

LAND ADJ. 49 RAINSOUGH BROW - PLANNING STATEMENT



Figure 1: Google Maps screenshot showing the property in colour

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1. Introduction

This document was prepared by Studio Tashkeel Architecture for Mr Ahuja for the site on Land adj. 49 Rainsough Brow, Bury BL9 0NB. This document has been prepared for the planning application submitted for the Erection of 2 no. storey mixed use development consisting of 1 no. shop (Class E) on the ground floor and 1 no.apartment on first floor

2. About the Development

Description of application: Erection of 2 no. storey mixed use development consisting of 1 no. shop (Class E) on the ground floor and 1 no. apartment on first floor *and associated car parking, landscaping and boundary treatment.*

The existing context of the site is currently unused as it would be a car parking area. It has an adjacent existing store with associated car parking (49 Rainsough Brow). The site is opposite to Drinkwater Park and a private road that leads to 5 Rainsough Brow.

The scheme proposes a two-storey mixed-use development consisting of 1 no. Shop on the ground floor, accessed through an entrance from the proposed car park. On the first floor, 1 no. one-bedroom apartment (Class C3a). The apartment also consists of a Terrace towards the Rainsough Brow, which acts as an amenity space. The access to the apartment is from a private staircase block. The staircase block consists of a cycle storage for the flat.

Relevant Planning History:

Dates and Description (Date received: Ascending):

Address: Former Rainsough Brew PH, 49 Rainsough Brow, Prestwich, Manchester, M25 9XW

Reference number: 53906

Date: Fri 15 Apr 2011

Description: Erection of three three-storey building comprising ground floor retail store, offices at 1st and 2nd floors and associated parking.

Status: Approved with Conditions

Address: Land at 49 Rainsough Brow, Prestwich, Manchester, M25 9XW

Reference number: 54838

Date: Fri 10 Feb 2012

Status: Approved with Conditions

Address: Land at 49 Rainsough Brow, Prestwich, Manchester, M25 9XW

Description: Proposed 3 storey building consisting of 200sqm retail space at ground floor and 6 no. apartments at first and second floor level

Reference number: 70914

Date: 16/08/2025

Status: Refused

Address: Land at 49 Rainsough Brow, Prestwich, Manchester, M25 9XW

Pre-Application Reference: 03048E

Date: 14/03/2025

Local Planning History:

Properties in the local area have achieved planning approvals successfully for similar multiple-storey developments for housing. They are listed below:

Planning Reference	Address	Description	Status
59290	51 Rainsough Brow, Prestwich, Manchester, M25 9XW	Demolition of existing public house and erection of 10 no. apartment building with basement parking and rooftop amenity area	Approve with Conditions

Several similar applications have been approved in the surrounding area, which is predominantly quiet, car-centric, and primarily residential in nature. This proposal aims to introduce another commercial unit within walking distance, enhancing local amenities while also providing quality and secure residential dwellings. This approach contributes to the area's development by offering a balanced mix of commercial and residential uses, in line with the character of the neighborhood.

Planning Policy:

Bury's Local Plan now follows the Greater Manchester joint development plan: Places for Everyone Joint Development Plan 2022 to 2039. The following section will address Places for Everyone and Unitary Development Plan:

Policy JP-H2 7.30: Type, Size, and Design of New Housing mentions: *A key part of the overall strategy is to maximise the amount of development on brownfield sites in the most accessible locations and minimise the loss of greenfield and Green Belt land as far as possible. To deliver the necessary densities, an*

increasing proportion of new dwellings will be in the form of apartments and townhouses, continuing recent trends.

The proposal will use unused empty brownfield land which proposal with a great benefit to the local community. As such, the proposal would be in general accordance with national and local planning policy. The site has also been unkept for multiple years with overgrown hedges and poorly maintained boundary treatment. The proposal also adds a quality courtyard space with 32 sqm of green space amenity for the residents in the proposal to use.

Policy JP-H3: Type, Size and Design of New Housing mentions that

1. all new dwellings must comply with the nationally described space standards:

All rooms comply with NDSS Standards, with the bedrooms having a minimum of 2.6mm in width.

Apartment1(1Bed 2 Person): Total Gross Internal Area: **55m2**

2. Be built to the 'accessible and adaptable' standard in Part M4(2) of the Building Regulations unless specific site conditions make this impracticable.

Since the proposal is only for the erection of 1 flat and located on the first floor and due to the existing site conditions, it is not possible to comply with accessible and adaptable standard Part M4(2).

JP-C2: Digital Connectivity – The proposed development on land adjacent to 49 Rainsough Brow complies with Policy JP-C2: Digital Connectivity. The development will include full fibre-to-premises connections, ensuring operational internet connectivity and accessibility to network providers.

JP-S2: Carbon and Energy Compliance:

A new dwelling must meet minimum energy performance standards by comparing the energy performance of the actual dwelling with a theoretical 'notional dwelling'. This comparison is done both at the design stage and after construction is complete.

The proposal at Land adj. 49 Rainsough Brow complies with this because it will meet the U-values stated in Approved Document L Table 1.1. These implementations ensure that the energy performance of the actual dwelling aligns with the required standards when compared to the notional dwelling, both at the design stage and upon completion of the work.

The development at Land adj. 49 Rainsough Brow will include car parking on-site, consistent with the original context of the property.

UDP Policy: S2/5 – New Local Shopping Provision Outside Recognised Shopping Centres

The proposal complies with UDP Policy S2/5, which supports new local shopping provision outside recognised shopping centres where it meets local needs and does not harm existing centres.

There is already an existing shop on the site, and the addition of another unit will enhance the retail function of the location. The proposed development is designed to support and contribute to the local context by providing accessible amenities for future residents and the surrounding community. In particular, the new apartment block proposed as part of the development will benefit directly from the availability of local shopping, promoting a more self-sufficient and sustainable residential environment.

Overall, the proposal supports the policy's objective by strengthening the mix of uses in the area without impacting the vitality or viability of recognised shopping centres.

UDP Policy: S2/1 – All New Retail Proposals: Assessment Criteria

The proposal complies with UDP Policy S2/1, which outlines the criteria for assessing new retail development, including location, scale, impact on existing centres, accessibility, and contribution to the local area.

In this case, the proposed shop is located within an existing shopping centre, which is an appropriate and sustainable location for new retail development. This ensures the proposal aligns with the sequential approach encouraged by the policy. The shop is of a scale that is in keeping with its surroundings and will not adversely affect the viability or vitality of nearby centres.

The development will enhance the functionality of the existing centre and improve access to local retail services for the community, including residents of the proposed new apartments. As such, the proposal fully satisfies the assessment criteria set out under Policy S2/1.

3. Biodiversity Net Gain: De minimis exemption

This section of the planning statement will detail our proposal on how the development of Land adj. 49 Rainsough Brow will be exempt due to the de minimus exemption detailed in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

The de minimis exemption states that these two conditions must be met for the exemption to stand.

- 1. The first condition is that the development does not impact an onsite priority habitat.*

In this exemption, Priority habitat is specified as a *habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006*

In this piece of guidance, there is a list of habitats and species of principal importance in England.

The site on Land adj. 49 Rainsough Brow does not fall under a priority habitat and therefore meets the first condition. (Please see Figure 3 below)

- 2. The second condition is that the development impacts—*

(a) less than 25 square metres of onsite habitat that has biodiversity value(1) greater than zero; and

(b) less than 5 metres in length of onsite linear habitat.

Biodiversity value is detailed in Schedule 7A to the Town and Country Planning Act 1990 as: *value as calculated in accordance with the biodiversity metric.*

The Statutory Biodiversity Metric (as of 01/06/2024) is a tool that can calculate different types of 'biodiversity units'. There are three types of biodiversity units, which are calculated in three separate 'modules' of the metric. These are:

- *area habitat units*
- *hedgerow units*
- *watercourse unit*

Pruning overgrown hedges is considered within the de minimis exemption to Biodiversity Net Gain (BNG) because it typically involves minimal impact on the site's overall biodiversity value.

Please find the Google Maps Street View images below showing the current and previous condition of the hedges adjacent to 49 Rainsough Brow;

July 2024: Overgrown Hedges and poor boundary treatment.



April 2021:



August 2015:



August 2008: The hedges adjacent to the site boundary.



Upon reviewing the existing site through Google Maps, it appears that what was initially thought to be trees are overgrown hedges. The tree stumps are located outside the proposed site, and the areas within the site (beyond the red line) are to be pruned. The dense vegetation shown in the Topographical survey is not within the site boundary.

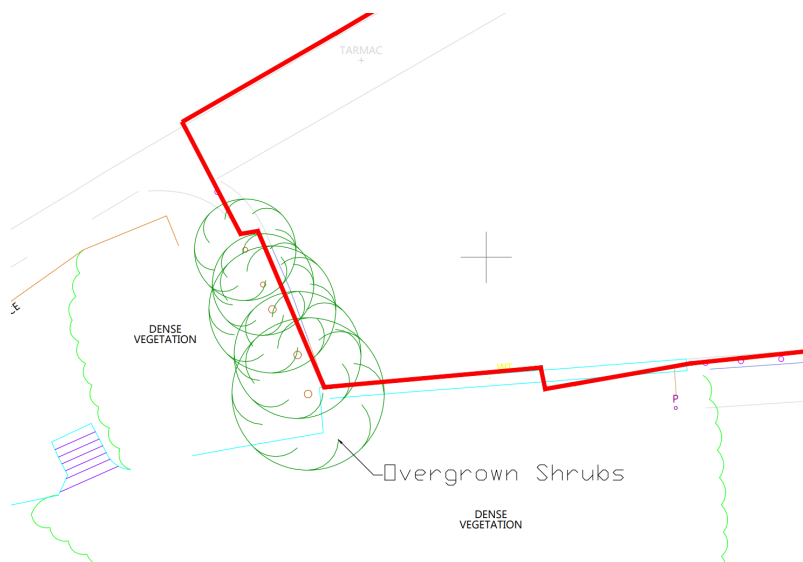


Figure 2: Screenshot of the Topographical survey prepared by CPLS with the site boundary in red.

When pruning overgrown hedges, the activity is usually focused on maintaining or managing existing vegetation rather than removing or degrading it. The hedges in question are not part of a priority habitat and the pruning does not significantly alter their structure or function. Therefore, it falls under the de minimis exemption. Pruning overgrown hedges, especially when done to maintain the health of the hedgerow or improve site access would provide minimal intervention that would be exempt under this regulation. It also aligns with the broader goal of encouraging developers to minimize habitat impact by following the biodiversity gain hierarchy.

Site Plan Existing:

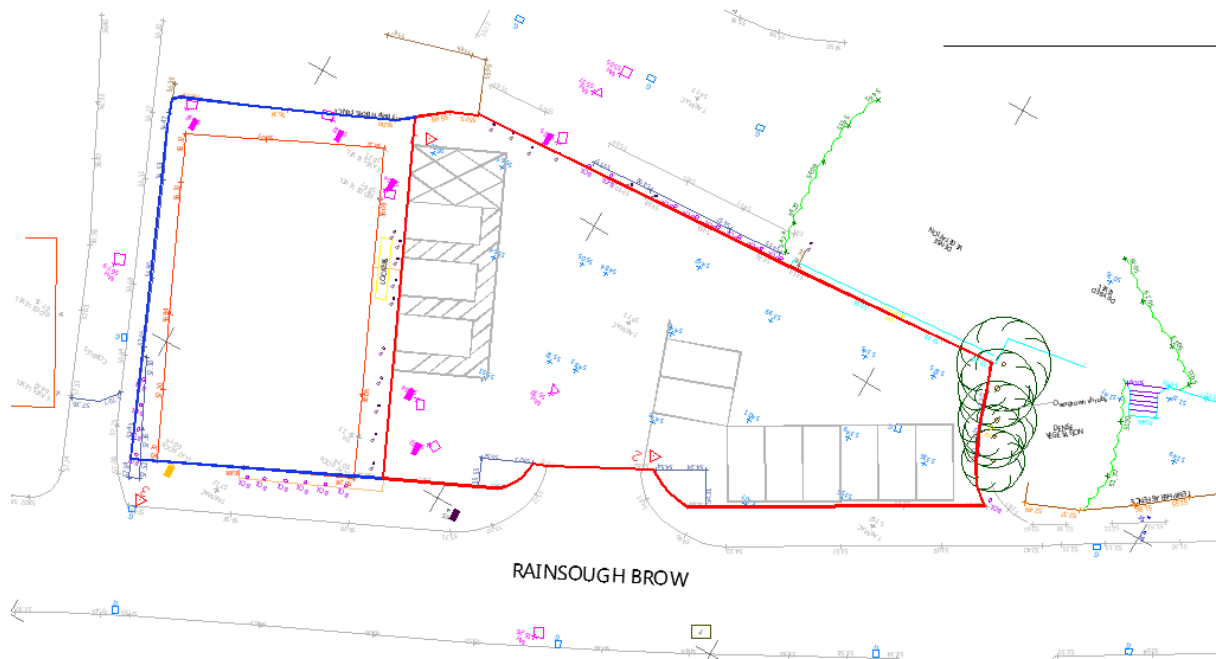


Figure 3: Screenshot of the Existing Site Plan (PL02) with the site boundary in red.

Site Plan Proposed:

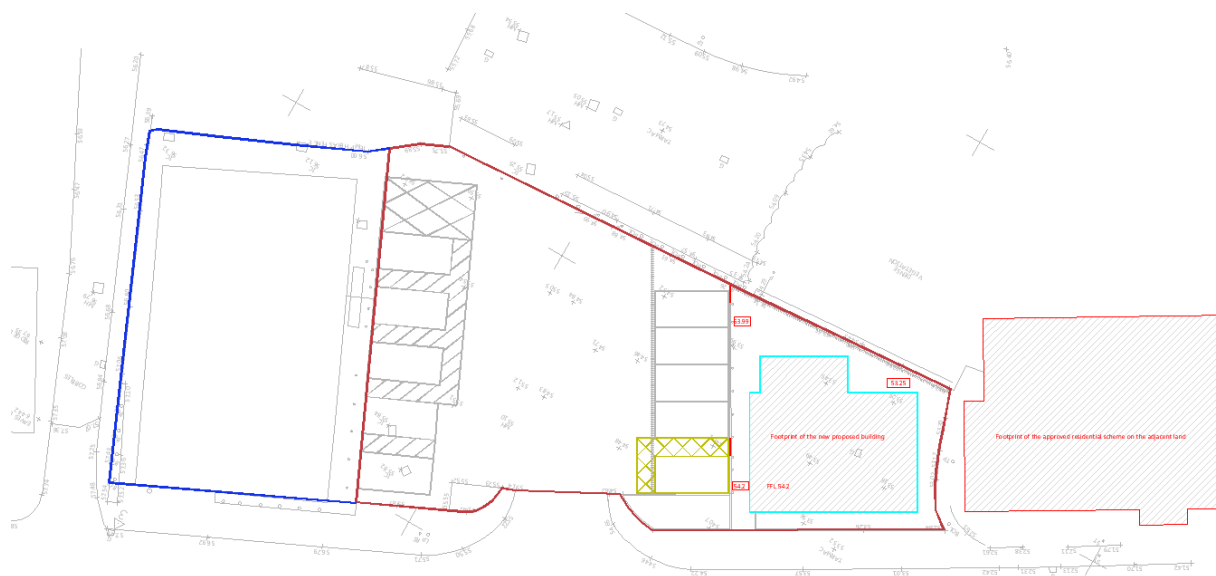


Figure 4: Screenshot of the Proposed Site Plan (PL03) with the site boundary in red.

In conclusion, the development at 49 Rainsough Brow will not only preserve and manage biodiversity assets on site but also contribute positively to biodiversity. By introducing new vegetation and enhancing the existing flora, the proposal aligns with the principles of Biodiversity Net Gain, ensuring that the site offers improved ecological value and a more sustainable living environment. **It can therefore be concluded that no biodiversity loss is likely to occur due to the proposed development.**

To conclude, the proposed development will provide additional housing in a sustainable location that would not be harmful to the character and appearance of the area or residential amenities. The proposed dwelling would provide a modest but highly valuable contribution towards the Council's housing land supply. The proposals comply with both local and national planning policy. The Applicant seeks to work proactively with the LPA and looks forward to positive discussions regarding the scheme.