

Ward: North Manor

Item 04

Applicant: Ms Sharon Brearley

Location: Land adjacent to 51 Humber Drive, Bury, BL9 6SJ

Proposal: Erection of 2 no. semi detached dwellings.

Application Ref: 68633/Full

Target Date: 29/08/2022

Recommendation: Approve with Conditions

Description

The application site is unallocated and forms part of the garden to No. 51 Humber Drive. The site is located at the end of a cul-de-sac between Humber Drive and Trent Drive and the site slopes from front to back. There is 1 tree on the site.

There are residential properties to the south and east of the site. There are trees on the northern and western boundaries, with open land beyond, which is allocated as river valley in the UDP.

Planning permission was granted in October 2017 for the erection of 2 dwellings on this site. The proposed dwellings would be one and a half storeys to the front and two and a half storeys at the rear to take account of the sloping site. The proposed dwellings would be constructed from brick with grey roof tiles. The main difference between the previously approved and this application is the materials for the proposed dwellings, which would be brick and tile.

The proposed development involves the erection of 2 dwellings, which would be accessed from Humber Drive. The proposed dwellings were shown to be one and a half storeys to the front and two and a half storeys at the rear to take account of the sloping site. The proposed dwellings would be constructed from red brick with grey roof tiles

Relevant Planning History

61829 - Erection of 2 no. semi-detached dwellings with detached garages at 51 Humber Drive, Bury. Approved with conditions - 25 October 2017

68283 - Erection of 2 semi-detached dwellings at land adjacent to 51 Humber Drive, Bury. Withdrawn - 13 June 2022.

Publicity

The neighbouring properties were notified by means of a letter on 2 August 2022.

4 letters have been received, which have raised the following issues:

- The proposed dwelling will greatly impact upon our privacy as we live in a bungalow and the proposed house is three storeys high. It will look directly into our living room and bedroom.
- Parking is already difficult due to Humber Drive being a T - junction. Also Trent Drive being a blind corner, it will prevent them being able to gain a clear view in order to exit Trent Drive onto Humber Drive. The extra cars will cause obstructions and in an emergency it will prevent emergency services gaining access to Trent Drive.
- It will have a detrimental effect on wildlife and trees already established on the land. It is home to many mature trees and I have personally seen deer, foxes, owls, wood pigeons and hedgehogs on the land.

- The proposed development is not in keeping with the rest of the estate and existing homes and finally these will not be affordable homes.
- We believe that the steepness of the land where permission is being sought is too steep at the rear to build upon and would be very dangerous.
- There has already been significant local development with over three hundred homes built on Bevis Green, there is no further need to destroy wildlife for two extra homes just for greed.
- There is a lot of traffic for the clubhouse, and houses and we don't need any more houses or traffic on the estate.
- We believe the land not to be suitable and certainly not in keeping with the existing surrounding properties.
- Wildlife in this area shall be affected along with the destruction of the existing trees.

The neighbouring properties were notified of revised plans on 25 October 2022. Any comments received will be reported in the Supplementary Report.

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 construction traffic management plan, footway alterations and car parking.

Drainage Section - No response.

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

Waste Management - No response.

United Utilities - No objections, subject to the inclusion of conditions relating to drainage.

Pre-start Conditions - Awaiting confirmation from the agent that pre-commencement conditions are acceptable.

Unitary Development Plan and Policies

H1/2	Further Housing Development
H1/2	Further Housing Development
H2/1	The Form of New Residential Development
H2/2	The Layout of New Residential Development
H2/6	Garden and Backland 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
EN7/5	Waste Water Management
EN8	Woodland and Trees
HT2/4	Car Parking and New Development
HT4	New Development
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 (NPPF) 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. 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.

Therefore, in relation to the proposed dwelling, paragraph 11d) of the National Planning Policy Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless:

- i. The application of policies in the Framework that protect areas, or assets of particular importance, provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

Therefore, in this case the 'titled balance' applies and planning permission should be granted unless the above points Para 11(d) i or ii apply.

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 site is located within the urban boundary and there are residential properties to the east and south and open land to the north and west. The proposed development would not conflict with the surrounding land uses and would be located in a sustainable location with regard to public transport and services. Planning permission was granted on this site for 2 residential dwellings in 2017. Therefore, the proposed development would be acceptable in principle and would be in accordance with Policy H1/2 of the Bury Unitary Development Plan.

Design and layout - The proposed development would provide a pair of semi-detached dwellings. The proposed dwellings would be a storey and a half in height to the front and two and a half storeys at the rear. The proposed dwellings would be constructed from brick, render and grey roof tiles and would be modern in design. The use of the proposed materials and the use of dormers and pike details would help to break up the elevations and add visual interest. As such, the proposed dwellings would not be a prominent feature within the streetscene.

The level of private amenity space for the proposed dwellings would be acceptable and there would be space within the side garden for bin storage, which would be screened by a close timber boarded fence. One tree on site would need to be removed, but this tree is of poor quality and it would be replaced as part of the landscaping plan. There would be gabion walls to the rear of the site and close boarded timber fencing to the rear and side, which would be acceptable in the locality. 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

There would be a minimum of 22.8 metres between the proposed dwellings and the gable of No. 1 Trent Drive and 20.6 metres between the proposed dwellings and No. 42 Humber Drive, which would be in excess of the aspect standards.

There is a window at first floor level in the gable elevation of No. 51 Humber Drive and there would be 10.6 metres between the gable of No. 51 Humber Drive and the gable of the proposed dwellings. As the proposed dwellings would be one and a half storeys above the ground level, a distance of 10 metres would be acceptable.

There would be a minimum of 7.8 metres from the rear elevation of the proposed dwellings to the boundary, which would comply with the aspect standards. The proposed juliet balconies would be located on the rear and would not have a significant adverse impact upon the amenity of the neighbouring properties. Therefore, the proposed development would not have an adverse impact upon the amenity of the neighbouring residential properties.

Highways issues - The proposed development would be accessed from driveways from Humber Drive at the end of the cul-de-sac. There would be acceptable levels of visibility. The Traffic Section has no objections, subject to the inclusion of conditions relating to construction traffic management plan, footway alterations and car parking. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies H2/1 and H2/2 of the Bury Unitary Development Plan.

Parking - SPD11 states that the maximum number of parking spaces is 2 spaces per 3 bedroom dwelling, which equates to 4 spaces.

The proposed development would provide 1 space for each of the dwellings and an integral garage for both properties. As such, 2 spaces would be provided for each dwelling, which would comply with the maximum parking standards. Therefore, the proposed development would comply with Policy HT2/4 of the Bury Unitary Development Plan and SPD11

Response to objectors

- The issues relating to design, layout, highways issues and impact upon residential amenity have 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 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 drawings numbered SB1-00, SB1-01, SB1-02B, SB1-03, SB1-04B, SB1-05B, SB1-06B, SB1-07B 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 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. A landscaping scheme shall be submitted to, and approved by the Local Planning Authority prior to the commencement of the development. The contents of the plan should include native tree and shrub planting and the provision of bat bricks/tubes within the new development and bat and bird boxes. The approved scheme shall thereafter be implemented not later than 12 months from the date the building(s) is first occupied or within the first available tree planting season,; 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.

Reason. To secure the satisfactory development of the site and in the interests of visual amenity pursuant to Policies H2/2 - The Layout of New Residential Development, EN1/2 - Townscape and Built Design and EN8/2 - Woodland and Tree Planting of the Bury Unitary Development Plan and chapter 15 - Conserving and enhancing the natural environment of the NPPF.

8. No development shall commence unless and until a 'Construction Traffic Management Plan' (CTMP), has been submitted to and approved by 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 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;
 - Hours of operation, confirmation of demolition, delivery and construction vehicle sizes that can be accommodated on the residential estate roads that serve 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 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 indicated on the approved plans, the development hereby approved shall not be first occupied unless and until the formation of the proposed footway crossings onto Humber Drive, incorporating the refurbishment of the section of footway abutting the site affected by the proposed development and statutory undertakers connections to the proposed dwellings and all associated highway remedial works, has been implemented to a scope and specification to be agreed and to the written satisfaction of the Local Planning Authority.

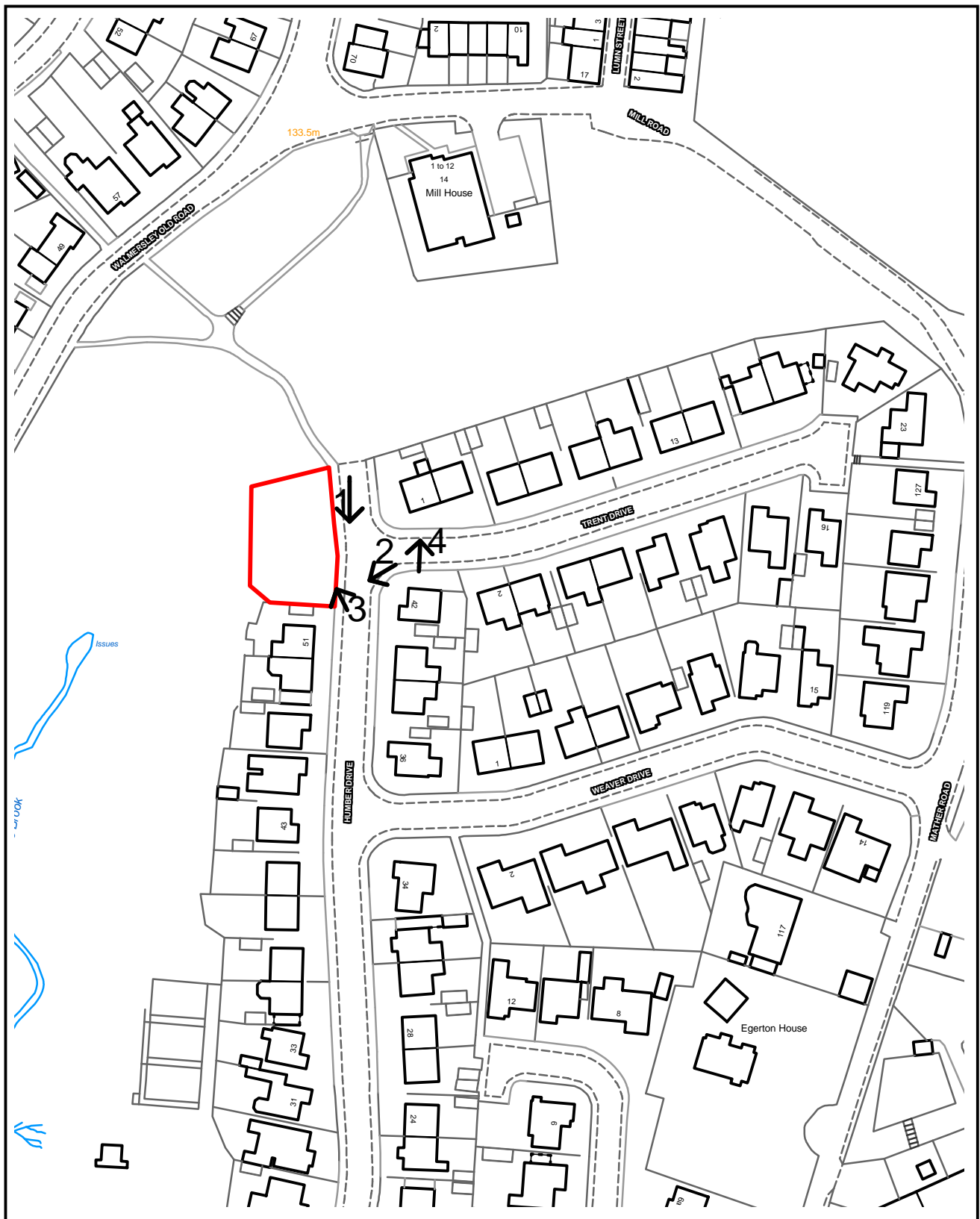
Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design and maintain the integrity of the adopted highway pursuant to the following Policies of the Bury Unitary Development Plan:
Policy EN1/2 - Townscape and Built Design
Policy H2/1 - The Form of New Residential Development
Policy H2/2 - The Layout of New Residential Development

10. The car parking arrangements indicated on the approved plans incorporating garage spaces and 5.5m minimum length hardstandings in front the proposed garage doors shall be made available for use prior to the dwellings 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 Policy HT2/4 - Car Parking and New Development of the Bury Unitary Development Plan.

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

Viewpoints



PLANNING APPLICATION LOCATION PLAN

APP. NO 68633

ADDRESS: Land adjacent to 51 Humber Drive,
Bury, BL9 6SJ

Planning, Environmental and Regulatory Services

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Bury
COUNCIL

68633

Photo 1



Photo 2



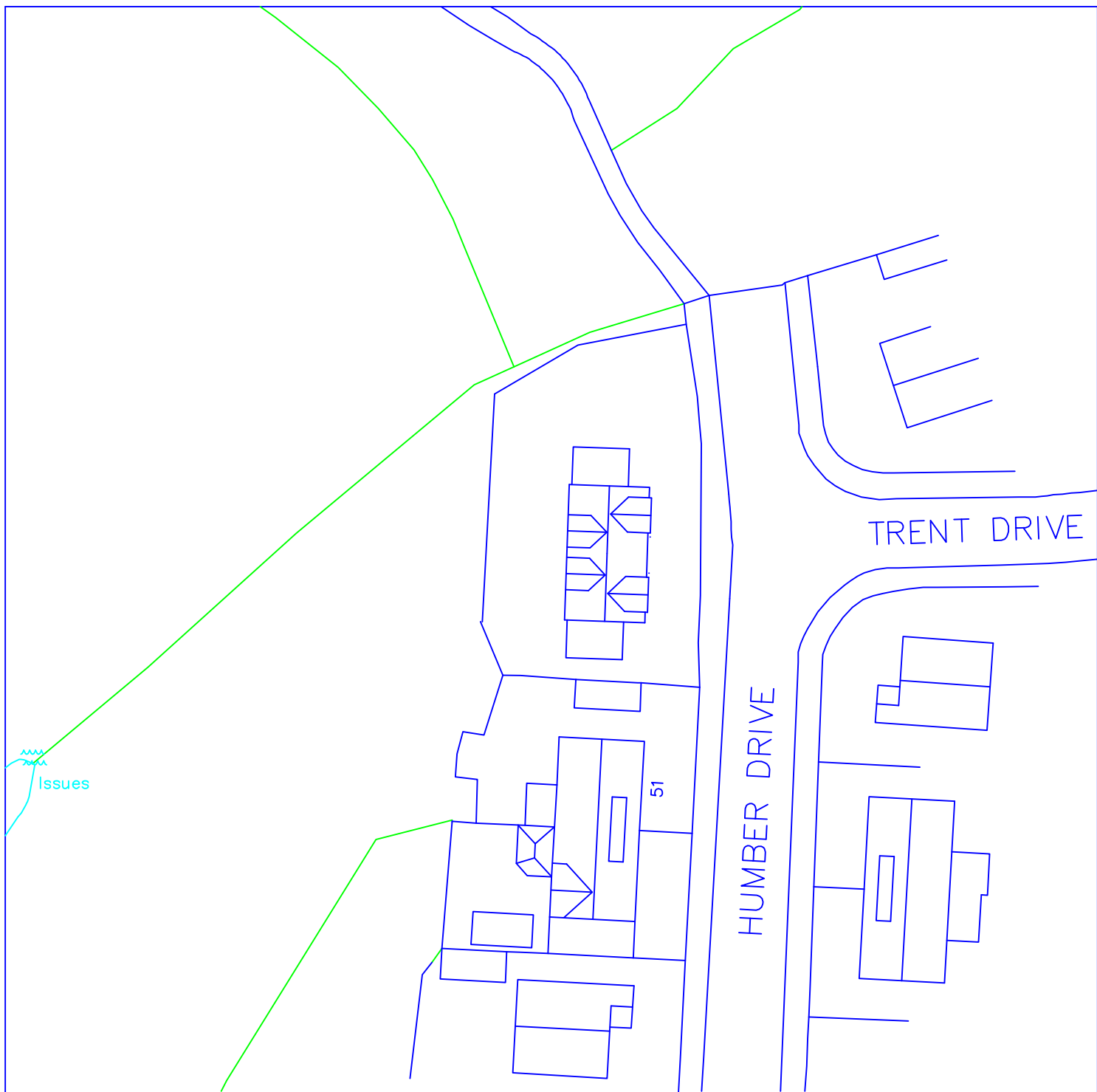
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Photo 3



Photo 4

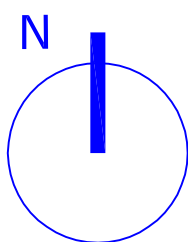





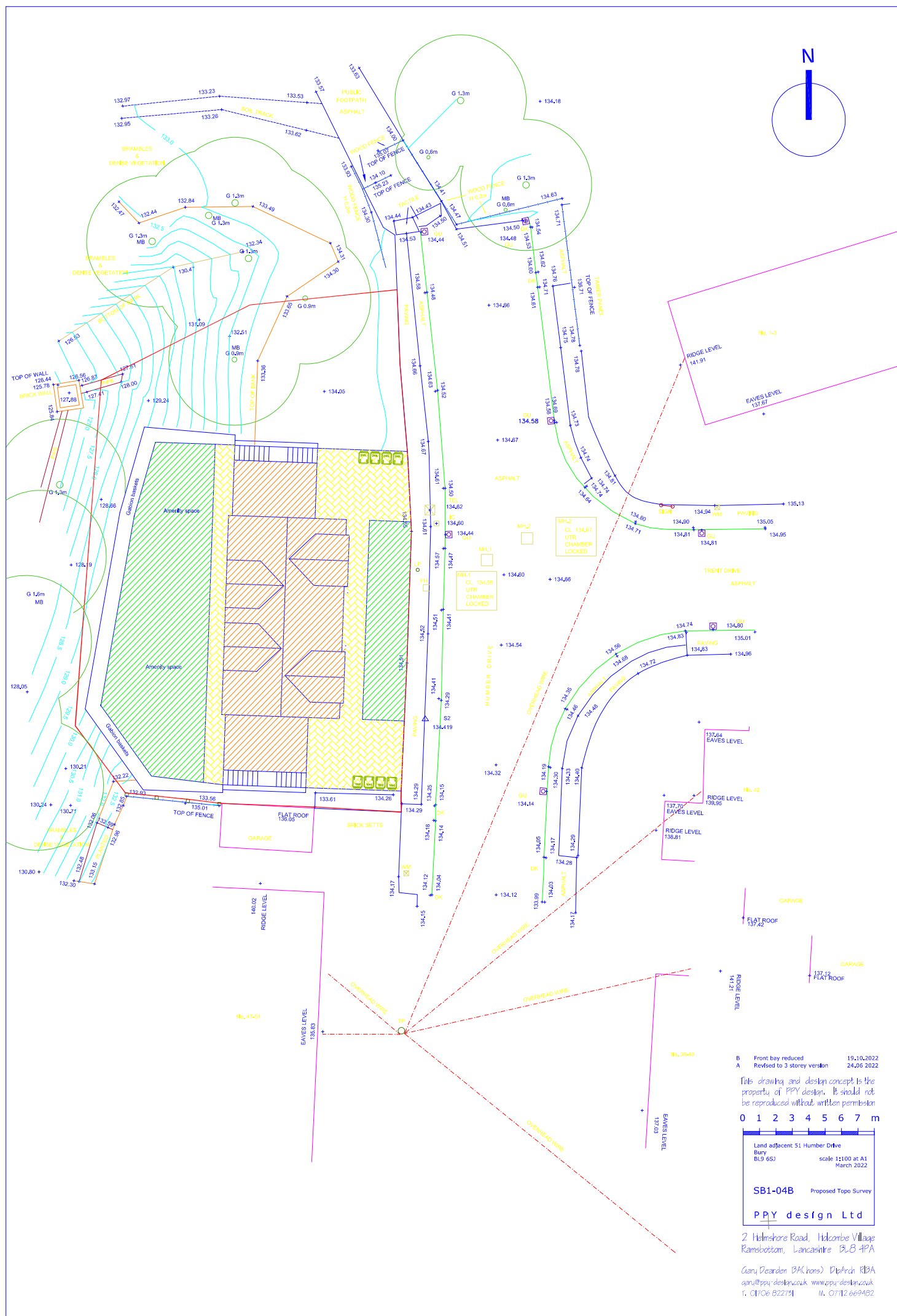
B Front bay reduced
A Three storey dwellings

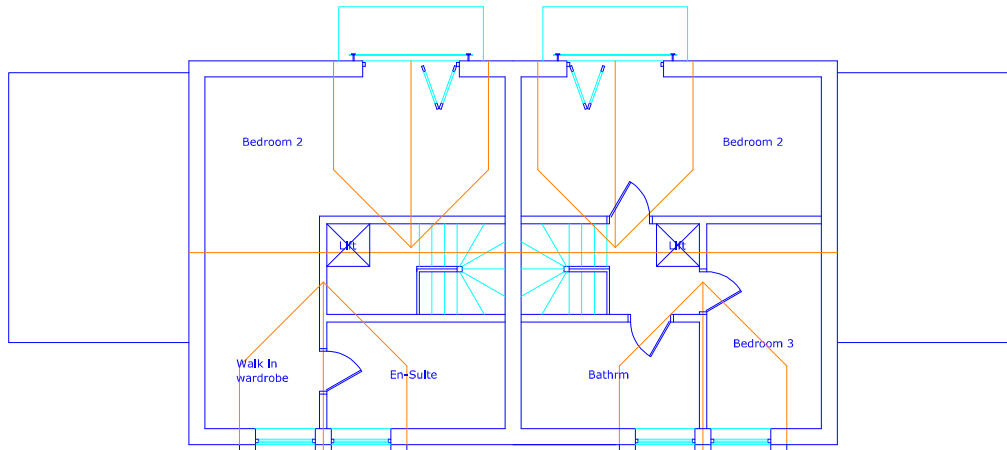
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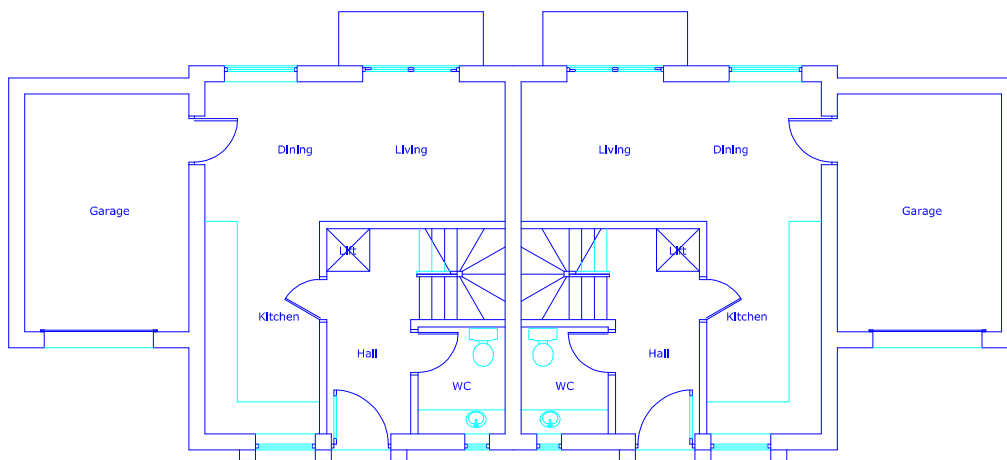


	
Land adjacent 51 Humber Drive Bury BL9 6SJ	scale 1:500 at A4 March 2022
SB1-02B	Proposed Block Plan
P P Y design Ltd	

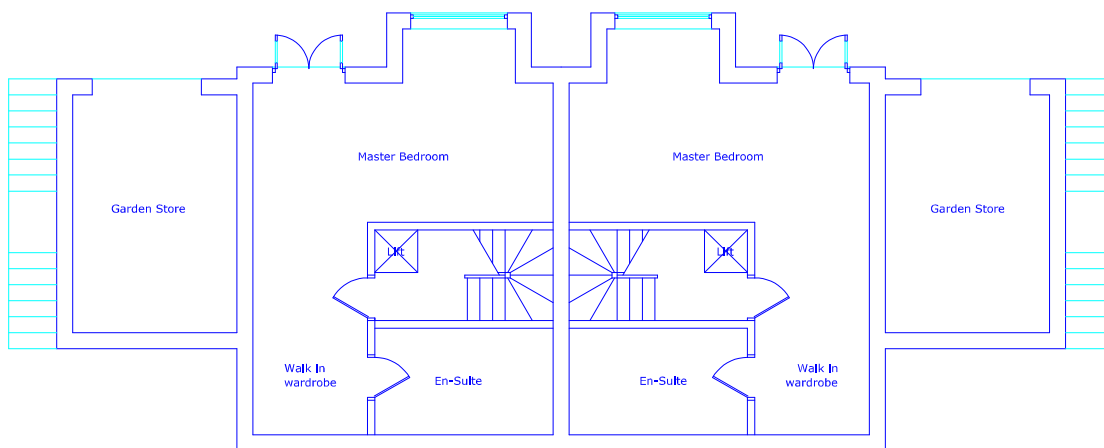




Proposed First Floor



Proposed Ground Floor



Proposed Lower Ground Floor

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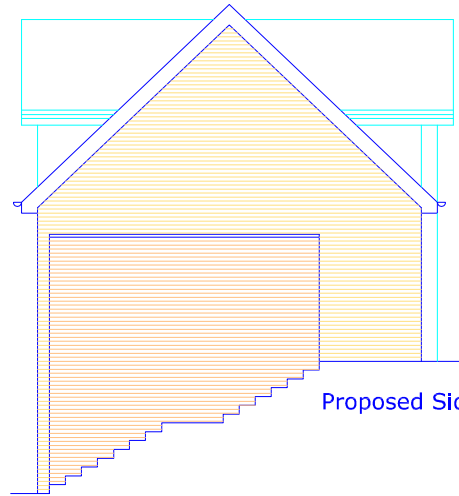
B Front bay reduced 19.10.2022
A Revised to three storey 02.07.2022

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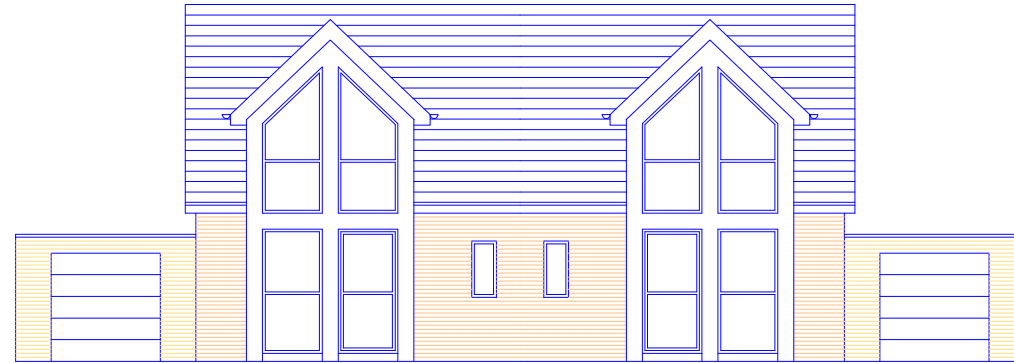
Land adjacent 51 Humber Drive
Bury
BL9 6SJ scale 1:50 at A1
June 2022

SB1-05B Proposed Layout Plans

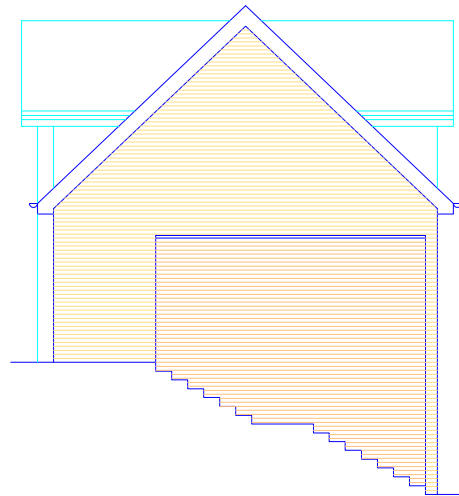
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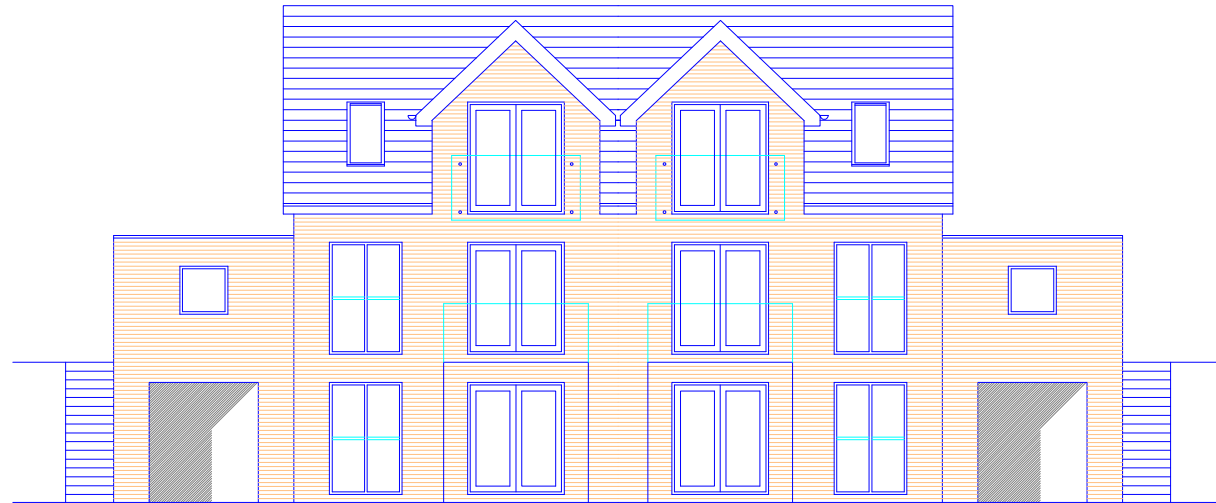
Proposed Side Elevation



Proposed Front Elevation



Proposed Side Elevation



Proposed Rear Elevation

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B Front bay reduced 19.10.2022
A Revised to three storey 02.07.2022

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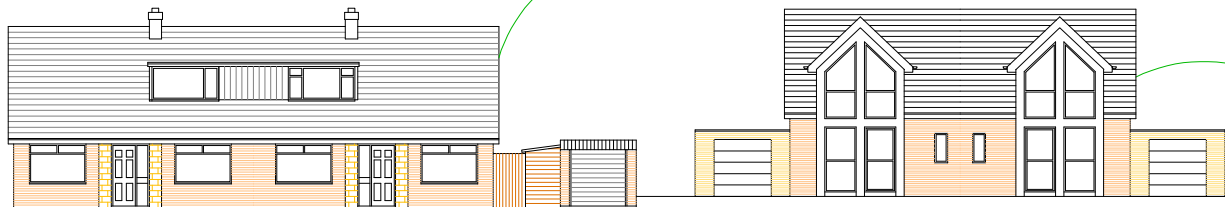
Land adjacent 51 Humber Drive
Bury BL9 6SJ scale 1:50 at A1
June 2022

SB1-06B Proposed Elevations

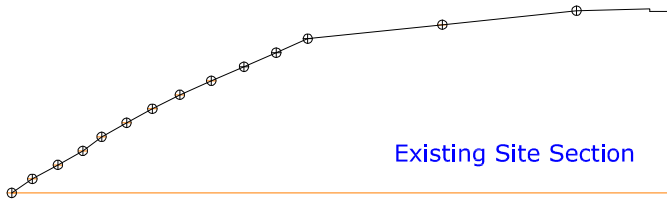
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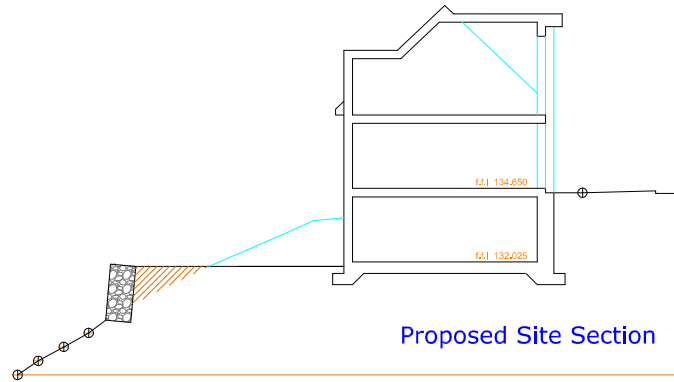
Existing Street Scene along Humber Drive



Proposed Street Scene along Humber Drive



Existing Site Section



Proposed Site Section

B Front bay reduced 19.10.2022
A Revised to 3 storey scheme 24.06.2022

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Land adjacent 51 Humber Drive
Bury
BL9 6SJ
scale 1:100 at A1
May 2022

SB1-07B Existing and Proposed
Street Scenes and
Site Sections

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