevant policies of the development plan.

RFR 3 Sub-standard distances between the proposed balcony accessed from bedroom 2 and the directly facing boundaries and the habitable room window of the adjacent residential property.

5.12. The balcony has been removed in the revised application and there is therefore no offence against the relevant policies.

RFR 4 The proposed development would result in an intensification of the use of the existing site access, which is inadequate in terms of width and lack of facilities that would enable vehicles to pass each other.

RFR 5 The proposal does not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, and therefore is detrimental to road safety and maintaining the free flow of traffic on the shared site access and adjacent Class 1 road (A56 Manchester Road).

RFR 6 The application and submitted plans contain insufficient information to confirm what works are proposed for the resurfacing of the existing shared site access required in view of the proposed use as a primary pedestrian and vehicular access to the new dwelling and bin storage and

access arrangements suitable for use by the Council's Waste Management Section.

5.13. To deal with these three reasons for refusal in preparing the revised application, advice has been sought from professional transport consultants SCP. Their transport technical note forming part of the application deals with these matters. In particular, the widening of the access within the public highway to 5.0m is proposed, allowing two cars to pass without any obstruction to traffic on Manchester Road. This can be secured by a planning condition and an agreement under s278 of the highways act with the local highway authority. Also, the construction of a passing place part way along the private drive allows for two cars to pass each other and can also be secured by a condition. There are therefore no highway reasons to refuse the application. Additionally, it is considered that these improvements in particular lead to an overall betterment of the present circumstances and that this contributes some positive weight in determining the application.

RFR 7 Further surveys of T10 are therefore required to determine the tree's suitability for use by roosting bats which have not been undertaken or submitted with the application.

5.14. Although the original ecological and arboricultural reports include T10, this is outside of the application site and no works are proposed that will affect this tree. Therefore, no further surveys for bats are required.

RFR 8 The applicant has failed to demonstrate that tree T10, that is protected by means of a Tree Preservation Order number 274, would be adequately protected throughout the construction period due to plans that contain insufficient information to confirm what works are proposed for the resurfacing and widening of the existing shared site access required in view of the proposed use as a primary pedestrian and vehicular access.

5.15. No resurfacing of the access drive is required, and the proposed passing place is outside of the root protection area of T10. The arboricultural report at §6.3 requires that temporary ground protection is installed on the

drive above the root protection zone of tree T10 during the construction phase, and this can be secured by a planning condition.

RFR 9 The applicant has failed to demonstrate that the proposed air source heat pump would not be seriously detrimental to the residential amenities of nearby occupiers, by reason of noise and disturbance.

- 5.16. Air source heat pumps suitable for residential use are designed to be acceptable close to a dwelling and typically produce noise levels between 40 and 60 decibels. This is comparable to a quiet conversation or the hum of a refrigerator, making them relatively quiet for most residential settings. Because of design changes which occur over time, it is not practical to specify which product will be installed at this stage but, if necessary, a planning condition can require the LPA's approval of the air source heat pump and its siting prior to its installation.

6. CONCLUSION

- 6.1. The application is for a single, 4-bedroom dwelling on a site within a residential neighbourhood of the urban area. The scheme has been designed to take account of arboricultural concerns as set out in the arboricultural report forming part of the application and maximises the residential accommodation that can be provided on the site. It also takes account of the location and orientation of the adjacent dwelling, and good design practice. The results of the housing delivery test show that in Bury there is a presumption in favour of development.
- 6.2. A previous application for this development was refused by the LPA on 13/11/2025 and nine reasons for refusal were identified. As there have been no subsequent material changes in relevant planning circumstances and the former reasons for refusal have all been dealt with as set out above, the application should now be approved, subject to necessary conditions.

Appendix

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Paul Sedgwick
Sedgwick Associates
Po Box 237
Bolton
BL1 9WY

On Behalf Of:

Rachel Hankinson
38 Royds Close
Tottington
Bury
BL8 3QD

PART 1 - Particulars of Application

Application Number: 72313

Date of Registration: 22/09/2025

Proposal:

Erection of 1 no. dwelling

Location:

Land at rear of 354 Manchester Road, Bury,
BL9 9NR

PART 2 - Particulars of Decision

The Bury Metropolitan Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been **REFUSED** for the carrying out of the development referred to in Part 1 hereof for the following reasons:-

- 1 The proposed development for 1no dwelling on the site of circa 0.12 hectares would not make optimal use of the potential of the site. Therefore, the proposed development would not make efficient use of land conflicting with Policy JP-H4 - Density of New Housing of the Places for Everyone Joint Development Plan.
- 2 The proposed development, by virtue of the position of the dwellings to the rear of no. 354 Manchester Road with no street frontage and accessed by a shared drive routed between neighbouring linear related dwellings, would constitute an incongruous and inharmonious form and layout of development that would be unsympathetic to the established arrangement of streets, buildings and spaces. The proposed development therefore conflicts with policies JP-P1- Sustainable Places, EN1/2 - Townscape and Built Design, H2/1 -The Form of New Residential Development, H2/2 - The Layout of New Residential Development and H2/6 - Garden and Backland Development of the Development Plan and Section 12 of the National Planning Policy Framework.
- 3 The proposed development would result in unacceptable overlooking of land outside of the applicant's ownership and an unacceptable reduction in the level of privacy currently enjoyed by the occupiers of no. 354a Manchester Road by reason of the sub-standard distances between the proposed balcony accessed from Bed 2, the directly facing boundaries and the habitable room window of the adjacent residential property. The proposed development therefore conflicts with Development Plan

Policy H1/2 - Further Housing Development and Supplementary Planning Document 6: Alterations and Extensions to Residential Properties.

- 4 The proposed development would result in an intensification of the use of the existing site access, which is inadequate in terms of width and lack of facilities that would enable vehicles to pass each other. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Development, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.
- 5 The proposal does not provide suitable accommodation for vehicles to enter and leave the site in a forward gear, and therefore is detrimental to road safety and maintaining the free flow of traffic on the shared site access and adjacent Class 1 road (A56 Manchester Road). The proposed development therefore conflicts with the following policies of the Development Plan: EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Development, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.
- 6 The application and submitted plans contain insufficient information to confirm what works are proposed for the resurfacing of the existing shared site access required in view of the proposed use as a primary pedestrian and vehicular access to the new dwelling and bin storage and access arrangements suitable for use by the Council's Waste Management Section. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/2 - Townscape and Built Design, H2/2 - The Layout of New Development, JP-C5 - Streets for All, JP-C6 - Walking and Cycling, JP-C8 - Transport Requirements of New Development and JP-P1 - Sustainable Places.
- 7 The submitted Ecological Survey and Assessment (ERAP, 2025) confirms that T10 has PRF-M bat roosting potential. The submitted Arboriculture Report confirms that works are proposed to this tree to facilitate development. Further surveys of T10 are therefore required to determine the tree's suitability for use by roosting bats which have not been undertaken or submitted with the application. The applicant has therefore failed to demonstrate the proposal would not have a detrimental impact on a protected species contrary 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.
- 8 The applicant has failed to demonstrate that tree T10, that is protected by means of a Tree Preservation Order number 274, would be adequately protected throughout the construction period due to plans that contain insufficient information to confirm what works are proposed for the resurfacing and widening of the existing shared site access required in view of the proposed use as a primary pedestrian and vehicular access. The proposed development would therefore be contrary to Development Plan Policies EN8/1 - Tree Preservation Orders, EN8/2 - Woodland and Tree Planting and JP-G7 Trees and Woodland.
- 9 The applicant has failed to demonstrate that the proposed air source heat pump would not be seriously detrimental to the residential amenities of nearby occupiers, by reason of noise and disturbance. The proposed development therefore conflicts

with Policy EN7/2 - Noise Pollution.

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.

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

EN1/2	EN1/2 - Townscape and Built Design
EN6/3	EN6/3 - Features of Ecological Value
EN7/2	EN7/2 - Noise Pollution
EN7/5	EN7/5 - Waste Water Management
EN8/1	EN8/1 - Tree Preservation Orders
EN8/2	EN8/2 - Woodland and Tree Planting
H1/2	H1/2 - Further Housing Development
H2/1	H2/1 - The Form of New Residential Development
H2/2	H2/2 - The Layout of New Residential Development
H2/6	H2/6 - Garden and Backland Development
HT2/4	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-G7	Trees and Woodland
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-P1	Sustainable Places
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
JP-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 and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
NPPF	National Planning Policy Framework

This decision relates only to the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

Applicant Plan Numbers:

Location Plan, Proposed F.F Plan, Proposed G.F Plan, Proposed Site Plan based on a topographical, View from 356A, Proposd Site Section, Proposed street scene as viewed from 354A,
2024/06 Proposed Street Scene from 354A & Proposed Street Scene from Site Entrance,
2024/01 Rev A, TRI-4426-01 received 8th September 2025.

2024/06 - Existing Street Scene from 354A & Existing Street Scene from Site Entrance,
2024/08, Proposed Site Plan (Partial) 1:100, Proposed Site Plan 1:200 received 23rd
September 2025.

NOTES TO APPLICANT

Not Applicable

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', written in a cursive style.

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On behalf of the Council

Date of Decision: 13/11/2025