

<b>Title</b>	<b>Planning Applications</b>
<b>To:</b>	<b>Planning Control Committee</b>
<b>On:</b>	<b>23 January 2018</b>
<b>By:</b>	<b>Development Manager</b>
<b>Status:</b>	<b>For Publication</b>

### **Executive Summary**

The attached reports present members with a description of various planning applications, the results of consultations, relevant policies, site history and issues involved.

My recommendations in each case are given in the attached reports.

### **This report has the following implications**

**Township Forum/ Ward:** Identified in each case.

**Policy:** Identified in each case.

**Resources:** Not generally applicable.

**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, I have 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 Planning Control Committee shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

## **Development Manager**

### **Background Documents**

1. The planning application forms and plans submitted therewith.
2. Certificates relating to the ownership.
3. Letters and Documents from objectors or other interested parties.
4. Responses from Consultees.

FOR FURTHER INFORMATION ON THE CONTENTS OF EACH REPORT PLEASE CONTACT INDIVIDUAL CASE OFFICERS IDENTIFIED IN EACH CASE.

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<b>01</b>	<b>Township Forum - Ward:</b>	Prestwich - Sedgley	<b>App No.</b>	62007
	<b>Location:</b>	Land at western end of Watkins Drive, Prestwich, Manchester, M25 0DS		
	<b>Proposal:</b>	Erection of 1 no. new dwelling and two detached garages		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	N

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<b>02</b>	<b>Township Forum - Ward:</b>	Bury East	<b>App No.</b>	62015
	<b>Location:</b>	Land at side of 13 Pine Street South, Bury, BL9 7BU		
	<b>Proposal:</b>	Erection of 1 no. attached dwelling		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	N

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<b>03</b>	<b>Township Forum - Ward:</b>	Ramsbottom + Tottington - Tottington	<b>App No.</b>	62110
	<b>Location:</b>	Former Hark to Towler PH, 43 Market Street, Tottington, Bury, BL8 4AA		
	<b>Proposal:</b>	Change of use from public house (Class A4) to 4 no. flats (Class C3)		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	N

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<b>04</b>	<b>Township Forum - Ward:</b>	North Manor	<b>App No.</b>	62129
	<b>Location:</b>	Former car park of Masons Arms, Walmersley Old Road, Bury, BL9 6RU		
	<b>Proposal:</b>	Erection of 1 no. dwelling		
	<b>Recommendation:</b>	Minded to Approve	<b>Site Visit:</b>	N

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<b>05</b>	<b>Township Forum - Ward:</b>	Ramsbottom + Tottington - Tottington	<b>App No.</b>	62148
	<b>Location:</b>	1 Green Street, Walshaw, Bury, BL8 3BJ		
	<b>Proposal:</b>	Change of use of land to extend garden/residential curtilage and erection of detached garage with fence/gate to match existing		
	<b>Recommendation:</b>	Approve with Conditions	<b>Site Visit:</b>	N

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**Ward:** Prestwich - Sedgley

Item 01

**Applicant:** Mr Wilson

**Location:** Land at western end of Watkins Drive, Prestwich, Manchester, M25 0DS

**Proposal:** Erection of 1 no. new dwelling and two detached garages

**Application Ref:** 62007/Full

**Target Date:** 01/12/2017

**Recommendation:** Approve with Conditions

### **Description**

The site is a long thin section of land to the north of Watkins Drive. The site did contain trees but these have been cleared recently. The site slopes downwards from Meade Hill Road (south to north) and Watkins Drive is at a lower level than the properties fronting onto Sheepfoot Lane (to the north). The site contains tree stumps and grassed areas.

The site is bounded by residential properties to all boundaries.

The proposed development involves the erection of a single detached dwelling with 2 detached garages. The proposed dwelling would be located centrally with a single garage to the south west and a double garage to the north east.

The proposed buildings would be constructed from red brick with a tile roof. The site would be accessed from Watkins Drive via 2 driveways, which would serve each of the garages.

### **Relevant Planning History**

None relevant.

### **Publicity**

37 neighbouring properties were notified by means of a letter on 11 October 2017.

10 letters have been received from the occupiers of 33, 34, 35, 36, 38, 43 Sheepfoot Lane, 2, 4 Watkins Drive, 5, 24 Meade Hill Road, which have raised the following issues:

- Object to the construction of a house on the land that separates the back of our house to Watkins Drive. The house will look out of place and will invade privacy for rear gardens and the properties on Sheepfoot Lane.
- The proposed workshop would be located in a quiet residential area, where we do not want noise.
- No anti-social behaviour has been seen in this area while I have lived here (since 1994).
- The proposed house will affect property prices on Sheepfoot Lane and the surrounding area.
- The proposed garage and workshop will cause traffic and congestion problems on Watkins Drive/Meade Hill Road.
- More traffic means more pollution.
- The proposed dwelling and 2 garages is too large for this narrow strip of land.
- The largest windows would be on the side elevations, which would overlook the front of my property in a way it is not currently.
- The proposed workshop suggests it would be used for business purposes, which would not be in keeping with the local area.
- The land suffers from poor drainage, which has worsened since the clearing of the large trees.
- The proposed site plan omits my back gate, which leads onto the land in question. Access from my garden onto Watkins Drive is a historical feature, which has always been part of my right of way and I do not want to lose it.

- The stumps were long established trees that the applicant has recently cut down.
- There are no root protection areas shown for the existing trees on the drawings provided and the footprint of the building is very close to these trees.
- The amount of development for the site appears to be excessive with 2 garages and 2 driveways.
- The proposed garages would be set at 90 degrees from the road, making it seemingly impossible to drive a car into it using the relatively narrow driveway.
- The lack of outdoor space is not visually appealing and should be a requirement of any application.
- The large windows on the front and side elevations would significantly affect our privacy.
- There would be a driveway located opposite an existing driveway, which would cause issues on the narrow road.
- Concern about construction vehicles accessing the site without causing disruption and danger to the residents.
- Object to the comment that the site is a 'cleared disused site' as it was a thriving natural habitat until the trees were removed.
- The historic applications quoted are for extensions and not new dwellings and are not comparable.
- We have significant concerns with the aesthetics, practicality, safety and loss of privacy afforded by the same which are in stark contrast to what was, until recently, a beautiful woodland area which characterised the estate.
- Should some or all of the proposed development be permitted, we request that significant woodland be reinstated where possible and habitats be renewed.

The neighbouring properties and those who have commented were notified of revised plans on 21 December 2017.

4 letters have been received from the occupiers of 2, 4 Watkins Drive and 33 Sheepfoot Lane, which have raised the following issues:

- The timescale of 14 days to comment on revised plans over the Christmas holiday period is unreasonable.
- We still strongly oppose the development proposed.
- There has been no mention of the destruction/reinstatement of significant woodland and natural habitats - a concern raised by multiple households.
- The proposal still constitutes over development of a large dwelling, 2 driveways and 2 detached garages. One of the garages is for the use of the applicant and not the occupier so that the applicant has "a secure place for his cars". The applicant's home includes a large driveway, with a sheltered area and a garage, which is ample space to house his car(s) and his caravan (which may we add, is already unsightly). We are concerned therefore with the practicality of what will inevitably constitute excessive parking.
- We also repeat that the road distance between our home and the proposed development is inadequate. Again, this calls into question not only regulation but also functionality, practicality and safety. We refer to our previous comments regarding parking and driving and our comments below regarding the 2.4 m set back.
- We are also concerned with the proposed side gardens and the extent to which these will be visible, particularly when in being used as a substitute for a typical back garden.
- We strongly believe that the site does not lend itself to reasonable residential development and indeed the proposed development in question. The applicant admits for example that the "constraints" of the site do not allow for the common practice orientation of garages or a conventional / any back garden. Other significant areas such as layout, design, functionality are being compromised because of the constraints of the site, to the detriment of the residents around the vicinity. Further, the required 2.4 m set back is not possible as it would "render the front garden useless, adversely affect the amenity space for the house and cause conflict between the private land and public pavement". In other words, the standard requirement for a residential development are not possible because of the site constraints.
- My previous objections still stand.

- From what I can understand from the additional info suggests my trees will be 'retained & protected'. The trees are of great beauty to me providing a screen from noise, privacy and pollution ( which will increase thanks to the 4 cars that are now to be parked at the very back of my property).
- My family have enjoyed access out of the back of the property for over 17 years. This application completely cuts this off and there seems to be no offer to create a path onto Watkins drive or any other concession that might lessen the impact and change on my property.
- Finally I still have concerns about any drainage system whereby any faults or blocks could back up and affect my property.
- Adverse impact upon my property price.
- The guidelines state that a minimum of 20 metres separation is required, yet the plans state that 16 metres is acceptable for oblique separation. Also, the distance to 2 Watkins Drive has not been considered as there is 14.22 metres from the corner of No. 2 Watkins Drive to the far pavement, which would impact upon privacy.
- The proposed development would affect the trees and would impact upon the root protection area.
- Were any of the trees that have been chopped down, protected, given their size?
- Is an electric vehicle charging point necessary for a development of this size? It would not be aesthetically in keeping with the estate.
- The level of parking should be reduced as the current housing on the street opposite the development all have single garages with a driveway in front, including 2 Watkins Drive which is directly opposite; and is a similar size if not larger than the proposed house. Therefore a single garage with drive seems the appropriate amount to match with the existing housing on the street. Therefore we would ask that the double garage is removed from the plans. Therefore this parking is clearly excessive and unnecessary as every other house on the street manages with a single garage and driveway.
- Are the visibility splays possible? If not, the development would not be safe for occupiers, pedestrians and road users.

The objectors have been notified of the Planning Control Committee meeting.

### **Consultations**

**Traffic Section** - Further comments on the revised plans to be reported in the Supplementary Report.

**Drainage Section** - No response.

**Environmental Health - Contaminated Land & Air Quality** - No objections, subject to the inclusion of conditions relating to contaminated land and proposals to mitigate the impact upon local air quality.

**Waste Management** - No response.

**United Utilities** - No objections, subject to the inclusion of conditions relating to foul and surface water drainage.

### **Unitary Development Plan and Policies**

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN7	Pollution Control
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

## 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) and 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 Policy 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.

**Principle (Residential)** - The National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The proposed development is located within the urban area and there are residential dwellings surrounding the site. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available and as such, the proposed development would be acceptable in principle. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

**Design and layout** - The proposed development would provide a single detached dwelling with 2 detached garages. The site slopes from south to north and a series of level plateaus would be provided for the detached garages and dwelling. The proposed dwelling would be two storeys in height and would be 1.4 metres lower than the gardens to the residential properties to the north on Sheefoot Lane. The proposed dwelling and detached garages would be constructed from red brick with a tile roof, which would match the surrounding properties. The proposed development would reflect the design of the surrounding properties and the use of headers, cills and canopies would add interest to the elevations. As such, the proposed development would not be a prominent feature within the streetscene.

Whilst unconventional, the private amenity space for the proposed dwelling would be split into 2 areas and when combined would be acceptable in terms of size. There would be space within the gardens or garages for bin storage. There would be a 1.4 metre high retaining wall along the rear elevation with a 1.8 metre high timber boarded fence above, which would match the surrounding fencing. To the front elevation, there would be a 1 metre high brick wall and 0.5 metre high railings above and 1.5 metre high timber gates, which would be acceptable in the locality. The proposed site plan indicates that a number of trees would be planted along the western boundary, which would be welcomed. Therefore, the proposed development would not be a prominent feature in the streetscene and would be in

accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

**Impact upon residential amenity** - SPD 6 provides guidance on aspect standards between residential properties and would be relevant in this case. There should be a minimum of 20 metres between directly facing habitable room windows, which is based upon a two storey development. A habitable room window is a lounge, dining room or bedroom.

The windows on the rear elevation would be at a high level or would be obscure glazed. There would be in excess of 13 metres between the properties on Sheepfoot Lane and the rear elevation and the proposed development would not lead to a significant loss of light or privacy.

There are ground floor habitable room windows on the southern elevation and the proposed fencing and landscaping would prevent any overlooking or loss of privacy.

The proposed development includes 2 windows at first floor level in the southern elevation of the dwelling. However, these windows would be secondary to the main windows in the northern and eastern elevations. The proposed opening would relate to bedroom 1, which has a principle window on the northern elevation, which would look down the garden. In addition, there would be 16 metres from the window in the southern elevation to No. 5 Meade Hill Road and the relationship would be oblique. As such, the proposed development would not have a significantly adverse impact upon the amenity of the neighbouring properties.

There would be 14.3 metres from the front of No. 2 Watkins Drive and the garden and driveway for the proposed dwelling. The proposed dwelling would be located so as to have a direct relationship with the side garden to No. 2 Watkins Drive and not the dwelling. As such, the distance of 14.3 metres would be in excess of the 7 metre requirement between first floor habitable room windows and a directly facing boundary with a neighbouring property from SPD6. As such, the proposed development would not have an adverse impact upon the amenity of the neighbouring properties.

**Trees** - There are a number of trees along the northern boundary of the site, which are located in the gardens to Nos 34 and 36 Sheepfoot Lane. The applicant has undertaken a tree survey, which indicates that all trees are to be retained and protected during the implementation of the development. The proposed site plan indicates that additional trees would be planted as part of the landscaping. As such, the proposed development would not harm the character of the area and would be in accordance with Policy EN8 of the Bury Unitary Development Plan.

**Highways issues** - The proposed development would be accessed from Watkins Drive from 2 driveways. The agent has submitted revised plans detailing the boundary treatment, tracking details and visibility splays, which are currently being assessed. The Traffic Section will provide further comments in the Supplementary Report.

**Parking** - SPD11 states that the maximum number of parking spaces is 3 spaces per 4 bed dwelling.

The proposed development would provide 3 spaces on 2 driveways and a single and double garage. SPD11 makes it clear that garages are not counted when assessing parking provision as most are predominantly used for storage and as such, the applicant could store a vehicle in the garage without impacting upon the parking arrangements for the proposed dwelling. Therefore, the provision of 3 spaces on the driveways would comply with the maximum parking standards.

As such, the proposed development would comply with the maximum parking standards and would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.



### **Response to objectors**

- The issues relating to property prices and access from neighbouring properties into the site are not material planning considerations and cannot be taken into account.
- The issues relating to privacy, overlooking, design, scale of development, amount of outdoor space, landscaping, highways issues and car parking have been addressed in the report above.
- The applicant has confirmed that there will not be a workshop on the site and this building will be used as a domestic garage. The proposed development would not be used for business use.
- United Utilities have confirmed that there are no objections to the proposal, subject to the inclusion of conditions relating to drainage.
- A revised plan showing tree protection areas has been submitted and a condition relating to tree protection measures has been added.
- The trees that were removed were not protected and were not located within a conservation area. As such, planning consent was not required for their removal. However, the applicant has confirmed that additional planting will take place and this would be the subject of a condition relating to landscaping.
- United Utilities have confirmed that they have no objections, subject to the inclusion of conditions relating to foul and surface water drainage.

### **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 Paragraphs 186-187 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 1383-PL01A, 1383-PL02A, 1383-PL03A, 1383-PL04A, 1383-PL05, 1383-PL06, 1383-PL07, 11651/1, SCP/17511/ATR01, SCP/17511/F01, CW/8958-P-TC 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 listed.
3. Details/Samples of the (materials/bricks) to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials/bricks shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. Following the provisions of Condition 4 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

6. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. 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 and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

7. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

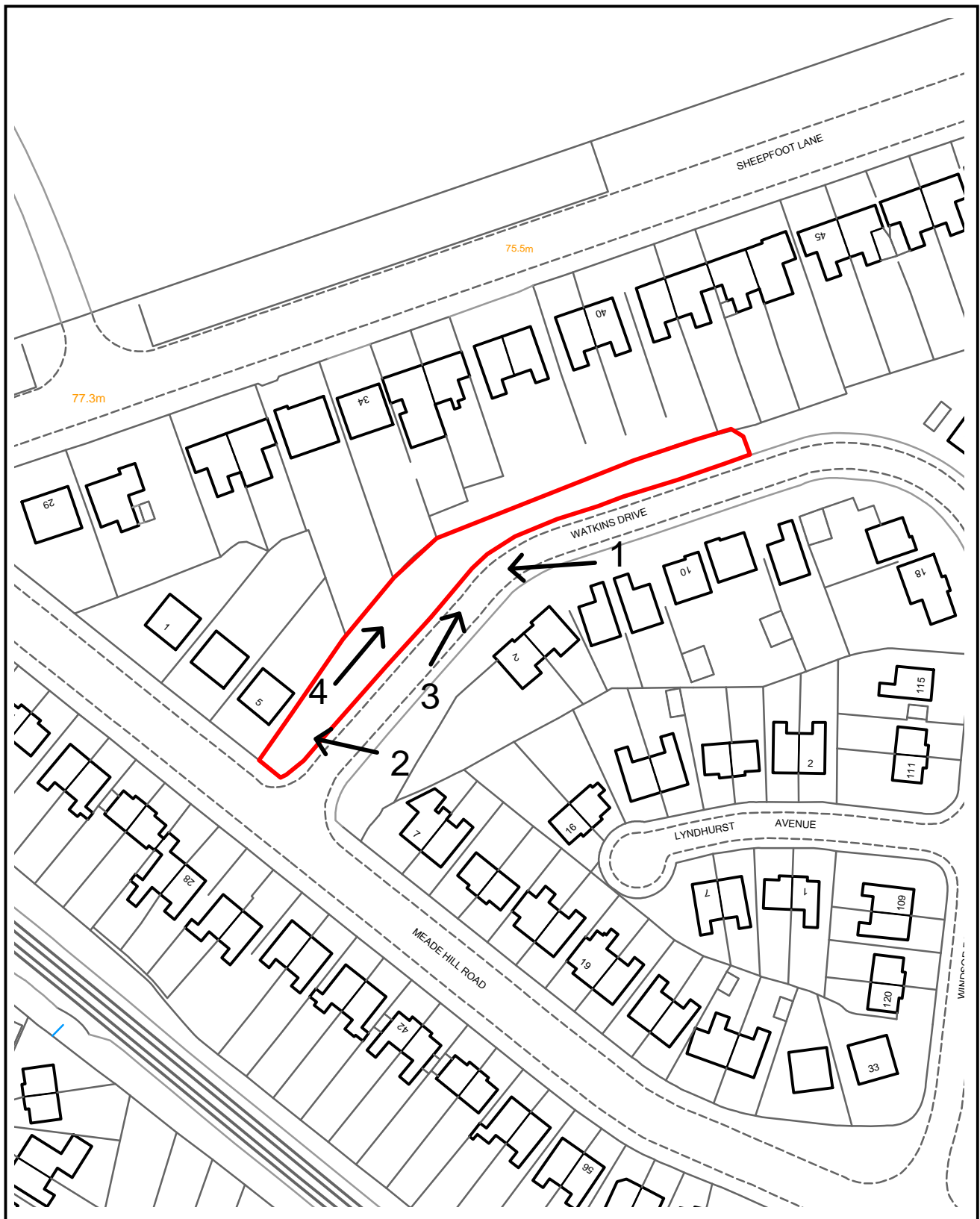
8. Foul and surface water shall be drained on separate systems.  
Reason. To secure proper drainage and to manage the risk of flooding and pollution pursuant to Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.
9. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:
- The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
  - Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- The development shall subsequently be completed, maintained and managed in accordance with the approved plan.  
Reason. To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development pursuant to Policy EN5/1 - New Development and Flood Risk and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan and Section 10 of the National Planning Policy Framework.
10. All trees to be retained on and adjacent to the site shall be protected in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction". The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall remain in situ until the development has been completed.  
Reason. To avoid the loss of trees which are of amenity value to the area pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
11. A landscaping scheme, including details of replacement tree planting, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. It shall be implemented not later than 12 months from the date the building(s) is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within five years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted to the written satisfaction of the Local Planning Authority.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policy EN1/2 - Townscape and Built Design and EN8/2 – Woodland and Tree Planting of the Bury Unitary Development Plan.
12. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the dwelling hereby approved being brought into use.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
13. Notwithstanding the terms of the Town and Country Planning (General Permitted

Development) (England) Order 2015, as subsequently amended, no development shall be carried out within the terms of Classes A to G of Part 1 of Schedule 2 of the Order, without the submission and approval of a relevant planning application. Reason. To ensure that future inappropriate alterations or extensions do not occur pursuant to policies of the Unitary Development Plan.

14. The driveways indicated on the approved plans, shall only be surfaced with a permeable material.  
Reason. To secure the satisfactory development of the site and in the interests of visual amenity and drainage pursuant to Policies EN1/2 - Townscape and Built Design, Policy EN8/2 - Woodland and Tree Planting and Policy EN7/5 - Waste Water Management of the Bury Unitary Development Plan.

For further information on the application please contact **Helen Longworth** on **0161 253 5322**

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 62007**

**ADDRESS:** Land at western end of Watkins Drive  
Prestwich



**Bury**  
COUNCIL

**Planning, Environmental and Regulatory Services**

**(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.**



62007

Photo 1



Photo 2



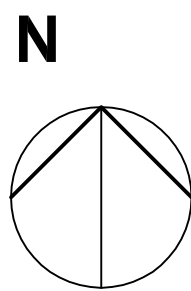


Photo 3



Photo 4





Proposed Roof Plan



19.11.17 Revision A: amendments in line with site plan;  
drawing renamed as roof plan for clarity

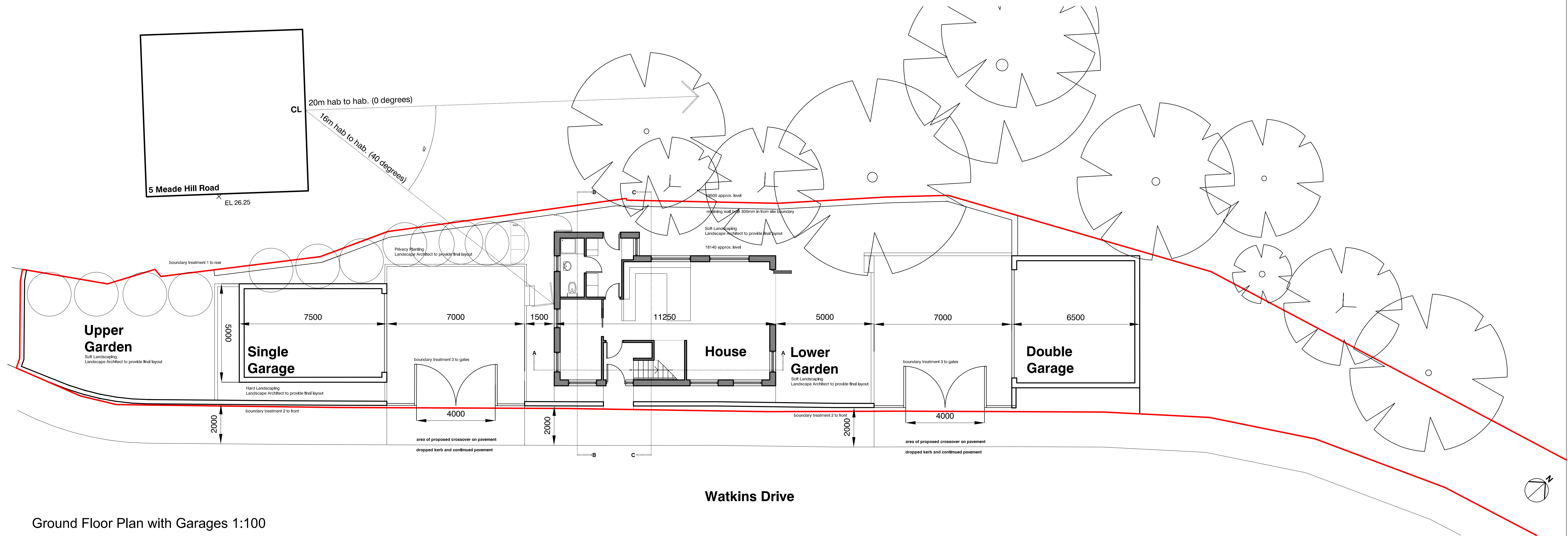
HIGH PEAK ARCHITECTS LTD

2nd Floor, Wharf House, Wharf Road, Whaley Bridge, High Peak, Derbys SK23 7AD  
Tel: 01663 719717 Website: highpeakarch.com Email: hpa@highpeakarch.com

Proposed House & Garages  
Watkins Drive, Prestwich

Proposed Roof Plan  
1383\_PL02A





Ground Floor Plan with Garages 1:100

- Boundary Treatment Key**
- Type 1.**  
1.8 - 2m high close boarded timber fence to rear
- Type 2**  
1m high brick wall with 0.5m railings above to front
- Type 3**  
1.5m high timber gate to drives



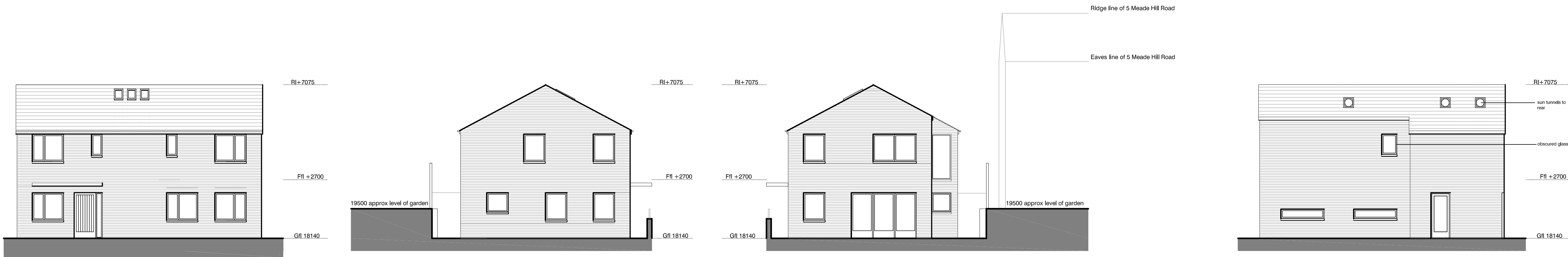
19.11.17 Revision A: information shown requested by planners

**HIGH PEAK ARCHITECTS LTD**

2nd Floor, Wharf House, Wharf Road, Whaley Bridge, High Peak, Derbys SK23 7AD  
Tel: 01663 719717 Website: [highpeakarch.com](http://highpeakarch.com) Email: [hpa@highpeakarch.com](mailto:hpa@highpeakarch.com)

Proposed House & Garages  
Watkins Drive, Prestwich

**Site Plan and Boundaries**  
**1383\_PL03**

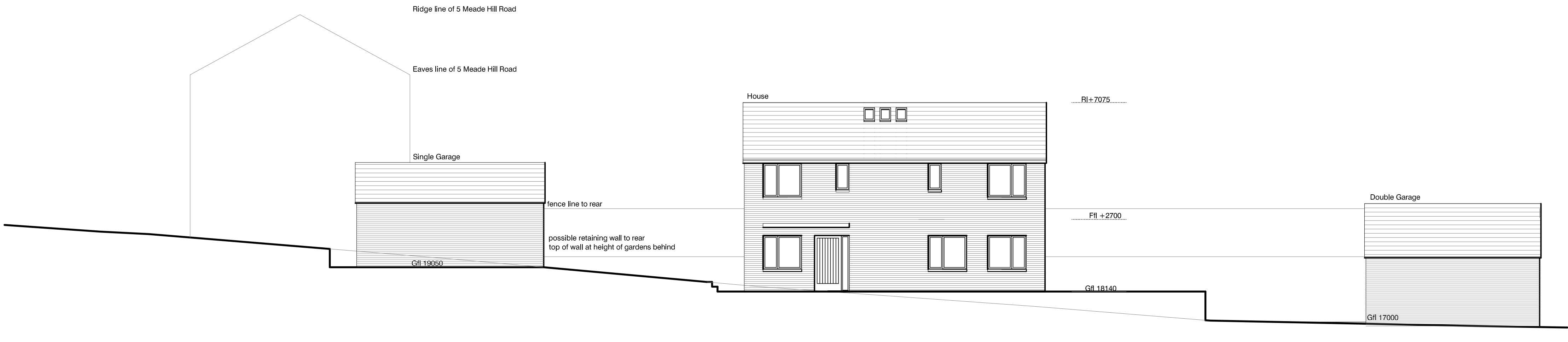


Front Elevation (South East)

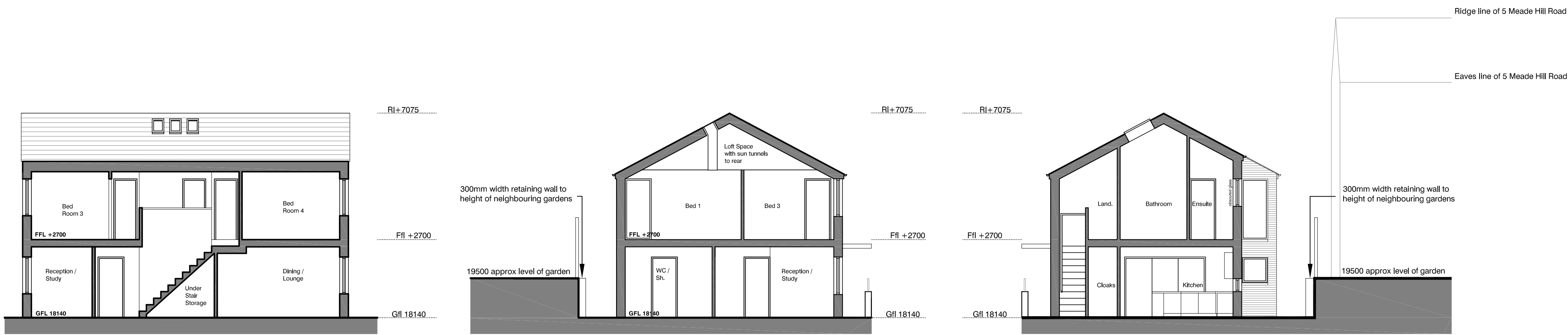
Side Elevation (South West)

Side Elevation (North East)

Rear Elevation (North West)



Streetscape Elevation to Watkins Drive

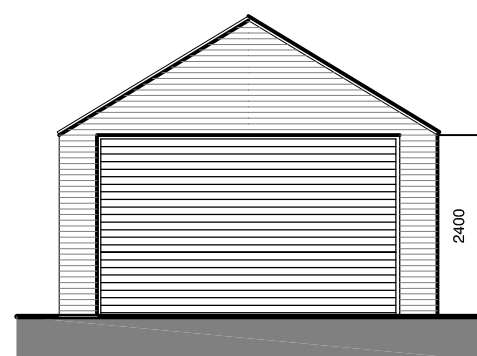


Section AA

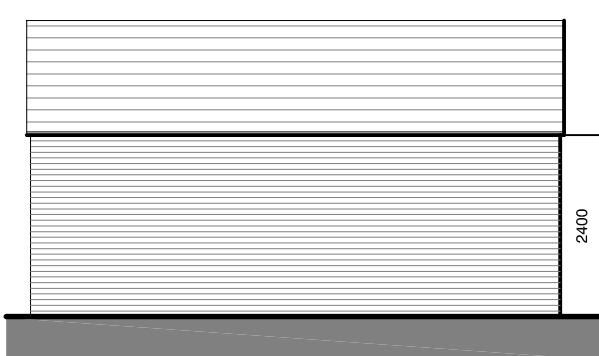
Section BB

Section CC

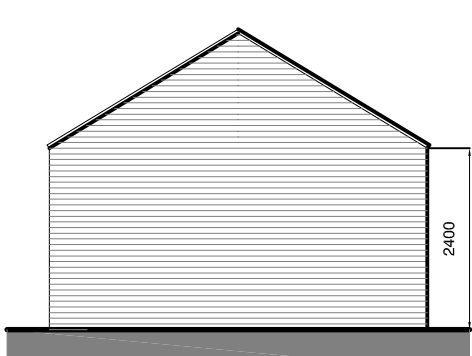
Single Garage



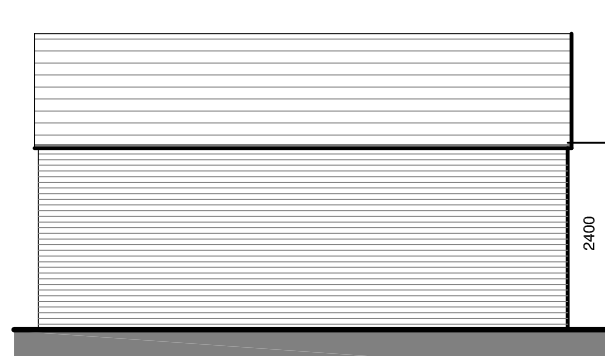
North East



South East

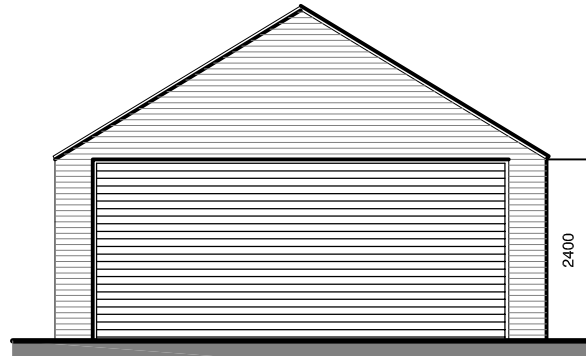


South West

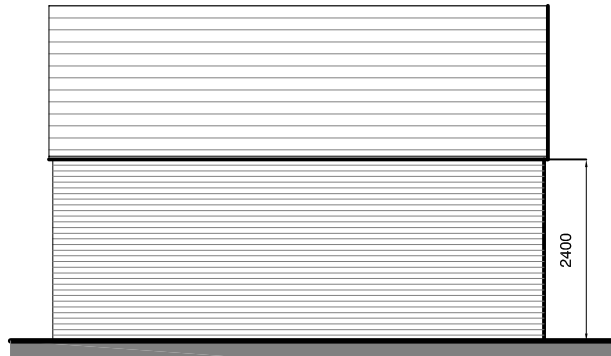


North West

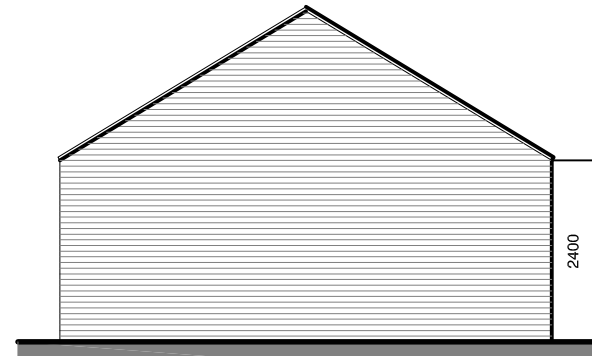
Double Garage



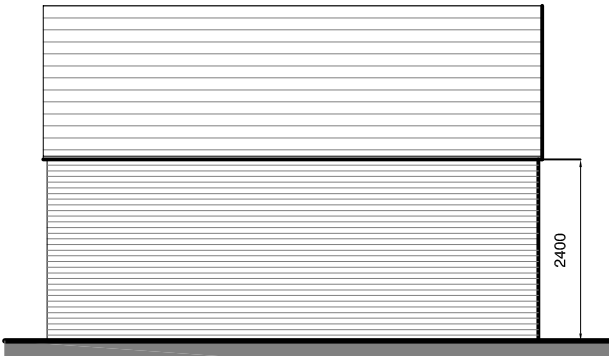
South West



North West



North East



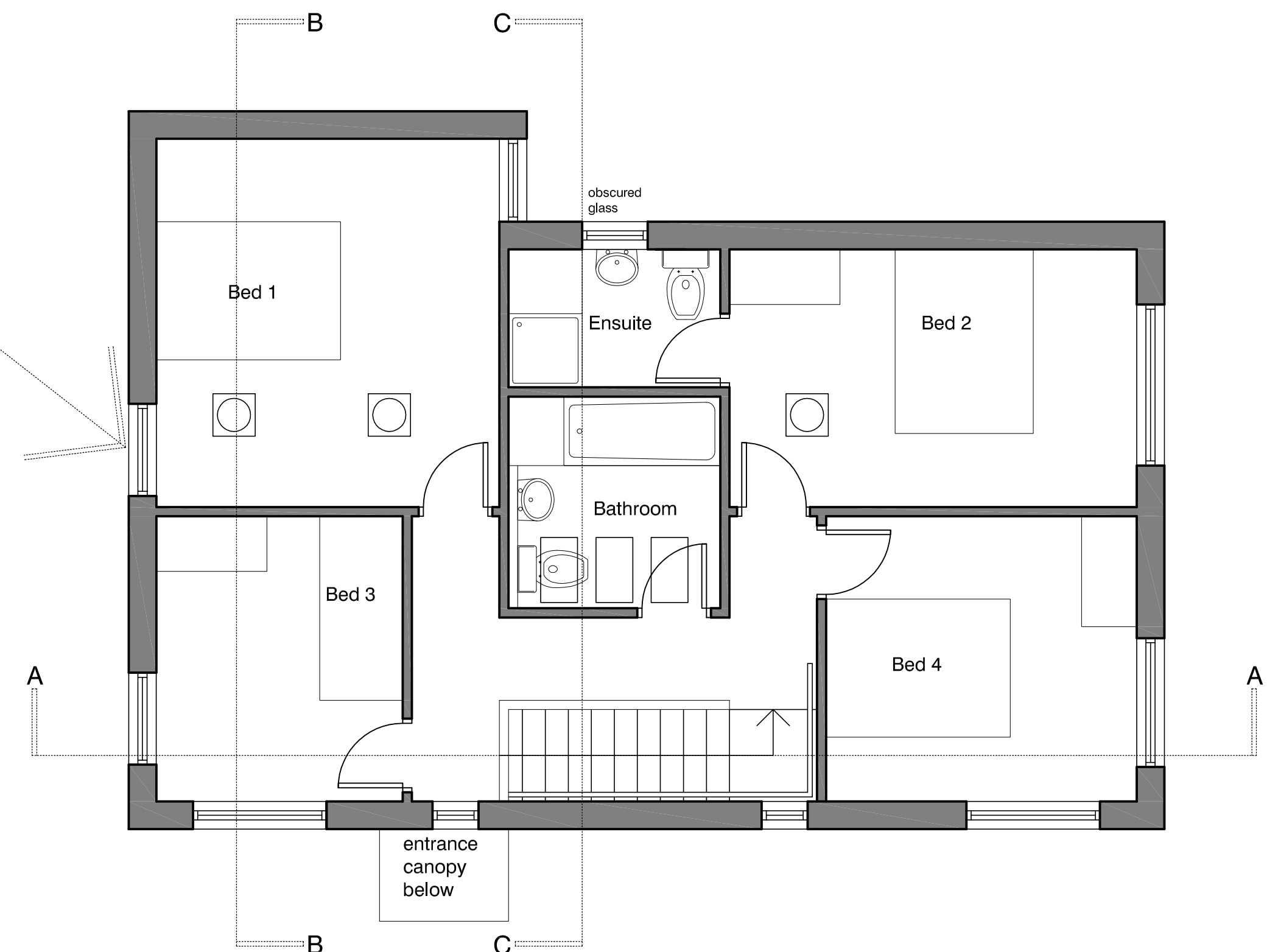
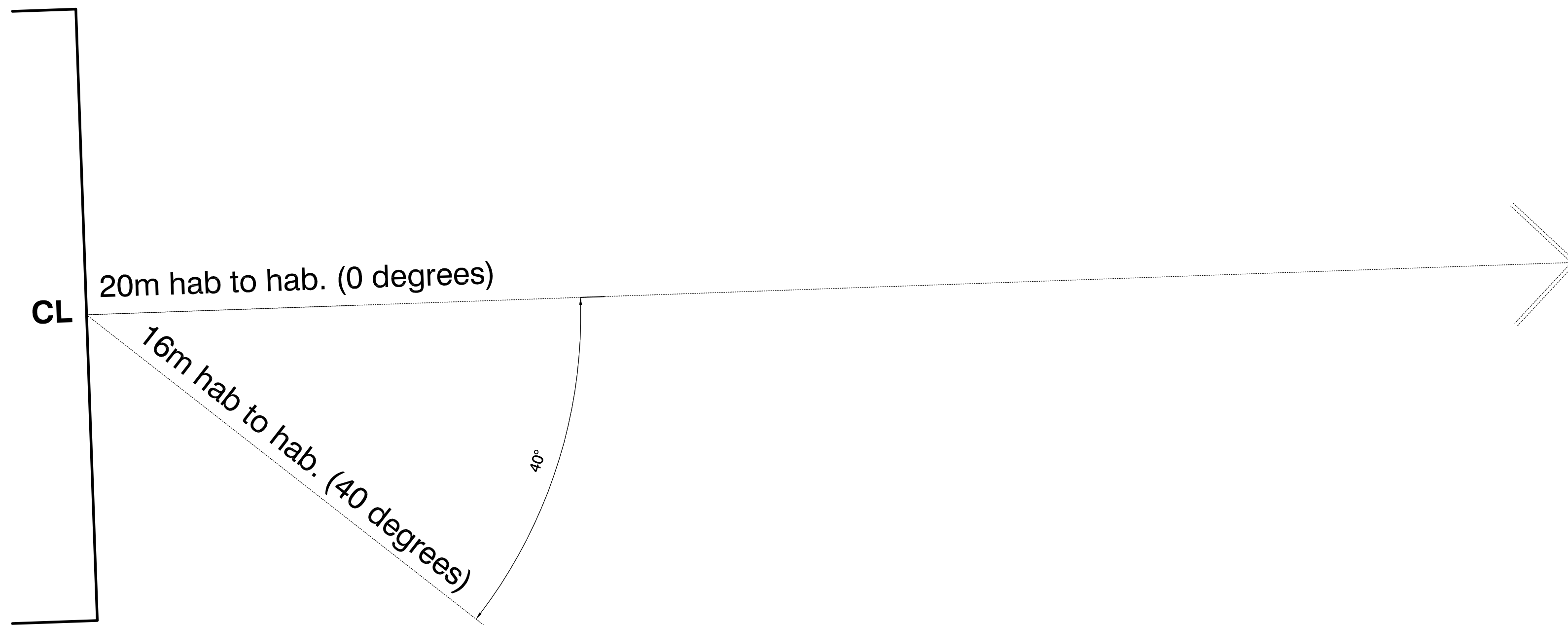
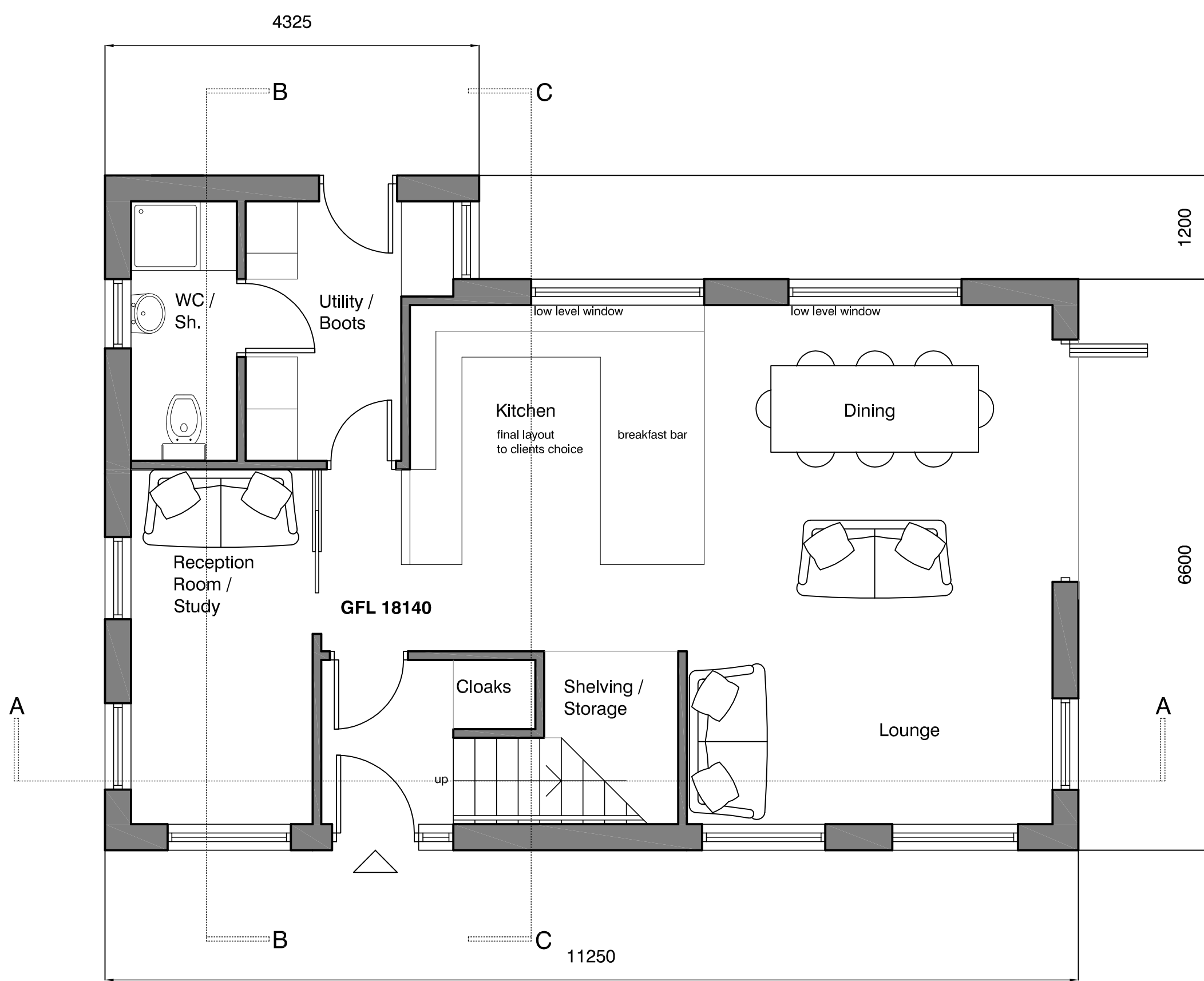
South East



Proposed House & Garages  
Watkins Drive, Prestwich

Elevations & Sections  
1383\_PL04A

19.11.17 Revision A: retaining wall height shown and amended south western elevation shown  
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Proposed House & Garages  
Watkins Drive, Prestwich

Proposed House Floor Plans  
1383\_PL05

Scale: 1:50 @ A1 Date: December 2017 DO NOT SCALE OFF THIS DRAWING Rev:



5 Meade Hill Road

SEE INSET 1

1800mm Close Boarded Fence to match existing

Upper Garden

Single Garage

7500

7000

1500

11250

6800

5000

7000

6500

1800mm high Close Boarded Fence as existing

position for privacy planting

1000 appropriate rear boundary

upper garden / terrace etc

retaining wall to rear following rear line of house etc

drive

Double Garage

1350mm gates to match front boundary treatment

1350mm gates to match front boundary treatment

900mm high brick wall with 450mm high railings above to front boundary

area of proposed crossover on pavement

dropped kerb and continued pavement

area of proposed crossover on pavement

dropped kerb and continued pavement

Watkins Drive

25000

SEE INSET 2 & 3

Jaguar S-Type

Overall Length 4.939m

Overall Width 1.878m

Overall Body Height 1.474m

Min Body Ground Clearance 0.259m

Max Track Width 1.544m

Lock to Lock Time 4.00s

Kerb to Kerb Turning Radius 6.000m

The diagram illustrates a car park layout with various parking spaces and vehicle movement paths. Key features include:

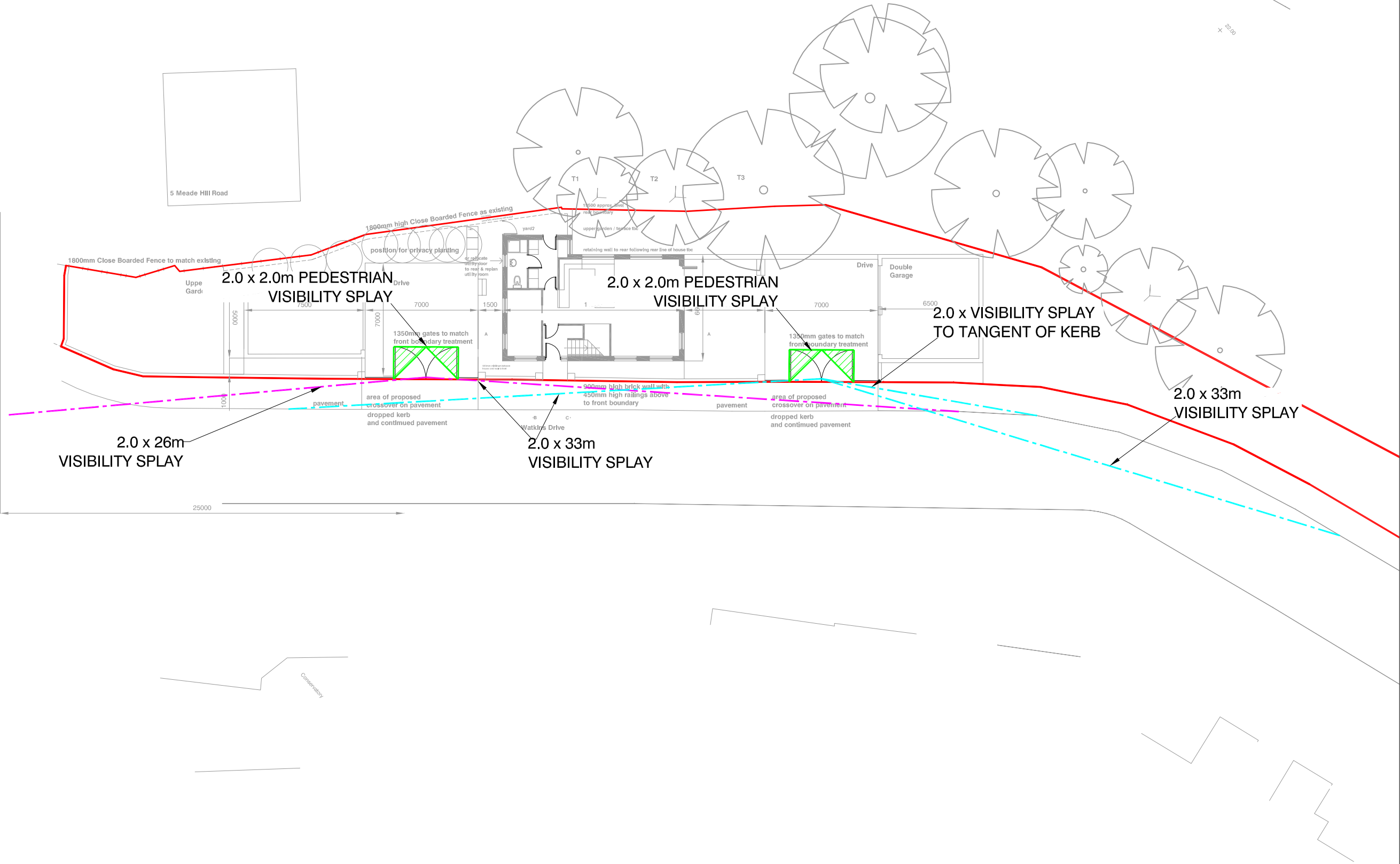
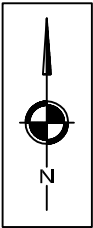
- Parking Spaces:** Labeled 'Upper Garden' and 'Lower Garden'.
- Vehicle Movement:** Indicated by red lines showing the path of a vehicle entering the car park, maneuvering around a central area, and exiting.
- Structural Elements:** Includes a building with a staircase, a 'Waterfall Drive' area, and a 'parking area'.
- Dimensions and Scale:** A scale bar at the bottom indicates a distance of 25000 units.
- Annotations:**
  - 'Minimum Close Branded Forces to match existing'
  - 'Minimum High Close Branded Forces to match existing'
  - 'Minimum High Branded Forces to match existing High riding above to West boundary'
  - 'area to be covered by existing power and communication'
  - 'parking area to be covered by existing power and communication'

[illegible][illegible]

Site plan of the proposed development showing the layout of the site, including the existing building, the proposed building, and the surrounding area. The plan includes dimensions, area calculations, and a north arrow. Key features include the 'Upper Garden', 'Lower Garden', 'Driveway', and 'Proposed Building'. The plan also shows the 'Existing Building' and the 'Proposed Building' with dimensions and area calculations. The plan includes a north arrow and a scale bar.

## INSET 2 - EGRESS

[illegible]



**Ward:** Bury East

Item 02

**Applicant:** Eagles Estate LTD

**Location:** Land at side of 13 Pine Street South, Bury, BL9 7BU

**Proposal:** Erection of 1 no. attached dwelling

**Application Ref:** 62015/Full

**Target Date:** 18/12/2017

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a vacant strip of land adjacent to 13 Pine Street South. The immediate area is characterised by residential properties, with rows of terraced properties to the south, west and north and semi detached properties to the east. The site has been previously occupied by a terraced dwelling that appears to have been demolished in the 1980s.

Planning permission is sought for the construction of a single attached dwelling at the end of a row of terraces. The proposed dwelling would project approximately 4590mm from the side elevation of the adjacent property, with the principal front and rear elevations running flush with the front and rear of this dwelling. To the rear it is proposed to construct a single storey element, that would project approximately 3 metres with an area of private residential amenity space provided within an enclosed rear yard. A box dormer is also proposed to the rear.

### **Relevant Planning History**

None

### **Publicity**

Neighbour letters sent to 21 properties on the 24th October 2017. 5 letters of objection received from the occupiers of 31 Holly Street, 13 Pine Street, 30 Pine Street, 7 Brandlesholme Road and a Petition with 21 Signatures raising concerns with regards to:

- loss of light
- loss of property value
- bungalow would have less impact on light
- no car parking available and already a busy road
- cars use road to cut through between Wash Lane and Rochdale Road
- windows within side of property look directly into kitchen of 31 Holly Street
- loss of privacy
- loss of natural wildlife habitat
- blocking of access and egress
- telephone junction at front space of land - relocation would lead to disruption to telephone and broadband services
- will it be a residential building?
- additional noise

Following receipt of amended plans further neighbour letters sent 17th November 2017. 2 further objections received from the occupiers of 30 Pine Street with concerns regarding:

- Amended plans do not address concerns and will still block light
- car parking for number of people has not been addressed
- would have no concerns if a bungalow were erected
- can a garage to the rear be considered?

Following the receipt of further amendments neighbour letters sent on the 21st December 2017. 1 Further objection received from the occupier of 30 Pine Street:

- 3 storey house will block light
- not been a property on site since No. 30 was built in 1986
- volume of car parking

### **Consultations**

**Traffic Section** - No objection subject to conditions requiring a method statement for the delivery and storage of materials, reinstatement of all footways abutting the site, the restriction of the ground floor windows to inward opening, and prevention the foundations for encroaching under the adopted highway.

**Environmental Health - Contaminated Land** - No objection subject to conditions in relation to a contaminated land preliminary risk assessment and implementation of a remediation strategy, imported materials and unforeseen contamination.

**Waste Management** - No comments received.

**United Utilities (Water and waste)** - No comments received.

**Borough Engineer - Drainage Section** - No comments received.

### **Unitary Development Plan and Policies**

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/2	Townscape and Built Design
SPD6	Supplementary Planning Document 6: Alterations & Extensions
H2/3	Extensions and Alterations
H1/2	Further Housing Development
NPPF	National Planning Policy Framework

### **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) and 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 Policy 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.

### **Policy**

Policy H2/1- The Form of New Residential Development requires all new residential development to make a positive contribution to the form and quality of the surrounding area.

Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

Policy H2/2 - The Layout of New Residential Development seeks to ensure that new residential development will be acceptable in terms of layout in order to provide a good quality residential environment.

Policy HT2/4 - Car Parking and New Development requires all applications for development to make adequate provision for their car parking and servicing requirements.

Policy H1/2 - Further Housing Development requires the Council to have regard for the suitability of proposals for housing development on sites not identified on the Proposals Map.

## **Principle**

The National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

Taking into consideration that the site is located within an established residential area, and a dwelling was located on the site until the 1980s the principle of a new house on the site is considered to be acceptable in terms UDP Policies H1/2 Further Housing Development and H1/2 - Further Housing Development.

## **Visual amenity**

The proposed house would, next to the existing terrace, appear as an end terrace of similar proportions to the adjacent dwellings. It would be modest in scale and finished in render and slate to match a number of the surrounding terraces. The proposed window and door openings to front and rear would be suitably aligned, and replicate the style and form of the attached building. The proposed dwelling is considered to be in keeping with the site and surroundings.

In this instance therefore the proposal is acceptable in terms of visual amenity and complies with UDP Policies H2/1- The Form of New Residential Development, EN1/2 -Policy EN1/2 - Townscape and Built Design and H2/2 - Policy H2/2 - The Layout of New Residential Development.

## **Residential Amenity**

There are no adopted aspect standards for new build residential properties however, Supplementary Planning Document 6 provides guidance on aspect standards between residential properties and as such, would be a reasonable guide in this case.

SPD 6 requires a distance of 20 metres between directly facing habitable room windows. A distance of approximately 19.4 metres can be achieved between the proposed rear first floor bedroom windows and the rear elevation of No. 4 Ash Street. A distance of approximately 19.9 metres between the rear first floor dormer windows and the rear elevation of No. 4 Ash Street can be achieved. Whilst this distance is slightly below the aspect standards required, SPD 6 does state that "in a terraced street, where current aspect standards are not available, the existing distances between habitable room windows will be maintained as a minimum." Taking into consideration that the proposal maintains existing distances between dwellings within the terraces, and the fact that the terraces in these rows could construct a similar dormer window under permitted development rights, in this instance the proposal is considered to be acceptable.

The rear ground floor window relates to a non-habitable room (kitchen) and as such aspect standards do not apply. In addition to this the window to this room would be screened by the proposed 2 metre boundary wall which extends above eyeline when viewed from within the proposed kitchen. In this instance therefore the proposed rear kitchen windows are considered to be acceptable.



As with the rear windows, the distance between the front habitable room windows and the directly facing property at No. 30 Pine Street South falls below the 20 metres required within SPD 6. The distance achievable is approximately 18.6 metres. Again, taking into consideration that the proposal maintains existing distances between dwellings within the terraces in this instance the proposal is considered to be acceptable.

The proposed first floor, and second floor side windows relate to non-habitable rooms and as such a condition should be attached to ensure these windows are obscure glazed to prevent any possible overlooking of the dwellings on Holly Street.

The proposed side ground floor window relates to a dining room and faces towards the rear elevations, and yards of the dwellings on Holly Street. The ground floor windows of these properties appear to relate to kitchens, which are non habitable rooms and as such are not protected under policy in the same way habitable room windows area. The rear residential amenity spaces of these properties are also depicted by walls and gates that reach a height of approximately 2 metres providing adequate screening. In this instance therefore it is considered that the proposal would not have a detrimental impact on the privacy of the dwellings on Holly Street.

SPD 6 requires a distance of 13 metres between ground floor habitable room windows, and a two storey elevations. Whilst the ground floor windows of the dwellings on Holly Street are not habitable room windows they are the main windows to the rear of these properties and as such aspect standards have still been applied. A distance of approximately 14.6 metres can be achieved which exceeds aspect standards and as such it is considered that the proposal would not have an overbearing impact on these properties.

Concerns have been raised by the occupiers of No. 30 Pine Street in relation to loss of light due to the construction of a three storey property. The proposed dwelling would be no higher than the adjoining terrace and as such aspect standards would require a distance of 13 metres between the proposed elevations, and the main aspects of any directly facing properties. A distance of approximately 19.4 metres can be provided between the proposed dwelling and the rear of No. 4 Ash Street, and a distance of approximately 18.6 metres can be provided between the proposed dwelling and the front of No. 30 Pine Street. These distances exceed the required aspect standards and as such the proposal complies with guidance.

In this instance it is considered that the proposal complies with UDP Policy H2/1- The Form of New Residential Development.

### **Highways**

No objection has been raised in relation to the proposal from the Traffic Section subject to a condition being attached in relation to remedial works required to the adopted highway. The proposal would be located within an established residential area with on street parking available for residents, which the proposal site intends to utilise. The site is located within a sustainable location with links to public transport. In this instance it is considered given the nature of the existing parking provision in the area the proposal is acceptable.

### **Neighbour Objections**

It is considered that that the concerns raised in relation to residential amenity and parking have been addressed within the main body of the report.

Loss of property value and matters controlled under non-planning legislation are non-material planning considerations not relevant to the decision.

The proposal site does not fall within ancient woodland, an SBI, a great crested newt search area, nature reserve, SSSI or have any TPOs. It is therefore considered that further ecological surveys would not be required for this scale of development within an established residential area.

## **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 Paragraphs 186-187 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered SHT 1 of 6, SHT 2 of 6 Revision C, SHT 2a of 6 Revision D, SHT 3 of 6, SHT 4 of 6 Revision A, SHT 5 of 6 Revision D, SHT 5a of 6 Revision D, SHT 6 of 6 Revision D as modified by the email from Rashid Mehmood dated 8th January 2018 and the topographical survey received on the 21st December 2017. The development shall not be carried out except in accordance with the details 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 listed.
3. Details/Samples of the materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. Only the approved materials shall be used for the construction of the development.  
Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policy EN1/1 Visual Amenity.
4. Before the first occupation of the dwelling hereby permitted the first floor and second floor side windows shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.  
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.
5. No development shall commence unless and until full details of the following have been submitted to and agreed in writing with the Local Planning Authority:
  - Submission of a method statement to cover the delivery and storage of materials and all works abutting the adopted highway, including the provision, where necessary, of safe temporary scaffolding arrangements and associated traffic management measures on Back Holly Street
  - The reinstatement of all footways abutting the site affected by the construction of the proposed dwelling and as a result of statutory undertakers connections to the dwelling to a scope and specification to be agreed, retention/replacement of the edgings to demarcate the limits of the adopted highway and all associated highway remedial works.

The details subsequently approved shall be implemented to an approved specification and programme.

Reason. To secure the satisfactory development of the site in terms of highway safety, and ensure the integrity of the adopted highway is maintained, in the interests of highway safety.

6. No development shall commence unless and until:-

- A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
- Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

7. Following the provisions of Condition 6 of this planning permission, where remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

8. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. 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 and approved in writing by the Local Planning Authority prior to any soil or soil forming materials being brought onto site, and; The approved contamination testing shall then be carried out and validatory evidence (soil descriptions, laboratory certificates, photographs etc) submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

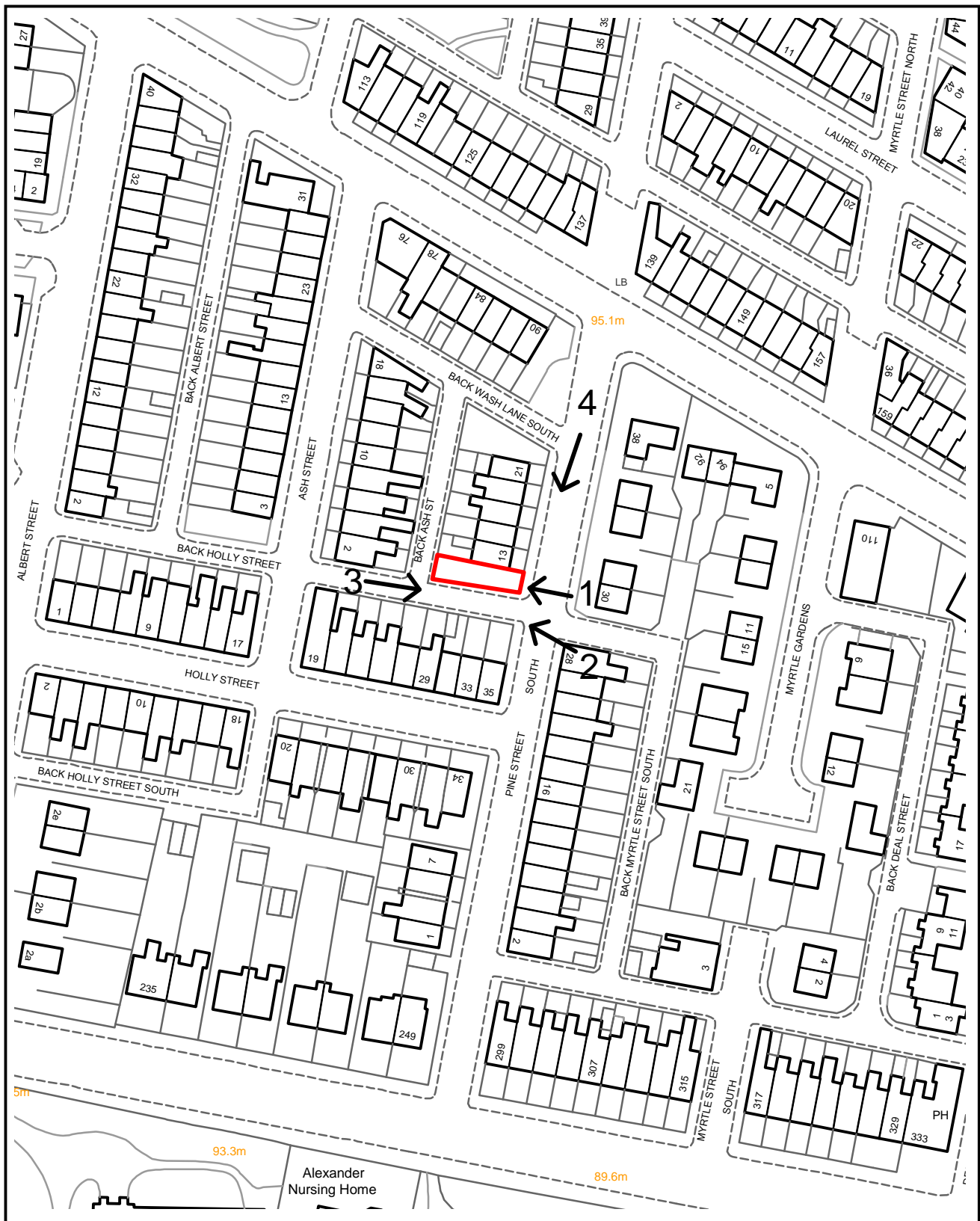
9. All instances of contamination encountered during the development works which do not form part of an approved Remediation Strategy shall be reported to the Local Planning Authority (LPA) immediately and the following shall be carried out where appropriate:

- Any further investigation, risk assessment, remedial and / or protective works shall be carried out to agreed timescales and be approved by the LPA in writing;
- A Site Verification Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

For further information on the application please contact **Helen Goldsbrough** on **0161 253 5277**

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 62015**

**ADDRESS:** Land At Side Of 13 Pine Street South  
Bury

**Planning, Environmental and Regulatory Services**

**(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.**



**Bury**  
COUNCIL

62015

Photo 1



Photo 2





Photo 3



Photo 4



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Any discrepancies are to be reported to the architects for clarification.

All materials and workmanship to be accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



<div><div>IPS</div><div>DESIGN</div></div>				2 York Street Bury Lancashire BL9 7AR	
Existing site plan of 11 Pine Street Bury BL9 7BU					
Scale : 1 : 100 on A3			All Dimensions in Meters		
Ref:: IPS/R/11/BL97BU			Date : 12/09/2017		
Revision	A	B	C		
SHT 2 of 6			Existing		



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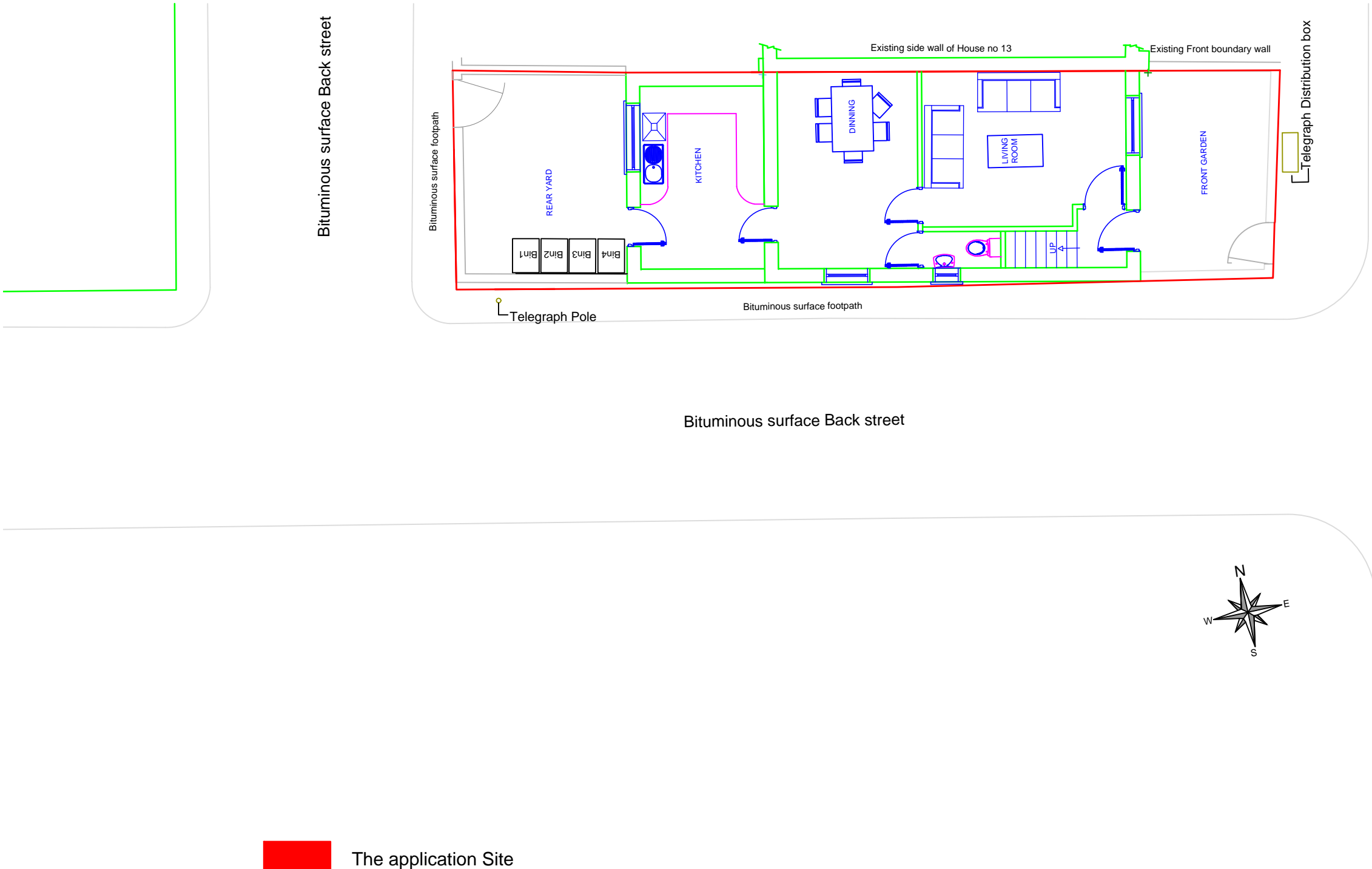
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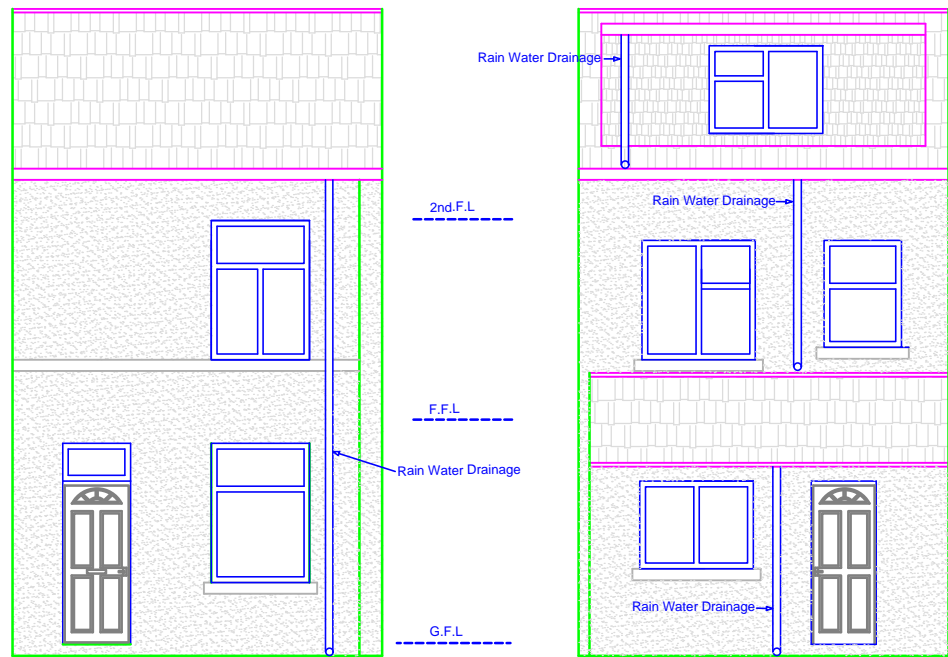
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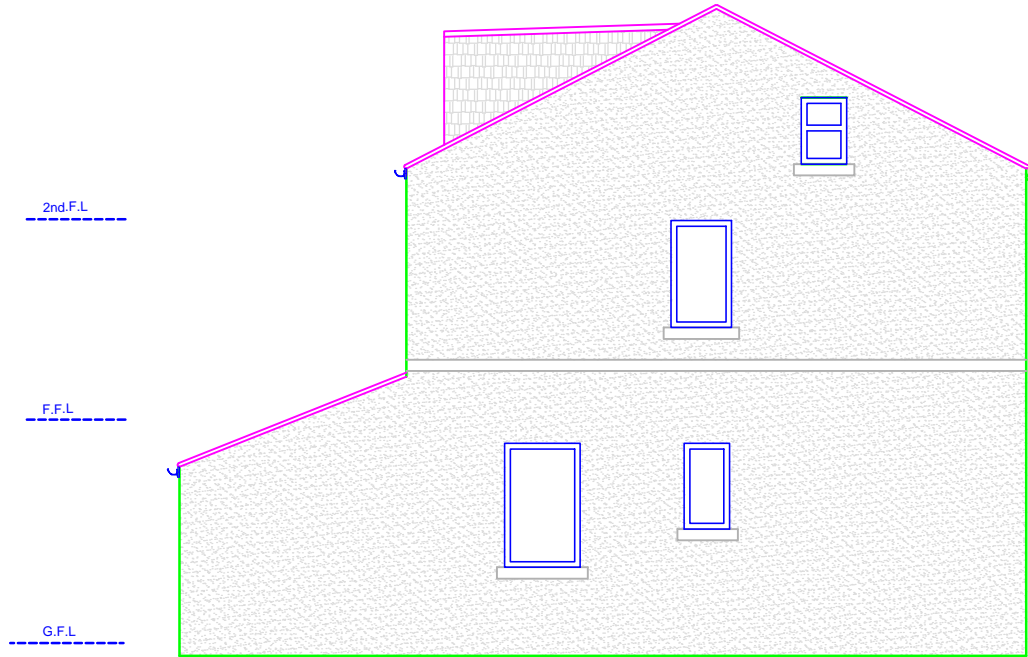
PINE STREET SOUTH Bituminous surface

<div>IPS</div> <div>DESIGN</div>					2 York Street Bury Lancashire BL9 7AR	
Proposed site plan of 11 Pine Street Bury BL9 7BU						
Scale :1 : 100 on A3				All Dimensions in Meters		
Ref:: IPS/R/11/BL97BU						
Date : 12/09/2017						
Revision	A	B	C	D		
SHT 2a of 6				Proposal		

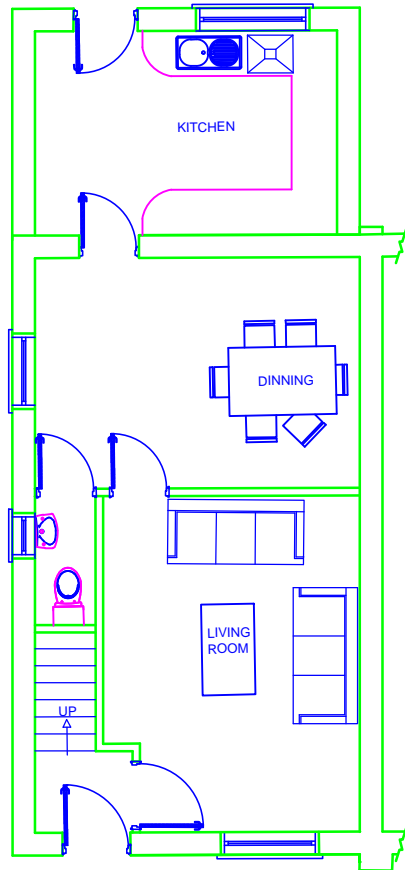


Proposed Front Elevation

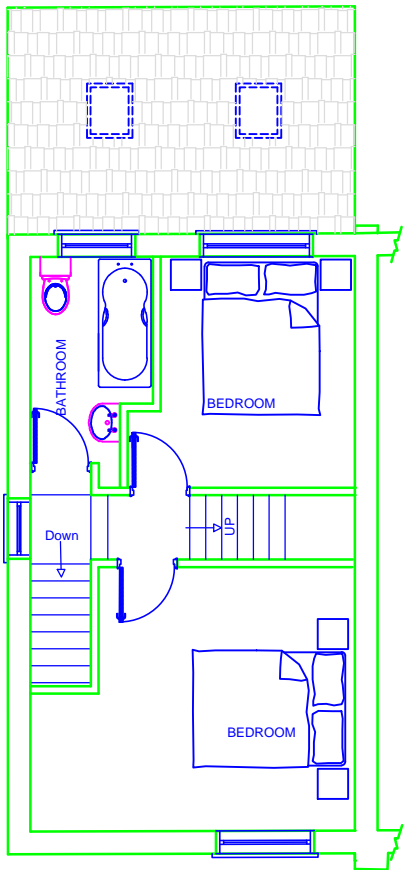
Proposed Rear Elevation



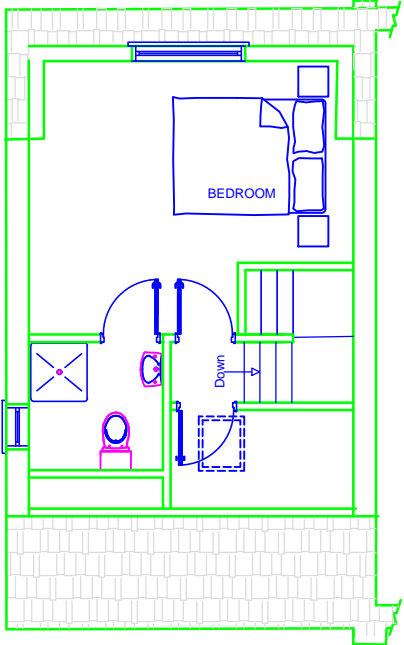
Proposed Side Elevation (SOUTH)



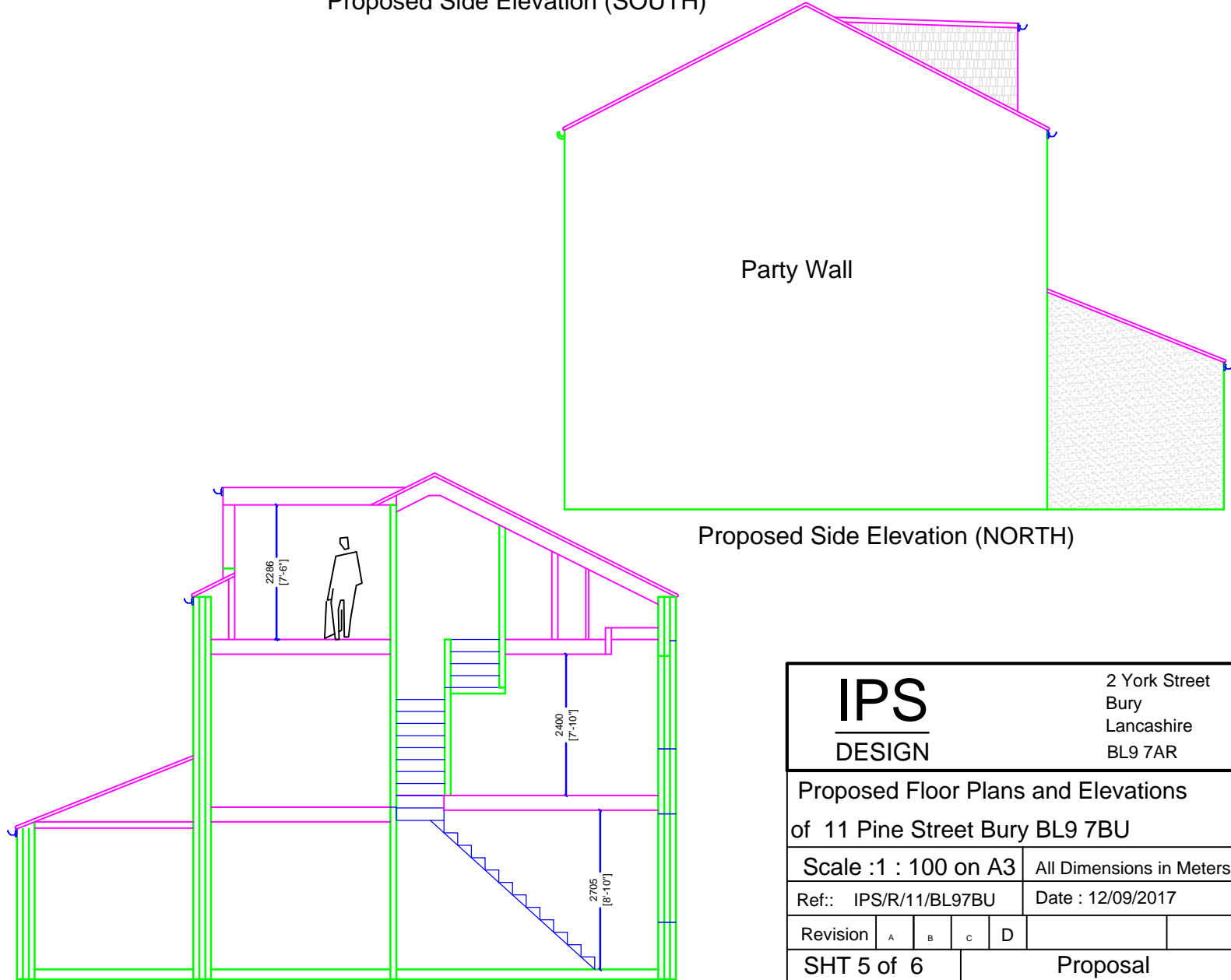
Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Second Floor Plan



Proposed Staircase & Ceiling Section

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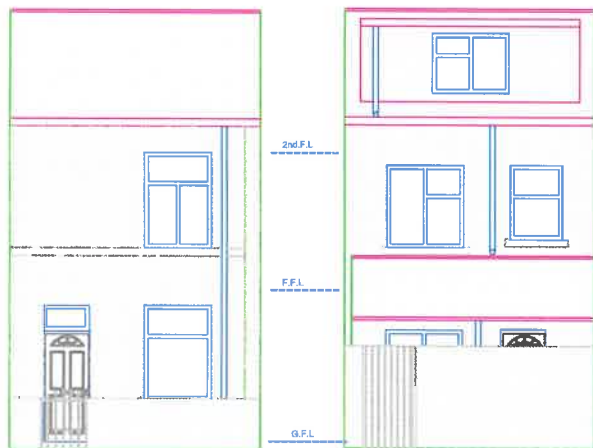
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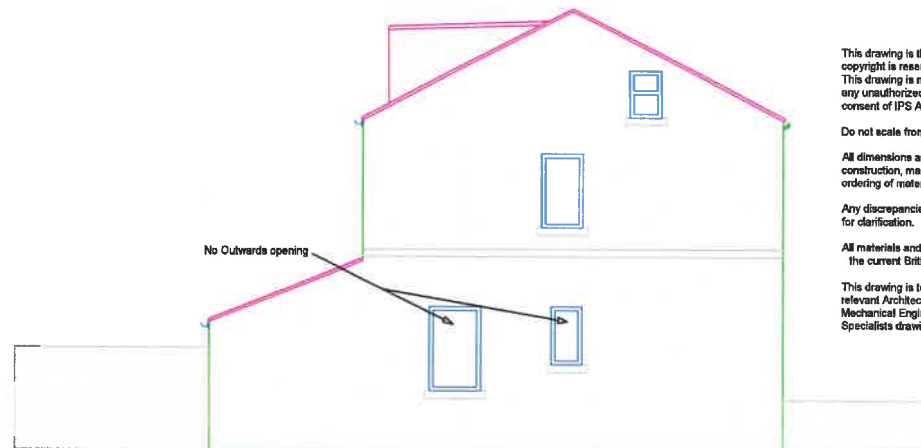
This drawing is to be read in conjunction with all relevant Architectural Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.

<div>IPS</div> <div>DESIGN</div>					2 York Street Bury Lancashire BL9 7AR	
Proposed Floor Plans and Elevations of 11 Pine Street Bury BL9 7BU						
Scale :1 : 100 on A3				All Dimensions in Meters		
Ref:: IPS/R/11/BL97BU				Date : 12/09/2017		
Revision	A	B	C	D		
SHT 5 of 6				Proposal		



Proposed Rear Elevation

Proposed Rear Elevation



Proposed Side Elevation (SOUTH)

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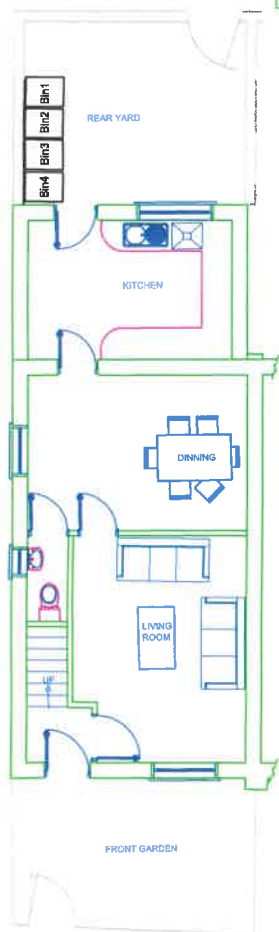
Do not scale from this drawing.

All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

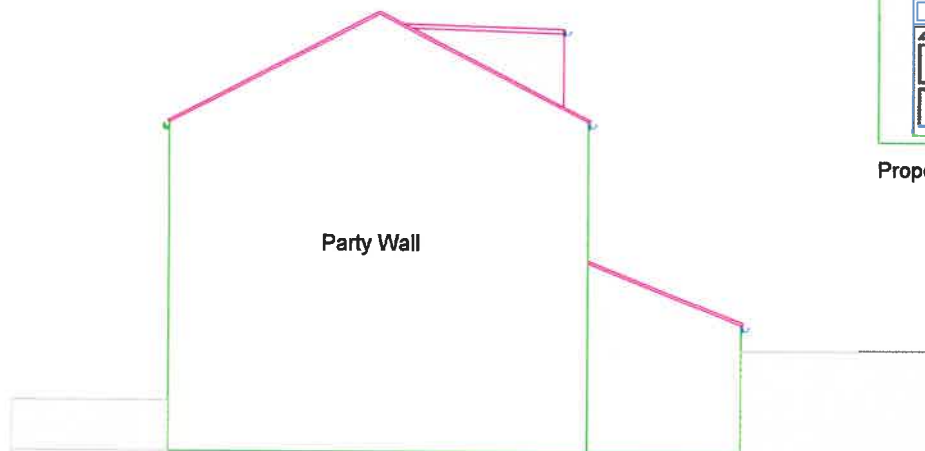
Any discrepancies are to be reported to the architects for clarification.

All materials and workmanship to be accordance with the current British Standards and codes of practice.

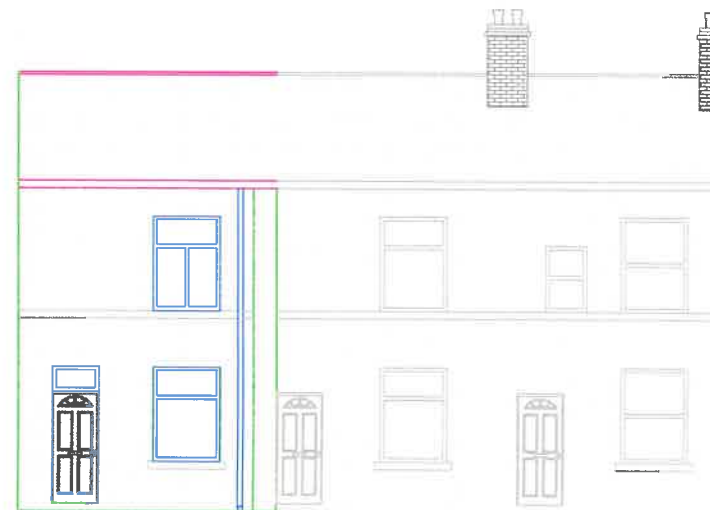
This drawing is to be read in conjunction with all relevant Architectural Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



Proposed Ground Floor Plan



Proposed Side Elevation (NORTH)



Proposed New House Existing House No 13 Existing House No 15  
Proposed Front Elevation

<b>IPS</b> <b>DESIGN</b>		2 York Street Bury Lancashire BL9 7AR	
Proposed Floor Plan and Elevations incl Boundary of 11 Pine Street Bury BL9 7BU			
Scale : 1 : 100 on A3		All Dimensions in Meters	
Ref: IPS/R/11/BL97BU		Date : 12/09/2017	
Revision	A	B	C D
SHT 6 of 6		Proposal	

**Ward:** Ramsbottom + Tottington - Tottington

**Item** 03

**Applicant:** Mr Robert Crosbie

**Location:** Former Hark to Towler PH, 43 Market Street, Tottington, Bury, BL8 4AA

**Proposal:** Change of use from public house (Class A4) to 4 no. flats (Class C3)

**Application Ref:** 62110/Full

**Target Date:** 28/12/2017

**Recommendation:** Approve with Conditions

**The application is brought to the Planning Control Committee Meeting with one objection as the application was received on 2 November 2017, prior to the changes to the Scheme of Delegation which was approved 30 November 2017.**

### **Description**

The building is located on the corner of Market Street and Kirklees Street, close to the town centre of Tottington. The building was last used as a pub and has been closed for a few months. The building is constructed from red brick with stone quoins, headers and cills and a slate roof. There is pedestrian access from Market Street and a vehicular access from Kirklees Street, which leads to one parking space and a beer garden. The rear and side boundary is marked with a 2 metre high brick wall with railings above.

A bus terminus is located to the south with Tottington Methodist church to the west. To the east is a church hall, which has been converted into apartments and there is a commercial building to the north with car park beyond.

The proposed development involves the conversion of the public house into 4 apartments. The existing beer garden and covered area at the rear of the building would be removed and a single storey lobby area constructed at the rear. The proposed development would utilise the existing openings on the whole with new openings on the rear elevation. The proposed development would utilise the existing vehicular access from Kirklees Street and a car park for 4 vehicles would be provided.

### **Relevant Planning History**

47984 - Proposed extension to create draught lobby and smoking shelter at Hark to Towler, 43 Market Street, Tottington. Approved with conditions - 21 June 2007.

### **Publicity**

The neighbouring properties were notified by means of a letter on 7 November 2017.

1 letter has been received from the occupiers of Tottington Private Nursery School, which has raised the following issues:

- Parking on Kirklees Street has always been very difficult and is even worse due to the provision of double yellow lines on one side.
- The proposed development would only provide 4 spaces with no additional spaces for visitors or second cars and will lead to congestion on an already very busy street.
- The plans should be amended to increase the number of parking spaces.

The objector has been notified of the Planning Control Committee meeting.

## **Consultations**

**Traffic Section** - No objections, subject to the inclusion of conditions relating to the boundary treatments, footway remedial works, visibility splay, means of access, turning facilities and car parking.

**Drainage Section** - Further comments will be reported in the Supplementary Report.

**Environmental Health - Contaminated Land** - No comments.

**Waste Management** - No response.

**United Utilities** - Any comments received will be reported in the Supplementary Report.

## **Unitary Development Plan and Policies**

H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/4	Conversions
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN6	Conservation of the Natural Environment
EN7	Pollution Control
EN7/2	Noise Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT5/1	Access For Those with Special Needs
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury
NPPF	National Planning Policy Framework

## **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) and 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 Policy 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.

**Principle** - The National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

The proposed development is located within the urban area and there are residential properties to the rear. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available and the site would be a brownfield site. As such, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

**Design and layout** - The existing beer garden and covered area at the rear of the building would be removed (to become amenity space) and a lobby area constructed, which would match the existing building. The proposed development would involve the conversion of the existing building and the proposed development would utilise the existing openings on the whole. The two most prominent elevations (front and side) would remain unchanged and the only changes would take place to the rear elevation. The three small openings for the toilets would be removed and replaced with a single large window and the rear access door and window would be converted to a single window at ground floor. At first floor a new window would be created and the existing door opening would be converted to a window and the external stair case removed. The proposed development would retain the character of the building and would not be a prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1, H2/2 and H2/4 of the Bury Unitary Development Plan.

**Impact upon residential amenity** - SPD 6 provides guidance on aspect standards between residential properties and would be relevant in this case. There should be a minimum of 20 metres between directly facing habitable room windows, which is based upon a two storey development. A habitable room window is a lounge, dining room or bedroom.

There would be 12.8 metres between the proposed development and the church opposite. The proposed development would utilise the existing openings and would not have any greater an impact upon residential amenity than the existing relationship.

There would be three openings on the rear elevation at ground floor level, which would relate to bedrooms and there would be between 9.3 metres and 12.6 metres between the proposed development and the apartments to the rear. This relationship would not be any worse than the existing relationship between the two buildings and the 1.8 metre high brick wall on the boundary would be retained, which would act as a screen. The remaining opening would relate to a bathroom and would be obscure glazed. Therefore, the proposed development would not have a significant adverse impact upon the amenity of the neighbouring properties.

The openings at first floor level on the rear elevation would relate to 2 bathrooms, which would be obscure glazed and a bedroom. There would be 12.5 metres between the proposed development and the apartments at the rear. The proposed development would utilise an existing window, which was previously used as part of the living accommodation. As such, the proposed development would be no worse than the existing relationship and would be acceptable in this instance.

Therefore, the proposed development would not have a significantly adverse impact upon the amenity of the neighbouring properties.

**Highways issues** - The proposed development would provide a car park at the rear of the building, which would be accessed from Kirklees Street. Revised plans have been received that would create a single access point with the cars parked against the building. There would be acceptable levels of visibility. The Traffic Section has no objections, subject to the inclusion of conditions relating to the boundary treatments, footway remedial works, visibility splay, means of access, turning facilities and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policy H2/1 and H2/2 of the Bury Unitary Development Plan.

**Parking** - SPD11 states that the maximum number of parking spaces is 1.5 spaces per 2 bedroom dwelling, which equates to 6 spaces.

The proposed development would provide 4 parking spaces at the rear of the property. The proposed development is located within the heart of Tottington centre and has good access to public transport with a bus terminus to the side. As such, the proposed development is in a sustainable location and the level of parking provision would be acceptable in this instance. Therefore, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

#### **Response to objectors**

The issue relating to parking has been addressed in the report above.

#### **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 Paragraphs 186-187 of the National Planning Policy Framework.

**Recommendation:** Approve with Conditions

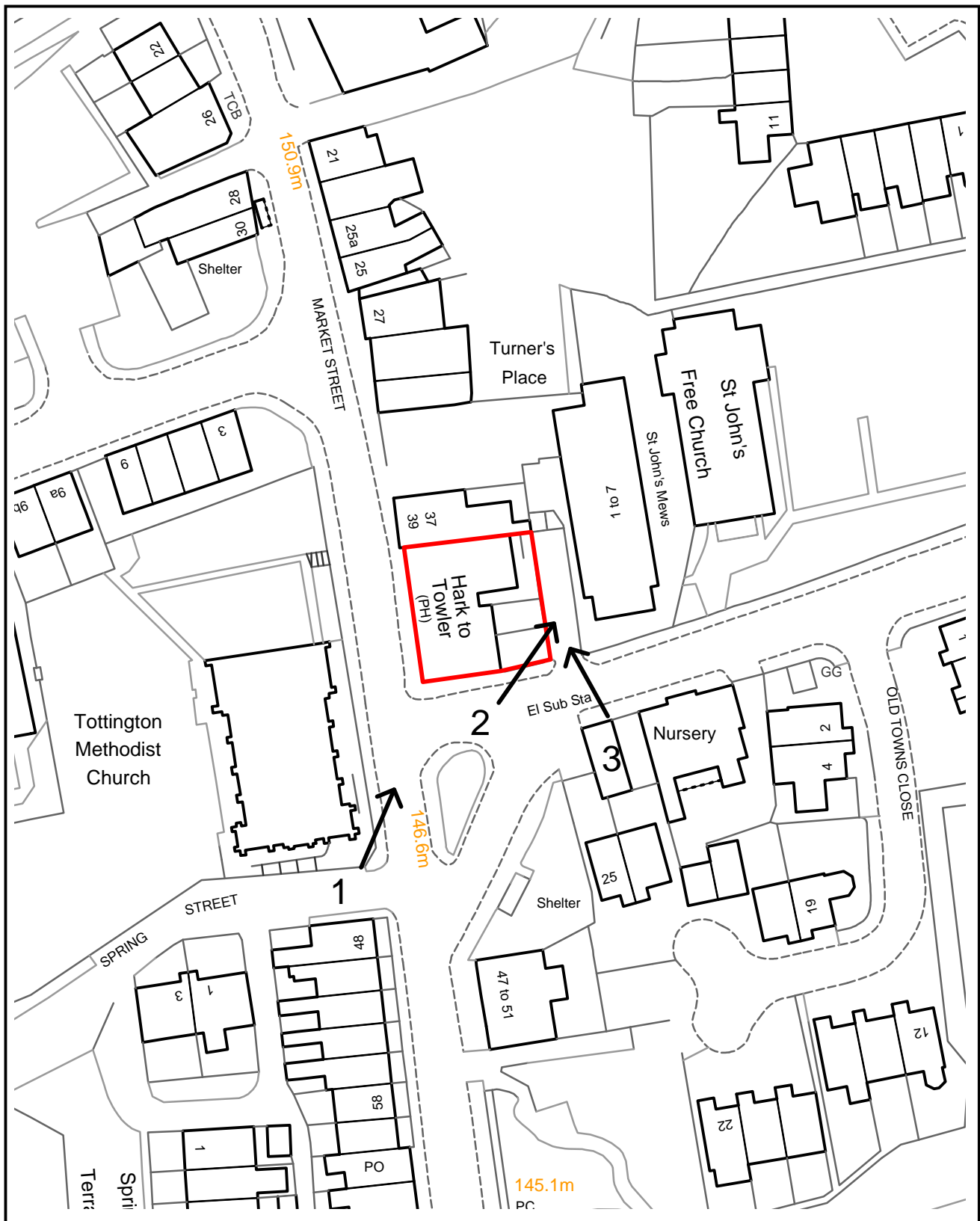
#### **Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered 904/HARK/PL/01, 904/PL/02 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 listed.
3. The external finishing materials for the proposal hereby approved shall match those of the existing building.  
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.
4. The car parking indicated on approved plan reference 904/PL/02 Revision A shall be surfaced, demarcated and made available for use prior to the use hereby approved commencing and thereafter maintained at all times.  
Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.
5. Before the first occupation of the development hereby permitted the windows that relate to bathrooms on the rear elevation shall be fitted with obscured glazing (minimum of level 3) and shall be permanently retained in that condition thereafter.  
Reason. To protect the privacy of adjoining occupiers and to accord with Policy H2/1 - The Form of New Residential Development of the Bury Unitary Development Plan.

6. The refuse storage facilities indicated on the approved plan shall be implemented and made available for use prior to the development hereby approved becoming first occupied and shall thereafter remain available at all times.  
Reason. In order to ensure that the development would maintain adequate facilities for the storage of domestic waste, including recycling containers, in the interests of amenity and pursuant to the following Unitary Development Plan Policies:  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development
7. The boundary brick wall and electric sliding gate indicated on approved plan reference 904/PL/02 Revision A shall not exceed 0.9m in height.  
Reason. To ensure good highway design and the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development
8. Any footway remedial works required as a result of the construction of the proposed boundary wall shall be implemented to an agreed specification prior to the use hereby approved commencing.  
Reason. To maintain the integrity of the adopted highway pursuant to the following Policies of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development
9. There shall be no direct means of vehicular access between the site and Kirklees Street other than the existing car park access indicated on approved plan reference 904/PL/02 Revision A that is to be retained.  
Reason. To ensure good highway design in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development.
10. The visibility splays indicated on approved plan reference 904/PL/02 Revision A shall be implemented before the new car park is brought into use and subsequently maintained free of obstruction above the height of 0.9m.  
Reason. To ensure the intervisibility of the users of the site and the adjacent highways in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development
11. The turning facilities indicated on approved plan reference 904/PL/02 Revision A shall be provided prior to the use hereby approved commencing and the areas used for the manoeuvring of vehicles shall subsequently be maintained free of obstruction at all times.  
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to the following Policies of the Bury Unitary Development Plan:  
Policy EN1/2 - Townscape and Built Design  
Policy H2/1 - The Form of New Residential Development  
Policy H2/2 - The Layout of New Residential Development



## Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 62110**

**ADDRESS: Former Hark to Towler  
43 Market Street  
Tottington**

## Planning, Environmental and Regulatory Services



**Bury**  
COUNCIL

**(C) Crown Copyright and database right (2015). Ordnance Survey 100023063.**

62110

Photo 1



Photo 2

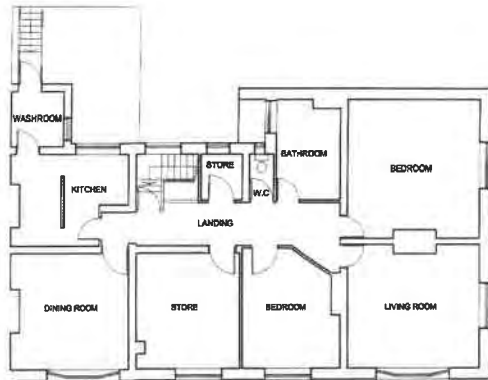




Photo 3



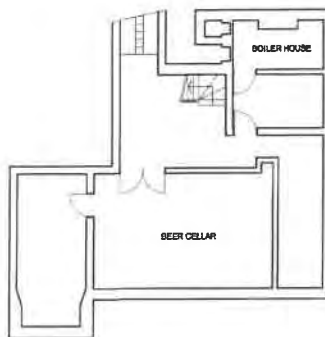
EXISTING FIRST FLOOR PLAN



EXISTING GROUND FLOOR PLAN



EXISTING CELLAR PLAN



KIRKLE ST

MARKET ST

EXISTING REAR ELEVATION



EXISTING REAR ELEVATION (SECTION THROUGH GARDEN)



EXISTING SIDE ELEVATION



EXISTING FRONT ELEVATION



SCALE BAR  
0 5 10m

NB: ALL LEVELS TO BE CONFIRMED ON SITE BY STRUCT. ENG.

REVISION	DESIGNER	DATE	DATE
1	ROD CROSSIE		
PROJECT			
MARK TO TOWLER, MARKET STREET, TOTTINGTON, BURY - EXISTING PLANS AND ELEVATIONS			
TITLE			
EXISTING PLANS AND ELEVATIONS			
DRAWING NO.	REVISION	SCALE	DRAWN BY
001 / MARK / PL / 01		1 : 100	YBS
			DATE
			1

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NOTES: 1. ALL LEVELS TO BE CONFIRMED ON SITE BY STRUCT. ENG. 2. THE DRAWING IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE ARCHITECT'S APPROVAL.



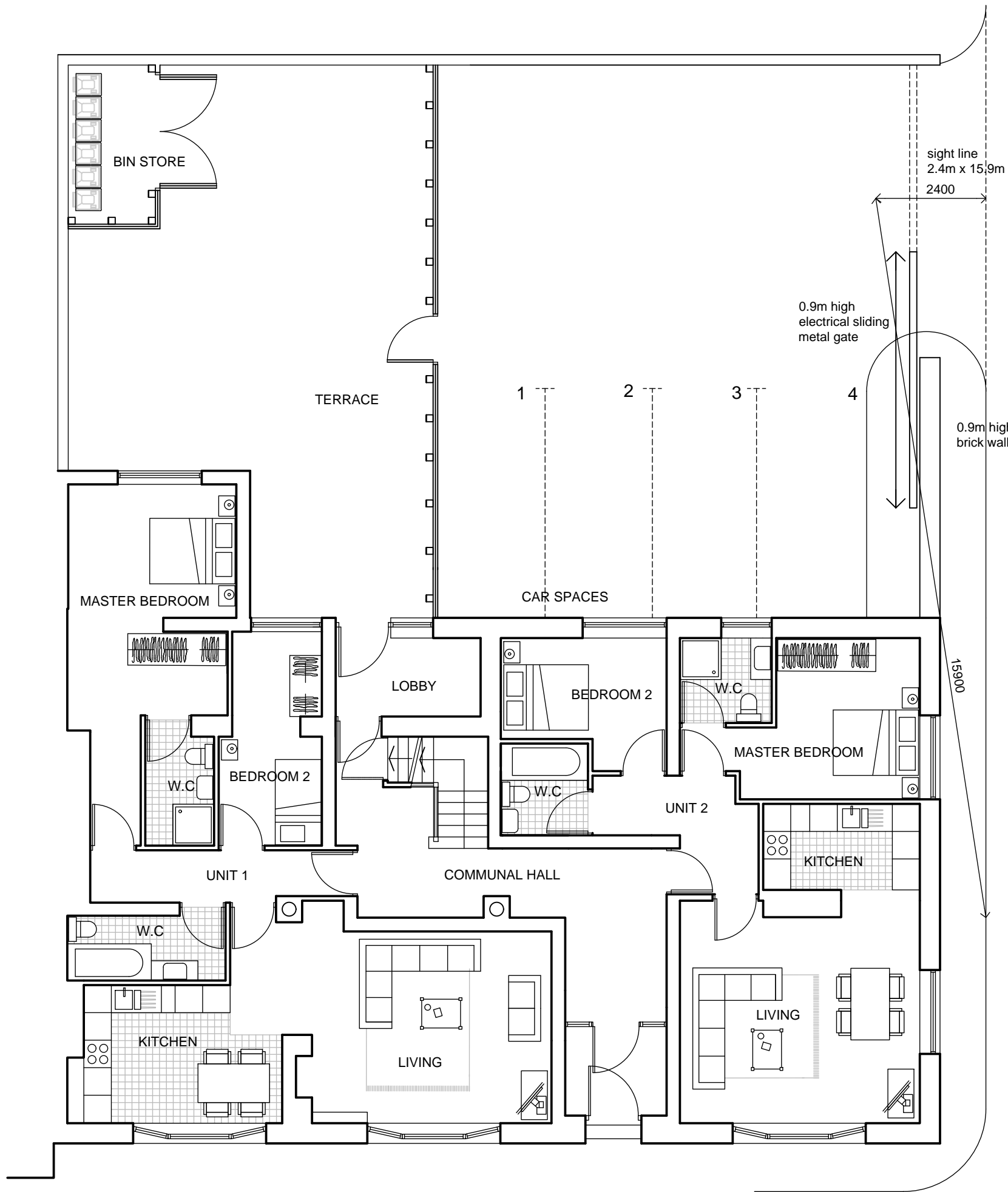
PROPOSED FRONT ELEVATION



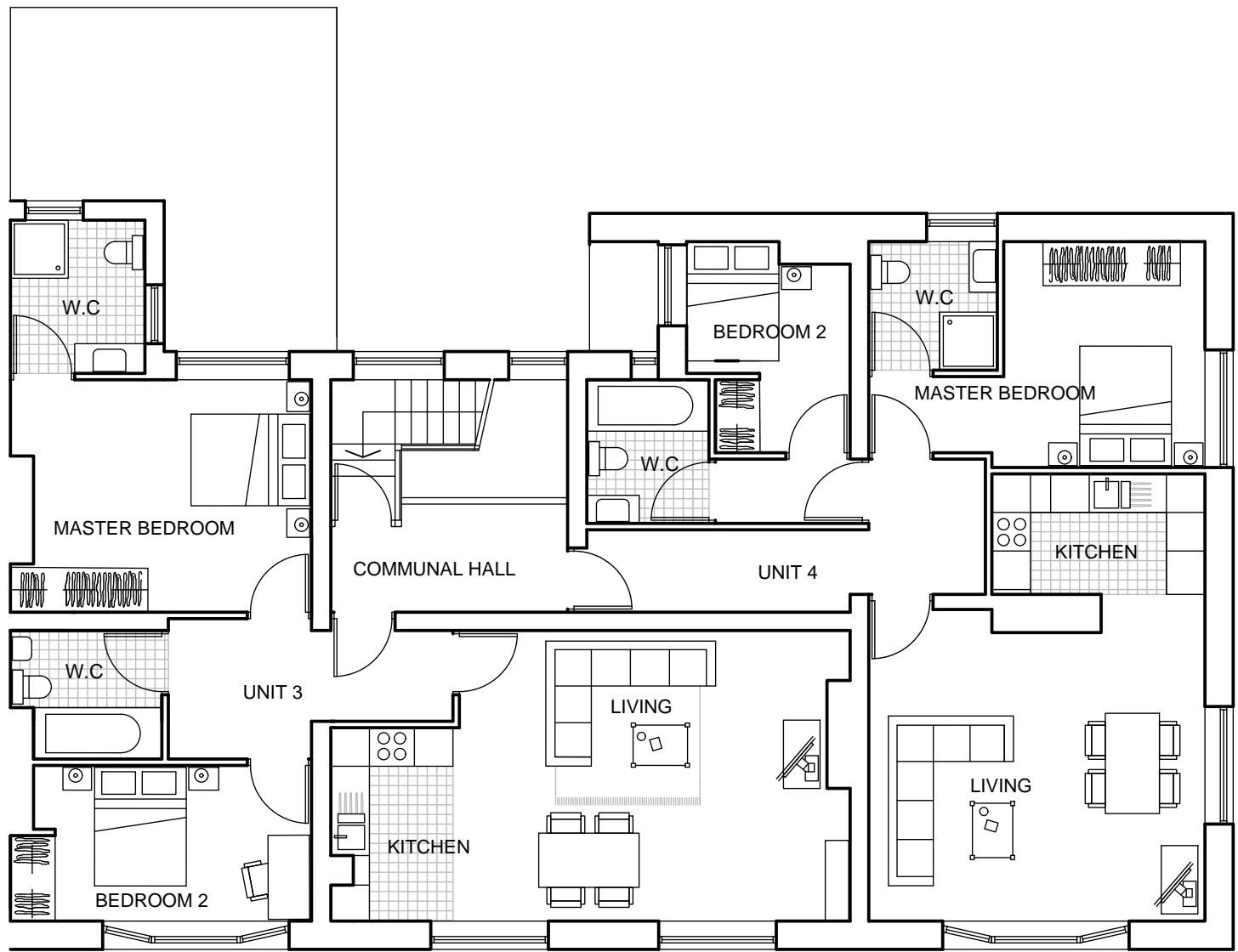
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



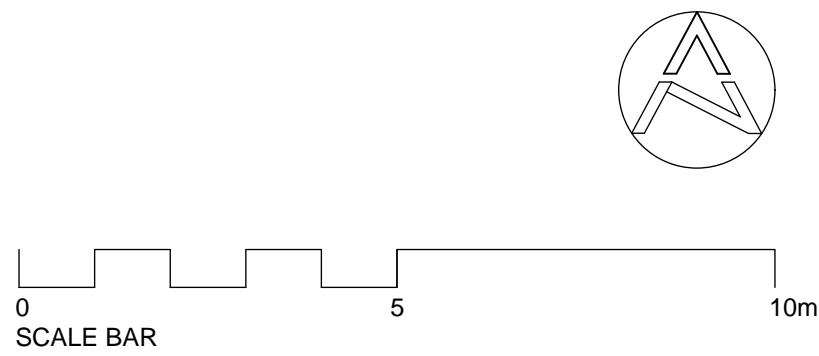
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

ACCOMMODATION SCHEDULE

UNIT 1	2 beds	93 sqm
UNIT 2	2 beds	72 sqm
UNIT 3	2 beds	82 sqm
UNIT 4	2 beds	77 sqm



Material Specification

- Walls - Brick, to match existing
- Render, to match existing
- Windows and doors - Painted timber, to match existing
- Roof - Felt / EPDM, to match existing
- Fences- Close bordered timber fence

NB - ALL LEVELS TO BE CONFIRMED ON SITE BY STRUCT. ENG.

REVISION	DESCRIPTION	DATE	INITIALS
A	ADDITION OF BRICK WALL WITH AN ELECTRIC GATE & AMENDED LAYOUT OF CARPARK	09.01.18	YSB
CLIENT			
ROB CROSBIE			
PROJECT			
HARK TO TOWLER, MARKET STREET, TOTTINGTON, BURY - PROPOSED SMOKING SHELTER			
TITLE			
PROPOSED PLANS AND ELEVATIONS			
DRAWING NO.	REVISION	SCALE	DRAWN BY
904 / PL / 02	A	1 : 100	YSB
			DATE
			27/10/17

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**Ward:** North Manor

**Item** 04

**Applicant:** Roston Property Ltd

**Location:** Former car park of Masons Arms, Walmersley Old Road, Bury, BL9 6RU

**Proposal:** Erection of 1 no. dwelling

**Application Ref:** 62129/Full

**Target Date:** 03/01/2018

**Recommendation:** Minded to Approve

**The application is brought to the Planning Control Committee Meeting with one objection as the application was received on 8th November 2017, prior to the changes to the Scheme of Delegation which was approved 30th November 2017.**

**The application is Minded to Approve subject to the completion of a s106 Agreement to ensure there would be no loss of the car park should the conversion of the public house/restaurant development not be implemented.**

#### **Description**

The site relates to the car park of a public house/restaurant, which are separated from each other by Walmersley Old Road. The car park is set at a lower level than the road by approximately 1.5m but is itself level and there is a single access off Walmersley Old Road from its western corner.

The pub/restaurant is directly opposite the site, at a higher level, with No 2 Bentley Lane to the east and No 216 Walmersley Old Road to the west. There is a public footpath which runs between the site and No 2 Bentley Lane, which continues along the back of the site and the rear of the houses on Walmersley Old Road. The land beyond the footpath to the south slopes away from the site and is overgrown with vegetation and unused.

The application seeks the erection of a 2 storey 4 bedroomed detached dwellinghouse on the public house/restaurant car park.

The dwelling would front Walmersley Old Road and would be set approximately 1m lower than road level with 1m high railings running along the back edge of pavement. The existing access in the western corner would be utilised which would lead into a driveway and parking area for the development. Garden areas would be provided to the eastern side of the house and the rear.

The dwelling would comprise living accommodation and an integral double garage at ground floor with 4 bedrooms at first floor.

The dwelling would reflect the traditional character of the area, proposing natural stonework elevations with quoin detailing, stone headed windows and timber garage doors. Window openings would be modest, set in symmetrical fenestration patterns.

#### **Background**

Planning permission was granted for the demolition of the single storey restaurant and conversion of the public house to 4 No. flats, with associated parking and landscaping in November 2017. The development has not yet been implemented.



### **Relevant Planning History**

56276 - Change of use from Public House to dwelling and 4 No. new dwellings (Re submission) - Approve with Conditions 03/07/2013

59592 - Change of use of former public house to a mixed use development comprising offices, training facility, cafe, with conservatory at rear; ancillary parking.

- Approve with Conditions 21/04/2016

60489 - Change of use from public house to dwelling and 4 No. new dwellings - Approve with Conditions 30/09/2016

61787 - Demolition of single storey restaurant, and change of use of public house to 4 no. flats with associated parking and landscaping. - Approve with Conditions 09/11/2017

### **Publicity**

Letters sent on 10/11/2017 to 6 properties at The Masons Arms, 1 Baldingstone; 175, 179, 216 Walmersley Old Road; 2 Bentley Lane.

One letter of objection received from No 2 Bentley Lane raising the following issues:

- Currently have a pleasant view of the Baldingstone hamlet and enjoy the sun on our front garden and house;
- The plans for the new build are extremely close to the border of our home and would overshadow our front garden and leave us with a view of a gable end wall, obstructing our views and sunlight;
- The gable end brick wall is shown as being approx 6.45m from our boundary with just another 4m to our overlooking window in the front room;
- We would have no objections if the building were moved further back into the car park and moved further down and away from our property;
- The proposed development is over-bearing and out-of-scale for the plot compared with existing development in the vicinity.

The objector has been informed of the Planning Control Committee meeting.

### **Consultations**

**Traffic Section** - No objection subject to conditions.

**Drainage Section** - No response received. A drainage scheme would be required, and included by way of a suitably worded condition.

**Environmental Health Contaminated Land** - No objection subject to conditions.

**Waste Management** - No response received.

**United Utilities (Water and waste)** - No response received.

### **Unitary Development Plan and Policies**

NPPF	National Planning Policy Framework
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
EN1/2	Townscape and Built Design
EN8/2	Woodland and Tree Planting
EN5/1	New Development and Flood Risk
SPD6	Supplementary Planning Document 6: Alterations & Extensions
SPD11	Parking Standards in Bury

## 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) and 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 Policy 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.

**Principle for Housing Development** - The National Planning Policy Framework should be treated as a material planning consideration and it emphasises the need for local planning authorities to boost the supply of housing to meet local housing targets in both the short and long term. There is a particular emphasis, as in previous national planning guidance, to identify a rolling five year supply of deliverable housing land.

Bury's Strategic Housing Land Availability Assessment sets out the latest housing supply position, which is made up with sites that have an extant planning permission and sites that have potential to obtain planning permission in the future. This shows that there are a number of sites within the Borough with the potential to deliver a significant amount of housing. However, not all of these sites will contribute to the five year supply calculations as many sites will take longer than five years to come forward and be fully developed (e.g. some large sites could take up to ten years to be completed). As such, latest monitoring indicates that the Council is unable to demonstrate a five year supply of deliverable housing land and this needs to be treated as a material factor when determining applications for residential developments.

UDP Policy H1/2 states that the Council will have regard to various factors when assessing a proposal for residential development, including whether the proposal is within the urban area, the availability of infrastructure and the suitability of the site, with regard to amenity, the nature of the local environment and the surrounding land uses.

UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development takes into consideration factors relating to the height and roof type of adjacent buildings, the impact of developments on residential amenity, the density and character of the surrounding area and the position and proximity of neighbouring properties. Regard is also given to parking provision and access, landscaping and protection of trees/hedgerows and external areas.

Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties provides useful guidance in terms of acceptable aspect standards between dwellings and design criteria.

The development would be located within an established residential area and would therefore not conflict with the local environment in terms of character and surrounding uses. There is existing infrastructure in place to facilitate the development and the scale of the proposal is such that it would not result in the over development of the site.

The site also has the benefit of an extant planning permission for a development of 3 No. terrace dwellings, whose footprint, scale and massing is not dissimilar to the scheme hereby proposed.

As such, the principle is in general accordance with national and local planning policy and would comply with the NPPF and UDP Policies H1/2, H2/1 and H2/2.

**Principle of the loss of the public house car park** - Permission has been granted for the



conversion of the public house to 4 No. flats in November 2017. The consent has not yet been implemented and there is the potential that it may not be implemented in the future. Should this application be granted permission for the redevelopment of the car park, there is concern that should the pub continue to trade, there would no longer be a car park available for its use.

To ensure the car park would be retained if such circumstances were to arise, the Applicant has agreed to enter into a Section 106 Agreement which would prevent development of the car park site from taking place before the pub conversion has been implemented and this would guarantee the availability of the car park until such time it would no longer be required.

As such, the phasing of the development of the site would be safeguarded by a legally binding Agreement and therefore the proposed development is considered to be acceptable.

**Layout** - The dwelling would front Walmersley Old Road and due to the topography of the land in comparison to the road, would be set approximately 1m lower, with part of the front elevation facing the retaining wall and a new 1m high railings which would be erected at the back edge of pavement. However, outlook from the ground floor of the front elevation would either be from non habitable room windows and there would be principle and main aspects from living accommodation at the rear, and as such it is considered amenity values of future occupiers would not be compromised.

Access to the site would be as currently exists for the pub car park, which at this point of Walmersley Old Road would be level and as the car park site is itself more or less level, a level path and main entrance to the dwelling would be achievable. There would be sufficient area within the site to accommodate cars for either visitors or the occupiers, as well as an integral double garage which would be accessed directly from the vehicular entrance into the site.

A 6m wide garden area to the east, between the side elevation of the proposed dwelling and the boundary with No 2 Bentley Lane would be provided, with a more private larger garden located at the rear. The proposed layout plan shows that the planting which forms the rear boundary of the site is outside the site area and would not be subject to consideration of this development.

Whilst the development proposes a fairly substantial build, the plot itself is generous in comparison and able to accommodate the dwelling with ample amenity and parking areas without compromise to the surrounding area.

As such, it is considered the proposed layout would be acceptable and comply with UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development.

**Design and appearance** - The character of the nearby area comprises a mix of differing house types, ranging from cottage style stone builds, and detached and semi detached brick/rendered dwellings. Opposite the site there is also the pub/restaurant and adjacent is No 2 Bentley Lane, which is a relatively large stone built dwelling.

The proposed development would not be dissimilar to this adjacent property, being 2 storey in height, detached, stone built and of a 'farmhouse' cottage appearance. Window openings would have mullion detailing with stone heads and cills and quoin detailing would re-enforce the country- style appearance.

It is noted that the development proposes white Upvc window frames, which may be a slightly discordant feature on this type of property, depending on sections and proportions. It is therefore considered to be reasonable to include a condition that a sample or specification of a window type be submitted for approval, along with requiring a sample of

the stone to be used for the external facade, to which the applicant has agreed.

As such, the design and appearance of the scheme is considered to be acceptable and appropriate to this location and would comply with EN2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design.

**Impact upon residential amenity** - SPD6 contains supplementary guidance on separation distances to surrounding properties and is used as a yardstick when assessing relationships of existing properties to new development. A separation distance of 20m between habitable room windows and 13m between a principal ground floor habitable room window and a 2 storey blank wall is generally considered to be an acceptable minimum distance.

No 2 Bentley Lane is located to the east of the site and would be the property closest to the proposed dwelling. However, No 2 would have an oblique relationship to the side gable of the dwelling and there would be no direct interface between habitable room windows on the the front elevation of this property and the gable of the new build and as such there would not be direct overlooking.

That said, and in consideration of SPD6, there would be a distance of 13.8m between the ground floor windows of No 2 and the proposed dwelling at the nearest point and therefore aspect standards would be satisfied.

The development proposes 2 ground floor windows to a lounge in the side gable of the new build. However, these would be slimline in design and secondary to the main windows which would be on the front and rear elevations. The Applicant has also agreed for these windows to be obscure glazed which would be considered acceptable given their secondary status.

There are no other properties nearby which would be affected by the siting of the proposed development.

Given the oblique relationship between No 2 Bentley Lane and the proposed dwelling and that aspect standards would be satisfied and policy compliant, it is considered the proposed development would not have a detrimental impact on residential amenity and would comply with UDP Policies H2/1 - The Form of New Residential Development and H2/2 - The Layout of New Residential Development and SPD6.

**Public Right of Way** - There is a footpath which runs to the back of the site and is not within the application area, and there is intention for the scheme to affect it.

**Parking and access** - The development proposes an integral double garage and there is ample room for the parking of 4 cars on the driveway area.

Access into the site would be as existing, and given the development for 1 dwelling would generate significantly less traffic than as a car park for a public house, it is considered that there would not be any highway safety issues or parking concerns.

The Highway's Section has raised no objection and subject to conditions the proposal is considered to comply with UDP Policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development.

**Planning obligations** - To safeguard the use and availability of the car park should the public house/restaurant continue to operate, or in the event that the planning permission granted to convert the pub for residential purposes is not implemented, the Applicant has agreed to enter into a legally binding S106 Agreement. The Agreement would ensure that the car park site could not be built out prior to the development for the conversion of the pub/restaurant site.

**Response to objector -**

- There would be a distance of more than 7m between the side elevation of the new dwelling and the boundary to No 2 Bentley Lane and more than 13m between the two dwellings. Separation distances would be satisfied and policy compliant. In addition, the new dwelling would be set to the north of No 2 Bentley Lane and overshadowing of the objectors garden would not be significantly affected due to the orientation of the sun.
- The proposed plans demonstrate that the size of the plot could comfortably accommodate the scale of the proposed development and associated requirements including parking and amenity space without compromise to the residential amenity of the adjacent occupiers. There are a mix of housetypes in the area, and the proposed development would not be dissimilar in scale to the public house opposite or No 2 Bentley Lane.

**Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the National Planning Policy Framework.

**Recommendation:** Minded to Approve

**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to drawings numbered Site Layout as Existing R-0458-102; Proposed site layout R-0458-100 Revision B; Proposed floor plans and elevations R-0458-101; Setting Out with Adjacent Property R-0458-104 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 listed.
3. No development shall commence unless and until:-
  - A contaminated land Preliminary Risk Assessment report to assess the actual/potential contamination and/or ground gas/landfill gas risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority;
  - Where actual/potential contamination and/or ground gas/landfill gas risks have been identified, detailed site investigation and suitable risk assessment shall be submitted to, and approved in writing by the Local Planning Authority;
  - Where remediation/protection measures is/are required, a detailed Remediation Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.Reason. The scheme does not provide full details of the actual contamination and subsequent remediation, which is required to secure the satisfactory development of the site in terms of human health, controlled waters, ground gas and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.
4. Following the provisions of Condition 3 of this planning permission, where

remediation is required, the approved Remediation Strategy must be carried out to the satisfaction of the Local Planning Authority within agreed timescales; and A Site Verification Report detailing the actions taken and conclusions at each stage of the remediation works, including substantiating evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use.

Reason. To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

5. No development shall commence unless and until surface water drainage proposals have been submitted to and approved in writing by the Local Planning Authority. The scheme should be in accordance with the submitted Surface Water Sustainable Drainage Assessment and must be based on the hierarchy of drainage options in the National Planning Practice Guidance and be designed in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015). This must include assessment of potential SuDS options for surface water drainage with appropriate calculations and test results to support the chosen solution. Details of proposed maintenance arrangements should also be provided. The approved scheme only shall be implemented prior to first occupation and thereafter maintained.

Reason. The current application contains insufficient information regarding the proposed drainage scheme to fully assess the impact. To promote sustainable development and reduce flood risk pursuant to Unitary Development Plan Policies EN5/1- New Development and Flood Risk , EN7/3 - Water Pollution and EN7/5 - Waste Water Management and chapter 10 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

6. Before the first occupation of the development hereby approved, the two windows to the lounge on the ground floor of the eastern elevation of the dwelling hereby approved shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason. To protect the privacy of adjoining occupiers and to accord with Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

7. Details/samples of the materials including the stone and window frame materials to be used in the external elevations, together with details of their manufacturer, type/colour and size, shall be submitted to and approved by the Local Planning Authority before the development is commenced. Only the approved materials and details shall be used for the construction of the development.

Reason. No material samples have been submitted and are required in the interests of visual amenity and to ensure a satisfactory development pursuant to UDP Policies H2/1 - The Form of New Residential Development and EN1/2 - Townscape and Built Design. .

8. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and agreed in writing with the Local Planning Authority and shall confirm/provide the following:

- Access route for construction traffic from the highway network;
- Hours of operation and number of vehicle movements;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site;
- Parking on site or on land within the applicant's control of operatives' and construction vehicles together with storage on site of construction materials.

The approved plan shall be adhered to throughout the construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the construction period. The areas identified shall not be used for any other purposes other than the turning/parking of vehicles and storage of construction materials

Reason. Information not submitted at application stage. To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets and ensure adequate off street car parking provision and material storage arrangements for the duration of the construction period, in the interests of highway safety pursuant to Bury Unitary Development Plan Policy EN1/2 - Townscape and Built Design.

9. No development shall commence unless and until details have been submitted to and approved by the Local Planning Authority to cover measures to ensure that all mud and other loose materials are not carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations. The approved details shall be implemented and maintained thereafter during the period of construction.

Reason. - Information not submitted at application stage. To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy EN1/2 - Townscape and Built Design of the Bury Unitary Development Plan.

10. The dwelling hereby approved shall not be first occupied unless and until the footway improvements on the southerly side of Walmersley Old Road, rebuilt retaining wall and pedestrian guardrailing indicated on approved plan reference R-0458-100 Revision B have been implemented in full.

Reason. To ensure good highway design in the interests of pedestrian safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT6/2 - Pedestrian/Vehicular Conflict.

11. The turning facilities indicated on the approved plan reference R-0458-100 Revision B shall be provided before the development is brought into use and shall subsequently be maintained free of obstruction at all times.

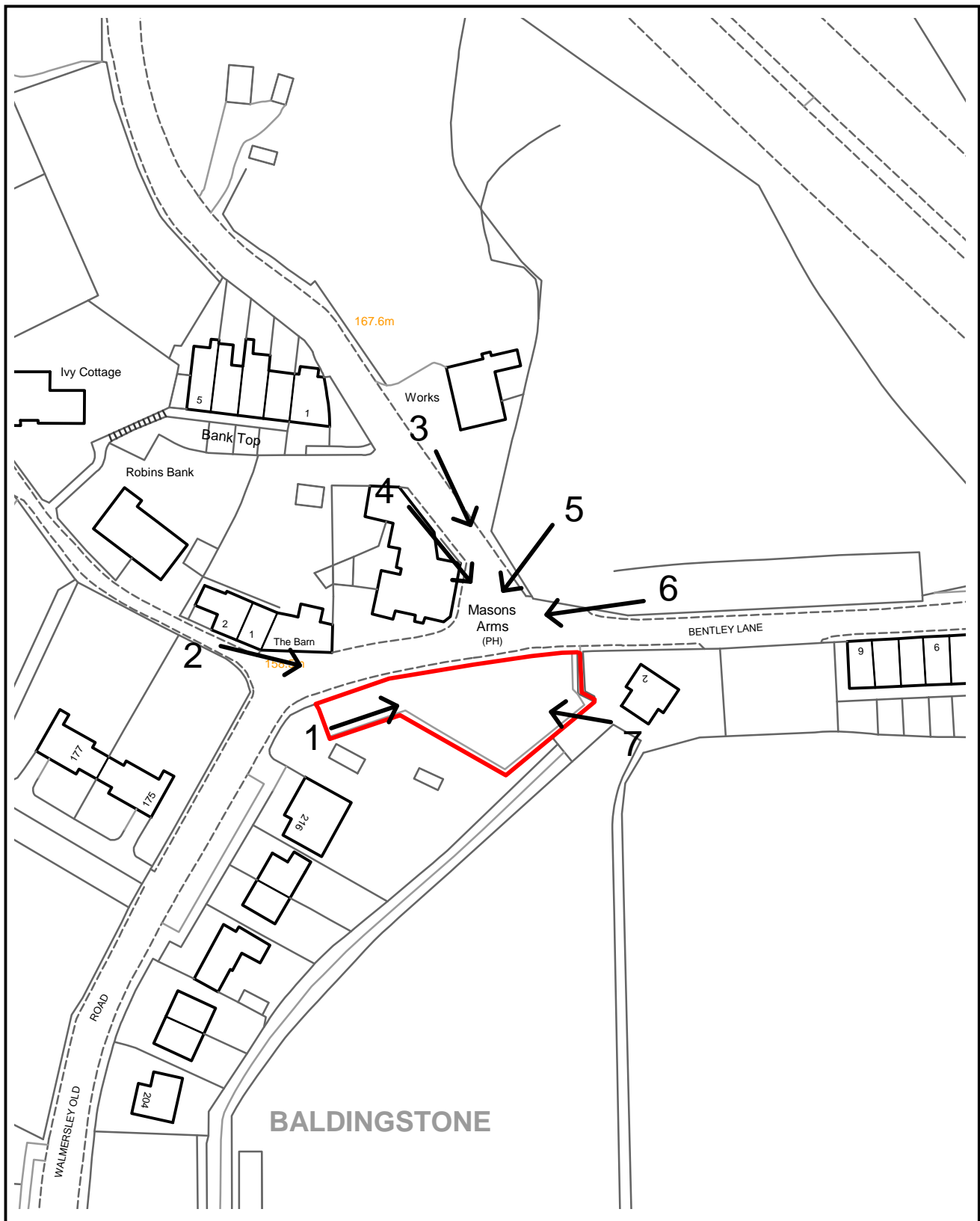
Reason. To minimise the standing and turning movements of vehicles on the highway in the interests of road safety pursuant to Bury Unitary Development Plan Policies H2/2 - The Layout of New Residential Development and HT2/4 - Car parking and New Development.

12. The car parking indicated on the approved plan reference R-0458-100 Revision B shall be surfaced, demarcated and made available for use prior to the dwelling hereby approved being first occupied and thereafter maintained at all times.

Reason. To ensure adequate off street car parking provision in the interests of road safety pursuant to policies H2/2 - The Layout of New Residential Development and HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

For further information on the application please contact **Jennie Townsend** on **0161 253-5320**

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 62129**

**ADDRESS:** Former Masons Arms car park,  
Walmersley Old Road, Bury

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL



62129

Photo 1



Photo 2



Photo 3



Photo 4





Photo 5



Photo 6



Photo 7





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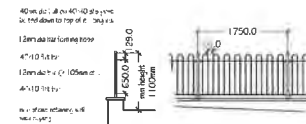
Do not scale from this drawing.

All materials are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

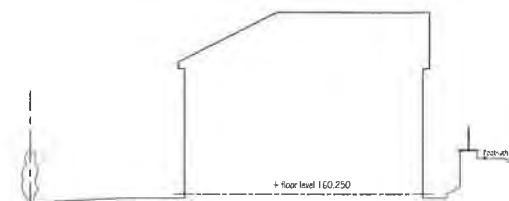
Any discrepancies are to be reported to the architect for clarification.

All materials and workmanship to be in accordance with the current British Standards and codes of practice.

This drawing is to be read in conjunction with all relevant Architectural, Structural, Mechanical, Electrical, and Specialist Drawings and specifications.



TYPICAL FENCE DETAIL 1:50



PROPOSED SECTION LINE 2 1:100



PROPOSED SECTION LINE 1 1:100

PROPOSED SITE LAYOUT 1:100  
Refer to drawing R-0458-101 for proposed floor plans and elevations



SITE LOCATION PLAN 1:1250

9	Building, House, Mason Arms, Bury, BL9 6RU	02/10/17
A	Architect, James	02/10/17
REV	DESCRIPTION	DATE

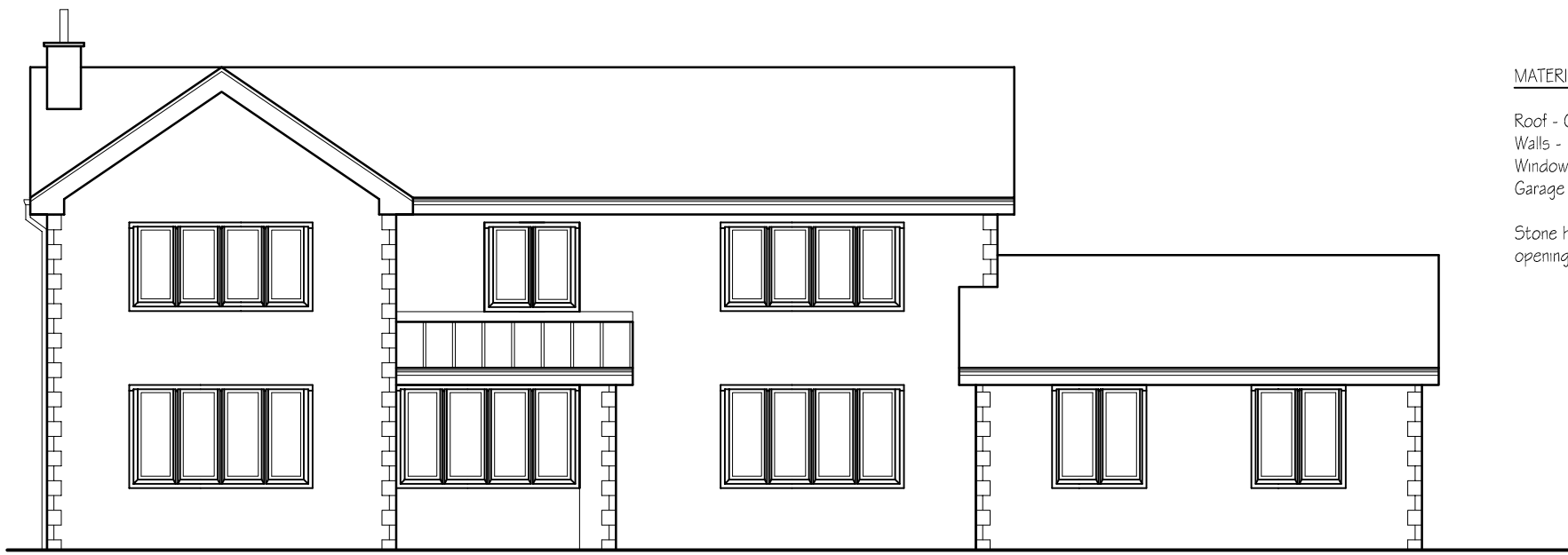
CLIENT  
MR. D BRUNNER

PROJECT  
Proposed House on Former Carpark at Mason Arms  
Walmersley Old Rd, Bury, BL9 6RU

DRAWING  
Proposed Site Layout

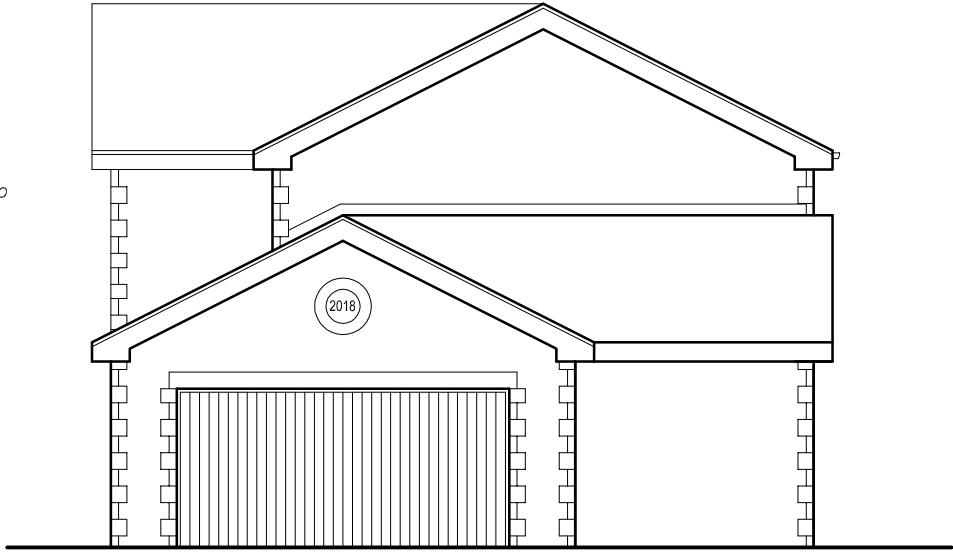
SCALE	DATE	CLIENT	CHECKED
1:100 @ A1	October 2017	MR	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0458-100		B	





PROPOSED FRONT ELEVATION

MATERIALS SPECIFICATION:-  
Roof - Concrete interlocking roof tiles  
Walls - Natural stonework  
Windows & Doors - White PVCu  
Garage Door - timber panelled door  
  
Stone heads, jambs, cills and mullions to openings as indicated



PROPOSED SIDE ELEVATION

NOTES

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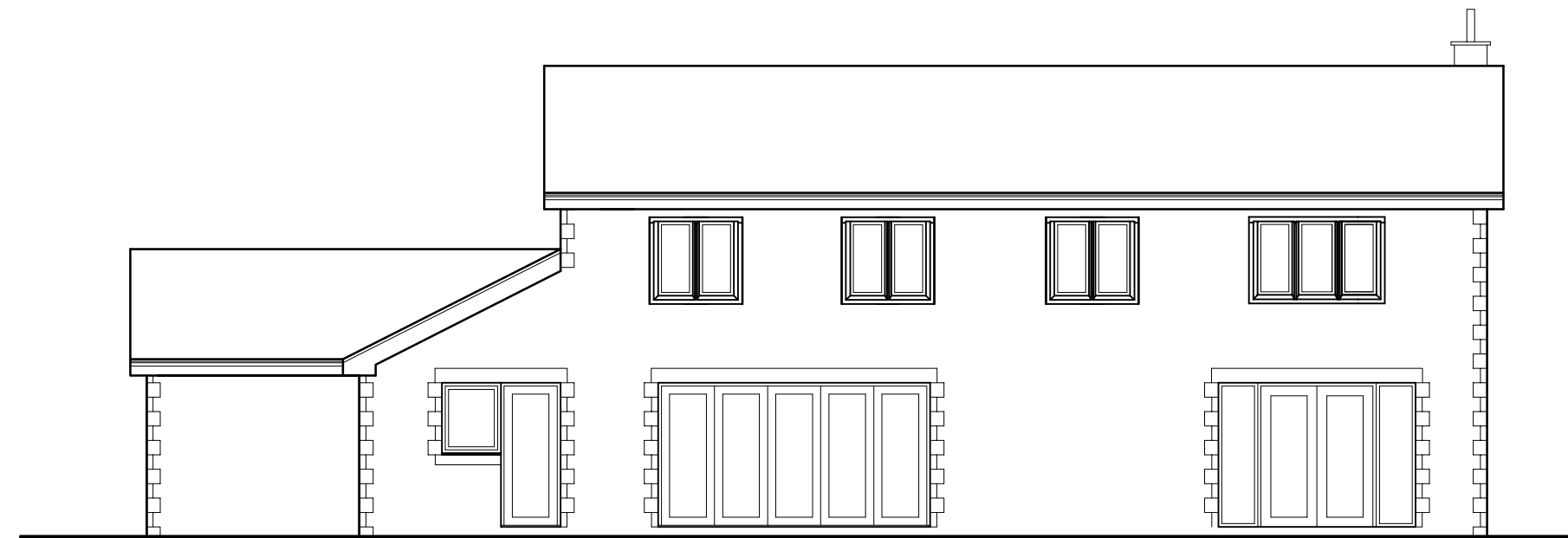
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All dimensions are to be checked on site prior to construction, manufacture of any components and ordering of materials and equipment.

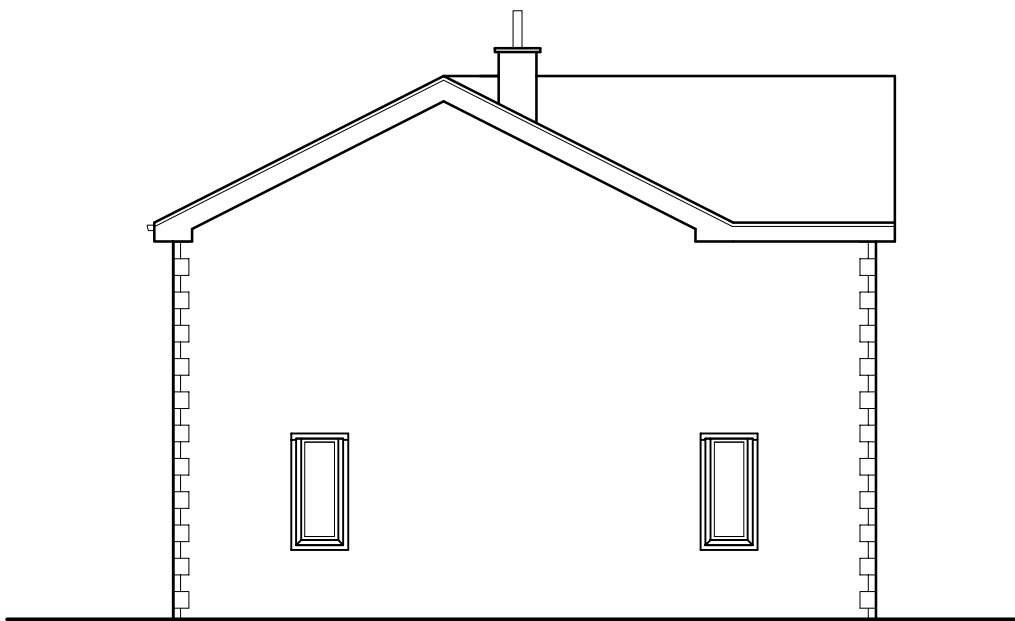
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All materials and workmanship to be in accordance with the current British Standards and codes of practice.

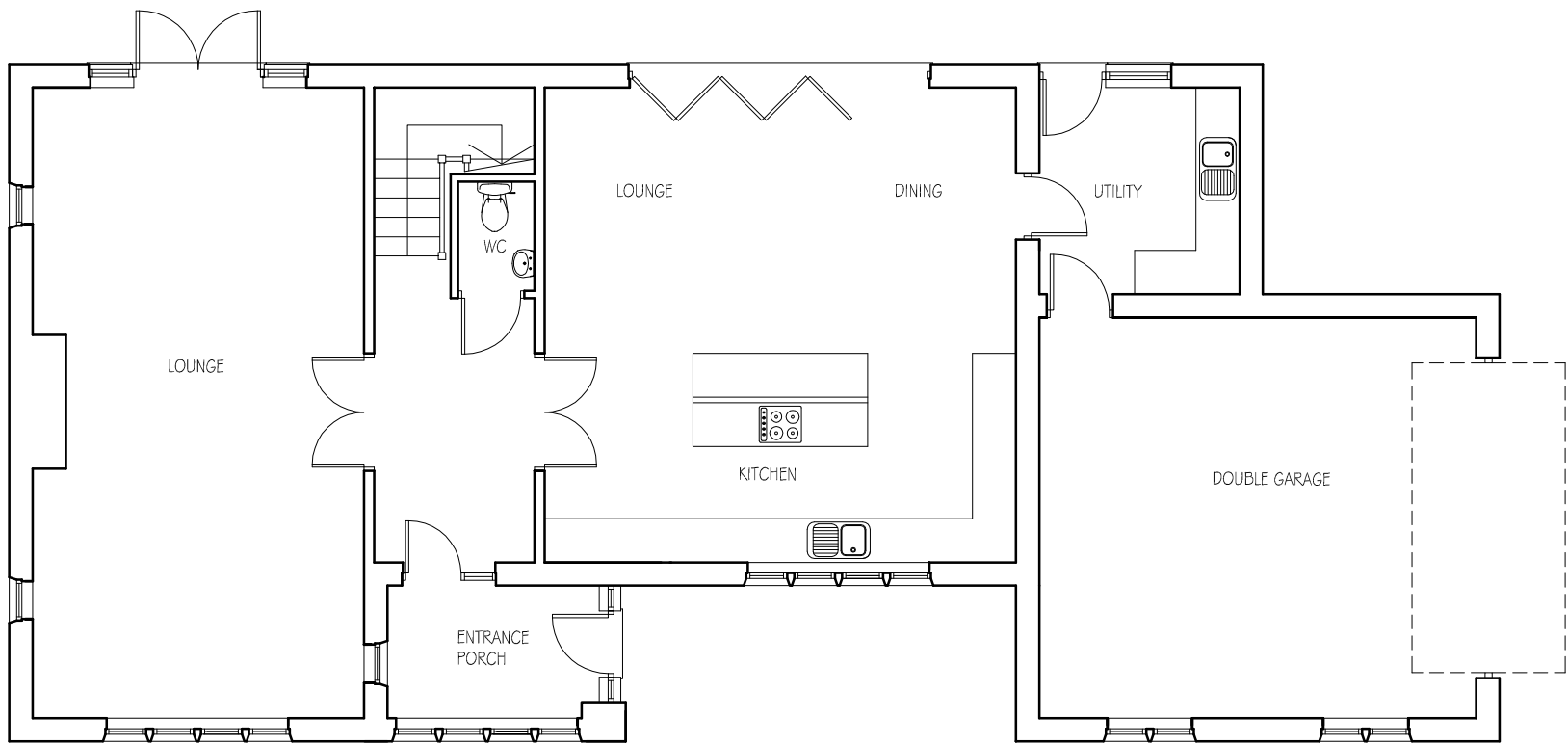
This drawing is to be read in conjunction with all relevant Architectural, Structural Engineers, Mechanical Engineers, Electrical Engineers and Specialists drawings and specifications.



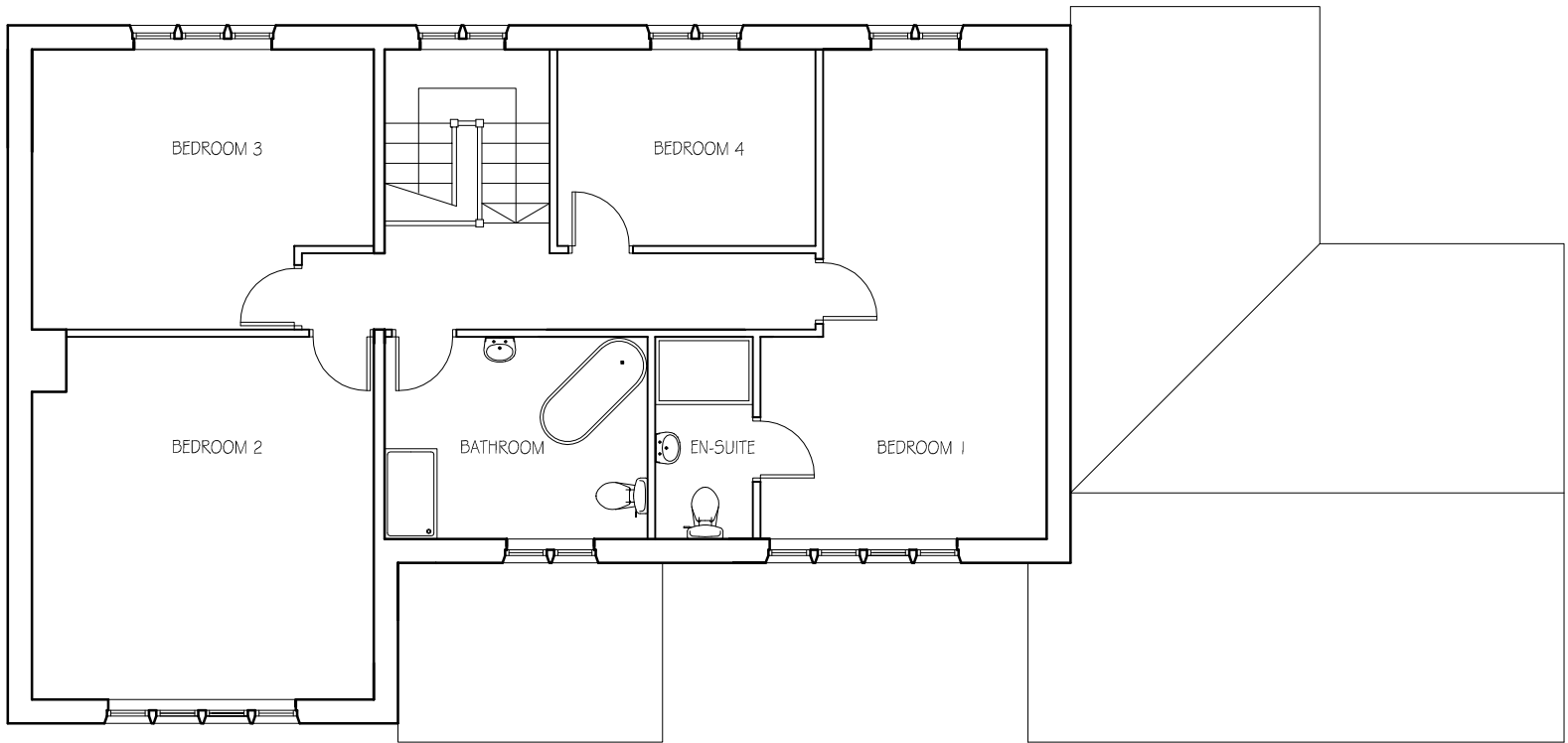
PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED GROUND FLOOR PLAN  
Refer to Drawing R-0458-100 for Proposed Site Layout



PROPOSED FIRST FLOOR PLAN

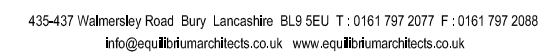
REV	DESCRIPTION	CHECK	DATE
CLIENT			
MR. D BRUNNER			
PROJECT			
Proposed House on Former Carpark at Masons Arms Walmsley Old Rd, Bury, BL9 6RU			
DRAWING			
Proposed Floor Plans and Elevations			
SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	October 2017	MH	
DRAWING NO.	CAD REFERENCE NO.	REVISION	
R-0458-101			







SCALE	DATE	DRAWN	CHECKED
1:200 @ A3	Nov 2017	AGW	
DRAWING NO.	CAD REFERENCE NO.		REVISION
R-0458-104			



**Ward:** Ramsbottom + Tottington - Tottington

**Item** 05

**Applicant:** Mr Andrew Beale

**Location:** 1 Green Street, Walshaw, Bury, BL8 3BJ

**Proposal:** Change of use of land to extend garden/residential curtilage and erection of detached garage with fence/gate to match existing

**Application Ref:** 62148/Full

**Target Date:** 22/01/2018

**Recommendation:** Approve with Conditions

### **Description**

Green Street, a relatively narrow cul-de-sac of detached houses close to the centre of Walshaw Village. The proposal relates to a rectangular plot of land (123sqm) at the rear of an existing single residential development site which was formerly the side garden of the adjacent dwellinghouse known as Green Bank. The site lies between the garden of No.22 Hall Street, to the south, and the school playing field to the north.

The proposal is to change the use of the rectangular plot of land, measuring 124sqm, to form an extension of the existing garden ground and erect a flat roof, detached garage adjacent to the shared garden boundary with No.22 Hall Street.

The land historically was part of the adjacent playing field until the school erected the existing boundary fence and cut the plot off from the main playing field. Subsequently the plot, which was effectively 'landlocked', was used informally by an adjacent resident - see objection below. The applicant purchased the land from the Council in March 2017 with a condition that the Japanese Knotweed be cleared.

The garage, situated at the back of the driveway, would measure L6m by W5m with a maximum height of 2.3m. It would be finished in a cream render to match the new house which is almost completed, with a stone coping around the roof and a timber garage door.

### **Relevant Planning History**

58820 - Erection of 1 no. new dwelling with driveway within the garden area of Green Bank with an additional communal car parking space to Green Street and new driveway adjacent Greenbank Cottage - Approved 02/09/2015

### **Publicity**

The following neighbours were notified by letter dated 27/11/17: Green Bank, 22-26(even) Hall Street, 2-6(even) Neston Street, Walshaw C of E Primary School.

One objection received from adjacent resident (no address given).

My family used the land for 50 years until the new greedy owner of Greenbank moved in. I have been forced off land as he didn't want a disabled person rescuing animals and wildlife and growing vegetables for the use of my village at no cost. I think its ridiculous that he can get away with this and I don't see how the council can consider letting him take it over. I lost everything because of him. Why don't the council look after the people that are here not just the selfish ones that have money?

The objector has been notified of the Planning Control Committee meeting.

## **Consultations**

Traffic Section - No objection.

Drainage Section - No objection.

Environmental Health - No objection.

## **Unitary Development Plan and Policies**

EN1/2 Townscape and Built Design

H2/3 Extensions and Alterations

NPPF National Planning Policy Framework

SPD6 Supplementary Planning Document 6: Alterations & Extensions

EN9 Landscape

EN7 Pollution Control

## **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) and 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 Policy 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.

**Use** - The historic use of the land, as part of the school playing field, has clearly been abandoned. The incorporation of the land into the garden of the new house, currently being constructed, is considered an appropriate option in terms of use given that there are gardens immediately adjacent.

**Visual amenity** - The incorporation of the land into domestic garden does not raise any serious visual amenity issues. The garage and a small section of fencing are the only structures visible from Green Street and these, set well back into the site, would not be significant within the streetscape. The new garage would have a flat roof to a maximum height of 2.3m which is slightly above the existing boundary fences. Although the neighbours are set down slightly from the site, the impact of the new build would not be so detrimental as to warrant refusal. The proposal complies with UDP Policies EN1/2 Townscape and Built Design and H2/3 Extensions and Alterations.

**Residential amenity** - The land is for domestic purpose and there are no serious residential amenity issues arising from this use or the position and scale of the garage. As such, in terms of residential amenity, the proposal complies with UDP Policy H2/3 Extensions and Alterations.

**Access and parking** - The new garage would increase parking provision within the site and the proposal complies with UDP Policy. As such there are no objections from the Highways Section. The proposal complies with Policy H2/3 Extensions and Alterations in relation to parking and access.

**Knotweed** - The plot has evidence of knotweed and it would be appropriate to attach a condition requiring this to be treated.

**Neighbour Representations** - The objector clearly does not agree with the Council selling the plot to the applicant. However this was not a planning issue, but the 'use' of the land as garden, is. Although it is understandable that the objector is aggrieved at having to give up using the land for his own purposes, the use of the land as garden ground to an adjacent landowner is considered acceptable.

**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 Paragraphs 186-187 of the National Planning Policy Framework.

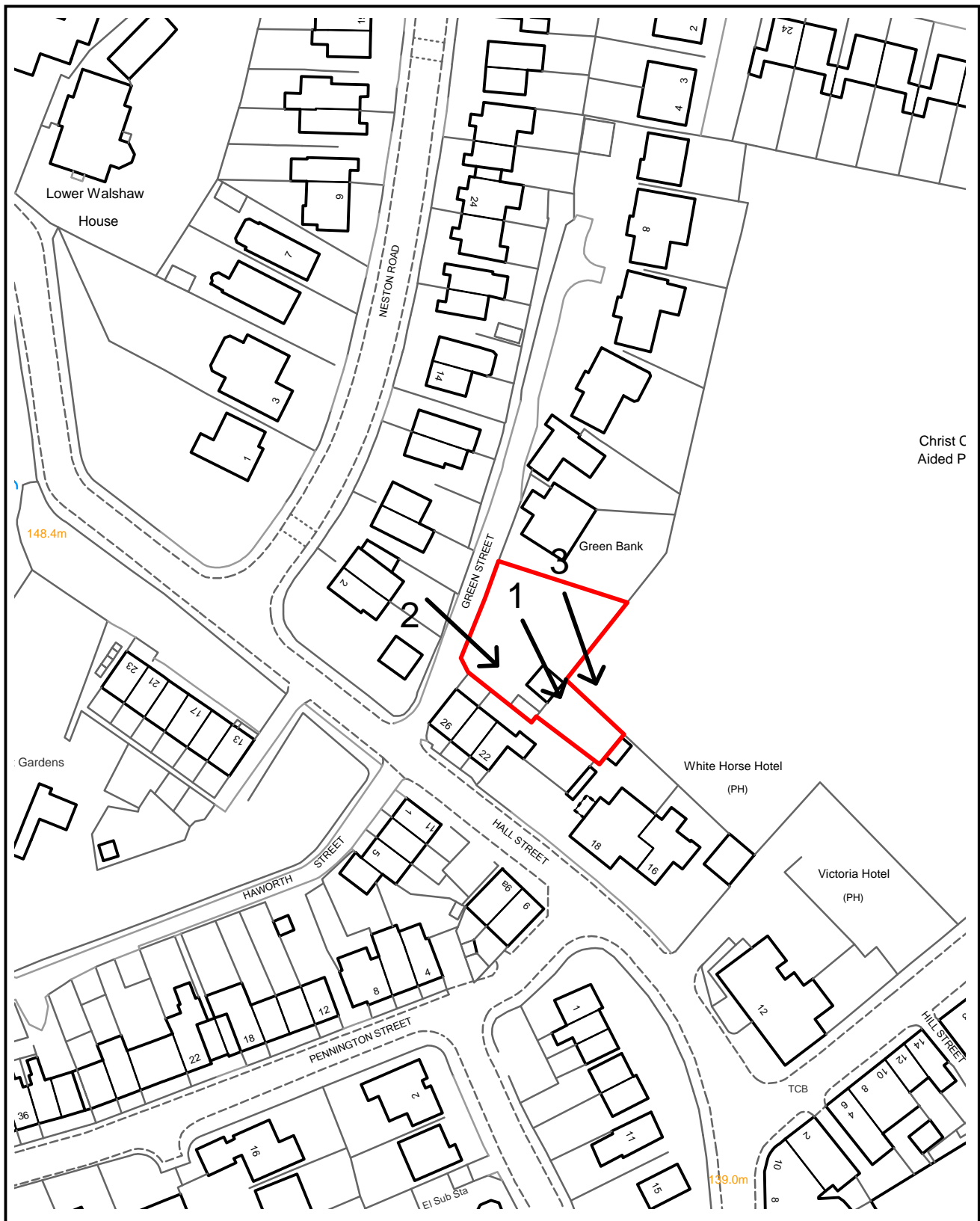
**Recommendation:** Approve with Conditions

**Conditions/ Reasons**

1. The development must be begun not later than three years beginning with the date of this permission.  
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
2. This decision relates to Existing site plan, proposed site plan 01, garage plan and elevations PL009/21 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 listed.
3. Prior to commencement of development the finished floor level for the proposed garage shall be submitted to and approved in writing by the Local Planning Authority. Only the approved floor level shall be implemented.  
Reason. Details have not been submitted and In the interests of visual amenity pursuant to UDP Policy H2/3 Extensions and Alterations.
4. Prior to any domestic use commencing full details of a timetabled scheme for the eradication and/or control of Japanese Knotweed (*Fallonica Japonica*, *Rouse Decraene*, *Polygonum Cuspidatum*) and Himalayan Balsam (*Impatiens Glandulifera*) is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full.  
Reason. The scheme does not provide full details of the actual extent of Japanese Knotweed and Himalayan Balsam in the interest of UDP Policy EN9 - Landscape and pursuant to National Planning Policy Framework Section 11 - Conserving and enhancing the natural environment.

For further information on the application please contact **Tom Beirne** on **0161 253 5361**

# Viewpoints



## PLANNING APPLICATION LOCATION PLAN

**APP. NO 62148**

**ADDRESS: 1 Green Street  
Walshaw**

**Planning, Environmental and Regulatory Services**

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**Bury**  
COUNCIL

62148

Photo 1



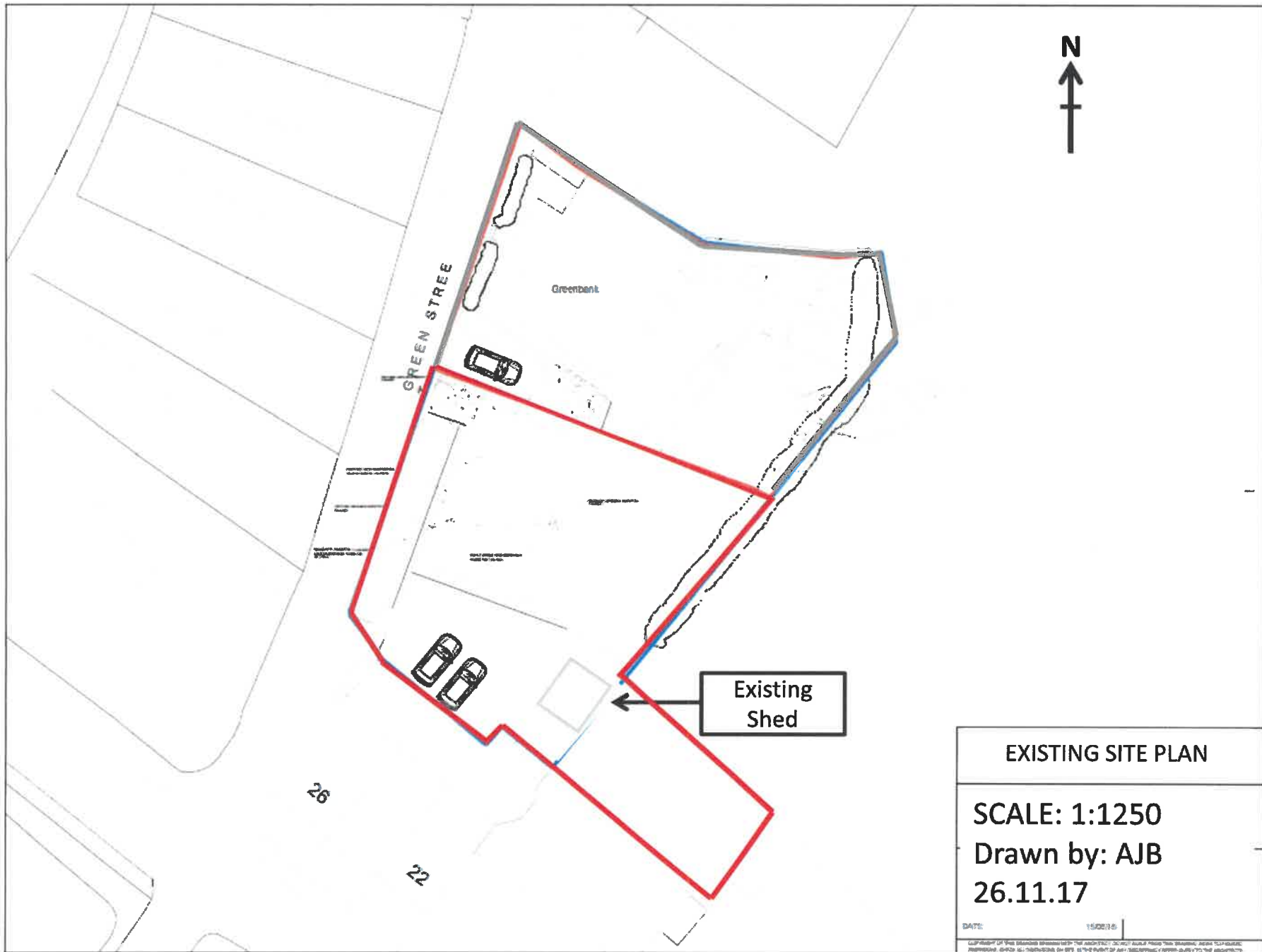
Photo 2

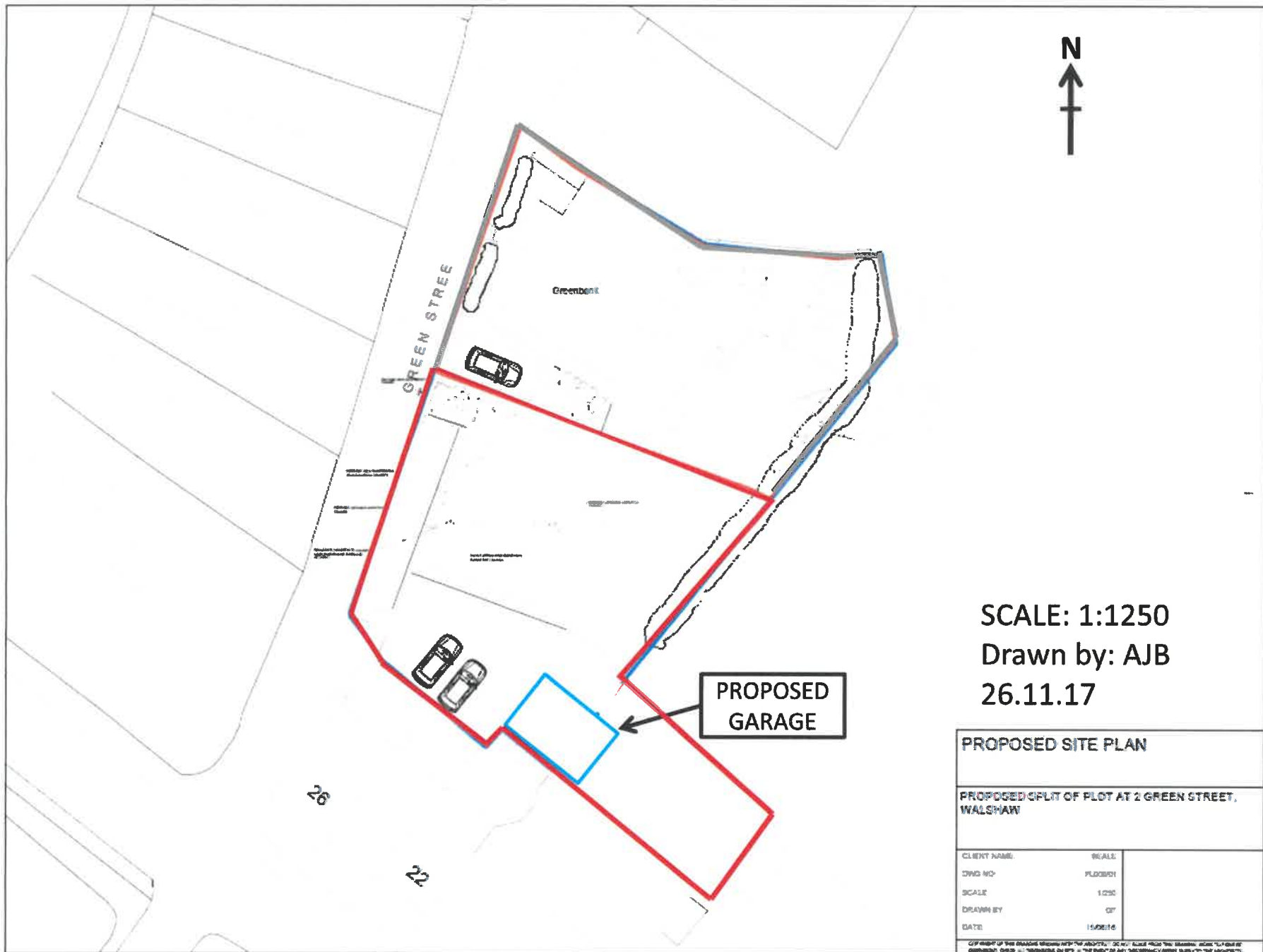


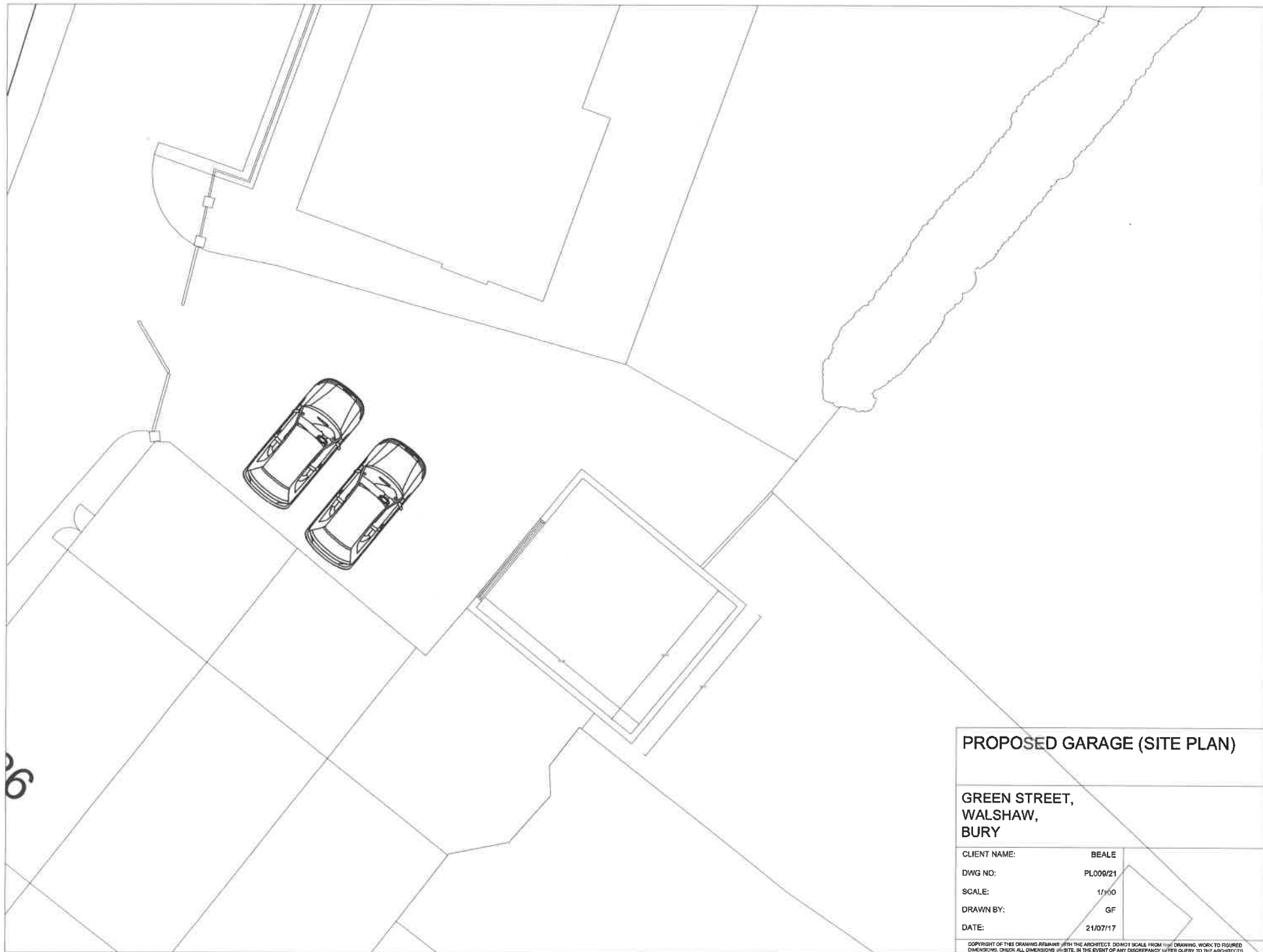


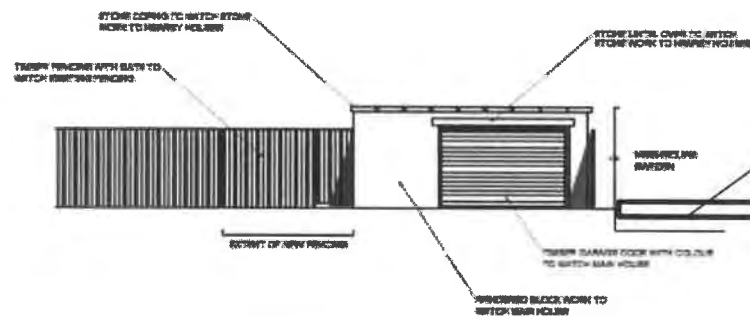
Photo 3





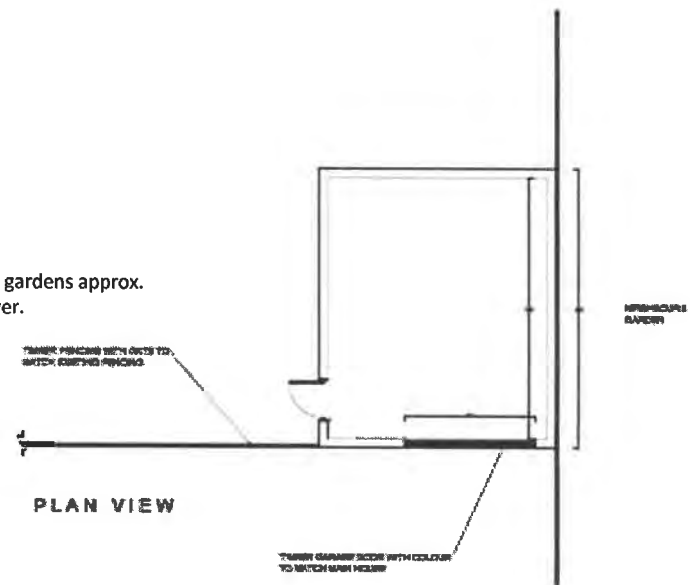




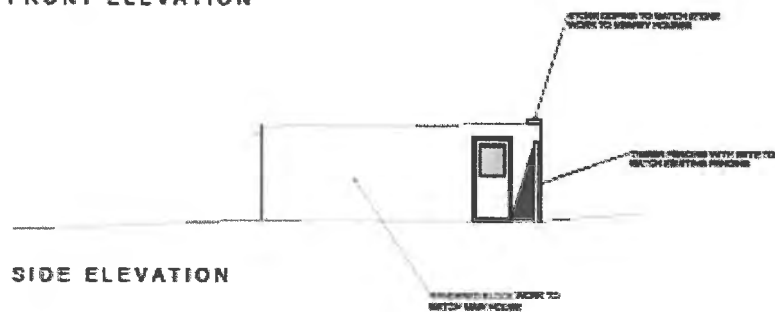


FRONT ELEVATION

Neighbours gardens approx.  
750mm lower.



PLAN VIEW



SIDE ELEVATION

# PROPOSED GARAGE

GREEN STREET,  
WALSHAW,  
BURY

CLIENT NAME: SCALES  
DRAWN BY: PL 30801  
SCALE: 1/100  
DRAWN BY: GP  
DATE: 2/20/17

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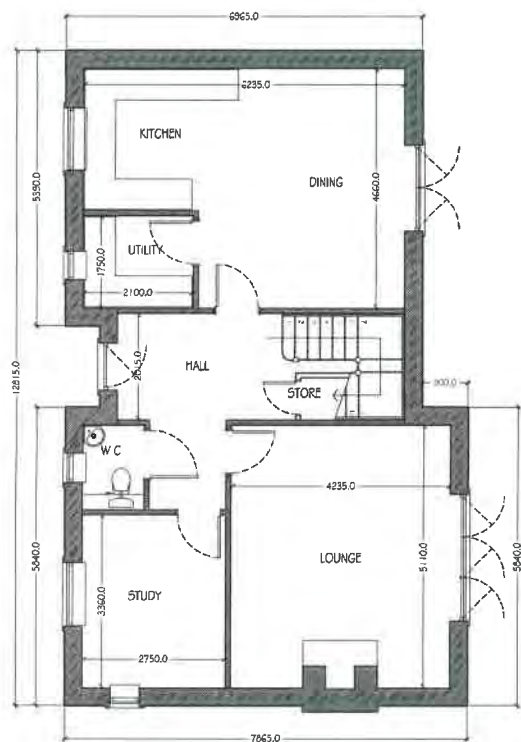


SOUTH ELEVATION

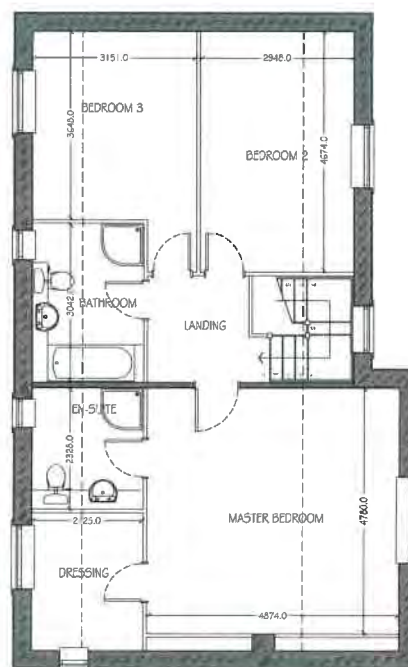
WEST ELEVATION

NORTH ELEVATION

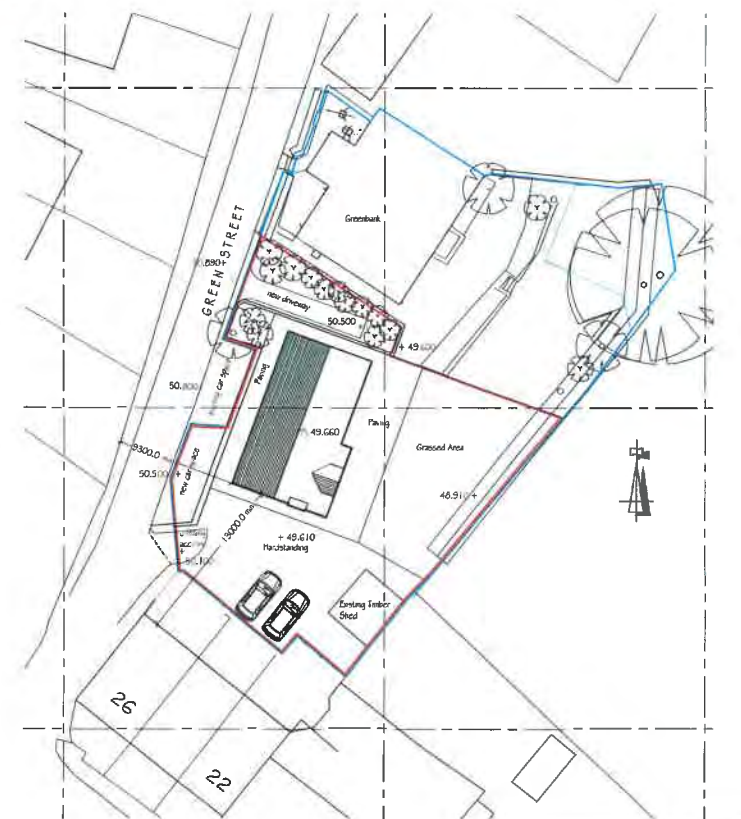
EAST ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



1:200 SCALE PROPOSED SITE PLAN

## PLANNING

REV DESCRIPTION ORDER DATE

CLIENT  
A. BEALE ESQ

PROJECT  
Greenbank, Green Street,  
Walslow,

DRAWING  
Floor Plans and Elevations

SCALE 1:50 @ A1	DATE August 2015	BY AGW	CHECKED R-0358-04
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**equilibrium**  
ARCHITECTS

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