

NOTICE OF REFUSAL OF PLANNING PERMISSION

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

To:

Mr Subhan Saleem
Saleem Architects
64 Heaton Street
Prestwich
Manchester
M25 1HH

On Behalf Of:

Mr Zafar Ali
299 Middleton Road
Manchester
M8 4LY

PART 1 - Particulars of Application

Application Number: 71800

Date of Registration: 07/08/2025

Proposal:

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

Location:

299 Middleton Road, Manchester, M8 4LY

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 size of the site is inadequate to accommodate the development proposed whilst satisfying reasonable requirements for amenity space for the dwelling and providing adequate parking for the size of dwelling. The proposed development therefore conflicts with policies H2/1, H2/2, EN1/2, HT2/4 and SPD6 and 11.
- 2 The proposed development would be seriously detrimental to the residential amenities currently enjoyed by the occupiers of Nos 1 and 3 Edgeware Road by reason of the size of the development and proximity to the boundary which would result of sub-standard separation distances. The proposed development therefore conflicts with the policies H2/1, EN1/2 and SPD6.
- 3 There is insufficient car parking provided within the site to comply with the Council's SPD11 parking standards in respect of the proposed development and is likely to lead to vehicles parking and carrying out manoeuvres on the highway to the detriment of the free flow of traffic and road safety. The proposed development would therefore be contrary to policies H2/2, HT2/4, JP-C5 and JP-C8.
- 4 The application and submitted plans contain insufficient information to properly assess the impact of the proposed development, demolition and construction works and its access and driveway arrangements on the adopted highway with the Manchester City Council borough boundary. The proposed development would therefore be contrary to policies H2/2, JP-C5 and JP-C8.

- 5 The application contains insufficient information to determine the impacts of the development on a protected species and insufficient information to ensure appropriate biodiversity net gain is achieved for the development and the site. The proposed development would therefore be contrary to policies EN6/3 and JP-G8.

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:

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
EN1/2	EN1/2 - Townscape and Built Design
EN1/7	EN1/7 - Throughroutes and Gateways
EN6/3	EN6/3 - Features of Ecological Value
HT2/4	HT2/4 - Car Parking and New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD11	Development Control Policy Guidance Note 11 - 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

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 sheet 1 27/3/25
Existing plans sheet 2 27/3/25
Existing elevations sheet 3 27/3/25
Proposed plans sheet 4 8/7/25
Proposed plans sheet 5 27/3/25
Proposed elevations sheet 6 8/7/25
Revised existing site plan sheet 7 15/8/25
Revised existing and proposed street elevations sheet 8 15/8/25
Revised proposed site plan sheet 9 15/8/25

NOTES TO APPLICANT

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development.

We recommend the applicant visits our website for further information on how to investigate the existence of water and wastewater pipelines and what to do next if a pipeline crosses or is close to their red line boundary: Working near our pipes - United Utilities

United Utilities will not allow building over or in close proximity to a water main. United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. Nb. Proposals to extend domestic properties either above, or in close proximity to a public sewer will be reviewed on a case by case basis by either by a building control professional or following a direct application to United Utilities.

Any construction activities in the vicinity of United Utilities' pipelines, including pipelines that may be outside the applicant's red line boundary, must comply with national building and construction standards and where applicable, our 'Standard Conditions for Works Adjacent to Pipelines' which can also be found on our website: [standard-conditions-for-works-adjacent-to-pipelines-issued-july-2015.pdf](#) (unitedutilities.com)

The level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

DRAINAGE

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice

Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

WATER EFFICIENCY IN NEW DEVELOPMENT

Local planning authorities have the option to set additional technical requirements in respect of water use for the construction of new build dwellings, exceeding the minimum standards required by Building Regulations. All new homes are required to meet the mandatory national standard of 125 litres of water used per person per day as set out in Building Regulations Approved Document G. Where there is a clear local need, a local planning authority's development plan policies can require new-build dwellings to meet the tighter Building Regulations optional requirement of 110 litres of water used per person per day. If your adopted development plan includes a policy that implements the tighter water efficiency standard for new-build dwellings in Part 3 of Building Regulations, you should ensure that this is a condition of any planning permission you may grant. You should also consider whether there is any adopted development plan policy relating to a water efficiency in the construction of non-residential development. As this is a matter for the local planning authority / building control body, United Utilities would not be involved in the discharge of conditions relating to water efficiency.

CONTACT DETAILS FOR ANY QUERIES WHICH MAY RESULT FROM THIS EMAIL:

For applicants / developers:

Drainage / wastewater infrastructure: SewerAdoptions@uuplc.co.uk

Water supply / water infrastructure: DeveloperServicesWater@uuplc.co.uk

Local planning authorities / Planning Officers: Planning.Liaison@uuplc.co.uk

To enable us to answer enquiries as quickly as possible, we request enquiries are not sent to multiple mailboxes - this will delay our response.

The site is to be drained on a separate system of drainage with surface water and foul sewage being combined at the last manhole before connection to public sewer

Surface water discharge to be limited to existing flow from site less a minimum 40% reduction in run-off to allow for climate change to prevent surcharge of public sewerage system downstream of the proposed development pursuant to the principles of the NPPF - Meeting the Challenge of Climate Change, Flooding and Coastal Change and JP-S5 and its associated SPD 16 Design and Layout of New

Development in Bury. Climate change allowance should be increased to 70% for sites which fall within Flood Zone 3

- . Application forms for permission to connect to the public sewer should be obtained by telephoning United Utilities PLC on 08456 020406 or on line at www.unitedutilities.com
- . Applications for sewer requisitions should be obtained by telephoning United Utilities PLC at either Dawson House (01925 235871) or Hathersage Road (0161 609 7513)
- . The applicant should ensure that any proposed driveways/paved areas (in excess of 5m²) situated at the front of properties are constructed of permeable or porous materials. The applicant should refer to Dept. of Communities & Local Government publication "Guidance on the Permeable Surfacing of Front Gardens" for design & construction details.

Signed:

A handwritten signature in black ink, appearing to read 'Paul Harris', is written over a dotted line.

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On behalf of the Council

Date of Decision: 01/10/2025