

**Ward:** Radcliffe - West

**Item** 03

**Applicant:** Mr Speakman

**Location:** Land at Higher Dean Street, Radcliffe, Manchester, M26 3RU

**Proposal:** Outline application for 2 no. dwellings with all matters apart from access reserved

**Application Ref:** 68092/Full

**Target Date:** 12/04/2022

**Recommendation:** Approve with Conditions

### **Description**

The application relates to a plot of grassed land (0.03ha) between Canute Street/Higher Dean Street and Harper Fold Road, on the south side of Bolton Road. The immediate area has a mix of uses with residential terraced housing to the west and north, semi-detached bungalows to the south. Hollybank nursing home is situated to the east and Cams Lane Primary School to the south east.

The grassed area directly to north of the site and owned by the applicant (outlined in blue) contains an underground United Utilities tank which is controlled by an above ground kiosk.

The outline application proposes two residential properties on the site. All matters apart from access are reserved for future approval. The plans submitted with the application are indicative and illustrative only and exact designs and elevations would be submitted as part of a reserved matters application. The proposed access would be provided directly off Canute Street and each unit have off road parking. The indicative only layout scheme indicates two semi-detached bungalows positioned on a north-south axis.

### **Relevant Planning History**

**58225** - Outline application for 3 no. dwellings with associated car parking - Refused for the following three reasons:

1. The proposed housing development would, by reason of its size, position and design, be a prominent and intrusive feature in the street scene and would therefore, be seriously detrimental to the visual amenities of the area.
2. Insufficient information with regard to a number of highway issues.
3. Lack of information with regard to coal workings and drainage and other underground installations.

**54258** - Installation of control kiosk and level changes - Approved 13/09/2011.

### **Publicity**

Twenty eight neighbours were notified 04/03/2022 at the following addresses: Nos. 92, 94, 96 and 98 Higher Dean St, Nos. 2, 4, 8 Harper Fold Rd and Nos. 211A, 213, 215, 237, 239, 241, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276 Bolton Rd

Ten objections have been received - Summarised below.

- Lovely green space that shouldn't be lost.
- It's the only place the kids like to chill and play on the grass when it's warm.
- Block a lot of view.
- Parking and traffic is already difficult around Harper Fold Road and Higher Dean Street and adding more houses will make it even busier which is not ideal when there is a primary school opposite.
- The increased traffic and disruption that would be caused during the construction would be a nuisance to residents, the school opposite and the care home.
- Traffic in this area is already an issue along with parking (which has been reported to

police multiple times) the addition of extra dwelling with drives/access would make an existing issue worse.

- Given the size of the footprint and the fact there are not even plans for the type/size of dwelling included in the application (it would suite a bungalow) it makes it even harder to comment as we don't know what planning permission would be granted for.
- Adding any buildings to that site would remove from the aesthetics of the area and I suspect impact the light and privacy of the neighbouring dwellings
- Building here would have a detrimental effect on access to the school. Also much larger delivery vehicles wanting access to the estate and industrial units on Cams Lane.
- My children go to school over the road. Parking is already an issue and causing danger to children without it being limited more by both the building of these houses then the houses themselves once built. My children also play on this field and it is the only green space left of Higher Dean Street where they can play without crossing busy roads. This should not be allowed to go ahead we have so few green spaces left the council should be protecting them.
- Is there a plan to communicate the planning permission with residents on Higher Dean Street as this planning will affect parking on the estate which is already not efficient. There are several members on the street, myself included who feel there will be a negative impact on the community. It will impact the safe area in which the children on the street play. It will affect access which is already difficult onto the street as the access via to Fridays chippy is already overwhelmed with vehicles due to parking issues.
- I think it's disgusting that the property owners of Higher Dean Street have not been contacted on their views on building a stones throw away from their properties. Not only that it is a well used bit of land in the summer, where all out children play, would you prefer them to play on the roads.

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

#### **Statutory/Non-Statutory Consultations**

**Traffic Section** - The access would be acceptable subject to conditions.

**Drainage Section** - No objection received.

**Environmental Health** - No objection received.

**Waste Management** - No objection received.

**The Coal Authority** - No objection subject to condition on ground investigations.

**United Utilities** - No objection subject to condition on drainage details.

**Pre-start Conditions** - Applicant/Agent has agreed 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
EN1/7	Throughroutes and Gateways
EN7	Pollution Control
HT2/4	Car Parking and New Development
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.

**Policy** - The National Planning Policy Framework (NPPF) promotes sustainable development via three main dimensions, Economic, Environmental and Social. This small scale scheme is located in a sustainable settlement and the addition of two further houses will help address local needs and strengthen the existing community. The development will further conform to the NPPF and will deliver high quality new houses on land immediately adjacent to the existing built up settlement

UDP Policy H1/2 - Further Housing Development states that the Council will have regard to the following factors when assessing proposals for housing development;

- a) the need to direct development towards the urban area;
- b) the availability of infrastructure;
- c) the need to avoid the release of peripheral open land, unless this can be shown to be consistent with urban regeneration;
- d) the suitability of the site in land use terms with regard to amenity, the nature of the local environment and surrounding land uses;
- e) other policies and proposals of the Plan.

EN1/2 - Townscape and Built Design states that the Council will give favourable consideration to proposals which do not have an unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements. Factors to be considered when assessing proposals will include

- a) the external appearance and design of the proposal in relation to its height, scale, density and layout;
- b) the relationship of the proposal to the surrounding area;
- c) the choice and use of materials;
- d) access and other design features for the mobility impaired;
- e) the design and appearance of access, parking and service provision;
- f) landscaping, including the use of natural landscape features, and open space provision;
- g) the use of lighting.

H2/1 - The Form of New Residential Development - All new residential development will be expected to make a positive contribution to the form and quality of the surrounding area. Factors to be considered when assessing proposals will include:

- a) the height and roof type of adjacent buildings;
- b) the impact of developments on residential amenity;
- c) the density and character of the surrounding area;
- d) the position and proximity of neighbouring properties;
- e) the materials to be used in proposed developments, especially their colour and texture.

H2/2 - The Layout of New Residential Development - New residential development will be required to demonstrate acceptable standards of layout. Factors to be considered when assessing proposals will include:

- a) car parking provision;
- b) access for both vehicles and pedestrians, and provision for public transport;
- c) the possible need for traffic calming measures;
- d) density;
- e) space about and between dwellings;
- f) landscaping and screening;
- g) protection/provision of trees and hedgerows;
- h) open space/children's play areas;
- i) design for safety and security;
- j) access/facilities for the disabled;
- k) the existence of any public rights of way.

**Housing supply** - In terms of housing supply, the Borough is unable to identify a five year supply of housing land to meet local needs determined through the Government's standard methodology. Past under delivery of housing has resulted in Bury having a 'low' housing delivery test result. As a result, the presumption in favour of sustainable development set

out in paragraph 11 of the NPPF is applicable to Bury. As such, additional housing land is needed. The site is in a sustainable location for housing within the urban area with no specific allocated use or policy designation, and is considered suitable for housing development

**Principle** - The site is unallocated within the Unitary Development Plan, within the urban area and not within the Green Belt. As such the NPPF suggests that there is a presumption in favour of development.

It is noted that the previous application to develop the site in the form of three houses was not refused out of principle but on grounds of size, position and design, insufficient information with regard highway issues and lack of information with regard to coal workings and drainage and other underground installations. This current application seeks approval for a more modest scheme and has submitted details with regard to highway issues and Coal workings.

The principle of residential development on this site is considered to be acceptable and would comply with the NPPF and UDP Policy H1/2 Further Housing Development.

**Siting and design** - Although siting and design would be assessed at the reserved matters phase, it is considered that two modest dwellings could be accommodated within the site without serious harm to the amenity of the streetscape. An indicative plan has been submitted to demonstrate how two dwellings could be accommodated within the site. The development would be within the southern section of the existing grassed area with the northern section of the grassed area being retained, between the site and Bolton Road. This area, comprising the underground United Utilities apparatus, would act as a green buffer and help mitigate the visual impact of the development within the streetscape, particularly when viewed from Bolton Road.

It is considered appropriate, given the size of the site, to attach a condition restricting the height of any new houses to single storey only and remove permitted development rights. As such the proposal is considered to be acceptable and would comply with the NPPF and UDP Policies EN1/2 and H1/2.

**Residential amenity** - The application site lies within the urban area, characterised by older terraced housing and more recent low level housing to the rear, along Harper Fold Road. It is considered that two modest sized dwellings could be positioned within the plot so as not to adversely affect the amenity of the neighbouring residences. As the properties will be set back from the main road it would sit well within the existing street scene and should not impact on neighbour amenity.

The outline proposal would, subject to appropriate siting and design, be acceptable and comply with UDP housing policies H1/2, H2/1 and H2/2.

**Access** - It is proposed to have vehicular access to off-road parking from Higher Dean Street/Canute Street. The access would run along the southern boundary of the site with parking on adjacent land to the north.

With the appropriate access arrangements and given the scale of development for 2 no. modest dwellings, it is considered the increase in traffic would not have such a significant impact on the surrounding roads as to warrant refusal on highway safety grounds. Given the proposed access to the site is from the west, access to Cams Lane Primary School situated to the east of the site, would not be detrimentally impacted. Indicative plans show that there could be provision for off-street parking for two cars per dwelling and this would be considered to be acceptable for the scale of development. As such it is considered the proposal would comply with UDP Policies H2/2 and HT2/4 and associated guidance in SPD11 with regard to access and parking.

**Drainage** - As the proposal is in outline, no details of drainage have been submitted.

However it is considered that, with existing infrastructure in the immediate area, a suitable condition would be sufficient to secure appropriate drainage and United Utilities have raised no objection in principle.

**Contamination** - The Environmental Health section has no objection to the proposal subject to contaminated land conditions.

**Reserved matters** - Prior to any commencement on site, a further application for reserved matters would need to be applied for. This application would comprise details of the layout, scale, appearance of the development and the landscaping of the site.

#### **Objections -**

- Whilst the site is part of a larger green space, the land is not specifically allocated as public open space and is in private ownership. Although people can use it as informal recreation, this cannot be secured as its not publicly owned unlike other areas of incidental open space in the immediate area.
- Whilst any development on the site would 'block views' across it, this, in itself is not a material planning consideration that would reasonably represent a reason for refusal.
- It is considered that a modest development comprising two bungalows with off-street parking, would not have such a serious impact on the safety of school children attending the nearby Cams Lane Primary. With regard to neighbour notification twenty eight of the surrounding neighbours were notified and this is considered sufficient and compliant with government guidance.

All other objections 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. 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 location and revised site plan received 31/08/2022 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. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public surface water sewer, the rate of discharge shall be restricted to 5 l/s;
  - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - (v) Foul and surface water shall drain on separate systems.The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution pursuant to the NPPF and UDP Policy EN5/1 New Development and Flood Risk.
5. Any dwellings on the site shall be limited to single storey only.

Reason. In the interests of visual amenity and streetscape pursuant to the NPPF and UDP Policies H2/1 and 2/2 in relation to form and layout of residential development.
6. 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.
7. The development hereby approved shall not be first occupied unless and until the access arrangements indicated on the approved site plan, incorporating the provision of a shared access/footway crossing onto Higher Dean Street, turning facilities in the form of a minimum 6.0m shared access width/parking aisle depth, 4 No. 5.0m long parking spaces, demarcation of the limits of the adopted highway and all associated highway remedial works required to reinstate the adopted highway to its former condition prior to commencement of the development and as a result of all statutory undertakers connections to the proposed dwellings, have been implemented in full to an agreed scope and specification and to the written satisfaction of the Local Planning Authority.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety.
8. Notwithstanding the details shown indicatively on the approved site plan, full details of the following highway aspects shall be submitted on a topographical survey of the site at first reserved matters application stage:
  - Position and level of the proposed dwellings relative to the adjacent adopted

highways;

- Relocation/replacement of the affected street lighting column on Higher Dean Street to a scope and specification to be agreed with the Council's Street Lighting Section;
- Surface water drainage arrangements for the proposed dwellings;
- Proposed porous/permeable driveway materials and/or measures to prevent the discharge of surface water onto the adjacent adopted highway;
- Visibility splays measuring 2.4 metres by 33 metres provided at the junction of the proposed shared access with Higher Dean Street, with no obstructions above the height of 0.6m within them;
- Boundary details abutting the adopted highway clear of the above visibility splay, including low level fencing within the indicated 'Buffer Zones', incorporating foundations that do not encroach under the adjacent adopted highway;
- Scheme of works to resurface the unadopted footpath that crosses the site;
- In-curtilage bin storage arrangements for each dwelling in accordance with the guidance in Waste Management's Guide To Refuse Collection Requirements & Storage Methods for New Development

The details subsequently approved shall be implemented to the satisfaction of the Local Planning Authority prior to occupation of the dwellings hereby approved.

Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway, in the interests of highway safety.

9. 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:

- Photographic dilapidation survey of the footways and carriageways abutting the site in the event that subsequent remedial works are required following construction of the development/boundary treatment and as a result of any statutory undertakers connections to the new dwellings;
- Access point for construction traffic from the adopted highway;
- Site hoardings (if proposed) clear of the adopted highway and the unadopted footpath that crosses the site;
- Hours of operation, confirmation of delivery & construction vehicle sizes that can be accommodated on the residential estate roads leading to the site and number of vehicle movements;
- A scheme of appropriate warning/construction traffic signage in the vicinity of the site and its access;
- Parking on site (or on land under the applicant's control) of operatives' and construction vehicles together with storage on site of construction materials, including any requisite phasing of the development to accommodate this;
- Measures to ensure that all mud and other loose materials are not spread onto the adjacent adopted highways as a result of the groundworks operations or carried on the wheels and chassis of any vehicles leaving the site and measures to minimise dust nuisance caused by the operations.

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 parking of vehicles and storage of demolition/construction materials. All highway remedial works identified as a result of the dilapidation survey shall be implemented to the written satisfaction of the

Local Planning Authority prior to the development hereby approved being occupied.

Reason: To maintain the integrity of the adopted highway, mitigate the impact of the construction traffic generated by the proposed development on the adjacent adopted highways, ensure adequate off street car parking provision and materials storage arrangements for the duration of the construction period and ensure that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to UDP Policy.

10. No development shall commence until;
  - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: In order to mitigate any risk from past coal mining activity pursuant to paragraphs 183 and 184 of the National Planning Policy Framework.
11. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: In order to mitigate any risk from past coal mining activity pursuant to paragraphs 183 and 184 of the National Planning Policy Framework.
12. 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.
13. Following the provisions of Condition 12 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.

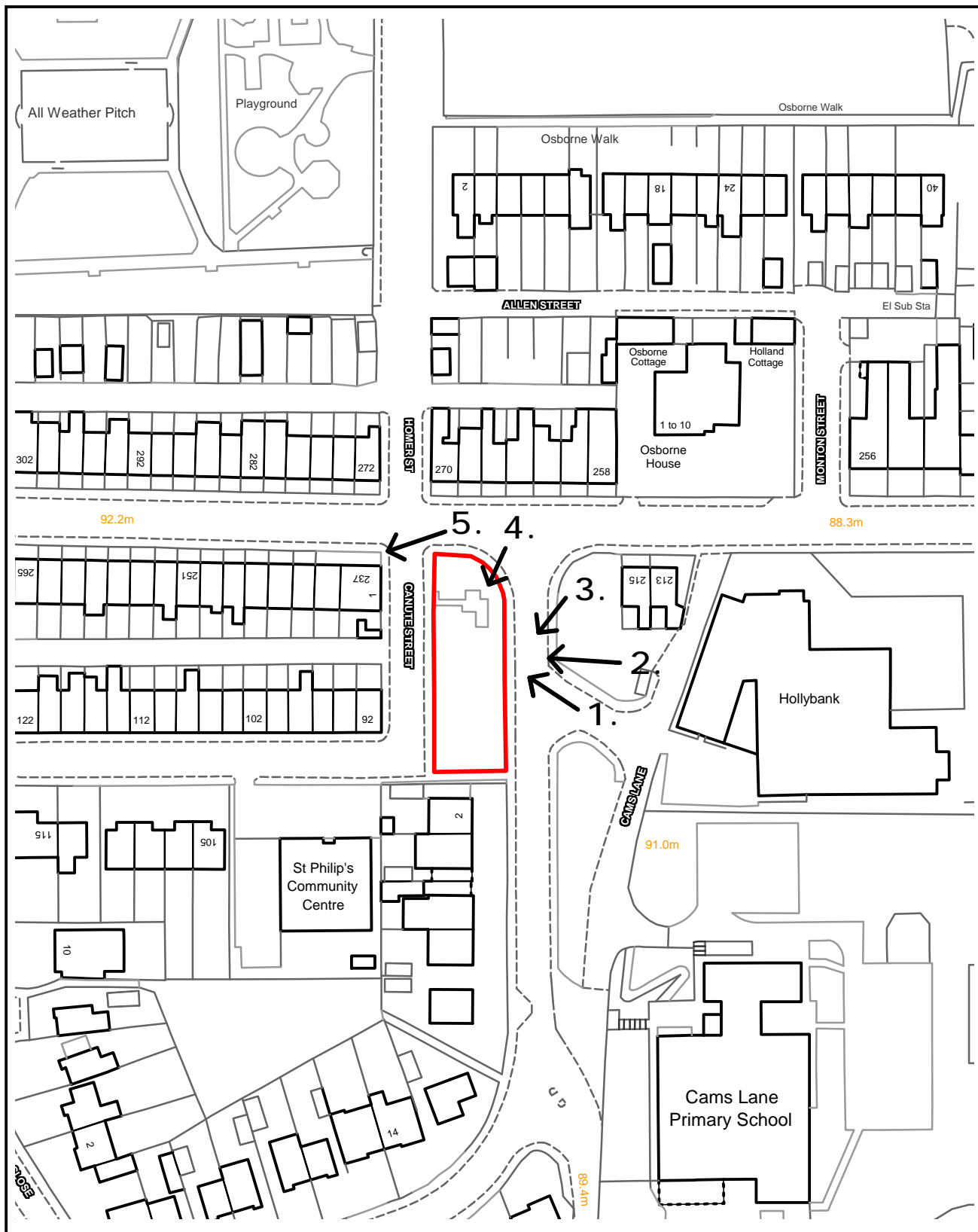
Reason: To secure the satisfactory development of the site in terms of human health, controlled waters and the wider environment and pursuant to National Planning Policy Framework Section 15 - Conserving and enhancing the natural



environment.

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

# 68092 - Viewpoints



## PLANNING APPLICATION LOCATION PLAN

APP. NO 68092

ADDRESS: Land at Higher Dean Street  
Radcliffe

Planning, Environmental and Regulatory Services

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**Bury**  
COUNCIL

68092

Photo 1



Photo 2





68092

Photo 3



Photo 4

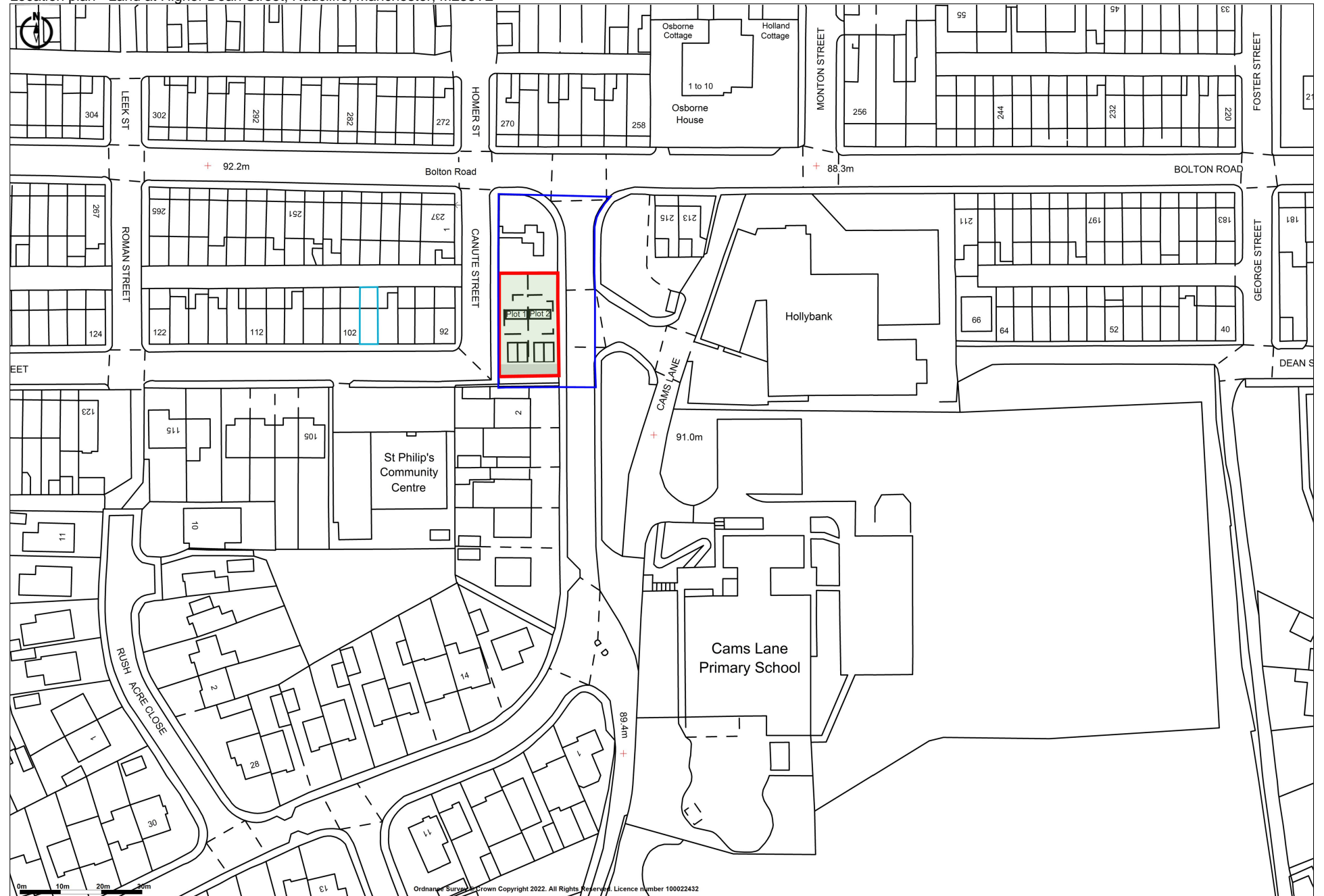


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Photo 5

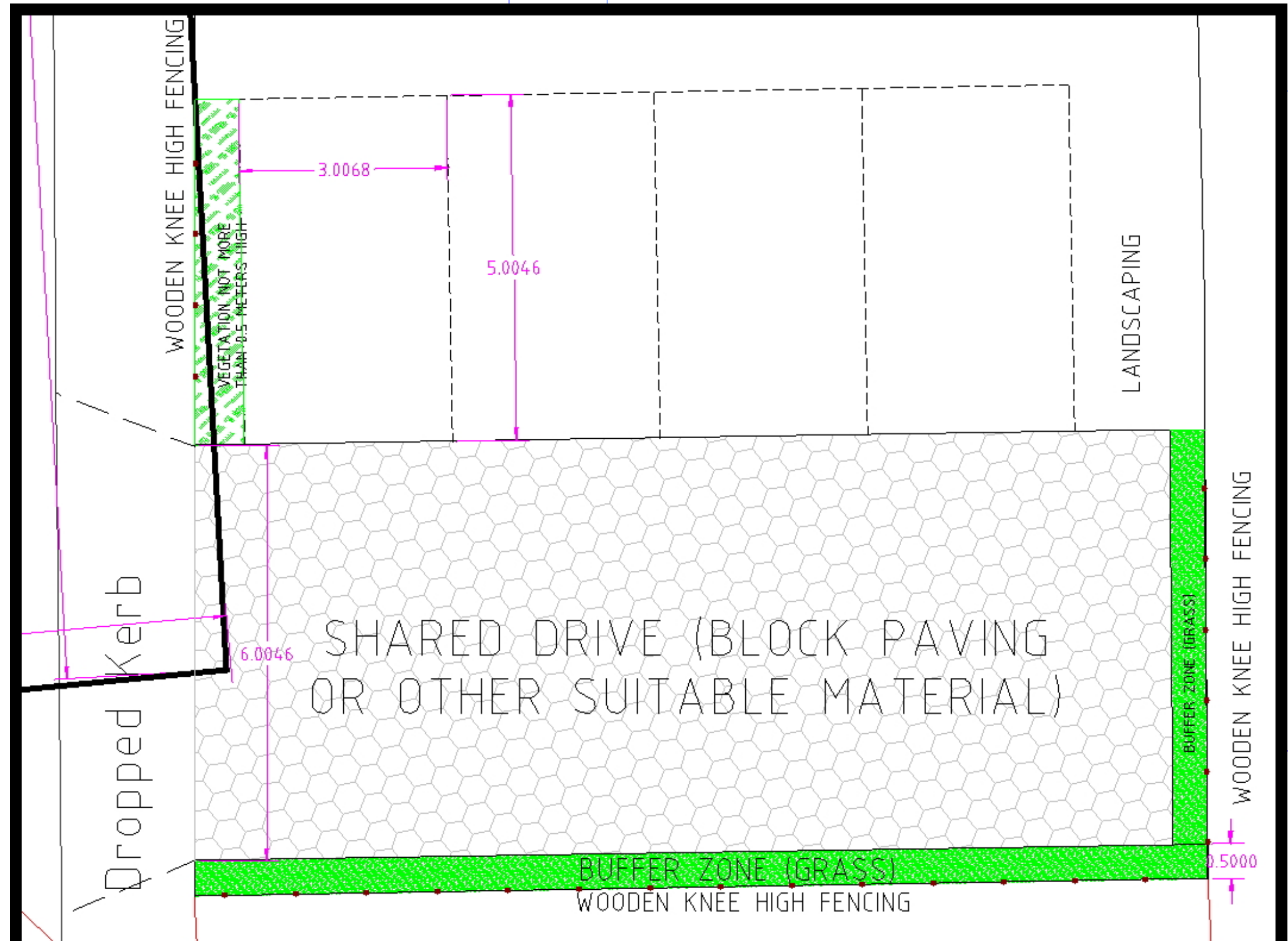
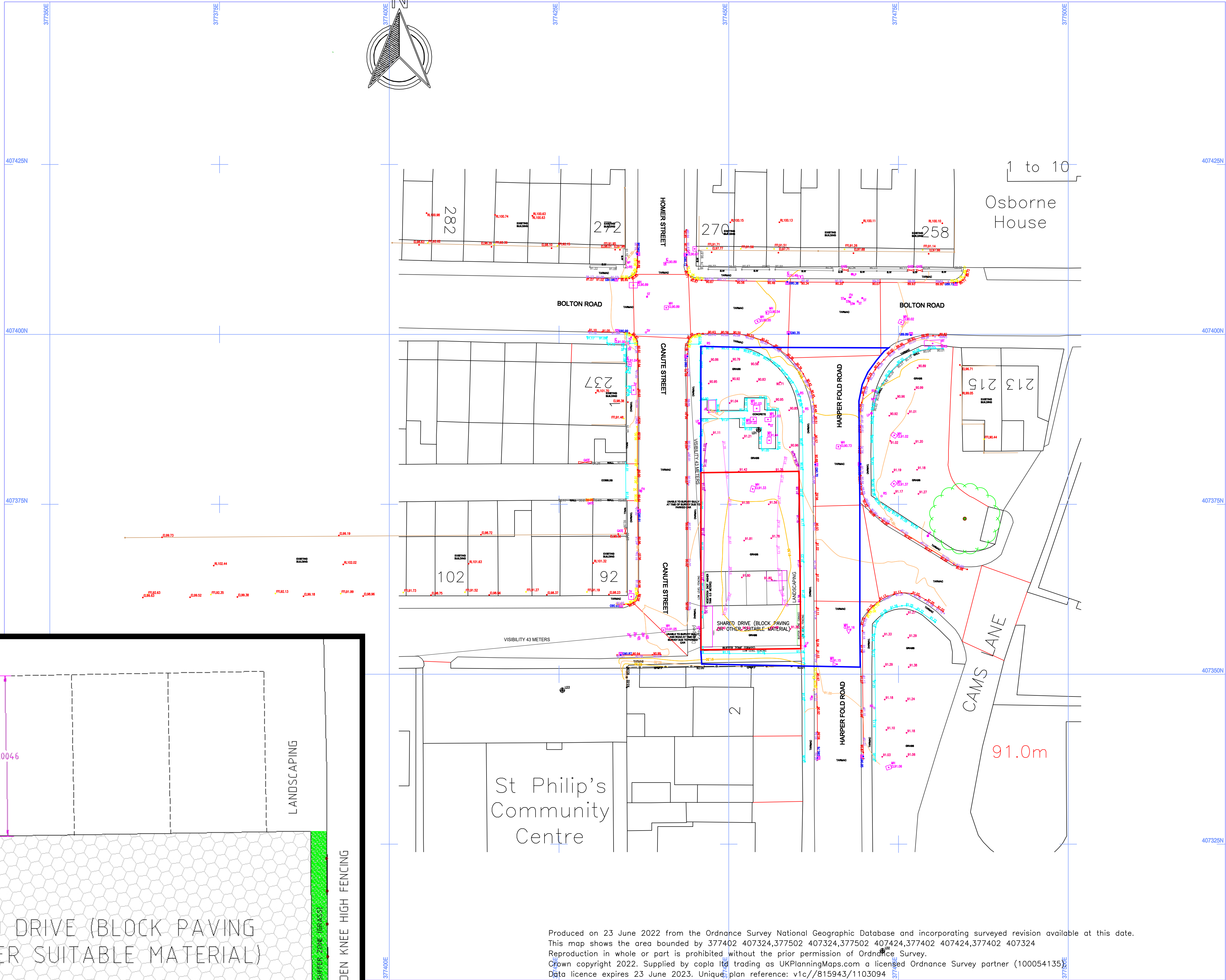
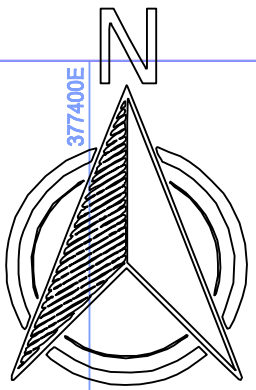


# Location plan - Land at Higher Dean Street, Radcliffe, Manchester, M233TE

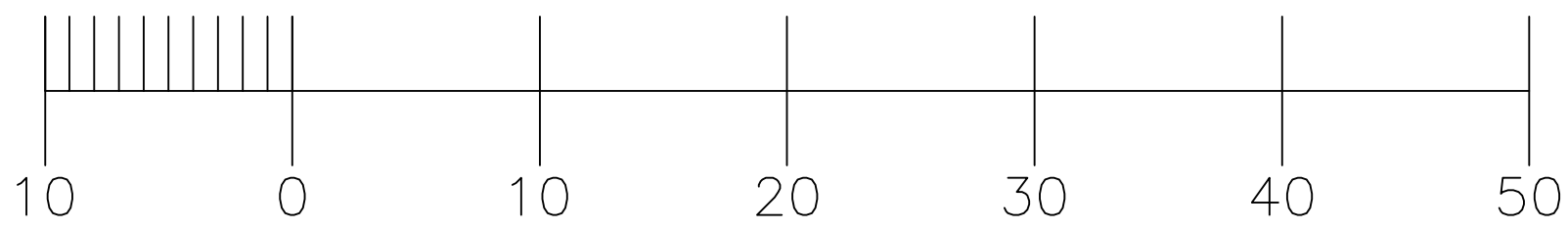




# ACCESS ARRANGEMENTS HIGHER DEAN STREET



Produced on 23 June 2022 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.  
This map shows the area bounded by 377402 407324, 377502 407324, 377402 407424, 377402 407324.  
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SCALE 1:300 @ A1

# INDICATIVE PLAN ONLY

Site plan - Land at Higher Dean Street, Radcliffe, Manchester, M233TE

