

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 04/12/2025	Ref: 72463/FUL
Registration: 15/10/2025	LDFC: 20/11/2025	Expiry Date: 10/12/2025
Site Visit: 13/11/2025	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: COM
		Stat Class: MIDW

Proposal: Erection of 1no. dwelling following demolition of existing dwelling

Location: 12A Rectory Avenue, Prestwich, Manchester, M25 1DE

Description

The application relates to a two storey detached dwelling which is located on a residential street in the urban area.

The dwelling sat in a fairly generous plat with a long rear garden with the dwelling modest in size, with two living spaces at the ground floor and two bedrooms and bathroom at first floor. There was a driveway which could accommodate two cars at the side and front and rear garden.

Planing permission was granted in May 2024 for extensions and alterations comprising two storey/single storey wrap around extension and front porch. The extensions would be attached to both sides of the dwelling and at the rear to provide increased living accommodation and 3 bedrooms at the first floor. Two parking spaces were to be provided on the driveway.

Following the development on site, it was reported that the development was not being carried out in accordance with the approved plans and additionally the extent of the works constituted demolition and not extensions.

The applicant was therefore invited to submit a full planning application for demolition and the erection of 1 no new dwelling, which is the subject of this application.

The proposed dwelling would be set back from the highway by approx 6.8m and extend almost the whole width of the plot. There would be a driveway length of 5.4m to accommodate two cars and bins at the side and a rear garden extending 18m to the rear boundary.

The dwelling would be two storey with two front pitched roof detailing with large symmetrically positioned windows either side of an entrance porch. At part of the side and rear there would be a wrap around single storey extension.
The proposal would incorporate solar panels.

Accommodation would comprise largely open plan living at the ground floor and 3 bedrooms at the first floor.

Relevant Planning History

25/0321 - Not built in accordance with 70527

Publicity

Letters sent to 25 properties on 30/10/25.
No responses received.

Statutory/Non-Statutory Consultations

Traffic Section - No objection subject to conditions

Waste Management - No response received.

Environmental Health - Contaminated Land - No objection subject to conditions

United Utilities (Water and waste) - No response received

Drainage Engineer - No objection subject to condition

Pre-start Conditions - Not relevant

Development Plan and Policies

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

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.

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 and the site falls in an area where a minimum density of 50 dwellings per hectare should be had regard to.

For this site and density the policy would require 1.55 houses to be provided.

As the development was originally for extensions and alterations, which resulted in demolition, and as a replacement dwelling, it is considered that in this instance the proposal for 1 dwelling would be acceptable.

Layout

The proposed dwelling would be set back from the footway with the front elevation following the building line of the two adjacent dwellings. Whilst it would project rear wards into the site by 10.7m, the plot is linear in form and the remaining garden length would be 18m which would provide more than adequate amenity space in compliance with SPD6.. The footprint of the proposed dwelling would accommodate most of the width of the property, so much so that the rear of the house would not be accessible down the sides of the dwellings. This would result in the bins being located at the front of the house. However, there would still be some space at the side of the dwelling next to the boundary fence where bins could be stored and as such considered not to have a significant impact on the visual amenity of the streetscene.

The driveway would accommodate two cars and the front boundary wall would be extended across to give a maximum dropped crossing of 4.5m which would be compliant with highway specifications.

Provided over two floors the dwelling would provide family sized accommodation which would be compliant with policy JP-H3 for space standards and accessibility.

It is therefore considered the proposal would comply with policies EN1/2, H2/1, H2/2, SPD6

and SPD11.

Design and appearance

The proposed dwelling would be two storey in height. The eaves would be level with the adjacent properties and the roof marginally higher but not significant to appear over-dominant or overbearing to the streetscene.

The overall design would be one of a contemporary and modern approach, with glazed pitch roof projections either side of an entrance porch and could be built of red brick with a rendered detailing, black upvc windows and grey roof tiles. The surrounding housing stock is quite modest and mainly comprises a mix of red brick and rendered semi-detached houses. Whilst the development would be a modern new build in the middle of established houses, the design of the property would not be significantly different to the approval granted for the extensions and alterations.

It is therefore considered that the proposed development would be acceptable and comply with policies EN1/2, H2/1, H2/2 and JP-H3.

Impact on residential amenity

SPD6 provides guidance on aspect standards between residential properties and would be relevant in this case.

The proposed dwelling would be set on the same building line as the adjacent properties and as such would not affect habitable room windows on the front of these neighbours. The dwelling would be positioned directly next to the side boundaries but as there would be no habitable room windows, there are no issues of an overbearing relationship or impacts on privacy to the sides.

Permitted development allows detached properties to be extended by 4m single storey at the rear. At the rear, the property would extend single storey and project approximately 3.5m past the rear elevations of the adjacent houses. In this regard it is therefore considered the proposed development would not be harmful to the amenity of adjacent occupiers.

The property would have an extensive rear garden extending 18m and as such the proposal would comply with aspect standards to directly facing properties.

The proposed development would therefore comply with H/1, EN1/2 and SPD6.

Highways

The development would provide 2 driveway parking spaces and 3 cycle spaces within a secured covered shed which for a three bed property would be acceptable and in accordance with SPD11.

the existing front boundary wall would be retained and extended partway across the driveway to provide a 4.5m wide dropped kerb which would be compliant with highway specifications for dropped crossings.

Subject to conditions, the proposed development would be acceptable and comply with policies H2/1, EN1/2, JP-C5 and JP-C8.

Drainage

The applicant has submitted a drainage scheme and the Drainage Engineer has been consulted. To ensure the long-term effectiveness of the drainage system, a concise maintenance plan outlining the responsibilities and schedules for key components, including permeable paving, roof gullies, drains and associated chambers would need to be provided. This would be sought by condition.

Carbon and energy - JP-S2

The applicant has submitted an energy statement which states that the development would adopt a fabric first approach and would incorporate passive design and energy efficiency and installing renewable technologies where possible.

The applicant has confirmed that the design will be in accordance with current building regulations including the amended Part L of Building Regulations.

Digital connectivity - JP-C2

Policy JP-C2 requires development to have full fibre to premises connections unless infeasible or unviable, with multiple-ducting. The policy supports the provision of free, secure, high-speed public wi-fi connections.

The applicant confirms that full fibre to the premises (FTTP) infrastructure will be provided as part of the construction of the dwelling. The FTTP infrastructure will be in place prior to occupation, enabling a fibre broadband service to be activated immediately.

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 This decision relates to drawings numbered -

Proposed Site access driveway Drg 12a-011 Rev B
Revised Proposed Drainage Drg 12a-010 (proposed drainage only)
SuDS drainage calculation summary
Proposed floor plans and elevations Drg PL02
Proposed elevations materials used
Revised energy statement rev A 4 Dec 25

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.

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

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

- 4 Prior to occupation the applicant shall provide:

- 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 paragraphs 112e, 117e, 187e and 199 of the National Planning Policy Framework (December 2024) and Places for Everyone Policy JP-S5 (Clean Air).

- 5 The development hereby approved shall be carried out in accordance with the submitted and approved drainage plan and scheme dwg 12a-010 and SuDS calculations.

Reason. To promote sustainable development and reduce flood risk pursuant to Policies JP-S4, 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.

- 6 Further to condition 6, a concise maintenance plan outlining the responsibilities and

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schedule for key components, including permeable paving, roof gullies, drains and associated chambers shall be submitted to the LPA for approval prior to first occupation. The approved details shall thereafter be implemented prior to first occupation and thereafter maintained.

Reason. To promote sustainable development and reduce flood risk pursuant to PFE policy JPS4, 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.

- 7 Notwithstanding the details indicated on approved plan reference 12a-011 Revision B, the development hereby approved shall not be first occupied unless and until the access and parking alterations proposed, incorporating the extension of the boundary wall to the limits shown with foundations that do not extend under the adjacent adopted highway, demarcation of the limits of the adopted highway/back of footway, extended hardstanding in a porous/permeable material and all associated highway remedial works required to reinstatement the adjacent footway to its condition prior to commencement of the development/demolition of the dwelling, have been implemented.

Reason. In the interests of highway safety and to maintain the integrity of the adopted highway pursuant to policies EN1/2, H2/2, JP-C5, and JP-C8.

- 8 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>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	4/12/25		