Ward: Prestwich - St Mary's Item 03

Applicant: Mr Brett Mitchell

Land adjacent to 11 Walter Street, Prestwich, Manchester, M25 3HJ

Proposal: Erection of 1 no. dwelling

Application Ref: 70083/Full **Target Date:** 20/11/2023

Recommendation: Approve with Conditions

Description

The site comprises an area of land, which is 10 metres by 23.5 metres and fronts onto Walter Street. The site was formerly occupied by a number of garages, which were accessed from both Walter Street and the back street at the rear of Harold Street. The garages have been cleared, but the area is still used for parking and the accesses remain on site.

The site is bounded by residential properties to all boundaries. Almost all are terraced properties with no off-road parking.

An application for 2 dwellings on this site was refused in June 2023.

The proposed development involves the erection of a dwelling on land adjacent to 11 Walter Street. The proposed dwelling would be two storeys in height with living accommodation in the roofspace. The proposed dwelling would be constructed from red brick with a slate roof and pedestrian access would be taken from Walter Street. A driveway would be provided at the side, which could accommodate 2 cars.

Relevant Planning History

41822 - Erection of 2 No. two storey semi-detached dwellings at land adjacent to 11 Walter Street, Prestwich. Withdrawn - 28 January 2004

42397 - Erection of 2 No. two storey semi-detached dwellings at land adjacent to 11 Walter Street, Prestwich. Refused - 25 May 2004

43547 - Erection of 1 detached property at land adjacent to 11 Walter Street, Prestwich. Approved with conditions - 13 April 2005

67247 - Erection of 1 dwelling on land adjacent to 11 Walter Street, Prestwich. Withdrawn - 24 November 2021.

69523 - Erection of 2 no. dwellings on land adjacent to 11 Walter Street, Prestwich. Refused - 29 June 2023.

Publicity

The neighbouring properties were notified by means of a letter on 26 September 2023 and site notices were posted on 11 October 2023.

1 letter has been received, which has raised the following issues:

- The streetscene isn't the correct. There are 3 semi-detached houses.
- The plans are not clear which way the house would face.
- There is Japanese Knotweed on the site and this is not mentioned in the report.

The neighbouring properties were notified of revised plans on 22 February 2024.

1 letter has been received, which has raised the following issues:

- The revised plan shows a bigger house which would bring it nearer to the rear of my property. There is no measurement on the plans to confirm that the proposed gable of the property would meet the minimum planning distance allowed from our back aspect.
- The previous plans obviously met this standard which we did approve.
- I only received the letter yesterday and not had enough time to consider the changes.
- Whilst it will be good to get rid of the wasteland, there is a serious on-road car parking problem here and cars are parked on corners, which will restrict emergency service
- Often the bins do not get emptied for the same reason the bin lorry can't get through.
- Also, that site is riddled with Japanese Knotweed of which there is no mention.
- Will bricks of the same size and colour as those already in use be used?
- All the properties nearby are old I have a concern about vibration, particularly if piling is to be used.
- United Utilities already have to regularly attend to the sewers here so won't adding another dwelling to the sewer just make things worse?
- At first glance, the off street parking has been removed. Parking is hideous at times and the lack of parking will add to this.

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 alterations, construction traffic management plan and bin storage.

Drainage Section - No response.

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

Environmental Health - Air Quality - No objections, subject to the inclusion of condition relating to electric vehicle chargers.

Waste Management - No response.

United Utilities - No objections.

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
H2/6	Garden and Backland Development
EN1/1	Visual Amenity
EN1/2	Townscape and Built Design
EN1/3	Landscaping Provision
EN1/4	Street Furniture
EN6	Conservation of the Natural Environment
EN6/3	Features of Ecological Value
EN7	Pollution Control
EN7/1	Atmospheric Pollution
EN7/2	Noise Pollution
EN7/5	Waste Water Management
HT2/4	Car Parking and New Development
HT4	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 (Residential) - 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 states that unless they have an adopted plan that is less than five years old that identified a five year supply of specific deliverable sites at the time of conclusion of the examination, then local planning authorities should identify and update annually a supply of specific developable sites to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing in certain circumstances set out in NPPF paragraph 226.

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 deliverable land 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 four or five year supply of deliverable housing land when assessed against the Local Housing Need calculated using the standard method set out in Government guidance. However, the joint Places for Everyone Plan is at a very advanced stage and is considered to have significant weight in decision making. Using the targets and sites in PfE the Council is able to demonstrate a 5 year supply.

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 development, 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.

In terms of housing delivery the Borough has underdelivered against the local housing need, and as a result the 'tilted 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 considered to be in a sustainable location for housing within the urban area and sitting outside the Green Belt. There is residential development to the east, west and south of the site and as such, the proposed development would not conflict with the surrounding land uses. There would be adequate infrastructure available and there would be access to services. The national requirement to significantly boost the supply of housing under the NPPF is a material consideration that would favour the residential development of this site in principle. Therefore, the proposed development would be in accordance with Policy H1/2 of the Bury Unitary Development Plan and the NPPF.

Places for Everyone - The Places for Everyone Joint Development Plan Document (PfE) is a joint plan covering nine of the ten Greater Manchester districts, including Bury, and is intended to provide the overarching framework to strategically manage growth across the boroughs.

PfE was submitted to the Government for examination in February 2022 and this marked the start of the independent examination into the plan, the final stage in the plan making process.

The Inspectors have now concluded their examination of the plan and have issued their findings and recommendations in their Inspectors' Report which was received on 14 February 2024. In that report the Inspectors conclude that all legal requirements have been met and that with the recommended main modifications set out in the Appendix of their report, the Places for Everyone Joint Development Plan Document satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

The next step is for all nine PfE Councils to consider the Inspectors' recommendations and adoption of the Plan. Currently it is anticipated that these Council meetings will be held between 28 February and 20 March 2024, with Bury Council due to consider this on 20 March.

If it is agreed by all nine Council's, Places for Everyone will become a key part of Bury's statutory development plan.

Given the advanced stage in the preparation of PfE, it is already considered reasonable that the Plan (as proposed to be modified) should be given significant weight in the decision-making process in line with paragraph 48 of the National Planning Policy Framework and full weight will be given to the policies once the Plan is adopted.

PfE policies are therefore relevant to the consideration of this planning application. In particular, the following policies are relevant to this proposal:

Policy JP-H1 - Sets a requirement for an average of 452 homes per year over the plan period, with stepped targets starting from a minimum housing target of 246 homes per year from 2022-2025 (increasing in future years of the plan). This development will make a small contributing towards meeting that target.

Policy JP-H2 - Seeks to significantly increase the supply of new housing.

Policy JP-H3 - Seeks to provide an appropriate mix of dwelling types and sizes.

Policy JP-H4 - Requires new housing development to be delivered at a density appropriate to the location, reflecting the relative accessibility of the site by walking, cycling and public transport and the need to achieve efficient use of land and high quality design. Policy JP-H4 sets out minimum densities that should be considered, with this site falling in an area where a minimum net residential density of 50 dwellings per hectare is applicable because the site is within 800 metres of Prestwich metrolink stop. The total site area is approximately 0.02 hectares, so 1 home would equate to 50 dwellings per hectare and the density is considered acceptable.

Design and layout - The proposed development would provide a dwelling and the proposed dwelling would be two storeys in height with rooms in the roofspace. The proposed dwelling would be constructed from red brick and slate, which would match the surrounding properties. The eaves and ridge height of the proposed dwelling would match the eaves and ridge height of the adjacent property. The proposed windows would have a vertical emphasis and the use of brick banding and cills would add visual interest to the elevations. As such, the proposed dwelling would be appropriate in terms of height, bulk and massing and would not be a prominent feature in the streetscene. Therefore, the proposed development would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Impact upon surrounding area - The proposed dwelling would have a rear garden, which would provide a suitable level of amenity space. There would be space within the rear garden for bin storage and cycle storage. A brick wall would be provided to the front of the proposed dwelling, which would match the existing brick wall along the frontage of the existing dwelling. A timber fence would be provided to all other boundaries, which would match the existing fencing. 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 - SPD6 provides guidance on aspect standards between residential properties and would be relevant in this case. The aspect standards are based on a two storey building and for each additional storey in height a further 3 metres should be added onto the aspect standard.

There would be 13 metres from the rear elevation of No. 39 Harold Street to the gable of the proposed dwelling, which would comply with the aspect standard of 13 metres.

There would be between 9.2 and 9.7 metres from the rear of the proposed dwellings to the boundary of the garden, which would be in excess of the aspect standard of 7 metres.

There would be 28.5 metres between the proposed dwellings and the properties on Clifton Road, which would be in excess of the 20 metre aspect standard.

The proposed dwelling would extend 3.5 metres beyond the rear elevation of No. 121 Walter Street but would not impact upon the 45 degree line when drawn from the habitable room window.

Therefore, the proposed development would have an adverse impact upon the amenity of the occupiers of No. 39 Harold Street and would conflict with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

Highways issues - The proposed development would be located on the site of a former garage colony and is used for parking by 1-2 cars. Whilst the proposed development would remove this area for parking, there would be capacity within the surrounding streets for the 1-2 cars, which currently use it. As such, the increase in on-street parking would be outweighed by the requirement to make effective use of land for development and the tilted balance for housing.

The proposed dwelling would not impact upon visibility at the junction of Walter Street and the back street at the rear of Harold Street. Parking would be provided at the rear of the site and there would be acceptable levels of visibility with the back street.

The Traffic Section has no objections, subject to the inclusion of conditions relating to access alterations, construction traffic management plan and bin storage. Therefore, the proposed development would not be detrimental to highway safety and would be in accordance with Policies EN1/2, H2/1 and H2/2 of the Bury Unitary Development Plan.

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

The proposed development would provide 2 parking spaces, which would be located at the rear of the site. In addition, there would be the ability to park on street at Walter Street. As such, the level of parking would be acceptable in this instance.

Therefore, the proposed development would not provide sufficient car parking and would conflict with Policy HT2/4 of the Bury Unitary Development Plan and SPD 11.

Response to objectors

- The issues of residential amenity, parking and highways issues have been addressed in the report above.
- The letters were issued on 22 February to Royal Mail. The Council cannot control how quickly the post is delivered.

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.
 - <u>Reason</u>. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2. This decision relates to drawings numbered 2302-1002, 2302-1001 D, 2302-101 H, 2302-102 G, 2302-201 F, 2302-202 C, 2302-203 D, 2302-204 C and the development shall not be carried out except in accordance with the drawings hereby approved.
 - <u>Reason.</u> 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.
 - <u>Reason</u>. 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.

<u>Reason</u>. 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.

<u>Reason</u>. 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. The landscaping scheme hereby approved shall be implemented to the written satisfaction of the Local Planning Authority not later than 12 months from the date the building(s) is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size and 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 EN8/2 Woodland and Tree Planting of the Bury Unitary Development Plan.
- 8. Notwithstanding the details indicated on approved plan reference 2302-1001 Revision D, no development shall commence unless and until full details of the following have been submitted on a topographical based survey of the site and adjacent adopted highways to the Local Planning Authority:
 - Reconstruction of the footways abutting the site to a scope and specification to be agreed, incorporating the reinstatement of the redundant footway crossing onto Walter Street and former garage colony concrete accesses onto the adjacent adopted back street to adjacent footway levels, provision of new

edgings or other agreed measures to demarcate the limits of the adopted highway, provision of a footway crossing to serve the proposed rear parking arrangements/hardstanding and all associated highway remedial works that may be required as a direct result of the proposed development and any statutory undertakers connections to the new dwelling;

- Formation of the proposed rear parking arrangements/hardstanding, incorporating adequate levels of visibility at the back edge of the footway, porous/permeable materials and/or measures to prevent the discharge of surface water onto the adopted highway, parking facilities sufficient to accommodate two vehicles clear of the proposed gate arrangements and gates that do not open out onto the adjacent adopted highway;
- All boundary treatments abutting the adopted highway including the 'slatted timber fence' on the easterly site boundary shown, incorporating foundations that do not encroach under the adopted highway, confirmation of heights taking into consideration the need to retain adequate levels of visibility at the junction of Walter Street with the un-named adopted back street and provision of new edgings to demarcate the limits of the adopted highway/retain the adjacent soft and hard landscaping at all relevant locations.

The details subsequently approved shall be implemented to the satisfaction of the Local Planning Authority prior to the dwelling hereby approved being occupied. Reason. To secure the satisfactory development of the site in terms of highway safety, ensure good highway design, ensure the intervisibility of the users of the site and the adjacent highways, ensure adequate off-street car parking and to allow adequate space to maintain a vehicle clear of the highway and maintain the integrity of the adopted highway, all in the interests of highway safety 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

- 9. 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, works to the existing site accesses and
 boundaries and as a result of statutory undertakers connections to the new
 dwelling;
 - Access route for all construction vehicles to the site from the Key Route Network:
 - Access point/arrangements for construction traffic, taking into consideration the need to maintain safe pedestrian/vehicular access on the adjacent adopted highways and all temporary works required to facilitate access for construction vehicles;
 - If proposed, details of site hoarding/gate positions, taking into consideration the need to maintain vehicular access to the adjacent residential properties;
 - The provision, where necessary, of temporary pedestrian facilities/protection measures on the highway;
 - A scheme of appropriate warning/construction traffic speed signage in the vicinity of the site and its access;
 - Confirmation of hours of operation and delivery & construction vehicle sizes that can be accommodated on the residential streets that form the access to the site and number of vehicle movements;
 - Arrangements for the turning and manoeuvring of vehicles within the curtilage of the site and/or measures to control/manage delivery vehicle manoeuvres;
 - Parking on site or on land within 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 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.

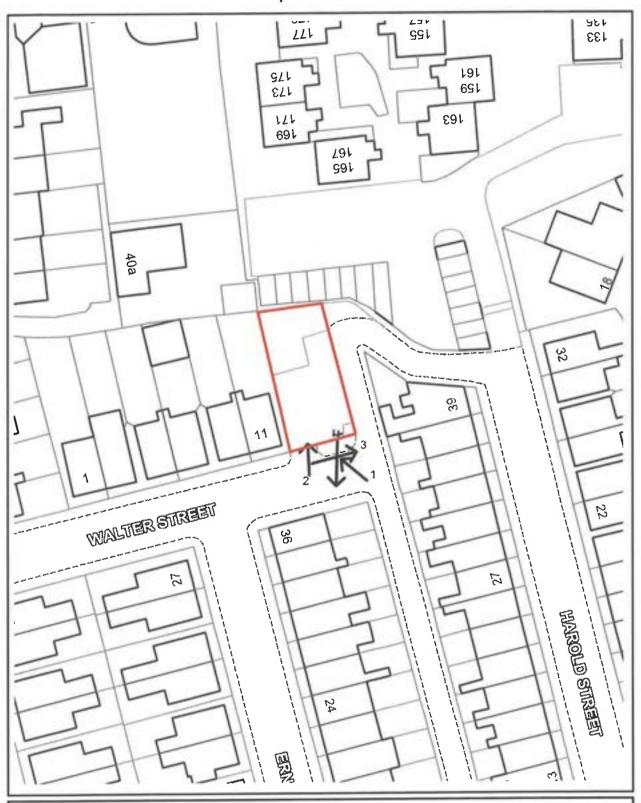
The approved plan shall be adhered to throughout the demolition/construction period and the measures shall be retained and facilities used for the intended purpose for the duration of the demolition and construction periods. The areas identified shall not be used for any other purposes other than the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

10. Bin storage arrangements shall be provided within the curtilage of the dwelling in accordance with Waste Management's 'Guide to Refuse Collection Requirements & Storage Methods for New Developments'.
Reason. To ensure that adequate bin storage arrangements are provided within the curtilage of each dwelling pursuant to Policies EN1/2 - Townscape and Built Design 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 70083

ADDRESS: Land adj 11 Walter Street,





Planning, Environmental and Regulatory Services

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70083

Photo 1



Photo 2



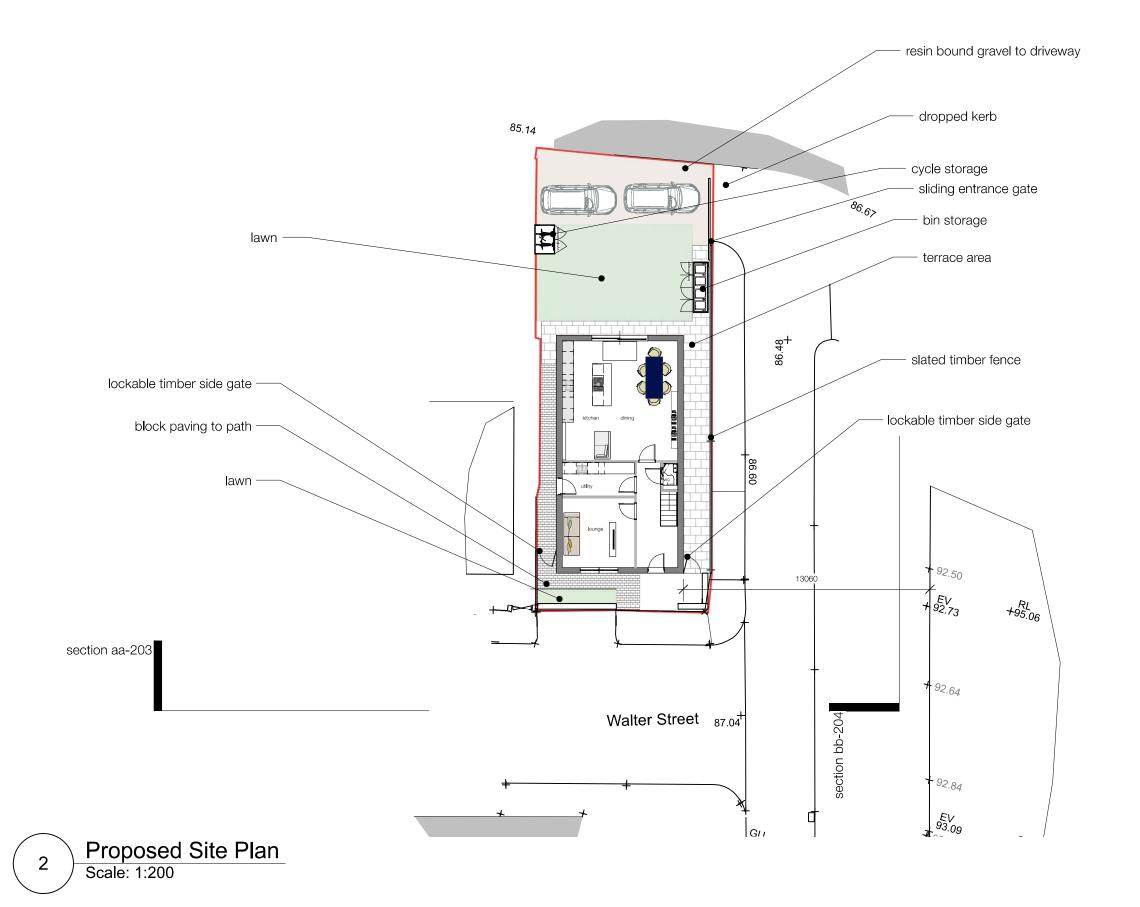
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Photo 3



Photo 4





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Do Not Scale

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Walter Street

Proposed Site Plan

dwg 2302-1001 rev D scale 1:200 @ A3

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date 05/02/2023 drawn MM checked MM

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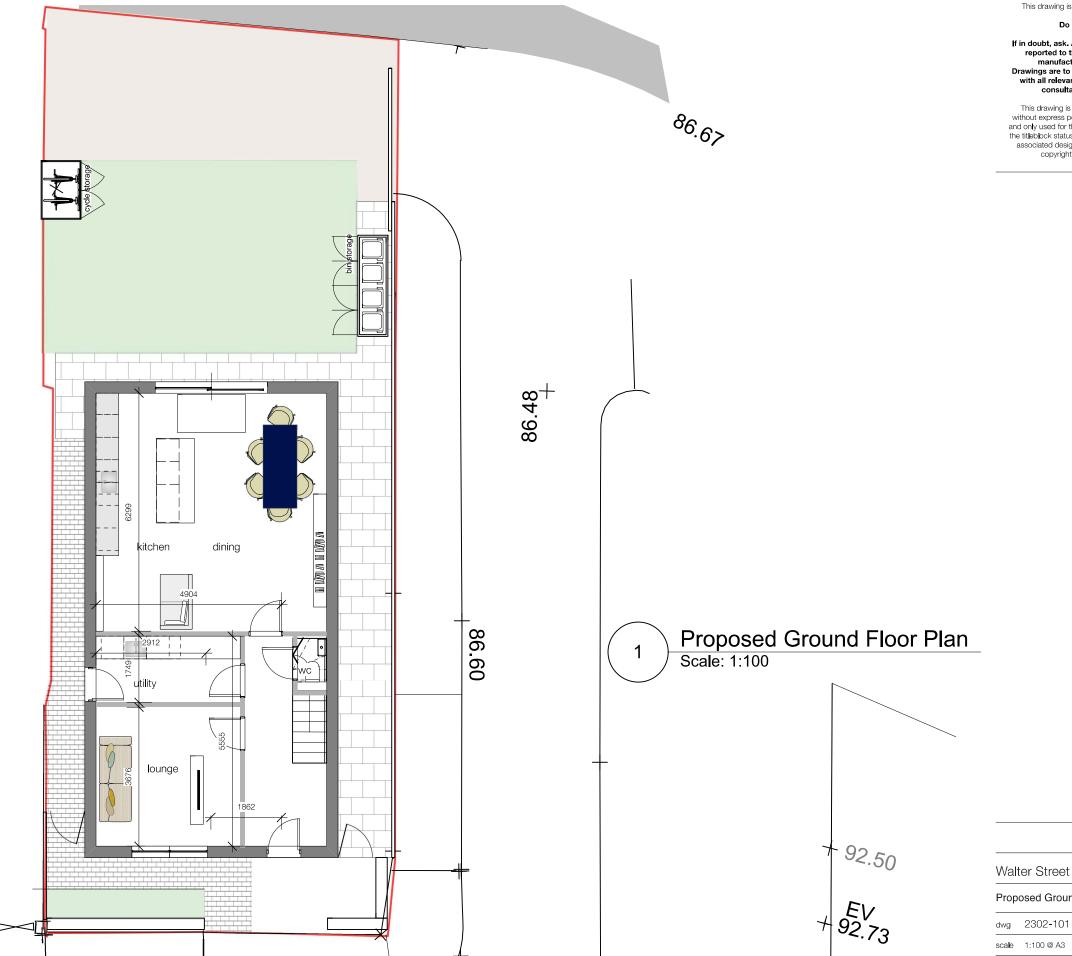
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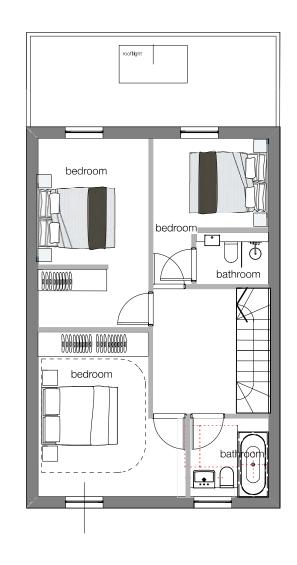
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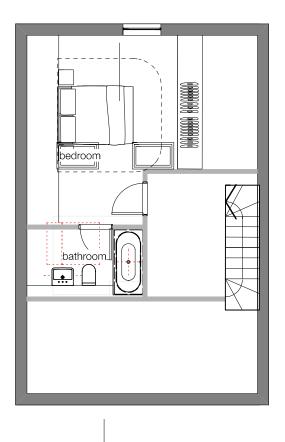
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Proposed Second Floor Plan
Scale: 1:100

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Walter Street

Proposed First and Second Floor

rev G dwg 2032-102

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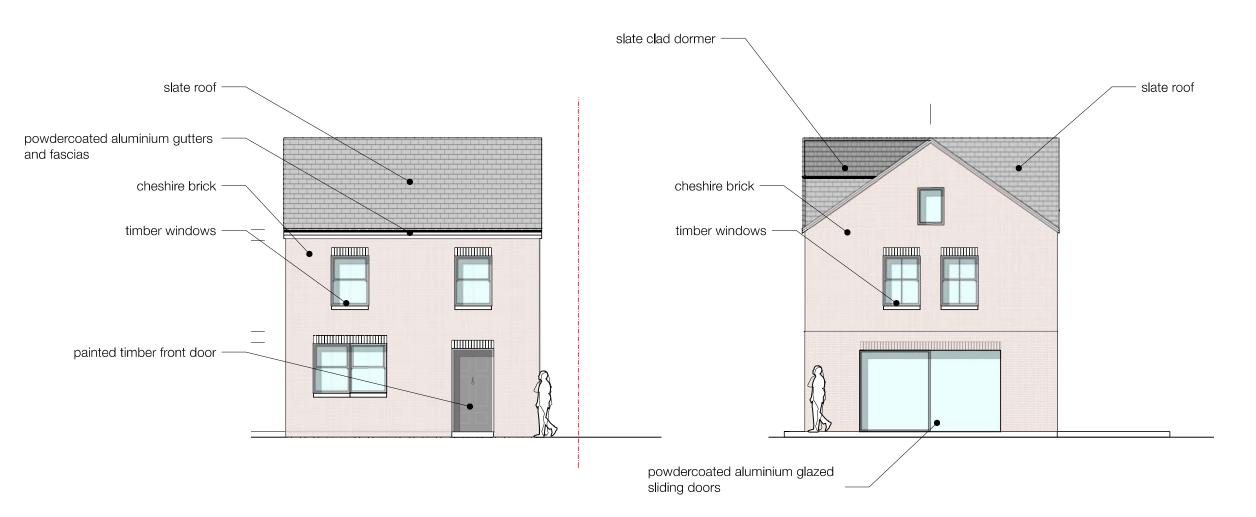
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Proposed Front Elevation
Scale: 1:100

Proposed Rear Elevation
Scale: 1:100

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Walter Street

Proposed Elevations

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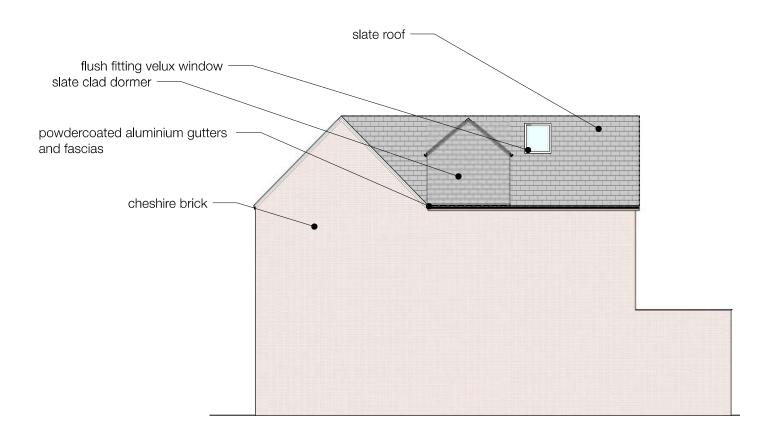
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opaque glass to aluminium door

Proposed Side Elevation
Scale: 1:100

Proposed Side Elevation
Scale: 1:100

Walter Street

Proposed Elevations

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Proposed Streetscene AA
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Walter Street

Streetscene Elevations-AA

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Streetscene Elevations-BB

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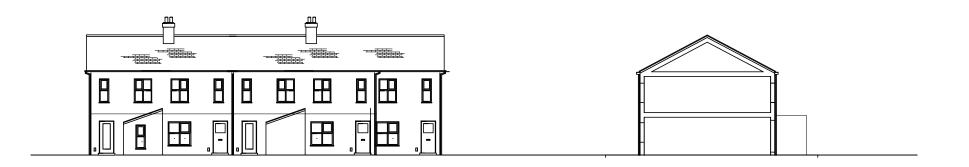
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1 Existing Streetscene-BB
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