

NOTICE OF REFUSAL OF PERMISSION IN PRINCIPLE

Town and Country Planning Act 1990 Town and Country Planning (Permission in Principle) Order 2017

To:

Mr Jackson
Archtech Design Solutions
14 Maitland Place
Rossendale
BB4 6AT

On Behalf Of:

Mr Steven
50 Peel Brow
Ramsbottom
BL0 0AG

PART 1 - Particulars of Application

Application Number: 71905

Date of Registration: 08/05/2025

Proposal:

Permission in principle for the removal of barn/storage shed and erection of 1no. three bedroom detached dwelling

Location:

Land between 145 and 115 Holcombe Old Road, Bury, BL8 4NF

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 1 No dwelling on a 0.09ha site would not make optimal use of the potential of the site. Therefore, the proposed development would conflict with Policy JP-H4 of the Places for Everyone Joint Development Plan and Chapter 11, particularly paragraph 130 of the National Planning Policy Framework.
- 2 The proposed development would not be located in a sustainable location and would fail the tests set out in Paragraph 155 (c) in relation to Grey Belt Land. Therefore, the proposed development would conflict with the National Planning Policy Framework.

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
EN2/1	EN2/1 - Character of Conservation Areas
EN2/2	EN2/2 - Conservation Area Control
EN6/3	EN6/3 - Features of Ecological Value
EN7/5	EN7/5 - Waste Water Management
OL1/2	OL1/2 - New Buildings in the Green Belt
RT3/4	RT3/4 - Recreational Routes
HT2/4	HT2/4 - Car Parking and New Development
SPD6	Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
SPD8	Development Control Policy Guidance Note 8 - New Buildings and Associated Development in the Green Belt
SPD11	Development Control Policy Guidance Note 11 - Parking Standards in Bury
JP-P1	Sustainable Places
JP-P2	Heritage
JP-S1	Sustainable Development
JP-S2	Carbon and Energy
JP-S4	Flood Risk and the Water Environment
JP-S5	Clean Air
JP-H1	Scale of New Housing Development
JP-H3	Type, Size and Design of New Housing
JP-H4	Density of New Housing
JP-G1	Landscape Character
JP-G8	A Net Enhancement of Biodiversity and Geodiversity
JP-G9	The Green Belt
JP-P7	Sport and Recreation
JP-C2	Digital Connectivity
JP-C5	Streets For All
JP-C6	Walking and Cycling
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:

OH/01/01/SITE
OH/02/01/SITE
OH/03/01/SITE
OH/01/01/EX
OH/01/01/PRP
OH/02/01/PRP

NOTES TO APPLICANT

1. Strategic Planning & Infrastructure

TYPE, SIZE AND DESIGN OF NEW HOUSING - PfE Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes. PfE Policy JP-H3 also requires all new dwellings to comply with the nationally described space standards and be built to the 'accessible and adaptable standard in Part M4(2) of Building Regulations unless specific site conditions make this impracticable. These requirements will need to be met at the Technical Details stage.

BIODIVERSITY NET GAIN - The proposal is required to provide a 10% gain in Biodiversity in accordance with both the provisions of the Environment Act 2021, and PfE Policy JP-G8.

CARBON AND ENERGY - The proposal is required to comply with Policy JP-S2: Carbon and Energy. Details on what measures the applicants intended to put in place to comply with this policy will be required to be submitted at the Stage 2, Technical Details consent stage.

DIGITAL CONNECTIVITY - The proposal is required to comply with Policy JP-C2: Digital Connectivity. Confirmation will need to be sought at the Stage 2, Technical Details consent stage that full fibre will be provided as part of the proposal.

ACTIVE TRAVEL - Policy JP-C1 - An Integrated Network requires developments to be located and designed to deliver a significant increase in the proportion of trips that can be made by walking, cycling and public transport.

Developments should prioritise pedestrians, cyclists and public transport users. Consideration should be given to providing pedestrian and cycling infrastructure to ensure that there is safe and attractive pedestrian and cycle access to the proposed development.

Details on what measures the applicants intended to put in place to comply with this policy will be required to be submitted at the Stage 2, Technical Details consent stage

2. Highways/Public Right of Way

In the event that Permission in Principle is granted for the proposed development, as part of the subsequent technical details consent stage, the following aspects should be considered and full details submitted:

1. Improvements to the Bridleway No. 26, Ramsbottom to address restrictions along the route, lack of passing places and pedestrian facilities and restricted width and forward visibility.
2. Provision of adequate levels of visibility in accordance with the standards in Manual for Streets at the junction of any site access with Holcombe Old Road/ Bridleway No. 26, Ramsbottom.
3. Provision of adequate parking and turning facilities within the curtilage of the site clear of Bridleway No. 26, Ramsbottom to minimise vehicle and pedestrian conflicts on the adjacent Public Right of Way.
4. Provision of bin storage arrangements within the curtilage of the site clear of Bridleway No. 26, Ramsbottom in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.
5. Pre-commencement dilapidation survey of the sett-paved surface of Holcombe Old Road and scheme of remedial works in the event that damage is caused to the fragile surface by HGV's/delivery vehicles, taking into consideration the site's location in the Holcombe Conservation Area.

6. A scheme of mitigation measures required by Greater Manchester Fire and Rescue Service (GMFRS) to overcome the site's emergency access deficiencies. The details/measures should incorporate the installation of a residential sprinkler/misting system at each dwelling meeting the requirements of BS 9251:2014, or other subsequent standard that meets the requirements of GMFRS, and thereafter maintained at all times.
7. Measures to ensure that the requirements of Approved Document B for Fire Service access/fire safety under the Building Regulations 2010 will be met, including, but not limited to, the following:
 - Vehicular access for a fire appliance to within 45m of all points within the dwellings;
 - The access road should be a minimum width of 4.5m and capable of carrying 12.5 tonnes;
 - As the access road is more than 20m long, a turning circle, hammerhead, or other turning point for fire appliances will be required;
 - There should be a suitable fire hydrant within 165m of any dwelling.

The details/measures subsequently agreed should be implemented to the satisfaction of GMFRS before the dwellings are first occupied and thereafter maintained at all times.

3. Conservation Officer

New development within a conservation area must be exceptional and should be regarded as an opportunity to enhance the character and appearance of the conservation area.

Any subsequent application for planning permission would need to be accompanied by a heritage assessment of significance of the conservation area, Peel Tower and NDHA as a validation requirement in order for the local planning authority to assess the impact of the proposal on the setting of Peel Tower the NDHA and the character and appearance of the conservation area.

The existing boundary wall to the west of the site to Holcombe Old Road should be retained and maintained without loss or alteration

Any proposed parking hardstanding area would be required to be kept to a minimum and certainly significantly smaller than indicated on the submitted plan and should be stone flagged or setted.

The design of the proposed dwelling should not include roof dormer extensions as they are not an historical architectural feature of the conservation area and as such would represent an alien design feature impacting of the character and appearance of the conservation area and the setting of the NDHA.

It is understood an application for 1 dwelling would not meet the policy requirement for the efficient use of land with regard to housing density. The applicant should be aware that if a further application for Permission in Principle or planning permission were to come forward for a scheme of greater density, the plan, form and layout of the proposed development would need to be assessed with regard to the greater impact on the character and appearance of the conservation area. Given the layout and architectural grain of the built environment of that part of the conservation area, being a more linear, a scheme with greater density may not be as appropriate.

4. Contaminated Land

The site has formerly been in agricultural use as such there is the potential for contamination to be present. Furthermore, a sensitive end use is proposed. As such, to avoid pre-commencement conditions sufficient information must be submitted at Stage 2, Technical Details Consent stage, to demonstrate that no

remedial measures are required or to agree such measures. Further information regarding Land Contamination and the planning process can be found in Bury Council's Developers Guide and on the Planning Portal.

Air Quality

For this type of development, it would be expected that parking would be included. The site is not located within an Air Quality Management Area. Due to the scale of the proposed development, it is considered very unlikely that the proposed development could create an increase of more than 500 AADT (annual average daily traffic). Therefore, in line with the EPUK Guidance, an air quality assessment will not be required.

Bury Council has been identified by DEFRA as an area requiring to significantly improve air quality. To support the principles of the Greater Manchester Clean Air Plan in reducing levels of nitrogen dioxide and in order to manage current and future levels of air pollution Bury Council is encouraging the use of cleaner vehicles. As such and in line the requirements of the Building Regulations (The Building Regulations 2010, Approved Document S, Infrastructure for the charging of electric vehicles), as part of the Stage 2, Technical Details Consent stage, the developer should provide information regarding Electric Vehicle Infrastructure to the following specification:

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

*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>.

Certification and photographic evidence of the installation of the agreed electric vehicle charge points will be required to 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.

5. GM Ecology Unit

The structures on site may have the potential to support roosting bats and other protected species such as barn owl. There also appear to be at least two waterbodies within 250 m of the site, which may support great crested newts. Therefore, a Preliminary Ecological Appraisal to assess the site's potential to support protected species, including roosting bats, birds and great crested newts, will need to be undertaken at technical details stage. Based on the results of this PEA, further protected species surveys may be required prior to the granting of technical details consent. Additionally, unless the development qualifies as a self-build, the application will be subject to statutory Biodiversity Net Gain requirements. Based on the small size of the site and the lack of high-quality habitats apparent on site, an overall 10% net gain should be feasible, either on or off site.

6. United Utilities

We strongly recommend that the applicant or any subsequent developer contacts United Utilities, using our pre-development enquiry service to discuss their proposals directly with our Developer Services team. They can find further advice, along with a pre-development enquiry form, on our website: Building & Developing - United Utilities Alternative ways to contact the team are available in the Appendix, Section 4.0 'Contacts'.

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.

Should the applicant receive Planning in Principle permission for this proposal, United Utilities will review the drainage element of any application for Technical Detail Consent in line with the surface water hierarchy. United Utilities will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is considered acceptable.

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.

When considering their drainage proposal, the applicant should investigate the existence of any pipelines and/or apparatus that might impact their detailed design (see Section 'UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE').

United Utilities will not carry out an assessment on the acceptability of submitted drainage proposals in relation to our water pipelines when responding to a planning application. It is the applicant's responsibility to ensure that any detailed drainage plans comply with our 'Standard Conditions for Works Adjacent to Pipelines' which can be found on our website: Working near our pipes - United Utilities. Failure to consider existing pipelines when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

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. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets

are located in, or in the locality of, the proposed site.

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. See Appendix. Section 4.0 'Contacts'

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.

Signed:



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On behalf of the Council

Date of Decision: 23/06/2025