

Ward: Ramsbottom + Tottington - Tottington

Item 02

Applicant: Mr Musson

Location: Land rear of 375 Bury Road, Tottington, Bury, BL8 3DS

Proposal: Outline application for 1 no. new dwelling (all matters reserved except access)

Application Ref: 67025/Outline Planning
Permission

Target Date: 30/07/2021

Recommendation: Approve with Conditions

Description

The site relates to a piece of land located off a private access. The site is grassed with a large detached garage on the northern boundary with a driveway for 2 cars. There is a stone built gazebo in the northern corner and there is dense vegetation to all boundaries. The access to the site is located between Beechwood Lodge and No. 375 Bury Road and passes along the north western and north eastern boundaries of the site.

There are residential properties to all boundaries of the site.

The applicant seeks outline permission for the erection of a detached 2 bedroom dwelling. The means of access would be included and all other matters (appearance, landscaping, layout and scale) would be dealt with at the reserved matters stage. The proposed dwelling would be accessed via the existing access that serves 2 dwellings.

Relevant Planning History

46607 - Detached double garage at 373 Bury Road, Tottington. Approved with conditions - 23 August 2006

Adjacent site

37720 - Detached house and access road (alternative to approval 30543/94) at Land at Beechwood, Bury Road, Tottington. Approved with conditions - 15 June 2001

43660 - 3 dormers to front at 375 Bury Road, Tottington. Approved with conditions - 10 December 2004.

58841 - Two storey extension to west elevation; Single storey extensions to south elevation; Porch to north elevation; Detached double garage and render to the northern elevation and elements of the western elevation at Beechwood House, Bury Road, Tottington. Approved with conditions - 31 July 2015

Publicity

The neighbouring properties were notified by means of a letter on 10 June 2021 and a letter notifying them of revised plans was sent on 2 July 2021.

7 letters have been received from the occupiers of 2, 4, 6 8 Beechwood Court, New Beechwood, Beechwood Lodge, 375 Bury Road, which have raised the following issues:

- Beechwood Court is privately owned, maintained and funded by the 4 properties on Beechwood Court. Permission will not be given for the use of Beechwood Court as an access point to the proposed site or for the road to be used as a two directional traffic point.

- I recently bought 375 Bury Road and live there with my family. Had I known about this planning permission prior to completion of the purchase I would not have bought the house.
- One of the main reasons we bought the property was because of the privacy afforded to the back of the house and I believe another dwelling being built a few yards over the back fence is a significant loss of privacy.
- Another house in such close vicinity would see an increase in noise disturbance.
- I think some caveats should be added before this proposal is granted
 - there should be only ONE storey, not more due to proximity of other houses close by.
 - ALL existing natural screening needs to remain to provide privacy between properties and from the main road as this also reduces noise pollution.
- The land has been left to the wild for at least 4 years so ALL consideration for nature needs to be considered, there are hedgehogs, foxes, a range of birds including sparrow hawks and kestrels, bats, newts, toads, etc seen in this vicinity
- Strict consideration for construction also needs to be considered due to tight nature of close properties and access to these properties must be available at ALL times in case of emergency.
- When I first moved into the lodge, the access road served my house and one other. Another house has been built recently with all cars vans and deliveries passing under my lounge window. The idea of another house being built and needing to use the drive is intolerable. The access is unsuitable.

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

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to the inclusion of conditions relating to access improvements and construction traffic management plan.

Drainage Section - No response.

Environmental Health - Contaminated Land - No objections, subject to the inclusion of conditions relating to contaminated land.

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

Waste Management - No objections.

Pre-start Conditions - Awaiting confirmation that the agent agrees with pre-start conditions.

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
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/5	Waste Water Management
EN8/2	Woodland and Tree Planting
HT2/4	Car Parking and New Development
HT6/2	Pedestrian/Vehicular Conflict
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 significant 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. The Framework maintains the emphasis on identifying 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 of 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.

The National Planning Policy Framework also sets out the Housing Delivery Test, which is an assessment of net additional dwellings provided over the previous three years against the homes required. Where the test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous years, this needs to be taken into account in the decision-taking process. The latest results published by the Government show that Bury has a housing delivery test result of less than 75%, and therefore this needs to be treated as a material factor when determining applications for residential development.

The site for the proposed development is located within the urban area and there are residential dwellings to all boundaries. As such, the proposed development would not conflict with the surrounding land uses. Appropriate infrastructure would be available. 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 indicative site plan shows the proposed dwelling can be achieved within the site and incorporating land around it to accommodate gardens and bin storage. The layout and appearance is not subject to consideration at this outline stage but would be a matter for the reserved matters application.

Impact upon residential amenity - As stated, the layout is not under consideration at present and would be a concern for the reserved matters application. The indicative drawings show that aspects can be achieved between the new and existing dwellings. However, as the principle only is under consideration then the aspect standards would need to be applied at the reserved matters stage.

Highways and access issues - The proposed development would be accessed from the existing private access between No. 375 Bury Road and Beechwood Lodge. Revised plans have been received that confirm that the access that serves Beechwood Court would not be used to service the proposed development. Appropriate turning facilities and an access can be accommodated within the site. The Traffic Section have no objections, subject to the inclusion of conditions relating to access improvements and construction traffic management plan. Therefore, the proposed development would not have a detrimental impact upon highway safety and would be in accordance with Policies H2/1, H2/2 and EN1/2 of the Bury Unitary Development Plan.

Parking - This would be a reserved matters consideration in relation to layout. However, the indicative plans show that 1 parking space could be provided on the driveway and 2 spaces could be available within the existing garage. As such, the proposed development could be able to comply with the maximum parking standards. Therefore, given the access arrangements that are subject to consideration, the proposed development would be in accordance with Policy HT2/4 of the Bury Unitary Development Plan and SPD11.

Layout, external appearance, landscaping and scale would be reserved matters and as such, only the principle of the development and the means of access are under consideration at this time.

Response to objectors

- Revised plans have been received, which confirm that Beechwood Court would not be used for access. Rights of access are private concerns in any case.
- There is dense vegetation on the perimeter of the site, which would screen the proposed dwelling. The issues relating to loss of privacy have been addressed in the main report.
- One additional dwelling would not increase the ambient noise levels in the locality.
- The description of the development is for one dwelling and the layout scale and appearance would be determined at the reserved matters application.
- The retention of the natural screening on site would be assessed within the reserved matters application.
- A condition requiring a Construction Traffic Management Plan has been included.
- The issues relating to highway safety have been addressed in the main report.

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 Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions/ Reasons

1. Applications for approval of reserved matters must be made not later than:
 - the expiration of three years beginning with the date of the grant of outline planning permission; and
 - that the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2. Before the development is commenced, the applicant shall submit detailed plans and particulars to the Local Planning Authority, and obtain their approval under the Town and Country Planning Acts, of the following reserved matters; the layout, scale, appearance and the landscaping of the site.
Reason. To ensure the satisfactory development of the site and because this application is in outline only.
3. This decision relates to drawings numbered 21.05.01 A, 21.05.02 A, 21.05.03 A, 21.05.04 B 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.

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 15 - 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 15 - Conserving and enhancing the natural environment.

6. 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 14 - Meeting the challenge of climate change, flooding and coastal change of the NPPF.

7. 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.

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

- Access point for demolition/construction traffic from Bury Road;
- Hours of operation and number of vehicle movements;
- A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
- Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site, including any requisite phasing of the development to accommodate this;
- Parking on site of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- Proposed site hoarding/gate positions, if proposed, clear of the unadopted shared access road and existing passing facilities;
- Measures to ensure that all mud and other loose materials are not spread or carried on the wheels and chassis of any vehicles leaving the site onto the adjacent unadopted shared access road and adopted highway, and measures to minimise dust nuisance caused by the operations.

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

9. Notwithstanding the details shown indicatively on approved plan reference 21.05 04 Revision B, full details of the following highway aspects shall be submitted on a topographical based survey of the site and unadopted shared access road served from Bury Road at first reserved matters application stage:
- Dilapidation survey, to a scope to be agreed, of the footways and carriageways abutting the site in the event that subsequent temporary and permanent remedial works are required following construction of the development;
 - Formation of the proposed access onto the unadopted shared access road, incorporating adequate visibility in accordance with the standards in Manual for Streets and improvements to and/or provision of an additional passing place within the curtilage of the site for use by all properties served by the route;
 - Provision of adequate parking facilities/driveway arrangements within the curtilage of the site in accordance with SPD11 'Parking Standards in Bury' and incorporating a hardstanding a minimum of 5.5m in length in order to maintain vehicles clear of the unadopted shared access road;
 - Provision of adequate turning facilities within the curtilage of the site/limits of the unadopted shared access road and associated swept path analysis;
 - Provision of adequate bin storage arrangements within the curtilage of the site clear of the unadopted shared access road for use on refuse collection day.

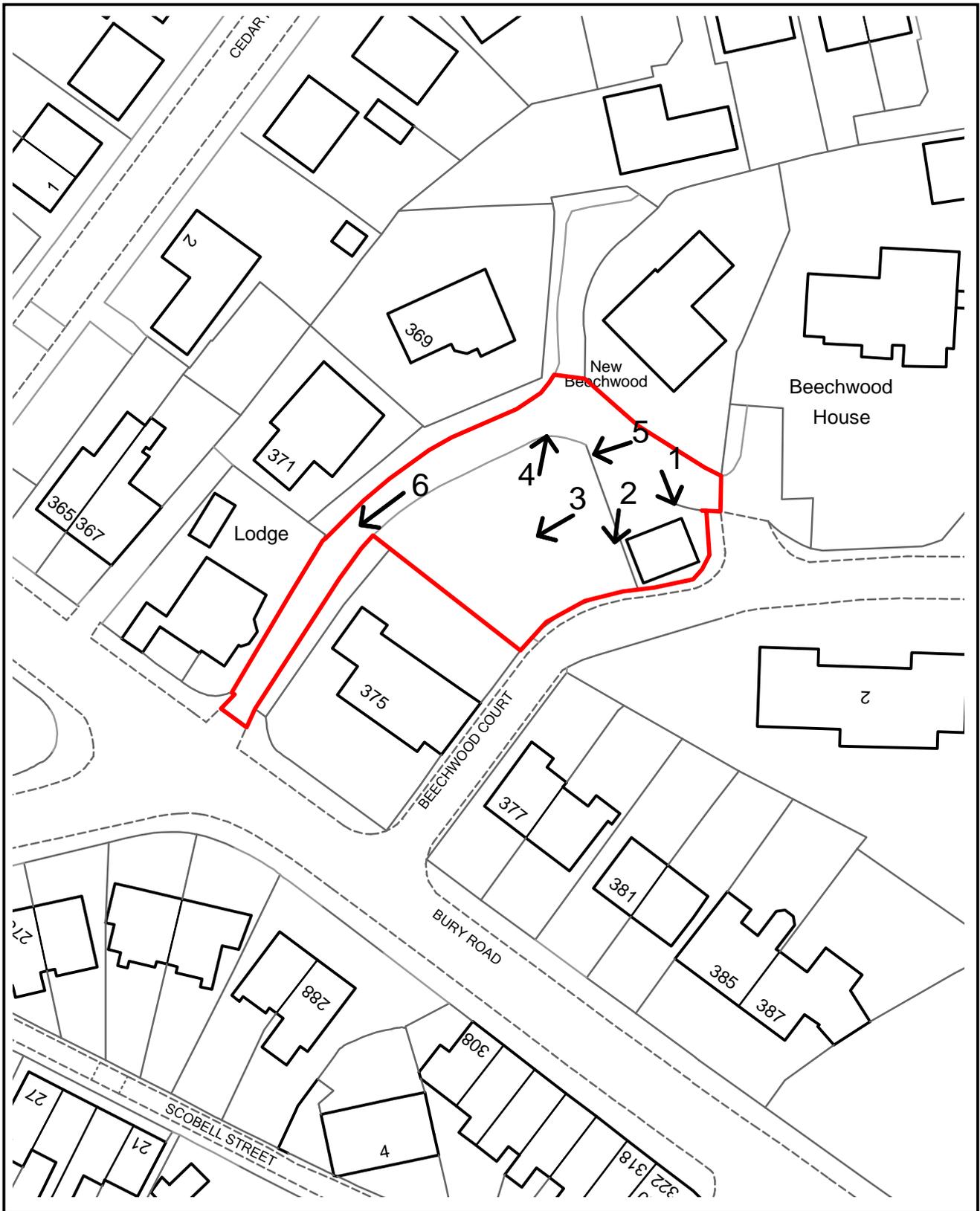
The highway works subsequently approved shall be implemented to an agreed programme and to the written satisfaction of the Local Planning Authority.

Reason. To maintain the integrity of the adopted highway, ensure good highway design in the interests of highway safety, allow adequate space to maintain vehicles clear of the unadopted shared access road and ensure adequate refuse collection arrangements clear of the site access pursuant to the following Policies of the Bury Unitary Development Plan:

Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development
Policy EN1/2 - Townscape and Built Design

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 67025

**ADDRESS: Land to rear of 375 Bury Road,
BL8 3DS**

Planning, Environmental and Regulatory Services 1:1250

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67025

Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6





PHOTO 1



PHOTO 6



PHOTO 7



PHOTO 8



PHOTO 9



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5



EXISTING OS SITE PLAN 1:500

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PHOTO 10



PHOTO 11



PHOTO 12



PHOTO 13

NOTES / KEY:

A	Red line amd.Blue line add.	DD 040621

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client
MR PHILIP MUSSON.

project
PROPOSED DWELLING AT BEECHWOOD COURT, BURY, BL83DS.

status Planning

drawing
LOCATION & EXISTING SITE PLAN.

drawn by DD. date MAY 21

scale 1:500@A3

dwg no 21.05 02. rev A

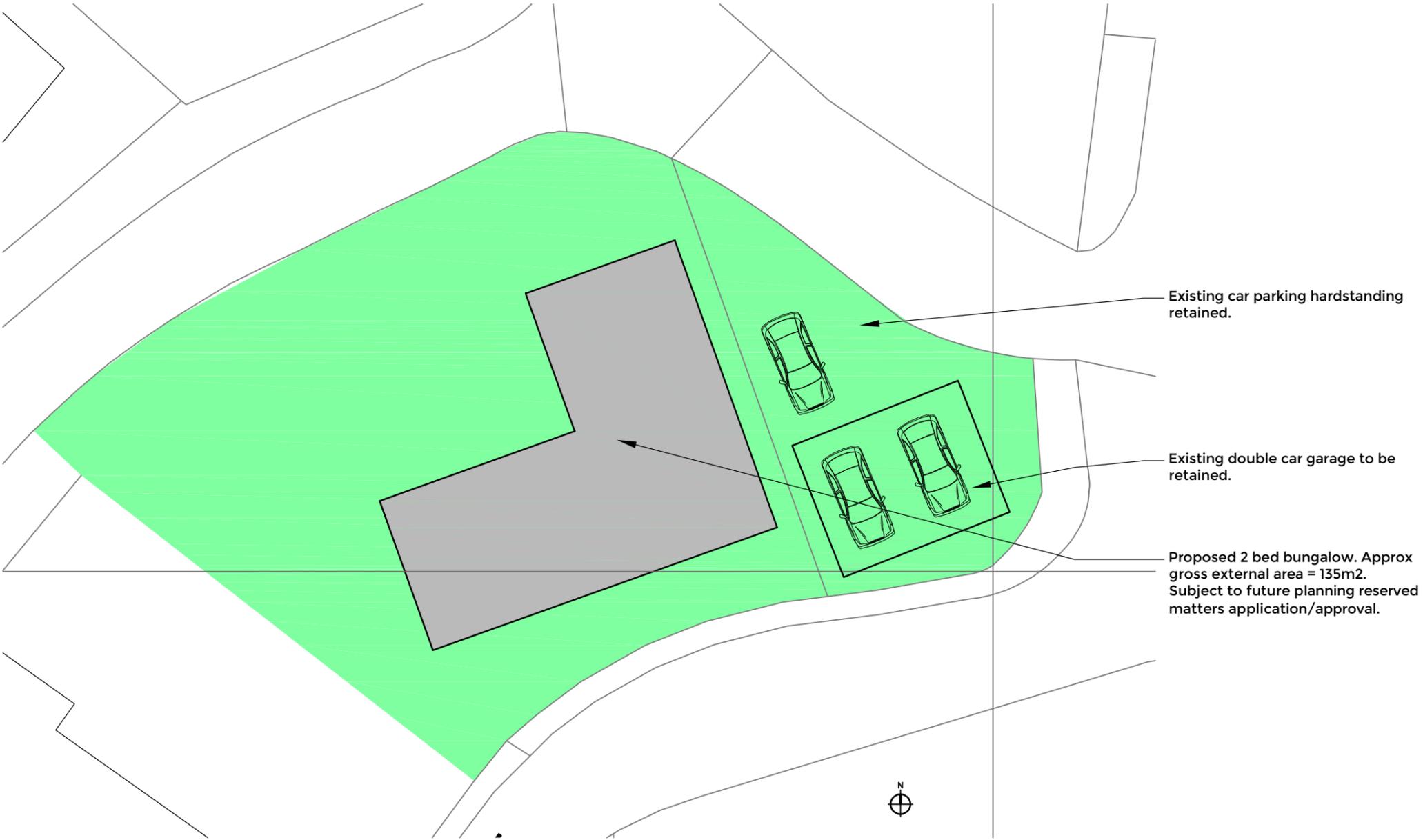
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Beechwood Court, Bury, BL83DS .



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NOTES / KEY:



Existing car parking hardstanding retained.

Existing double car garage to be retained.

Proposed 2 bed bungalow. Approx gross external area = 135m². Subject to future planning reserved matters application/approval.

PROPOSED SITE PLAN 1:200

A	Red line omit.	DD	040621

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project
PROPOSED DWELLING AT BEECHWOOD COURT, BURY, BL83DS.

status Planning

drawing
PROPOSED SITE PLAN.

drawn by DD. date MAY 21

scale 1:200@A3

dwg no 21.05 03. rev A

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NOTES / KEY:

Existing garage and car parking hardstanding retained.

NOTE; the unnamed road serving Beechwood House and new Beechwood house is unadopted.

Visibility splays-Left hand side = 2.4 x 43m. Right hand side = 2.2 x 43m.

Existing vehicle access (dropped kerb).

PROPOSED SITE PLAN 1:500

B	ACCESS CLARIFIED	DD 150621
A	Red line omit.	DD 040621

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client
MR PHILIP MUSSON.

project
PROPOSED DWELLING AT BEECHWOOD COURT, BURY, BL83DS.

status Planning

drawing
PROPOSED SITE PLAN- VEHICLES- VISIBILITY SPLAYS

drawn by DD. date MAY 21

scale 1:500@A3

dwg no 21.05 04. rev B

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Beechwood Court, Bury, BL83DS .

