

Ward: Ramsbottom + Tottington - Tottington

Item 06

Applicant: 2019 Ltd

Location: Land off Claybank Drive, (off Victoria Street), Tottington, Bury

Proposal: Variation of condition no. 2 (approved plans) of planning permission 63275 to amend house on Plot 1 (north) by raising roof eaves/ridge by 600mm, addition of pitched roof dormer to front elevation, additional windows to attic space and removal of hipped end to roof on west elevation.

Application Ref: 65459/Full

Target Date: 30/06/2020

Recommendation: Approve with Conditions

Description

The application relates to a construction site (0.28ha) and a recently approved application for three detached houses. To the east is a row of two storey terraced houses on Victoria Street whilst to the north and west are detached houses on Claybank Drive. The rectangular site is not within the Green Belt. There is a Public Right of Way running from Claybank Drive, down the northern boundary to Turton Road.

This proposal relates the dwelling to be constructed on plot 1, the northernmost plot, nearest to the access. It is proposed to create additional accommodation in the roof by raising the eaves and ridge by 600mm, forming a gable end on the west elevation and adding a pitched roof dormer on the front/north elevation and windows on the front and rear gables.

Relevant Planning History

63275 - Erection of 3 dwellings - Approved 14/11/18.

Publicity

Site notice posted and the following neighbours were notified by letter dated 19/05/2020. Nos.2-14 Victoria Street, 67 Turton Road, 33, 37, 39 and 41 Claybank Drive.

Objections received from 4, 6, 8 and 10 Victoria Street and 67 Turton Road.

- The pitched roof dormer to the front elevation will introduce a serious overlooking issue to the houses on Victoria Street which have a West Facing Elevation.
- The increase in height, with the already increased ground levels would reduction daylight available to houses on Victoria Street.
- More upset to residents for what appears to be so small a gain for the developers.
- Councillors/Committee should visit the site.

Those making representations have been notified of the Planning Control Committee.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - N/A

Unitary Development Plan and Policies

H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
EN1/3	Landscaping Provision
EN1/5	Crime Prevention
EN3	Archaeology

EN5/1	New Development and Flood Risk
EN7/2	Noise Pollution
EN7/1	Atmospheric Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
H1/2	Further Housing Development
EN6/3	Features of Ecological Value
EN1/2	Townscape and Built Design
H2/6	Garden and Backland Development
EN6	Conservation of the Natural Environment
HT6/2	Pedestrian/Vehicular Conflict
HT6/1	Pedestrian and Cyclist Movement
NPPF	National Planning Policy Framework
H2/3	Extensions and Alterations
SPD6	Supplementary Planning Document 6: Alterations & Extensions

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.

Background - The proposal to construct the three detached dwellings on the site was approved by Planning Control Committee in November 2018 following a site visit. Development has commenced on the site and the house on plot three has been effectively completed. The foundations for the house on plot one, which is subject to this application, have been laid.

Visual Amenity - The increase in the eaves and ridge of 600mm and addition of windows on the front and rear gables from that originally approved is not so significant as to have a serious impact on the overall design and appearance of the house within the site.

The creation of a gable end on the west elevation and the addition of the pitched roof dormer on the front/north elevation would be more significant but again, this would not have a serious and detrimental impact on the overall design and appearance of the house and character of surrounding area. The proposed amendment is therefore acceptable in terms of visual amenity and complies with UDP Policies EN1/2 Townscape and Built Design and H2/3 Extensions and Alterations and associated guidance in SPD6 Alterations and Extensions.

Residential amenity - Given the separation distance of 23m between the side of the dwelling and houses on Victoria Terrace, the increase in the height of 600mm, even with the site being elevated in relation to Victoria Terrace, would not be so significant as to cause undue harm to the residential amenity of the occupiers of these properties.

The new gable end would be adjacent to the boundary with No.37 Claybank Drive and face the back of the existing garage to this property. No.37 Claybank has a kitchen window facing across the boundary but this would overlook the roof of the single storey outrigger on the rear on the new house and thus would not be seriously affected by the gable end.

With regard to the additional windows and pitched roof dormer, there is no direct 'window to window' issues arising. The separation distance to the nearest property to the north is approximately 12m away and this is in accordance with adopted guidance and considered

to be acceptable in terms of residential amenity. The separation distance at the rear, towards Plot 2 is 20m and this is considered to be acceptable in terms of residential amenity and compliant with UDP Policy H2/3 Extensions and Alterations.

Parking - The amended scheme would increase accommodation within the roofspace although this would not be so significant as to have an impact on the parking requirement for the property which, with a double garage and driveway, would have space within the site for at least three cars. The proposed alterations are considered acceptable and compliant with UDP policy and guidance.

Objections - The issues raised by the objectors have been addressed in the above report.

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ 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 revised plans A1826-BR-SP01A, SS02, P1-EL01, P1-GF01, P1-FF01 and P1-SF01. 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. 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 EN1/2 Townscape and Built Design.
4. 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 listed.
6. Following the provisions of Condition 5 of the original application 63275, 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.

7. The landscaping scheme, approved under reference 53275 shall be implemented not later than 6 months from the date the first dwelling is first occupied; and any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within three 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 EN1/3 Landscape Provision of the Bury Unitary Development Plan.
8. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.
Reason. In order to protect nesting birds pursuant to UDP Policy EN6 Conservation of the Natural Environment and the NPPF.
9. The scheme relating to the treatment of invasive species Japanese knotweed and Himalayan Balsam shall be implemented in accordance with the approved method statement, approved under application reference 63275.
Reason - To prevent the spread of Japanese knotweed and Himalayan balsam, which are invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible and pursuant to Unitary Development Plan Policy EN6 Conservation of the Natural Environment.
10. The car parking indicated on approved plan reference A1826-PS-SP01 Revision A under application reference 63275 shall be surfaced and made available for use to the written satisfaction of the Local Planning Authority prior to the development hereby approved being occupied and thereafter maintained at all times.
Reason. To ensure adequate off-street car parking provision in the interests of road safety pursuant to UDP Policy HT2/4 Car Parking and New Development.
11. There shall be no direct means of vehicular access between the site and Victoria Street.
Reason. To ensure good highway design in the interests of road safety pursuant to the NPPF and UDP Policies listed.
12. Details of surface water drainage shall be implemented in accordance with details approved under application reference 63275 and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and include a timescale for implementation. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5l/s.
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to policies within the NPPF and UDP Policies H2/2 The Layout of New Residential Development, EN5/1 New Development and Flood Risk, EN7/3 Water Pollution and EN7/5 Waste Water

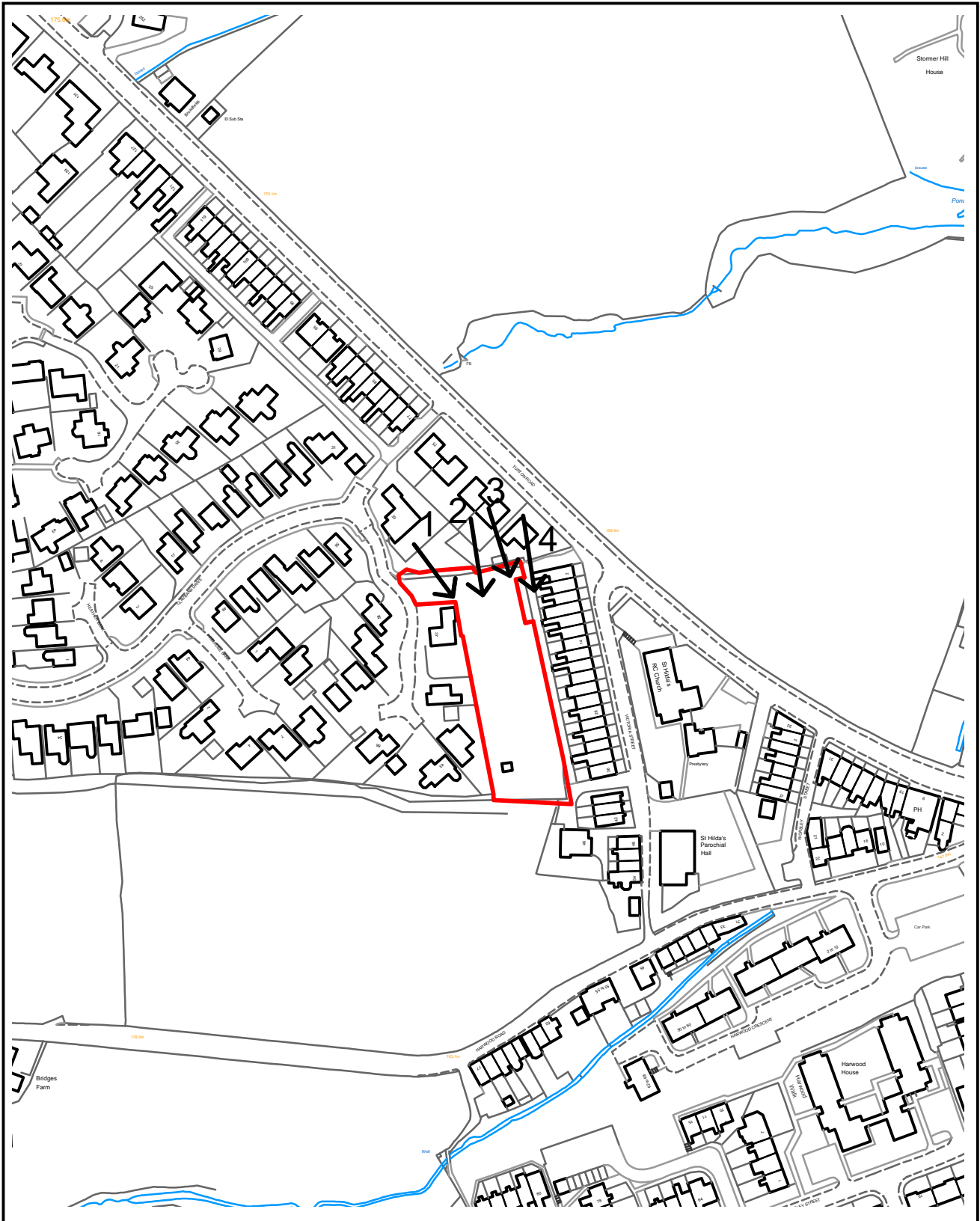
management.

13. Foul and surface water shall be drained on separate systems. The approved scheme only shall be implemented.
Reason: To secure proper drainage and to manage the risk of flooding and pollution pursuant to the NPPF and UDP Policies H2/2 The Layout of New Residential Development, EN5/1 New Development and Flood Risk, EN7/3 Water Pollution and EN7/5 Waste Water management.
14. The details of the following highway management points, approved under application reference 63275, shall be implemented prior to first occupation and to the satisfaction of the Local Planning Authority:
- Formation of the vehicular access to the site in the form of a service strip crossing consistent with the arrangements at other properties on Claybank Drive served from this section of accessway, to a specification to be agreed and incorporating the demarcation of the limits of the adopted highway across the site frontage;
 - Retention/improvement of, and connection onto, Public Footpath No. 78a, to be used as part of the pedestrian access to the proposed dwellings, to a scope, specification and width to be agreed and incorporating the low level lighting proposed, located clear of the route of the Public Right of Way;
 - Visibility splays of 2.4 x 25m at the junction of the site access with Claybank Drive in accordance with the standards in Manual for Streets, with no obstructions above the height of 0.6m within them;
 - Bin storage/collection and access arrangements from the adopted highway to be agreed with the Council's Waste Management team;
 - Tree planting and landscaping clear of the adopted highway, taking into consideration confirmed root zones;
 - The proposed new retaining wall adjacent to the unadopted access to the rear of properties fronting Victoria Street, proposed to ensure that errant vehicles are restrained within the site;
 - All associated highway and highway drainage remedial works;
 - The visibility splays shall be implemented to the satisfaction of the Local Planning Authority before the development is first occupied and subsequently maintained free of obstruction above the height of 0.6m.
- Reason. To ensure good highway design, maintain the integrity of the adopted highway and ensure the intervisibility of the users of the site and the adjacent highways in the interests of highway safety.
15. The 'Construction Traffic Management Plan' (CTMP), approved under application reference 63275, shall be adhered to throughout 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. 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 materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Bury Unitary Development Plan Policies EN1/2 Townscape and Built Design and HT6/2 Pedestrian/Vehicular Conflict.
16. The road shall be maintained in accordance with the approved management and maintenance details approved under application reference 63275.
Reason. To ensure that the estate roads serving the development are maintained to an acceptable standard in the interest of residential / highway safety.

17. The access road referred to in the previous condition shall be constructed in accordance with the approved details.
Reason. In the interests of highway safety pursuant to UDP Policy H2/2 The Layout of New Residential Development.
18. The vehicular and pedestrian access arrangements indicated on approved plan reference A1826-PS-SP01 Revision A shall be implemented to the satisfaction of the Local Planning Authority before the development is first occupied.
Reason. To ensure good highway design in the interests of road safety pursuant to UDP Policy H2/2.
19. The turning facilities indicated on approved plan reference A1826-PS-SP01 Revision A shall be provided before the dwellings are first occupied 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 UDP Policy H2/2.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 65459

**ADDRESS: Land off Claybank Drive
Tottington**

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

65459

Photo 1



Photo 2



65459

Photo 3



Photo 4



NOTES

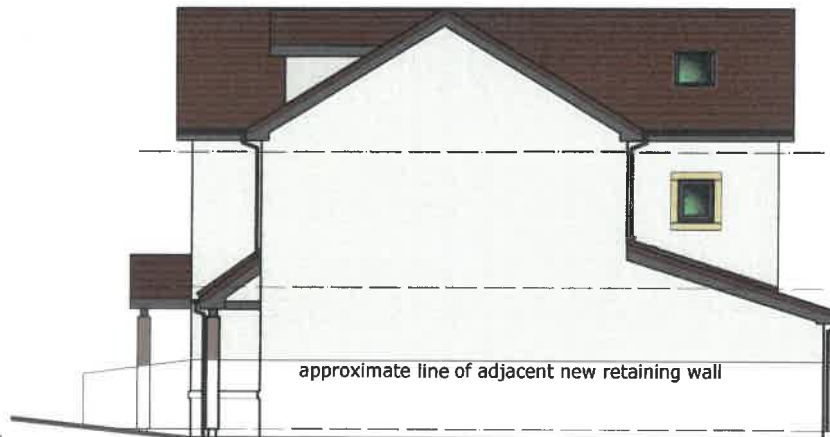
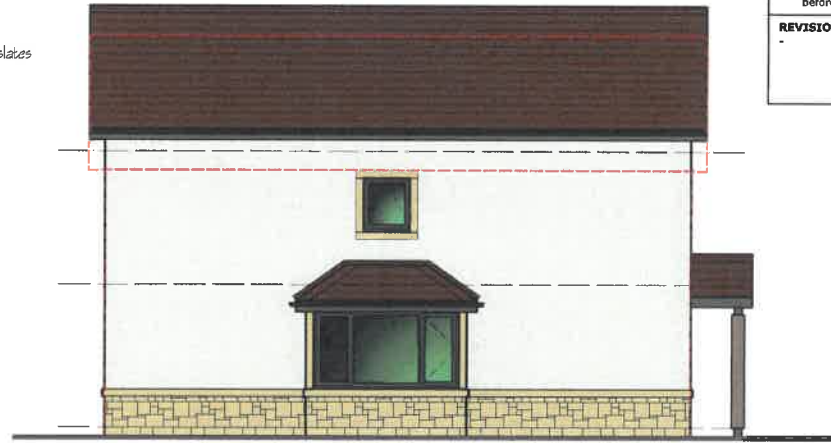
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REVISIONS

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NOTE:

derotes outline of previous consented house type



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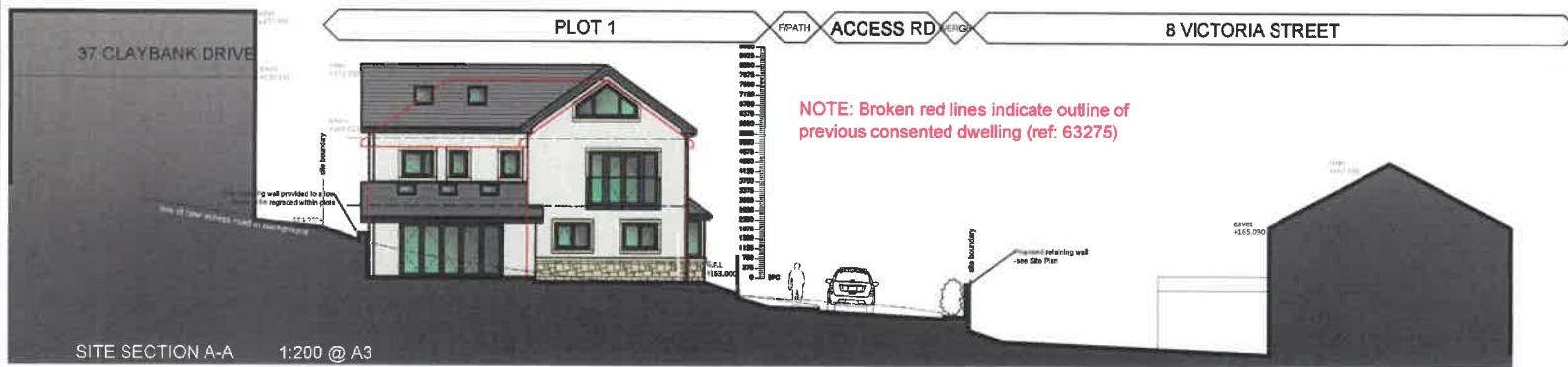
Proposed housing development:
PLOT ONE
2019 Ltd.

ELEVATIONS

A1826-BR-P1-EL01

Scale 1:50 @ A3

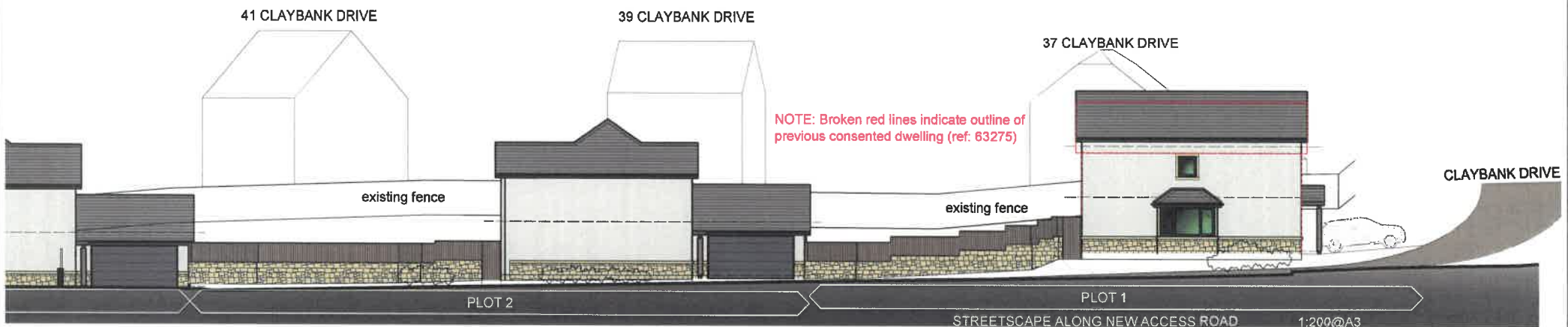




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REVISIONS

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Proposed housing development:
 Claybank Drive, Tottington, Bury
 2019 Ltd.

PROPOSED SITE SECTIONS
A1826-BR-SS02
 Scale 1:100 @ A1
