

Planning Applications Report

**Planning Committee
23rd July 2020**

**Bolton
Council**

Bolton Council has approved a Guide to Good Practice for Members and Officers Involved in the Planning Process. Appendix 1 of the Guide sets down guidance on what should be included in Officer Reports to Committee on planning applications. This Report is written in accordance with that guidance. Copies of the Guide to Good Practice are available at www.bolton.gov.uk

Bolton Council also has a Statement of Community Involvement. As part of this statement, neighbour notification letters will have been sent to all owners and occupiers whose premises adjoin the site of these applications. In residential areas, or in areas where there are dwellings in the vicinity of these sites, letters will also have been sent to all owners and occupiers of residential land or premises, which directly overlook a proposed development. Copies of the Statement of Community Involvement are available at www.bolton.gov.uk

The plans in the report are for location only and are not to scale. The application site will generally be in the centre of the plan edged with a bold line.

The following abbreviations are used within this report: -

CS	The adopted Core Strategy 2011
AP	The adopted Allocations Plan 2014
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
PCPN	A Bolton Council Planning Control Policy Note
PPG	Department of Communities and Local Government Planning Policy Guidance Note
MPG	Department of Communities and Local Government Minerals Planning Guidance Note
SPG	Bolton Council Supplementary Planning Guidance
SPD	Bolton Council Supplementary Planning Document
PPS	Department of Communities and Local Government Planning Policy Statement
TPO	Tree Preservation Order
EA	Environment Agency
SBI	Site of Biological Importance
SSSI	Site of Special Scientific Interest
GMEU	The Greater Manchester Ecology Unit

The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number 03818/18



**Directorate of Place
Development Management Section**

Town Hall, Bolton, Lancashire, BL1 1RU
Telephone (01204) 333 333



Date of Meeting: 23/07/2020

Application Reference: 03818/18

Type of Application: Full Planning Application

Registration Date: 06/07/2018

Decision Due By: 04/10/2018

Responsible Officer: Jodie Turton

Location: LAND AT MINERVA ROAD, FARNWORTH, BOLTON

Proposal: ERECTION OF 3No FOUR STOREY BUILDINGS COMPRISING 12 x 2-BEDROOM APARTMENTS AND 18No 5-BED SHARED MULTIPLE OCCUPANCY UNITS, TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

Ward: Harper Green

Applicant: Dorbcrest Homes Limited

Agent : Sedgwick Associates

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- * The application is before Committee as it is a major application with more than 6 objections (51 objections have been received).
- * Cllr. Haworth has also requested that the application be heard before Committee.
- * The proposal has been amended during the application process, increasing the number of apartments from 10 to 12 and reducing the number of shared multiple occupancy units from 20 to 18 (a reduction in the number of bedrooms from 100 to 90). The design of the buildings has also been amended, and the layout of the site has been altered to improve interface distances, provide residents amenity space and to reduce the number of car parking spaces (car parking provision still exceeds the Council's maximum standard).
- * The application site is allocated for housing in Bolton's Allocations Plan (site ref. 61SC), therefore the principle of residential development has already been established (see paras. 13-21).
- * The applicant has stated that the target market for the proposed residential units are professionals, medical staff working at the neighbouring hospital or students attending the college (see para. 57).
- * Officer's consider that the design and scale of the apartment blocks are acceptable given the location of the site between the hospital to the west and residential properties to the east (see paras. 22-27).

- * Whilst the Council's recommended minimum interface distances are exceeded between Blocks 2 and 3 and existing neighbouring properties, there is a minor shortfall between the side of Block 1 and the rear of the dwellings at 38 and 40 Kingsland Road. There is also a shortfall in recommended interface distance between the rear of Block 1 and the side of Block 2, however only a section of Block 1 would be affected. On balance, officers consider that the proposed layout is acceptable and would not unduly harm the amenity of residents (see paras. 31-33).
- * The submitted Transport Statement confirms that the impact of the development within the peak periods falls below the 30 two-way trips threshold for additional assessments on surrounding junctions. Although it is acknowledged that the highway network in this location is congested, based on the submitted Transport Statement and the previous approval for 69 dwellings on the site (95600/16) the Council's Highways Engineers raise no objection to the proposal (see para. 40).
- * The proposed number of parking spaces within the development exceeds the Council's maximum parking standards, and cycle parking is also proposed (see paras. 41-42).
- * It has previously been accepted by the LPA that residential development on the site would not be viable if officers sought greater levels of CO2 reductions than required under Building Regulations (Core Strategy Policy CG2.2b). Officers therefore again consider non-compliance with Policy CG2.2b to be acceptable in this instance (see paras. 47-50).
- * A landscaping scheme is recommended via a planning condition to mitigate for the previous loss of trees on the site (see paras. 51-54).
- * As the 18 shared occupancy units are not classed as dwellings, the Council's policy requiring planning contributions cannot be applied (see para. 59).
- * It is considered that the proposed development complies with policy and the benefits of the proposed housing provision are considered to outweigh any harm identified. Members are therefore recommended to approve this application.

Proposal

1. The application proposes a residential development comprising three 4-storey blocks, comprising of 12 x 2-bedroom apartments and 18 x 5-bedroom shared multiple occupancy units.
2. The development will be served by 98 car parking spaces, bin stores and an area of shared external amenity space.
3. The blocks have been designed so that Block 1 faces onto Minerva Road, although set back into the site, Blocks 2 and 3 are perpendicular to Minerva Road with front elevations facing west towards the Royal Bolton Hospital site and rear elevations facing east towards the rear of properties on Kingsland Road.
4. The development will be accessed via Minerva Road, close to the vehicular access to Bolton Hospital. A gated access is proposed.
5. The application is before Committee for decision as it is a major application with more than 6 representations and in addition, Cllr Haworth has requested that the application is decided by the Planning Committee.
6. Members should note that amended plans have been received during the application process and the application description has been amended from:

ERECTION OF 3No FOUR STOREY BUILDINGS COMPRISING 8 APARTMENTS AND 100 SHARED RESIDENTIAL UNITS TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

To:

ERECTION OF 3No FOUR STOREY BUILDINGS COMPRISING 12 2-BED APARTMENTS AND 18No 5-BED SHARED MULTIPLE OCCUPANCY UNITS, TOGETHER WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.

7. The number of apartments has been increased from 10 to 12 and the number of shared multiple occupancy units has been reduced, providing 90 bedrooms across 18 x 5-bed shared units. The design of the buildings has also been amended and the layout of the site altered to take into consideration interface distances, provide residents amenity space and reduce the number of car parking spaces.

Site Characteristics

8. The site is currently vacant and has been for some time. Directly to the west of the site is Bolton Hospital and a footpath runs along the outer edge of the site. A band of trees, which sits within the Bolton Hospital site separates the two sites and beyond this are surface level car parks before reaching the hospital buildings.
9. To the east of the site are residential properties on Kingsland Road. The site itself bridges the different built landscapes of the hospital site and the more suburban residential environment of Kingsland Road to the east and Colchester Road to the south.
10. The site slopes downwards from West to East, from the hospital site to the rear of gardens on Kingsland Road. The properties on Kingsland Road are approximately one storey lower than the application site.
11. There was previously a mature band of trees along this boundary, however these were cleared previously and the boundary remains largely open with some naturally regenerated vegetation.

Policy

Development Plan Policies

Core Strategy policies: SC1 Housing; CG1 Biodiversity and Flood risk; CG2 Sustainable Construction; CG3 Built Environment; CG4 Compatible Uses; RA2 Farnworth; S1 Safe Bolton; P5 Accessibility, IPC1 Infrastructure Contribution.

Other Material Considerations

Supplementary Planning Documents:

General Design Principles

Accessibility, Transport and Safety

National Planning Policy Framework (NPPF)

Planning Practice Guidance

Draft Greater Manchester Spatial Framework (2019)

Analysis

12. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to

decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.

The main impacts of the proposal are:-

- * principle of development
- * impact on the character and appearance of the area
- * impact on residential amenity
- * impact on the highway
- * impact on land contamination and stability
- * impact on sustainable design and construction
- * impact on trees and biodiversity
- * impact on public right of way
- * other matters

Principle of Development

13. Paragraph 4.50 of Bolton's Core Strategy (CS) recognises that the CS is a key determinant in quantity, location, quality, type and tenure of new housing. Policy SC1.2 of the CS encourages housing developments to utilise previously developed land. Policy SC1.3 details the Council's requirement in terms of affordable housing provision for development of 15 or more dwellings. Policy SC1.5 seeks to ensure that new housing has a density of at least 30 dwellings per hectare and achieve higher densities where possible taking into account local character. The most recent Annual Monitoring Report for Bolton (2017-2018), utilising the Standard Housing Methodology (as required by the 2018 National Planning Policy Framework) and including a 20% buffer for under delivery (applied when delivery over the last three years has been below 85% of target), identifies a housing need calculation of 791 dwellings per annum.
14. The revised draft of the Greater Manchester Spatial Framework was published in January 2019. The status of the draft GMSF is as follows: *"The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016. A revised consultation draft was published in January 2019 and a further period of consultation is currently taking place. The weight to be given to the GMSF as a material consideration will normally be limited given that it is currently at an early stage of the adoption process."*
15. The site falls within the Harper Green Ward, however for the purposes of the Core Strategy and Allocations Plan falls within the RA2 Farnworth policy area. RA2.9 seeks to develop new housing throughout the area on a combination of brownfield sites and on a limited number of greenfield sites in existing housing areas.
16. The site is allocated for housing in the Bolton Allocations Plan, site 61SC. The principle of residential development is therefore already established at this site.
17. The proposal for residential units on the site complies with policy SC1 in that it will contribute to the housing land supply in the Borough. Where Councils cannot demonstrate a 5-year supply of deliverable housing sites, paragraph 11(d) of the NPPF is engaged (along with footnote 7) which requires consideration as to whether the most important policies relating to the determination of the application are out-of-date.
18. The most up-to-date published information on the Council's housing supply is contained within

Bolton's Authority Monitoring Report (AMR) 2017/2018 (the position at 1st April 2018). This showed a deliverable supply of 3.7 years for the period 2018-23. The Council's latest, but unpublished, figure is considered to be 4.5 years (though this has not been tested at appeal).

19. A material consideration of this application is therefore that the Council cannot demonstrate a 5-year supply of deliverable housing sites.
20. The delivery of a residential scheme on this site will contribute, albeit in a minor way, to the local authority's requirement to deliver a 5-year supply of housing.
21. The provision of 30 residential units is a benefit of the proposed development which should be given weight in the consideration of the application proposal. The following report will therefore consider the impact of the development proposal with regard to the 'tilted balance' and whether any harm identified outweighs the benefit of housing provision.

Impact on the Design and Character of the Area

22. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
23. Area policy RA2.15 seeks to ensure that development conserves and enhances the distinctive character of the existing physical and natural environment. RA2.16 seeks to ensure development respects and strengthens the traditional grid-iron pattern and the street-scaping.
24. The application proposes three large format 4-storey apartment blocks. The site bridges the residential environment to the east which is characterised by traditional 2-storey semi-detached properties and the hospital site to the west which is characterised by large format hospital buildings. In addition, planning permission has recently been granted for a contemporary 5-storey building directly to the west of the site to accommodate Bolton College of Medical Science. The application site therefore forms an important link between these two quite different built environments. In order to respect the value of this site, amendments have been made to the design of the buildings to ensure that they are well designed and will contribute to the positive development of the Minerva Road built environment.
25. Design input has resulted in positive modifications to the external elevations of the buildings, which has resulted in a much higher quality scheme, which will serve to link the residential nature of the eastern environment with the hospital site to the west.
26. Some landscaping is proposed along the Minerva Road boundary, as well as a wall of brick and railings. Wooden fencing is proposed along the boundary with the residential properties on Kingsland Road. A weldmesh style fence is proposed along the boundary with the hospital site.
27. Overall, the proposal is considered to comply with policy CG3 of the Core Strategy as well as the guidance contained in SPD General Design Principles.

Impact on Residential Amenity

28. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security and does not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.

29. Policy S1 of the Core Strategy seeks to ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy RA2.17 seeks to ensure that development, "make[s] efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach."

30. SPD General Design Principles sets out the Council's minimum interface standards between dwellings and amenity space standards.

Interface Distances:

31. The layout of the proposed development has largely been designed to respect interface distance guidance. A distance of approximately 21 metres will be achieved between the side of Block 1 and the rear of the residential dwellings at 38 and 40 Kingsland Road. The facing elevation of Block 1 will not contain any principal room windows and therefore guidance, taking into consideration the height of the apartment block and the levels difference, would require a distance of 22.5 metres, there is therefore a minor shortfall.

32. Blocks 2 and 3 both have principal elevations facing the rear of dwellings on Kingsland Road, distances of 34 metres (block 2) and 40 metres (block 3) have been achieved, which exceeds the interface distance guidance and takes into consideration the levels difference here, the required distance of 30 metres is therefore exceeded. To the south, an interface distance of approximately 26 metres is achieved between the side of the apartment block and the rear of properties on Colchester Drive, which is in excess of the recommended SPD guidance.

33. Within the site, there is a shortfall in interface distances between the rear of Block 1, which contains principal room windows and the side elevation of Block 2, however only a section of Block 1 will be affected and given that future residents will be aware of the site layout prior to residing here, this is on balance, considered to be acceptable.

Amenity Space:

34. The site layout plans have been amended to incorporate an area of shared amenity space for residents at the south of the site. The amenity space measures approximately 682 sq m, which exceeds the SPD guidance of 18 sq m per apartment.

Bin Stores:

35. Three brick built bin stores are proposed, to be located close to the block they will serve. They have each been designed to accommodate 5 large (1,100 litre) bins, the Council's Waste and Recycling Team have confirmed that the provision for bins and bin stores are suitable for the number of residential units proposed.

Crime and Fear of Crime:

36. An updated Crime Impact Assessment has been submitted addressing the development proposal and the site specific safety and security. The report reiterates that the site will be secured by strong boundary treatment – a low wall with railings to Minerva Road which will provide security yet visibility through, the site will be gated for security purposes. To the eastern and southern boundary will be a 2m high wooden fence which, and to the western boundary with the footpath and hospital beyond, will be a weldmesh fence to prevent unauthorised access into the site. The development has been designed to provide natural surveillance within the site. The bin store and bike stores are dislocated from the apartment buildings and the Officer's have requested that these are relocated closer to the blocks to provide better safety and security as well as accessibility. External lighting is proposed to the buildings and car parks for the safety and

security of future residents. The proposal is considered to comply with policy S1 of the Core Strategy and an informative will be added to advise that the development should be constructed in line with Secure by Design principles.

37. Overall, the proposal is considered to comply with Bolton's Core Strategy policy CG4 and SPD 'General Design Principles'.

Impact on the Highway

38. Policy P5 of the Core Strategy states that the Council will ensure that development takes into account [amongst other things] accessibility by different types of transport, prioritising pedestrian, cyclists, public transport users over the motorised vehicles users, servicing arrangements and parking. Policy S1.2 seeks to promote road safety in the design of new development. Appendix 3 of the Core Strategy sets out the Council's maximum parking standards.
39. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
40. The proposed development will be accessed from the existing access off Minerva Road. The plans show that the access road into the site will be gated and will remain a private road. Highway Engineers upon first assessment of the submitted scheme requested a Transport Statement to assess the impact of the development on the highway network, which is known to be congested in the local area. The submitted TS confirmed that the impact within the peak periods falls below the 30 two-way trips threshold for additional assessments of the surrounding junctions. Although it is acknowledged that this part of the highway network is congested, based on the submitted transport work and the previous committed development numbers on the site (the site has previous approval for 69 dwellings – 95600/16), Highway Engineers raise no objection to the proposed development on the basis of the submitted information.
41. 98 parking spaces are proposed, which exceeds the Council's maximum parking standard, which would require 78 spaces for the number of units proposed, however given the nature of the units proposed and parking congestion in the wider area, a further 20 parking spaces are proposed for visitor/overspill parking. The parking provision also includes provision for disabled parking spaces.
42. Cycle parking is to be provided for each block as a separate room within the same building as the bin stores. Provision is to be made for 10 cycle spaces per residential block.
43. The proposal is considered to comply with Bolton's Core Strategy policies S1 and P5.

Impact on Land Stability and Contamination

44. Policy CG4.3 states that development proposals on land that is (or is suspected to be) affected by contamination or ground instability must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or is made, suitable for the proposed use.
45. A Preliminary Risk Assessment has been submitted with the application and assessed by the Council's pollution control officers. They are satisfied with the submitted information and recommend a condition requiring further site investigations.
46. A coal report for the site has been assessed by The Coal Authority, as there is thought to be a coal mining legacy on the site, a condition is required for further intrusive site investigations to be

undertaken prior to the commencement of development. The proposed site layout has been designed to ensure that the proposed buildings avoid the mine shaft and more sensitive areas of the site.

Impact on Sustainable Design and Construction

47. Policy CG2 of the Core Strategy makes the requirement for developments to incorporate sustainable design and construction methods into the built form of the buildings.
48. Policy CG2.2(b) requires new developments of 5 or more residential units to incorporate appropriate decentralised, renewable or low carbon energy sources to reduce CO2 emissions of predicted regulated and unregulated energy use by at least 10% below the Building Regulations part L. Developers often prefer to take a more flexible approach to achieve the required 10% reduction through the use of a fabric first approach such as higher levels of insulation. The Applicant has provided a Sustainability Statement with the application submission, in which they have confirmed that they will meet Building Regulations requirements, however they are not willing to go beyond this to achieve greater levels of CO2 reductions due to the viability of the site. They indicate that the two previous approvals for residential schemes on the site stalled, *"for viability reasons relating to very difficult ground conditions, including constraints arising from historic coal mining and ground remediation and the presence of a main sewer through the site"*. They state that, *"accordingly it is not considered practical for a higher standard of energy efficiency to be incorporated in the development than required by building regulations"*. Members accepted on the previous approval at the site (95600/16) that policy CG2.2(b) would not be achieved.
49. Policy CG2.2(c) requires new developments of 5 or more residential units to demonstrate the sustainable management of surface water run-off from developments. A Floodrisk and Drainage Assessment has been submitted with the application proposal. The Council's Floodrisk team have been consulted and are satisfied with the details provided other than some issues regarding long term maintenance, which will be secured by condition.
50. The proposal is considered to meet the requirements of Core Strategy policy CG2.2(c) however does not meet the requirements of policy CG2.2(b), however this is due to the viability of the site and was accepted by Members in consideration of the previous planning approval (95600/16).

Impact on Trees and Biodiversity

51. Core Strategy policy CG1.2 seeks to, "safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees ... from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats."
52. The application site was cleared previously to commence works on a previously approved residential scheme which has not been taken forward. Since the site clearance the land has naturally regenerated with trees of low amenity which will be removed to develop the current development proposal. There is a belt of off-site trees to the western boundary of the site and conditions will be required to ensure the trees protection during the construction process.
53. Due to the loss of trees on the site agreed via previous planning approvals, trees which were considered to be of high amenity value, a landscape plan is required which will include replacement tree planting to mitigate for the loss of some of these trees. The Applicant has worked with Officers to increase the amenity space and landscape areas on the site and have agreed amendments to the layout to secure additional tree planting to mitigate against the loss of trees on the site in the past. A condition for a landscape plan is recommended.

54. Other conditions are recommended to ensure the retention and mitigation against the loss of habitat such as fencing suitable for wildlife, bat and bird boxes.

Impact on Public Right of Way

55. Policy P8AP of the Allocations Plan states that, *"The council and its partners will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained"*.
56. The line of Public Right of Way Farnworth 017 runs directly to the west of the application site. The footpath is shown on the submitted plans and will not be impacted upon by the development proposal.

Other Matters

Target Market:

57. The application is supported by a statement detailing the target market for the proposed residential units. The site is directly adjacent to the hospital and the forthcoming Bolton College of Medical Science. It is intended that the future residents will therefore be professionals, medical staff working at the hospital or students attending the college. The units have been designed to be convenient for and accommodate staff and students working shifts and irregular hours. The proximity of the development to the hospital and new teaching block will allow ease of access without dependence on public transport at unsocial hours or the use of a car.
58. A letter on behalf of the University of Bolton has been provided, which details the Universities support of the development proposal, stating that, *"On behalf of the University of Bolton, I would like to express our support for Dobrest Homes' development in Farnworth adjacent to the Royal Bolton Hospital. Farnworth, and in particular the hospital site, is to become the home of the University's collaborative project with Bolton College and the Royal Bolton Hospital NHS Foundation Trust to construct a medical training facility which is due to open in September 2021."*
59. The Agent has confirmed that this is the market that the development is being built for, it is development that does not rely on any public funds and is directed at people who are employed on the hospital and campus sites, with finished and onsite provision that will be expected by that market.

Delivery Statement:

60. The submitted Delivery Statement confirms that the Applicant is keen to start on site once planning permission is granted. The site is to be developed by the Applicant and will not therefore be delayed by sourcing a separate construction firm to build out the project. Once pre-commencement planning conditions are discharged, work on site will commence, starting with the southerly building (Block 3). It is anticipated that completion of the project will take approximately 18 months to 2 years.

Infrastructure Contribution:

61. Policy IPC1 of the Core Strategy states that the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. In doing so, the Council will ensure that a scheme is made acceptable in planning terms and achieves the objectives of sustainable development. In determining planning applications the Council will apply a threshold of 15 dwellings in assessing whether planning contributions will be required from proposed housing developments.

62. Policy IPC1 continues that for new residential development specific contributions will be sought for:
- 63. Affordable housing
 - Open space provision and maintenance
 - Health and well-being
 - Education
 - Community facilities
 - SPD "Affordable Housing" (adopted February 2013) provides further detail to the policies in the Core Strategy that concern affordable housing.
64. SPD "Infrastructure and Planning Contributions" (adopted July 2016) provides further detail on policies in the Core Strategy that concern planning contributions. The SPD contains information on when planning obligations may be needed, the type and scale of contributions, the circumstances when financial rather than direct provision will be required, how financial contributions will be calculated, and the form and timing of legal agreements. In addition, chapter 5 of the SPD covers viability, recognising that the need for the Council to take viability into account when considering planning contributions. Specifically, policy IPC1 of the Core Strategy requires, "that the council applies flexibility in its application through consideration of the requirements for planning obligations with an assessment of scheme viability." The SPD acknowledges that, "it may be appropriate for the council and developers to negotiate a lower contribution if marginal financial viability would mean that development would not go ahead if the full planning contribution were charged."
65. The development proposes 12 x 2-bedroom apartments and 18 x 5-bed shared occupancy units. Advice has been sought from the Council's legal team on what constitutes a "dwelling" and from the SPD guidance in terms of whether the infrastructure contribution policy is applicable to the development proposal. A "dwelling" includes a house, flat or maisonette. The SPD refers to "new residential development" and "new housing". In view of this, a pragmatic approach has been taken to assessing the likely impact of the proposed development on local infrastructure. The 12 x 2-bedroom apartments may impact upon local infrastructure in its entirety, however these fall below the 15 unit threshold. The shared occupancy units will not impact upon affordable housing, open space or education and no community facilities have been identified for contribution purposes. Therefore, the only applicable infrastructure contribution has been identified as health and well-being.
66. Bolton CCG has been consulted on the application proposal, however they have not confirmed that a contribution is required in this instance. No health and well being contribution is therefore requested from the Applicant.
67. A condition will be required for the provision of public art on site given the proposal exceeds the threshold for this requirement.

Local finance considerations

68. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:
69. New Homes Bonus for the 30 proposed units – this is not a material planning consideration.

Conclusion

70. The development proposes the erection of 3 x 4-storey residential blocks containing a total of 12

x 2-bedroom apartments and 18 x 5-bed multiple occupancy flats. The proposal complies with policy SC1 of the Core Strategy in that it will contribute to the housing land supply in the Borough. As the Council cannot demonstrate a 5-year supply of deliverable housing sites, paragraph 11(d) of the NPPF is engaged (along with footnote 7), which requires consideration of whether any harm identified outweighs the benefit of housing provision.

71. It is acknowledged that significant concerns have been raised by local residents, mainly raising concerns about traffic and parking congestion, the height of the proposed buildings, impact on privacy and overshadowing and concerns about the type of accommodation proposed, as well as concerns about crime and the fear of crime. All of these issues have been dealt with in detail in the Analysis section of the report.
72. It is acknowledged that the proposed buildings are high at 4-storeys, however the site bridges the gap between the hospital site where large format buildings are prevalent and the 2-storey residential environment to the south and east. The blocks have been designed to largely respect interface distances, taking into consideration site levels and therefore other than a minor shortfall detailed in the report, the proposal complies with policy in this respect.
73. The on-site parking provision exceeds policy requirements and the proposal is not therefore considered to present a parking problem for surrounding roads. Highway Engineers are satisfied that the proposed development will not result in an unacceptable impact on the highway network and complies with Core Strategy policies P5 and S1.
74. The Applicant has provided clarification as to the target market of the development and an updated Crime Statement, the proposal is considered to comply with CS policy S1.
75. Overall, the proposed development is considered to comply with policy and the benefits of housing provision are considered to outweigh any harm identified. Members are therefore recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 51 letters of objection have been received raising the following comments (officer's comments are shown in italics where the point raised has not been addressed in the main body of the report):

76. The development is too high on already elevated land (*Officer's comment – recommended interface distances have been achieved between proposed and existing dwellings, taking into consideration levels differences*)

- There is no supporting evidence that the hospital requires this development: there is no mention of key worker accommodation in the planning application (*Officer's comment – the applicant has provided details of the target market for the development*)
- Minerva Road is the main ambulance route and is already congested
- The plans do not provide affordable family homes and are not in keeping with a residential neighbourhood (*Officer's comment – the site is considered to bridge the traditional residential environment to the east and the large format hospital site to the west. This is a mixed use area with the hospital, school and Bolton Science and Technology Centre nearby*)
- Concerns about the siting of the cycle/ bins stores - pose a security threat, risk attracting antisocial behaviour and smells from the bins to the back of existing dwellings (*Officer's comment – new boundary treatment is proposed along the eastern boundary and the site itself is to be gated to increase security. Applicant asked to move bin stores away from this boundary but not done so to date*)
- There is no mention of the half removed banking behind our property: previously proposed as gabion wall
- No detail regarding siting of boundary fence: will this be stepped back to maintain green corridor for wildlife or sited up to our fence? (*Officers comment - The fence will be sited along the boundary with the residential properties, an area of landscaping is to run along the application site side of the fence*)
- The design of the buildings are hospital like and institutional (*Officers comment – the design has been amended*)
- Fumes from cars
- Previous loss of trees from the site
- Concerned about the height of the buildings and blocking out light to the rear of properties on Kingsland Road.
- The design of the roof will make it appear like a 5-storey building.
- Concern about overlooking and impact on privacy.
- Concern about the land level differences meaning that people will be able to access rear gardens (*Officer's comment: the application submission includes details of replacement fencing to the eastern boundary with Kingsland Road*)
- The access to the site is opposite the high school on a busy road and will impact detrimentally on existing congestion
- Concern that the increase in the volume of traffic will delay ambulances accessing the hospital
- Concern about drainage and flooding into gardens
- Concerns about increase in traffic, the use of residential roads as "rat runs" and impact on highway safety, especially for school children
- Vermin
- Increase in crime due to high intensity living and crime associated with HMOs
- The type of accommodation offered will not be attractive to staff at Bolton Hospital
- Design overbearing and due to the height of the buildings they will overlook existing houses and invade privacy.
- Concerns that the development is going to be like the previous "Cottage Homes" and used for

emergency accommodation

- Concerns about anti-social behaviour and crime
- The Crime Report submitted with the application is out of date (*Officers comment: an updated Crime Impact Assessment was submitted in August 2019*)
- Family housing is required in this area
- The proposed development is not good for the long term development of the area
- Overdevelopment of the site in terms of units and car parking
- Fear of increased crime rates and the development will make properties more vulnerable
- The site was cleared two years ago and has been left in a derelict state, with damage to garden fences due to land slipping
- Prior to this developer coming onto the site and decimating the natural landscape the site was full of wildlife
- Annoyance with some of the developers assumptions and statements within the application, saying the site was derelict and overgrown, it is now, following the developers destruction of the protected trees and woodland, not to mention the effect on the wildlife and, dumping of surplus materials
- There are limited amenities in the area – where will the residents work, shop and socialise
- Lack of green space in the area
- The ginnel that runs along the side of the site is already used for anti-social behaviour, a HMO will further exacerbate this
- The development could accommodate up to 232 residents which would be too high a density and result in traffic congestion and over development
- The 3 storey blocks in this development are 15.2M in height, these are not in keeping with nearby residential homes and will dominate the locality
- The development will result in the loss of green space and will impact on environmental pollution
- Lack of car parking – where will these people park?

Non-material planning matters raised:

- Who will manage the development?
- Who will own the development?
- Distrust of the Applicant and what they have done to the site so far
- Concern about the type of people the proposed residential units will attract
- Concerned about the negative impact on house prices

Two letters of general comment, neither objecting or supporting the proposed development have been received, raising the following points:

- In the past the hospital itself has been constrained in the height of development permitted and these buildings are even closer to existing properties - in 1982 an application to raise the roof line on my property and the adjacent 62 by two tiles was declined because it was deemed to affect the properties close by.
- Clarification on who will be living in the development would be helpful as residents are concerned that this will be used for temporary accommodation.

Reconsultation on Amended Plans

Following reconsultation with neighbouring residents on the amended plans, three further letters of objection have been received:

- The amended elevations are awful, the buildings now look more dominating and prison like than any of the many previous plans.
- The height of the buildings on elevated land makes it seem like six-storeys not four, overlooking properties on Kingsland Road.
- Object to these new plans for aesthetic, security, privacy, out of keeping with properties in a quiet residential area, noise, traffic and blocking out light to houses backing on to this site.

- The hospital used to have its own nurses quarters but this was closed as no longer required for staff.
- Sceptical that the development will be private and believe it to be a social housing scheme.
- Impact on the school and technology centre - safeguarding and traffic.
- Loss of trees.
- Impact on the highway with more traffic and more congestion, impact on ambulances accessing the hospital.
- Impact on privacy from overlooking bedrooms and gardens.

Petitions:- none received.

Elected Members:- Cllr Haworth has objected to the application, in summary, for the following reasons:

- Conflicting and therefore non persuasive information from the applicant as to why 3 x 4-storey buildings, much of which is shared hostel type of living accommodation, should be built on this site at the present time.
- The applicant states that the accommodation is suitable for hospital workers but also states that no demand is being made or supported by the local NHS or other health providers.
- The housing of people in hostel type tall four storey blocks next to and near to two attractive private owned semi-detached, detached and bungalow 'estates' will dramatically change the character and the residential appearance of this area of Farnworth
- The proposed buildings at 4-storey will be overbearing, ugly and unattractive.
- Information provided by the applicant on coal mining and mineshaft constraint to development at this site is not clearly evidenced and therefore is non persuasive (*Officer comment – the Coal Authority have been consulted on the application proposal as detailed in the Analysis section of this report*)
- Residents want to see some homes built here that suit the character and the appearance of the area and suit this neighbourhood in Farnworth.
- There is great concern about change to window views at existing properties in the area, a reduction of natural light to gardens and homes, an increase in noise at homes from the car park areas, the bins areas and the bike shed areas, an increase in noise from open windows at the communal living areas of the blocks and overlook and loss of privacy from the side and back windows of the four storey blocks to homes at Kingsland Road and Colchester Drive. Third and Fourth floor living at the blocks will look down on homes further than those consulted at Colchester Drive and Kingsland Road.
- There is ambiguous and unclear information from the applicant pertaining to the number of persons the buildings will accommodate. As a local councillor I have to consider this application as from 100+ to 232 persons to be accommodated at these buildings (*Officer comment – information has since been submitted to confirm that the units will accommodate 116 residents*).
- There are 120 parking spaces planned which is likely not enough for such blocks.
- Parking congestion in neighbouring streets
- Ambulances already have to suffer this road congestion inconvenience and journey delay.

Cllr Haworth - Comments on Amended Plans:

A further letter of objection has been received from Cllr Haworth regarding the amended plans, reiterating previous concerns, and in addition raising the following:

- The housing of people in hostel type, 4-storey blocks next to and near to attractive private owned semi-detached and bungalow 'estates' will dramatically change the character and residential appearance of this area of Farnworth.
- Apartments are needed in town centres to increase footfall and prevent town centres from

depleting.

- The site is in an area that is heavily congested already an increased traffic will hinder the flow of emergency vehicles.
- Residents do not want the loss of any more green space.
- The buildings are too close to Kingsland Road - impact on privacy and overlooking, noise and light.
- Proximity of car parking to rear of properties.
- HMO living is not suitable for the area.
- Residents are concerned that the blocks will be used for emergency housing.
- Bolton is doing better in Feb 202 on its homes building plans for the Borough. The town centre plans offering brownfield sites are coming along. There is no need to create such a dramatic alteration to the living environment here in Farnworth to provide more homes to the Borough overall total.
- One of the NHS Hospital Trusts recently stated that they do not need accommodation for health care staff in future years.
- There is no development agreement with either the skills college or the NHS Foundation Trust for accommodation for staff or students. However units may be taken up by social landlords.

Consultations

Advice was sought from the following consultees:

Bolton Council: Pollution Control, Landscape, Tree and Woodland Officers, Highways, Floodrisk, Public Rights of Way, Economic Strategy, Strategic Development.

External Consultees: United Utilities, The Coal Authority, GM Police, Ramblers Association, The Open Space Society, Peak and Northern Footpaths, Policy and Transport Planning, GMEU, Environment Agency.

Planning History

Planning permission was approved in 2016 for the erection of 17 x 3-bed houses and 12 x 2-bed apartments (95600/16)

A reserved matters application was approved in June 2006 (Ref: 72716/05) by Planning Committee for the siting, design, external appearance, means of access and landscaping for the erection of 45 x 2 bedroomed flats.

Outline planning permission was granted by Planning Committee in February 2004 (Ref: 66431/03) for residential development of the current application site. Means of access was the only reserved matter considered at the outline stage.

The eastern side of the site was included in The Bolton (Minerva Road) Tree Preservation Order 2003.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. **COMMENCEMENT**

The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **CONTAMINATED LAND**

- Prior to any physical site remediation, a methodology shall be submitted to and approved in writing by the Local Planning Authority. This methodology shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration.
 - The approved Remediation Method Statement and Environmental Management Plan details the sampling and mitigation protocol for asbestos and dust management. Should the remediation strategy require updating once item (i) of this condition has been completed and approved by the Local Planning Authority, the updated strategy shall be submitted to and approved by the Local Planning Authority.
1. Any additional or unforeseen contamination encountered during development shall be reported to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this shall be submitted to and approved by the Local Planning Authority.
 2. Upon complete of the approved remedial schemes, and prior to occupation of the dwellings hereby approved, a completion report demonstrating that the scheme has been appropriately implemented and that the site is suitable for its intended end use shall be submitted to and approved in writing by the Local Planning Authority. The validation of the scheme may be undertaken on a phased basis as plots and groups of plots are completed and made available for occupation.

Reason

To safeguard the amenity of the future occupants of the development and to comply with Core Strategy policy CG4.

Reason for Pre-Commencement Condition:

Any works on site could affect contamination which may be present and hinder the effective remediation of any contamination causing a risk to the health of future occupiers and harm to the environment, hence the initial investigation must be carried out prior to the commencement of any works on site.

3. **COAL MINING LEGACY**

Prior to the commencement of development, the following shall be undertaken:

3. The undertaking of a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past coal mining activity;
4. The submission of a report of findings arising from the intrusive site investigations, including details of any remedial works necessary for approval; and
 - Implementation of those remedial works.
 - Upon completion of any approved remediation scheme(s), and prior to occupation, a completion report demonstrating that all remedial works undertaken on site were completed in accordance with those agreed by the LPA, that the scheme has been appropriately implemented.

Reason

To ensure the safe development of the site and in order to comply with Bolton's Core Strategy policy CG4.3.

Pre Commencement Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National

4. **SURFACE WATER DRAINAGE**

Prior to the commencement of any groundworks, full details of the proposed surface water drainage works shall be submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out to investigate the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details shall:

- 1) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.
- 2) Include a timetable for its implementation, and
- 3) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime

The approved works shall be implemented in full prior to the occupation of the buildings hereby approved and those works as approved shall be retained thereafter.

Reason

To ensure the site provides satisfactory means of surface water drainage and to comply with policies CG1.5 and CG2.2 of Bolton's Core Strategy.

Reason for pre-commencement condition:

The solution for surface water disposal must be understood prior to works commencing on site as it could affect how underground works are planned and carried out.

5. **LEVELS**

Before the approved development is commenced details of the existing and proposed ground levels within the site and on adjoining land including spot heights, cross sections and finished floor levels of all buildings and structures shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason

To safeguard the visual appearance and or character of the area and in order to comply with Core Strategy policies CG3 and CG4.

Reason for Pre-Commencement Condition:

Any changes in land levels on site could affect the character and amenity of the area and the living conditions of nearby residents, thereby details of existing and proposed land levels must be agreed with the LPA prior to commencement.

6. **TREE PROTECTION MEASURES**

No demolition, development or stripping of soil shall be started until:

- The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type and siting as detailed on the Tree Protection Plan, 5861.02, dated April 2019.
 - The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
1. No development shall be started until a minimum of 14 days notice has been given to the Local

Planning Authority confirming the approved protective fencing has been erected.

Reason

To protect the health and appearance of the tree(s) and in order to comply with Bolton's Core Strategy policies CG1 and CG3

Reason for Pre-Commencement Condition:

Tree protection measures must be implemented prior to the commencement of works to protect the health and appearance of the tree(s) during the construction phase.

7. **HIGHWAY WORKS**

Prior to the commencement of development full details of the highway works at:

2. Access from Minerva Road (5.5m carriageway/2 x 2.0m footway provision/2 x 5.0m radii) as indicated on drawing ref: Proposed Site Layout, drawing ref: 1000 Rev H, dated 17/2/20; and
3. Resurfacing of footway across the Minerva Road frontage.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document "Accessibility, Transport and Road Safety".

Pre-commencement reason:

The full details of the necessary highways works have not been agreed at application stage and are therefore required prior to the commencement of development.

8. **BIODIVERSITY**

Prior to the commencement of any above ground construction works, details shall be submitted to and approved in writing by the Local Planning Authority for on-site bat and bird accommodation and the proposed location of this. The approved scheme shall be implemented in full and retained thereafter.

Reason

To safeguard and enhance biodiversity on the site and in order to comply with Bolton's Core Strategy CG1.2.

9. **PARKING**

Before the approved/permitted development is first brought into use no less than 98 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be marked out, numbered and provided within the curtilage of the site, in accordance with approved plan drawing ref: Proposed Site Layout, drawing ref: 1000 Rev H, dated 17/2/20. Such spaces shall be made available for the parking of cars at all times.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3.

10. **VEHICLE AREAS**

Prior to the development hereby approved being first occupied, a phasing scheme detailing how each part of the site to be used by vehicles are to be laid out, constructed, surfaced and drained, and when they are to be completed, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided and in order to comply with Core Strategy policies S1 and P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

11. **ELECTRIC VEHICLE CHARGING POINTS**

Prior to the laying of any service routes on site, details of the electric vehicle charging points to be provided and the timing of their delivery shall be submitted and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be provided in accordance with the approved scheme prior to occupation and shall be maintained for the life of the approved development.

Reason

To safeguard the amenity of the occupiers of the proposed development in respect of atmospheric pollution in compliance with policy CG4 of Bolton Core Strategy and to comply with Supplementary Planning Document 'Sustainable Design and Construction'.

12. **BRICK SAMPLE**

No above ground construction works shall take place until full details of the red brick to be used externally on the building(s) has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, manufacturer, colour and texture of the brick. The approved materials shall be implemented in full and retained thereafter.

Reason

To ensure the development reflects local distinctiveness and to comply with policy CG3 of Bolton's Core Strategy.

13. **LANDSCAPE SCHEME**

Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first brought into use. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reflect and soften the setting of the development within the landscape and in order to comply with Core Strategy policies CG1 and CG3.

14. **LIGHTING**

Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of no greater than 5 lux at the nearest residential properties. The beam angle of any lights directed towards any potential observer should be kept below 70 degrees. Spill shields should also be fitted. The lighting proposed shall be designed to minimise the impacts on nocturnal mammals such as bats, following guidance within section 5 of the submitted Ecology Report "Ecological Survey and Assessment" by Erap Ltd, dated September 2015. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order

to comply with Bolton's Core Strategy policies CG1, CG3 and CG4

15. **ACCESS ROAD AND FOOTWAYS**

No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) (5.5m carriageway/2.0m footway/1.0m service margin) leading thereto have been constructed and completed in accordance with the drawing ref: Proposed Site Layout, drawing ref: 1000 Rev H, dated 17/2/20.

Reason

In the interests of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

16. **ARBORICULTURAL METHOD STATEMENT**

The development hereby approved shall be carried out in full accordance with the following submitted documents:

1. Arboricultural Impact Assessment and Method Statement, ref: PD8561/AIA&AMS/APR19, dated April 2019
2. Tree Survey Report, PD/5861/TSR/Mar19, dated March 2019
- Tree Protection Plan, 5861.02, dated April 2019
- The Preliminary Drainage Layout HYD325/101/Rev B showing the route of services (if there are any changes to the proposed service routes, then details must be submitted to the local authority for written approval prior to any groundworks to lay the service routes, no works shall be commenced until written approval is received)

Reason

To ensure the safe development of the site and favourable retention of trees and in order to comply with Bolton's Core Strategy policies CG1 and CG3.

17. **MATERIALS**

The development hereby permitted shall be constructed entirely of the materials, including windows and door details, details of which are shown on plan refs and retained thereafter:

- **Proposed Elevations Block One, 19-P-003 Rev A, dated 23/01/20**
- **Proposed Elevations Block Two 19-P-004 Rev A, dated 23/01/20**
- **Proposed Elevations Block Three , 19-P-005 Rev A, dated 23/01/20**

Reason

For the avoidance of doubt as to what is permitted and in order to comply with Bolton's Core Strategy policy CG3.

18. **BOUNDARY TREATMENT**

Prior to the first occupation of the development hereby approved, the boundary treatment (timber fencing, walls, railings and weldmesh fencing) as shown on drawing ref: Proposed Site Layout - Enclosures Plan, 3000 Rev A, dated 17/2/20 shall be erected fully in accordance with the approved details and retained thereafter. The fencing hereby approved shall be installed with hedgehog holes, details of which shall be submitted to and approved in writing by the local planning authority prior to the installation of the fencing and retained as approved thereafter. The approved scheme shall be implemented in full prior to first occupation and retained thereafter.

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the

landscape and townscape character of the area and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

19. **APPROVED PLANS**

The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Proposed Site Layout, drawing no. 1000, Rev H, dated 17/2/20

Proposed Site Layout - Showing Extent of Private Amenity Space, drawing no. 2000 Rev A, dated Dec 17/2/20

Proposed Elevations Block One, 19-P-003 Rev A, dated 23/01/20

Proposed Elevations Block Two, 19-P-004 Rev A, dated 23/01/20

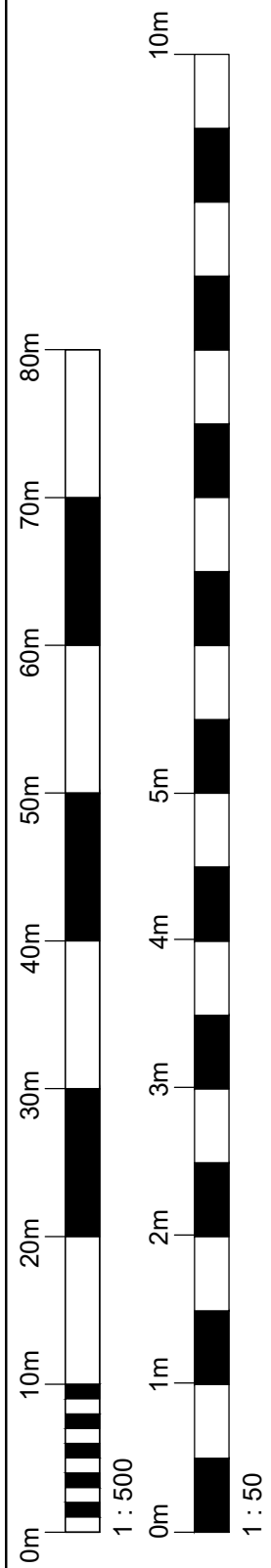
Proposed Elevations Block Three, 19-P-005 Rev A, dated 23/01/20

Proposed Floor Plans Block One, 19-P-001, Dec 2017 (received 19/12/19)

Proposed Floor Plans Blocks Two & Three, 19-P-002, Dec 2017 (received 19/12/19)

Reason

For the avoidance of doubt and in the interests of proper planning.



general notes:

do not scale the drawing.
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SITE AREA = 7466 sq.m. (1.845 acres)

NEW GATED ACCESS TO
ENTRANCE FOR USE BY
RESIDENTS ONLY

LOW WALL AND RAILING TO —
FRONTAGE AS PER DETAIL

EASEMENT REPRESENTING
3 METRE STAND-OFF FROM
EXISTING SEWERS

REFER TO SITE INVESTIGATION
REPORT AND ENSURE ANY NECESSARY
REMEDIAL WORK IS CARRIED OUT
TO THE SATISFACTION OF THE LOCAL
AUTHORITY.

2.4M HIGH PALADIN SECURITY FENCE TO
BOUNDARY WITH CYCLE PATH.
COLOUR: GREEN

SURFACING MATERIALS:-

ROADS TO BE HOT ROLLED MACADAM TO LA SPEC.

PCC KERBS GENERALLY TO LA SPEC.

FOOTWAYS, PARKING SPACES AND TURNING AREAS
TO BE ASPHALT TO LA SPEC.

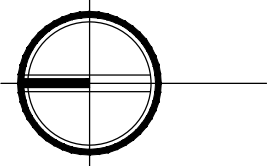
THERMOPLASTIC WHITE LINING AS INDICATED

EXISTING SELF-SEEDED TREES AND SHRUBS
ON THE SITE TO BE REMOVED AS PART OF THE RE-GRADING
EXERCISE, BUT PROPOSED LANDSCAPE SCHEME TO ENSURE
HIGH PROPORTION OF TREES ARE REPLACED WITH
INDIGENOUS SPECIES IN APPROPRIATE LOCATIONS
(SEE SEPARATE LANDSCAPE REPORT).



MINESHAFT ZONE

MINESHAFT ZONE



Rev.	Date	By	Description
	17.2.20	SCK	PARKING LAYOUT REVISED, LANDSCAPING UPDATED, AMENITY AREA REVISED

DORBCREST *Homes*

mck associates limited
architecture ■ building surveying ■ urban design

urnaby villa ■ 48 watling street road ■ fulwood ■ preston ■ pr2 8bp
tel: 01772 774510 fax: 01772 774511 email mck@mckassociates.co.uk

Promoted Development At

Minerva Road Earnworth

Boltan

Drawing Title:

Proposed Site Layout

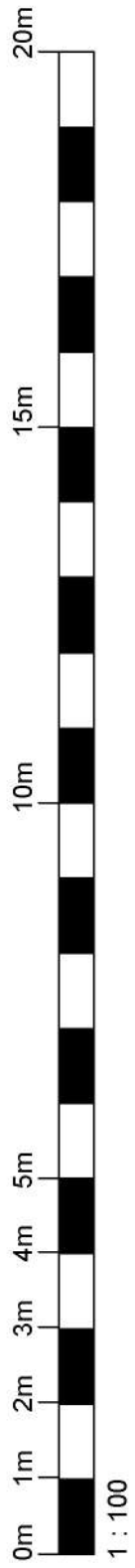
Showing extent of Private Amenity Space

Showing extent of Private Amenity Space

Drawn: JK	Checked:	Scale: 1:500 (A1)	Date: Dec 2017
Job No: 17-148		Drawing No: 2000	Rev: A

SCALE 1:500

SITE PLAN



FRONT ELEVATION

SIDE ELEVATION



REAR ELEVATION

SIDE ELEVATION

Client: DORBCREST HOMES

Project: DORBCREST HOMES

A1

PLANNING

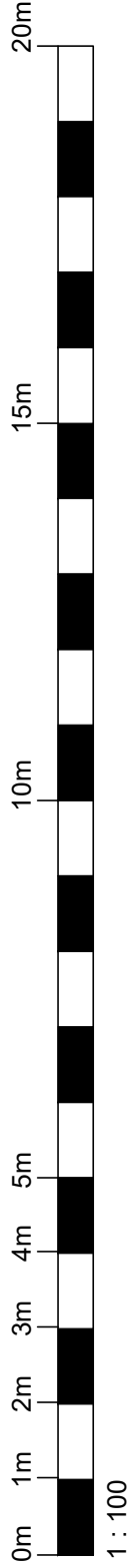
mck associates limited
architecture | building surveying | urban design
Burnaby Villa ■ 48 Walling Street Road ■ Fulwood ■ Preston ■ M2 8PQ
Tel: 01772 774510 Fax: 01772 774511 Email: mck@mckassociates.co.uk

Project: MINERVA ROAD
FARNWORTH

Drawing Title:
PROPOSED ELEVATIONS
BLOCK ONE

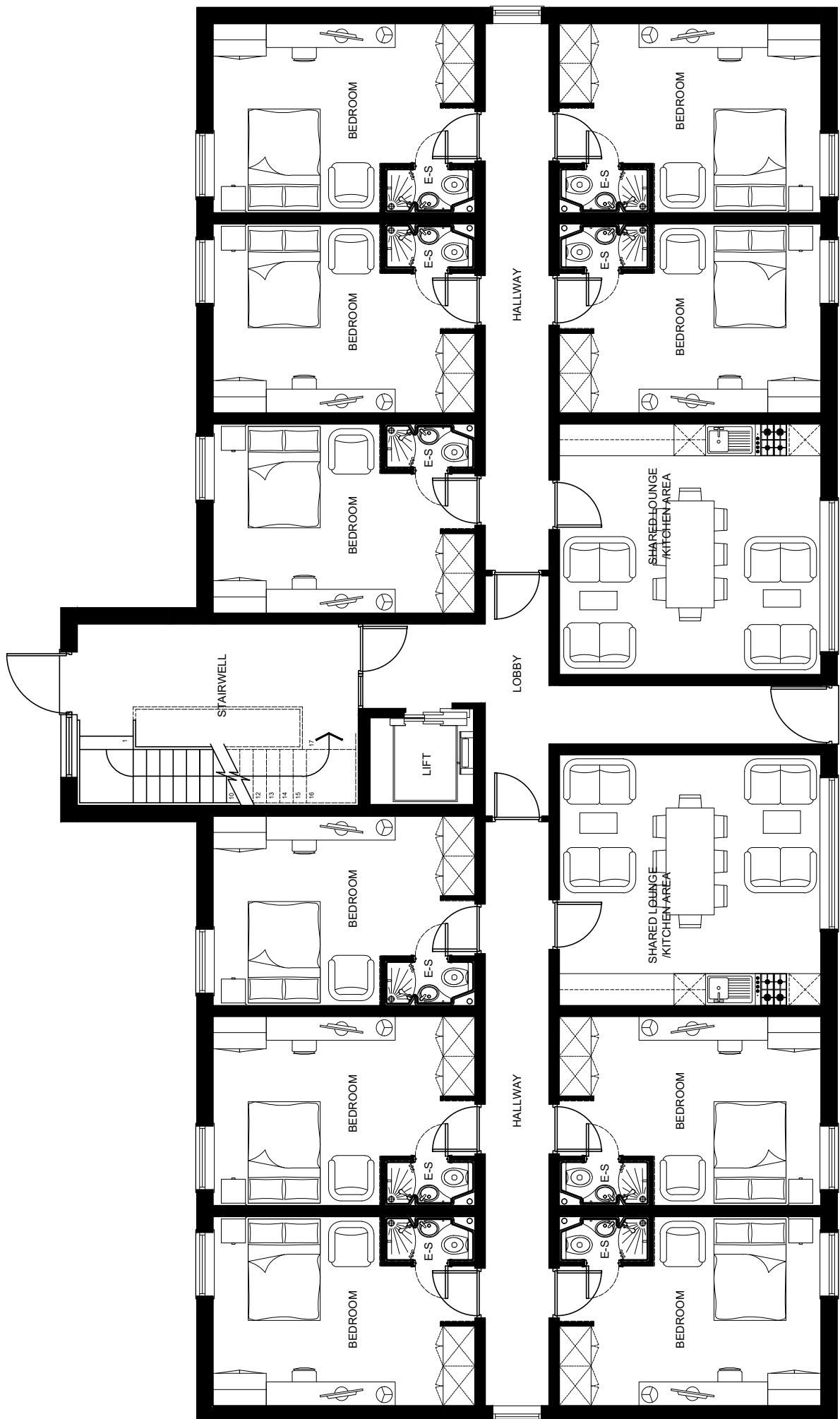
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Job No: 17-148	Drawing No: 19-P-003	Rev: A	

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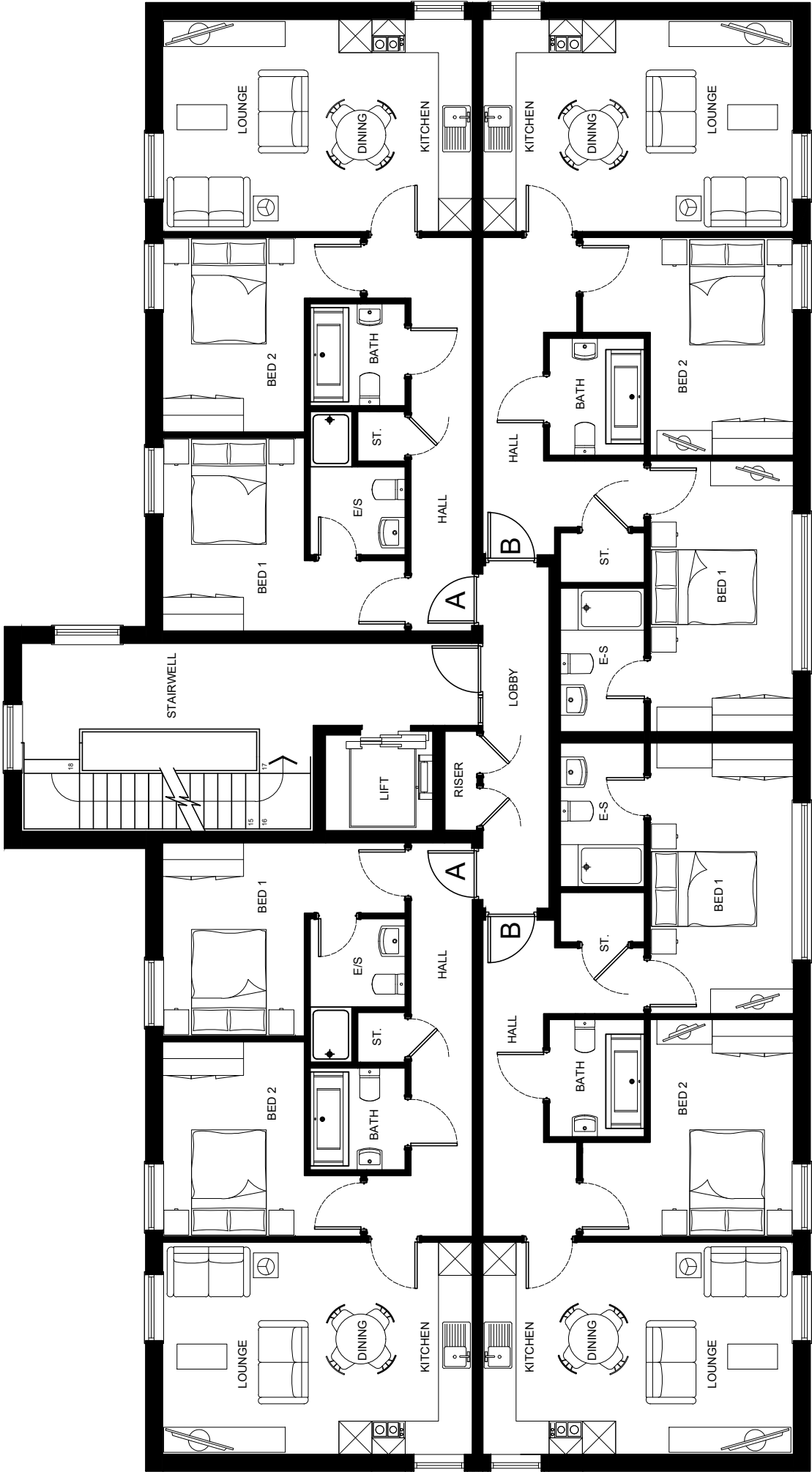
1 : 100

general notes:
this drawing is a preliminary drawing.
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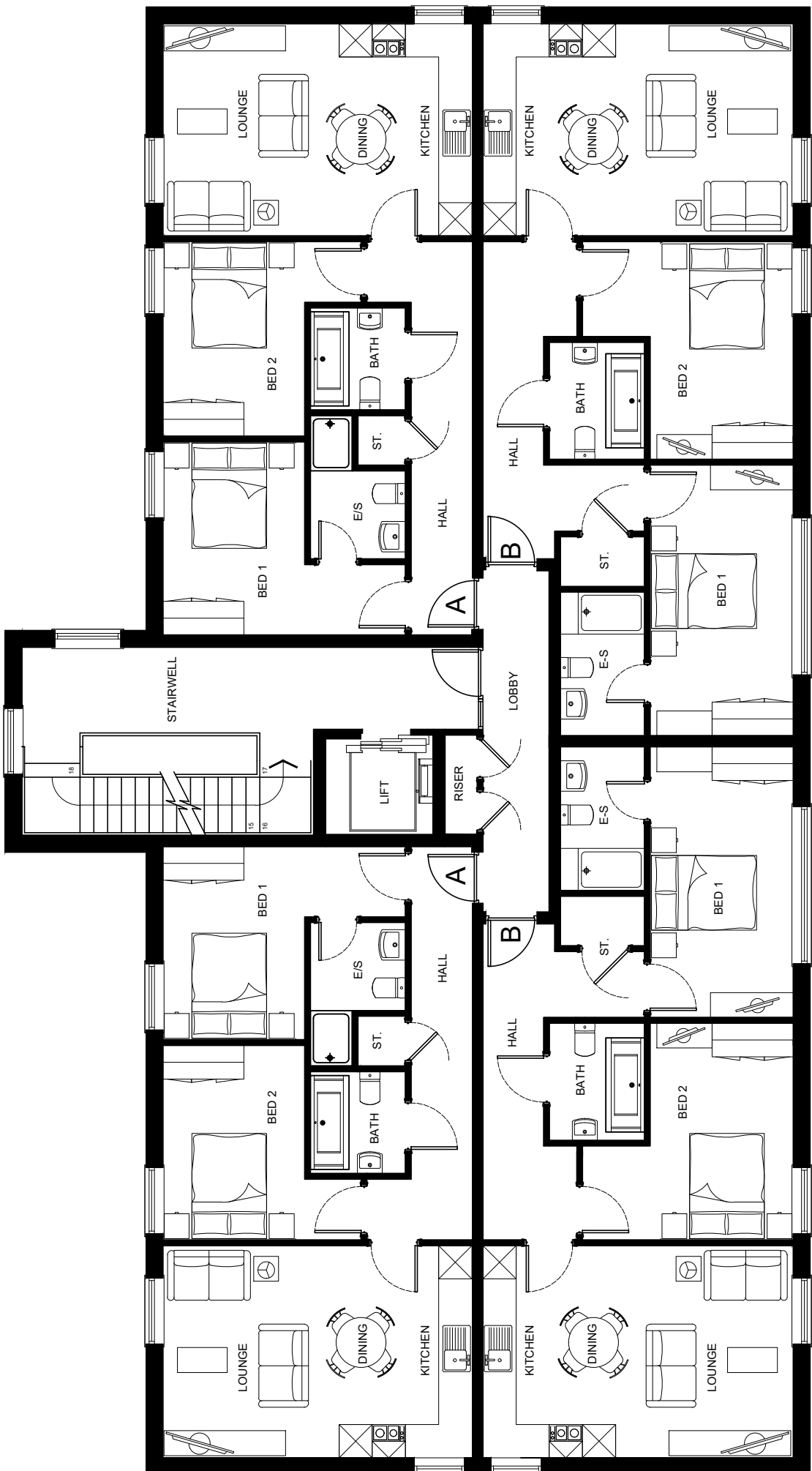
GROUND FLOOR PLAN

APARTMENT SIZE - 133m²
ROOM SIZE - 17.45m²



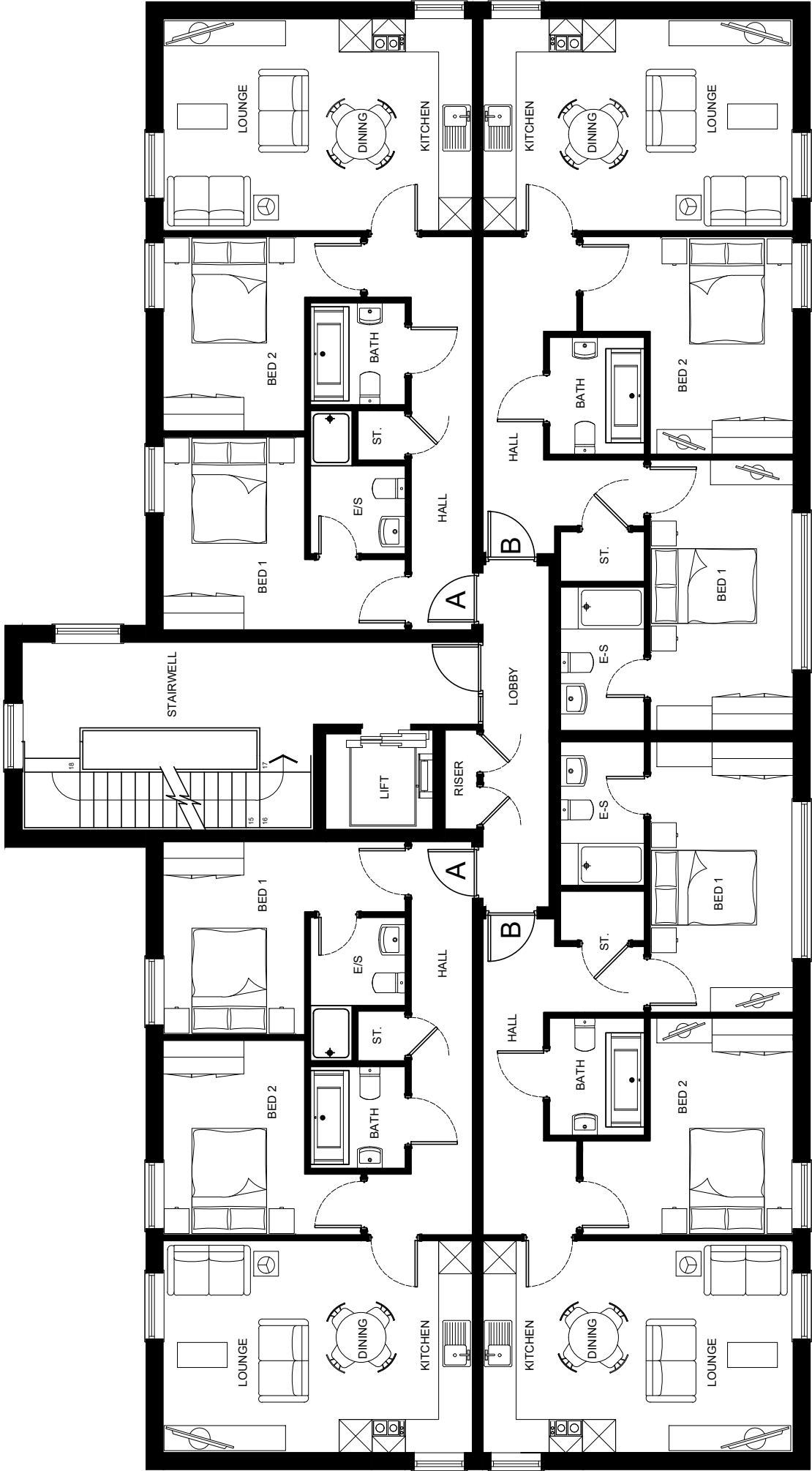
SECOND FLOOR PLAN

APARTMENT A SIZE - 61.74m²
APARTMENT B SIZE - 67.64m²



FIRST FLOOR PLAN

APARTMENT A SIZE - 61.74m²
APARTMENT B SIZE - 67.64m²



THIRD FLOOR PLAN

APARTMENT A SIZE - 61.74m²
APARTMENT B SIZE - 67.64m²

Rev: _____ Date: _____ By: _____ Description: _____
Create: _____
DORBCREST HOMES

mck

associates limited

architecture ■ building surveying ■ urban design

buraby villa ■ 46 walling street road ■ linwood ■ preston ■ pz2 8bp

tel: 01772 774510 fax: 01772 774511 email: mck@mckassociates.co.uk

Project:

MINERVA ROAD

Location:

FARNWORTH

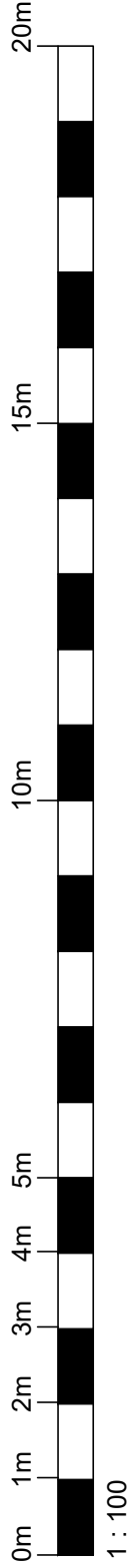
Drawing Title:

PROPOSED FLOOR PLANS

Block One

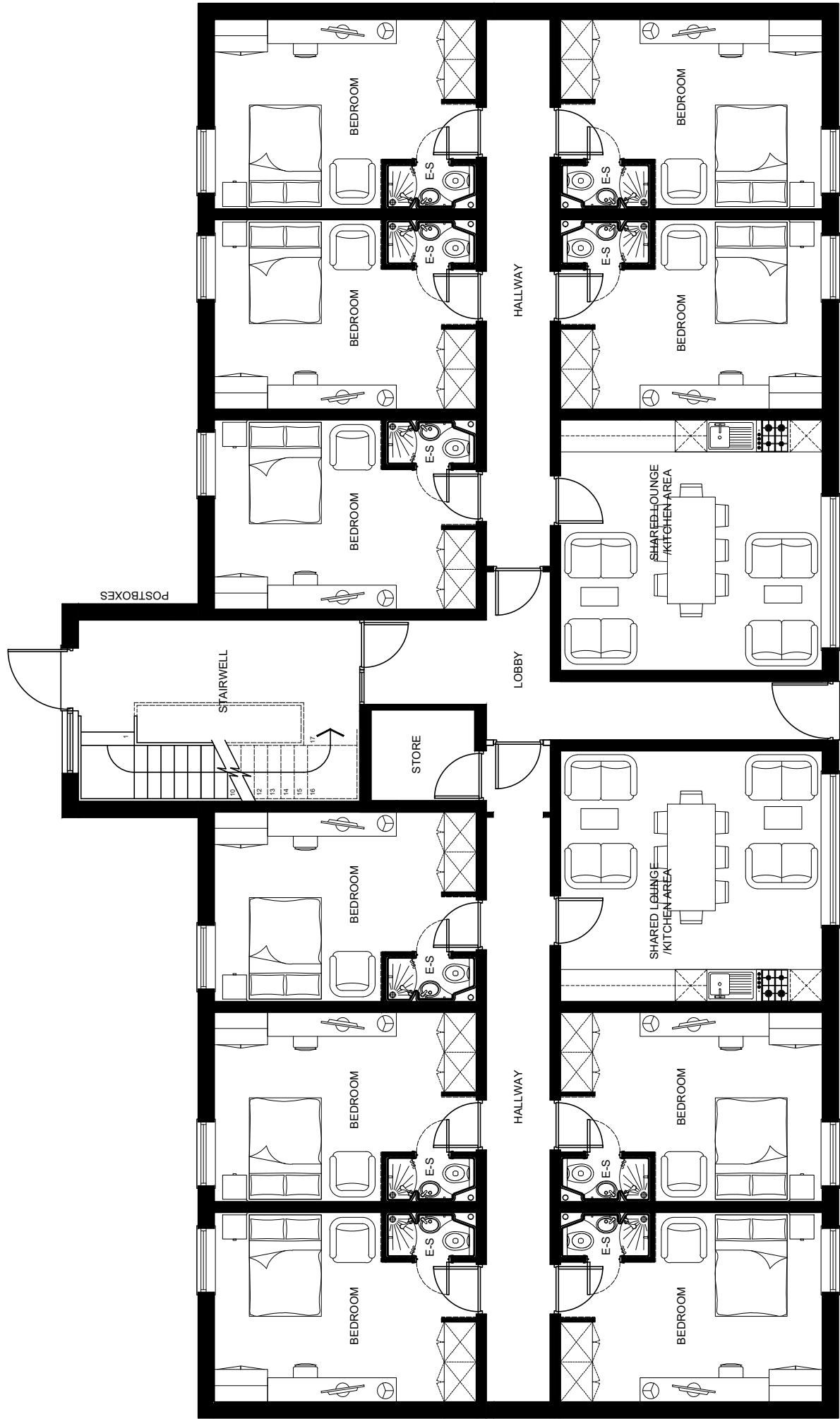
Drawn:	SK	Checked:	Scale:	Date:
Job No:	17-148	Drawings No:	19-P-001	Rev:

NOTE:REFER TO SITE PLAN FOR BLOCK LOCATION



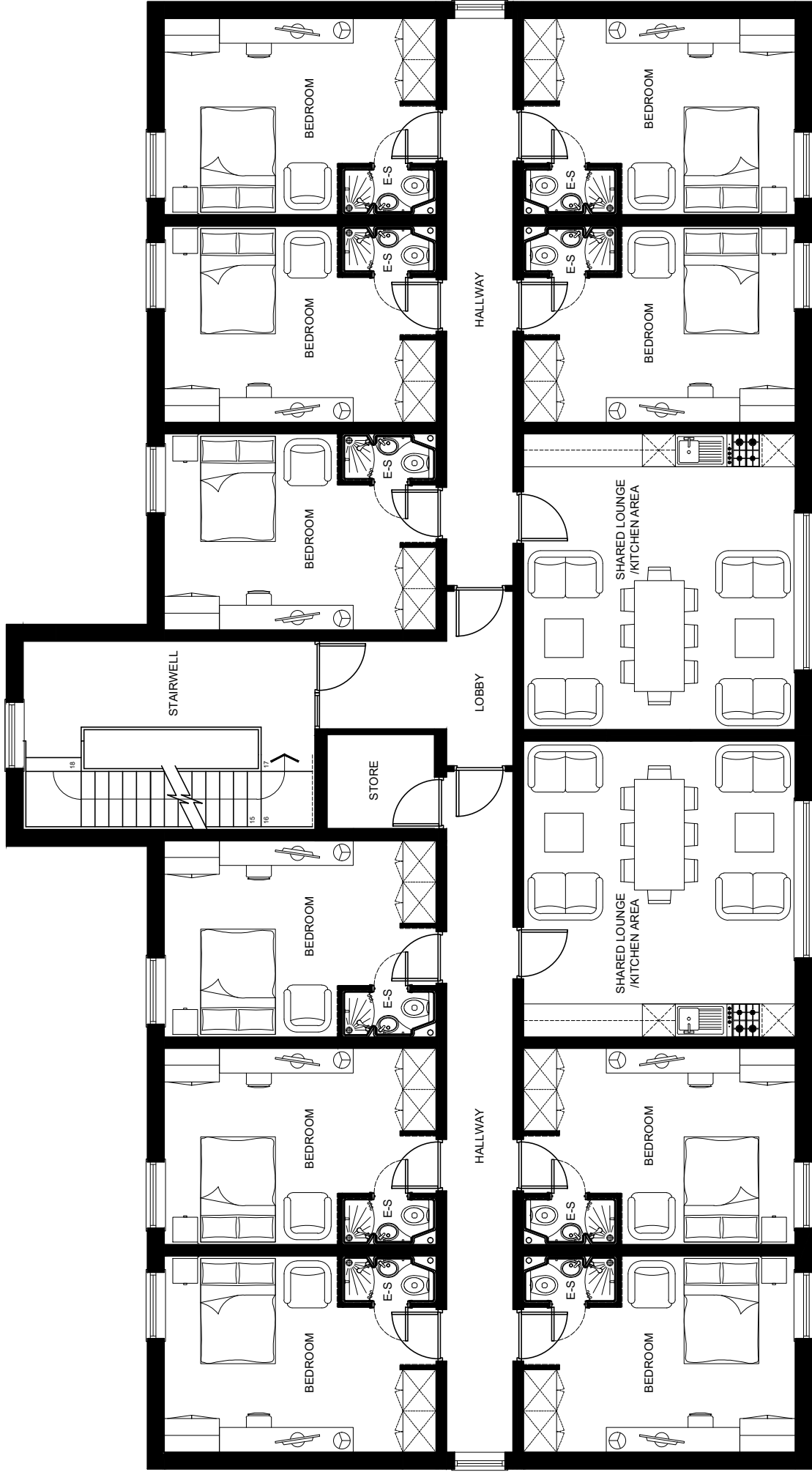
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all dimensions to be checked on site prior to commencement of work and any discrepancy shall be immediately reported and resolved prior to work commencing.
this drawing is to be read in conjunction with all relevant drawings and specifications.
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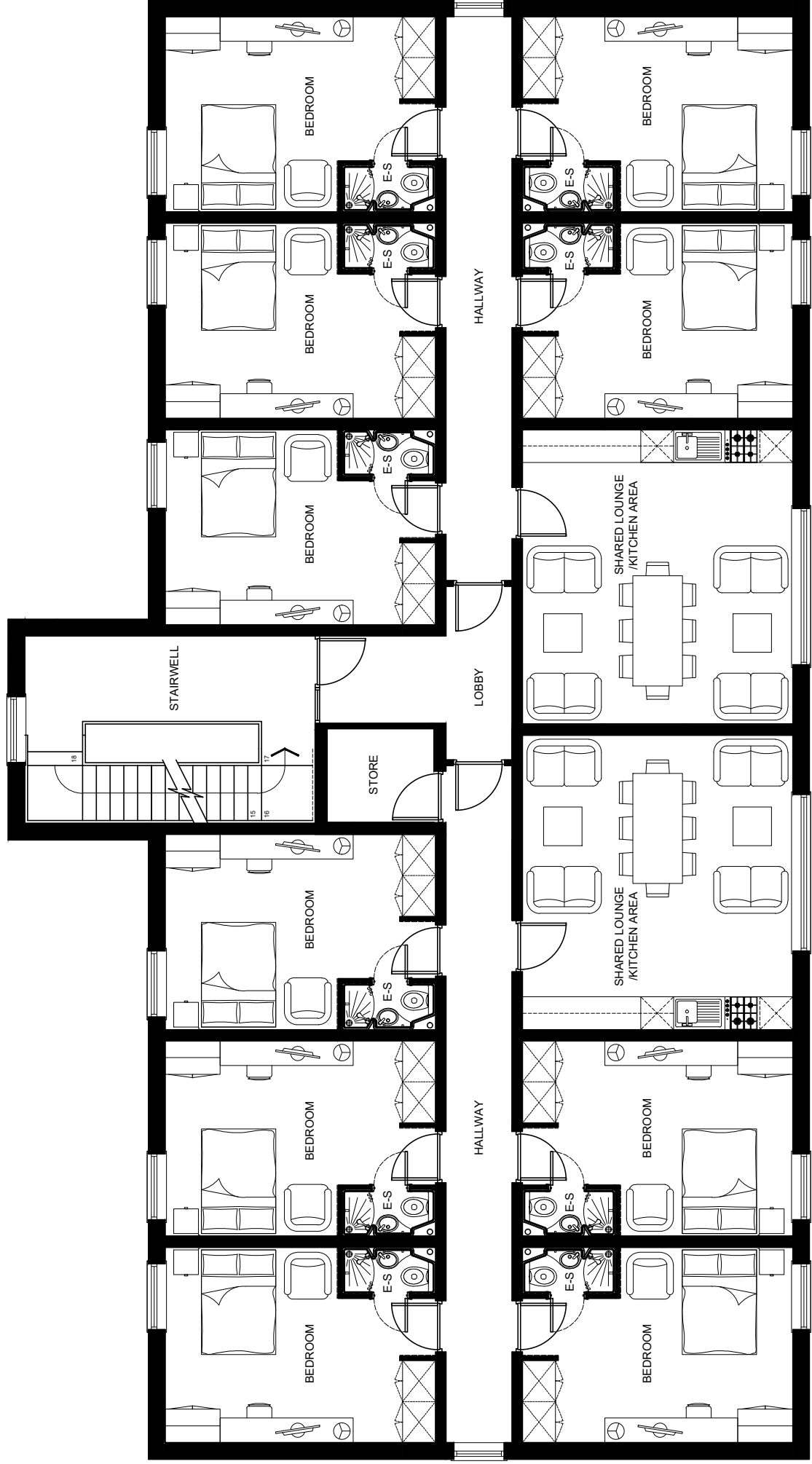


GROUND FLOOR PLAN

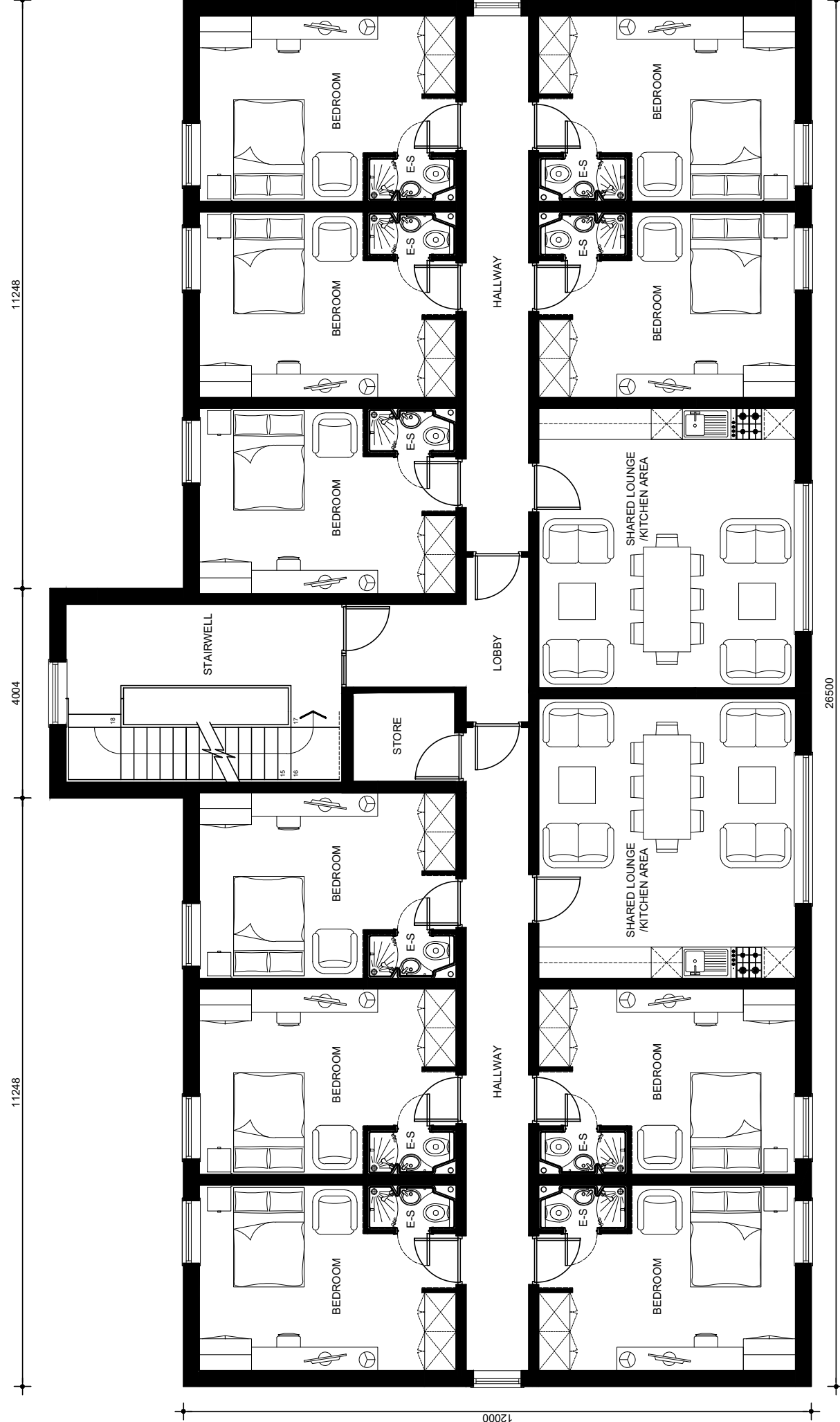
APARTMENT SIZE - 133m2
ROOM SIZE - 17.45m2



SECOND FLOOR PLAN



FIRST FLOOR PLAN



THIRD FLOOR PLAN

DATE: 17/12/2017
BY: [Signature]
DESCRIPTION: DORBCREST HOMES

mck

associates limited

architecture | building surveying | urban design

buraby villa ■ 46 walling street road ■ linwood ■ p22 8bp

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Project:

MINERVA ROAD
FARNWORTH

Drawing Title: PROPOSED FLOOR PLANS BLOCKS 2 & 3			
Drawn: SK	Checked:	Scale: 1:100	Date: DEC 2017
Job No: 17-148	Drawing No: 19-P-002	Rev:	

NOTE:REFER TO SITE PLAN FOR BLOCK LOCATION

Application number 06110/19



Directorate of Place
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
Telephone (01204) 333 333

Bolton Council

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Date of Meeting: 23/07/2020

Application Reference: 06110/19

Type of Application: Full Planning Application

Registration Date: 16/05/2019

Decision Due By: 21/11/2019

Responsible Officer: Jodie Turton

Location: LAND ADJACENT TO 76 CROSS STREET, FARNWORTH, BOLTON, BL4 7AJ

Proposal: ERECTION OF TWELVE DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING AND PARKING

Ward: Farnworth

Applicant: Mr A Afsar

Agent : Harry Jackson Surveyors Ltd

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- The application is before Members for a decision as it is a major application with more than 6 letters of objection.
- The application proposes the erection of eleven 3-bedroom dwellings. The dwellings comprise of ten semi-detached and one detached property.
- The site is a former industrial site, bound by Farnworth Park to the north and east.
- The site is allocated for housing in Bolton's Allocations Plan. This housing allocation is also supported in the recently produced Farnworth Town Centre Masterplan.
- The site will be accessed from Cross Street and has been designed around a traditional cul-de-sac with hammer head turning area. The properties will benefit from off street parking and front and rear gardens.
- Paras 17-25 consider the design of the dwellings and impact on the character of the area. The proposal is considered to be well designed and to sit comfortably within the wider industrial estate and residential environments.
- The design and layout of the scheme have been amended during the application process, the result is a well designed scheme that will not impact detrimentally on the setting of the listed park (paras 26-31 consider the impact of the development on the adjacent listed Farnworth Park).
- A noise assessment has been submitted with the application due to the relationship of the site to the existing operational industrial uses - no detrimental impact has been identified, mitigation measures are recommended by condition (para 35).
- The development has been designed to meet interface distances to existing dwellings and to the adjacent mill building (paras 37 and 38).
- Access to the application site is via Cross Street, which is a narrow, residential road, which suffers from on-street parking congestion, as a result a Transport Statement and tracking for a refuse

vehicle have been submitted. Highway engineers conclude that, "This development proposal could not be considered to pose a severe impact in terms of traffic or additional risk to road safety" (para 42-45).

- Parking - 1-space per dwelling proposed for most plots, 3 plots may be able to accommodate 2 tandem spaces depending on vehicle size. Three overspill/visitor spaces are proposed. Although below the Core Strategy maximum parking standard given the highly sustainable location of the site this is considered acceptable (para 43).
- Site is a former scrap yard known to have some contamination issues - the pollution control team are satisfied with the information submitted to date and have requested additional information via condition to address on-site contamination (para 52).
- The site falls within the consultation zone for a hazardous substance consent (HSC) - relates to former gas holder on Gas Street, which was decommissioned in 2010 and the Council are currently applying to have the HSC revoked (para 51).
- Members are recommended to approve the application, subject to the recommended conditions.

Proposal

1. The application proposes the erection of eleven 3-bedroom dwellings. The dwellings comprise ten semi-detached and one detached property. Access to the development is from Cross Street. The site has a narrow access between an existing mill building and a single storey brick outbuilding, formally part of the mill complex, but now in use as a residential garage.
2. The site layout has been designed around a cul-de-sac with a hammer head junction to allow for vehicles to turn within the site, notably bin lorries. Off-street parking is provided for each plot, a majority of the dwellings will benefit from one parking space, however three plots have longer driveways which will accommodate 2 car spaces in tandem and there are three visitor spaces accessed from the turning area.
3. Private gardens are to the rear of each property and there is some scope for landscaping within the front gardens and public, shared areas.
4. Provision has been made for a footpath link from the development site to the park.
5. The site forms part of a larger allocated housing site in the Bolton Allocations Plan (92SC). This housing allocation is also supported in the recently produced Farnworth Town Centre Masterplan.
6. The application is before Committee for decision as it has exceeded the threshold for the number of letters of objection received.

Site Characteristics

7. The site is a former industrial site which forms part of the wider Farnworth Industrial Estate. The site has recently been cleared and formally housed a two-storey, red brick, Victorian building which was part of the wider mill complex. The building was in disrepair and had not been used for some time. The most recent use of the site was as a scrap yard, however this has been closed for some time and the site has been vacant.
8. The site is bound to the northern and eastern boundaries by a high brick wall, over 2.0 metres in height. The wall forms the boundary between the application site and the listed Farnworth Park. Beyond the eastern boundary are a line of mature Poplar trees, and beyond this the children's play area. To the north, lies steep banking which leads down into the park. The banking is landscaped with thick bushes and trees.
9. The western boundary of the site is also walled and beyond this is Farnworth Industrial Estate

which has a number of operating commercial uses. A traditional, red brick mill building lies to the south west. To the south of the site is the site access, from Cross Street. Cross Street is mixed in character, with residential properties along the eastern side of the street and a tall, brick wall to the western boundary and a red brick mill complex beyond.

10. The southern boundary of the site is dominated by the side wall of the large, single storey, red brick building, originally part of the mill complex, but now in use as a residential garage and the brick wall which forms the boundary to the residential garden of 13 Park View.

Policy

Development Plan Policies

Core Strategy policies: SC1 Housing; CG1 Biodiversity and Flood Risk; CG2 Sustainable Construction; CG3 Built Environment; CG4 Compatible Uses; RA2 Farnworth; S1 Safe Bolton; P5 Accessibility.

Allocations Plan policies: Appendix 4 Allocated Housing Land

Other Material Considerations

Supplementary Planning Documents:

General Design Principles

Accessibility, Transport and Safety

National Planning Policy Framework

Planning Practice Guidance

Draft Greater Manchester Spatial Framework (2019) - The status of the draft GMSF is as follows: The Greater Manchester Spatial Framework is a joint Development Plan Document being produced by each of the ten Greater Manchester districts and, once adopted, will be the overarching development plan for all ten districts, setting the framework for individual district local plans. The first consultation draft of the GMSF was published on 31 October 2016. A revised consultation draft was published in January 2019. The weight to be given to the GMSF as a material consideration will normally be limited given the early stage in the adoption process.

Farnworth Town Centre Masterplan

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.

The main impacts of the proposal are:-

- * principle of development
- * impact on the design and character of the area
- * impact on the setting of the listed park
- * impact on residential amenity
- * impact on the highway network

- * impact on sustainable construction
- * impact on land stability and contamination
- * impact on trees and biodiversity

Principle of Development

11. Paragraph 4.50 of Bolton's Core Strategy (CS) recognises that the CS is a key determinant in quantity, location, quality, type and tenure of new housing. Policy SC1.2 of the CS encourages housing developments to utilise previously developed land. Policy SC1.5 seeks to ensure that new housing has a density of at least 30 dwellings per hectare and achieve higher densities where possible taking into account local character.
12. Paragraph 59 of the NPPF acknowledges the Government's objective of significantly boosting the supply of homes, recognising the importance of a sufficient amount and variety of land to come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Para 68 of the Framework recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly.
13. The site is allocated for housing in the Bolton Allocations Plan as part of the wider Farnworth Industrial Estate allocation, allocation reference 92SC. The principle of residential development is therefore already established at this site.
14. As the site is allocated for housing, the proposed use is in full accordance with section 38 of the Planning and Compulsory Purchase Act 2004 in this respect. Planning permission should therefore only be refused if other material considerations justify a refusal of permission. A material consideration of this application is that the Council is unable to demonstrate a 5-year housing land supply, the benefits of providing housing on this allocated site should be given significant weight in the consideration of the application proposal.
15. The site falls within the Farnworth Ward, being sited close to Farnworth Town Centre, the area is covered by Core Strategy policy RA2. RA2.1 seeks to continue to regenerate Farnworth town centre with a mix of uses including housing uses. RA2.9 seeks to develop new housing throughout the area on a combination of brownfield sites and on a limited number of greenfield sites in existing housing areas. Farnworth Town Centre Masterplan also identifies the site as a future residential development area, showing consistency in the policy approach for the local area.
16. The delivery of a residential scheme on this site will contribute, albeit in a minor way, to the local authority's requirement to deliver a 5-year supply of housing. The provision of 11 residential units is a benefit of the proposed development which should be given weight in the consideration of the application proposal.

Impact on the Design and Character of the Area

17. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
18. Area policy RA2.14 requires that development proposals in Farnworth enhance the townscape through the use of excellent quality design. RA2.15 seeks to conserve and enhance the distinctive character of the existing physical and natural environment, notably the historic registered

Farnworth Park. RA2.16 encourages developments to respect and strengthen the traditional grid-iron pattern and the street-scaping of existing housing and mills where it is compatible with good urban design. RA2.17 seeks to make efficient use of land in Farnworth due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach.

19. The application site is surrounded by a mixture of uses, with the listed Farnworth Park abutting the site to the north and east, commercial uses and the wider Farnworth Industrial Estate to the west and residential uses to the south.
20. The development of the site for residential use complies with the aspirations of Bolton's Allocations Plan and the Farnworth Town Centre Masterplan, both of which identify the site and the wider area to the west for residential development. Residential uses will complement the existing residential uses along Cross Street and Park View and will potentially (dependent on design and layout) complement the adjacent listed Farnworth Park.
21. The application scheme has evolved during the application process, with input from the Council's Design and Conservation Officer, who has worked with the Agent to advise on amendments to improve and enhance the scheme, resulting in improvements to the design of the dwellings and the site layout.
22. The site will be accessed from Cross Street and has been designed around a traditional cul-de-sac with hammer head turning area. The properties will benefit from off street parking and front and rear gardens. Fronting onto the new access road, the rear gardens will back onto the park, with the existing wall of the site (north and east) providing the rear boundary to the gardens. The layout is considered to be much improved from the initial submission, to present a well-designed residential environment, the layout allows views through the site which will benefit the park and future residents.
23. The Farnworth Town Centre Masterplan includes aspirations for a pedestrian route through the application site and whilst the desired route is not entirely feasible at the present time due to the levels difference between the site and the park, the Applicant has included provision for this in the site layout.
24. The dwellings are two and a half storey, each with one bedroom in the roofspace. Rather than front and rear dormers as originally proposed, the dwellings have been amended to present gable elevations to the front and rear which provides much greater vertical and visual emphasis. The use of materials will be key in assimilating the dwellings with the surrounding residential, industrial and listed park environments. A condition is therefore recommended to require details of materials as well as window and door details.
25. The proposed development is considered to be well designed and to comply with the requirements of Core Strategy policy CG3 and SPD General Design Principles.

Impact on the Setting of the Listed Park

26. Policy CG3.4 of the Core Strategy seeks to conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of [amongst other things] historic, cultural and architectural interest and their setting.
27. The Framework at chapter 16 considers the conservation and enhancement of the historic environment. Para 190 of the NPPF states that, "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal

(including by development affecting the setting of a heritage asset)". This should be taken, "into account when considering the impact of the proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

28. Para 193 states that, "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".
29. In considering the application proposal, an important factor has been the impact on the setting of the adjacent listed Farnworth Park. Whilst it is not unusual to have residential and park uses side by side, the detail and quality of the residential development is key to the success of this relationship. The application site is on a level with the park to the east where the children's play area is located, but on a higher level than the park to the north. The rear gardens of the dwellings will abut the existing brick boundary wall (which is to be retained). Whilst the dwellings will be visible from the park, the brick walls to the east and north of the site will screen the ground floor and gardens. There is also heavy landscape screening to the northern park boundary and a prominent row of Poplar trees along the eastern boundary within the park. Whilst it is not to seek the screening of the dwellings, the existing screening and landscaping will assist in the assimilation of the buildings when viewed from the park. It is considered that the dwellings have been designed to a standard that will not impact detrimentally on the setting of the park. Furthermore, the dwellings will offer an element of natural surveillance which will be welcome.
30. The residential development of the site will remove a former scrap yard and currently vacant and derelict site, which will serve to enhance the setting of the park.
31. The proposal is thereby considered to comply with Bolton's Core Strategy policy CG3 and the guidance on setting contained in the Framework.

Impact on Residential Amenity

32. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security and does not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.
33. Policy S1 of the Core Strategy seeks to ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy RA2.17 seeks to ensure that development, "make[s] efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach."
34. SPD General Design Principles sets out the Council's minimum interface standards between dwellings and amenity space standards.
35. A noise assessment has been submitted with the application given the proximity of the site to the adjacent industrial area. Pollution Control have assessed this and have recommended conditions with regard to the glazing specification of the dwellings to protect the amenity of future residents. The noise within the gardens meets the recognised standards.
36. SPD 'General Design Principles' contains guidance on the size of residential gardens, 50 square metres is considered an acceptable and usable size. Whilst some of the proposed gardens

achieve or exceed this area, a small proportion fall below (at around 36 sqm). The Planning Officer has worked with the Applicant to amend the layout of the site which has resulted in an overall increase in garden sizes. Whilst it is acknowledged that some plots do fall below the recommended size, on balance, given the constraints of the site and the benefits of delivering housing on this allocated site this is considered to be acceptable.

37. There is only one existing dwelling in close proximity to the application site – 13 Park View. This property is a bungalow and is sited to the south east of the application site and has a principal room window in the side elevation of the property facing the proposed development. The proposed layout of the site will result in plot 11 being closest to 13 Park View at a distance of approximately 10 metres. Plot 11 will present the side of a single storey elevation with no windows closest to the existing bungalow, in circumstances such as this SPD 'General Design Principles' requires an interface distance of 9 metres, which is exceeded in this instance. The two storey section of plot 11 is set further away from the principal room window at 13 Park View and the only windows in the side elevation will be obscure glazed and serve the w.c. (ground floor) and bathroom (first floor). There will therefore be no issues of overlooking and due to the siting and orientation of the proposed dwelling (north) there will be no overshadowing of the existing dwelling or the garden. In addition, it is noted that there is an existing brick boundary wall of approximately 2.0 metres in height.
38. An objection has also been received referring to the relationship between the existing mill building adjacent to the site entrance and the proposed residential dwellings. The concerns relate to interface distances and any detrimental impact on residential amenity as well as the future potential residential development of the mill (noting that the mill forms part of the allocated housing site). There is a distance of approximately 16 metres between the mill building and the front of plot 11, which exceeds the 13.5 metres requirement in the SPD for two storey principal to non-principal interface distances. The proposal is therefore considered acceptable in this respect and is not considered to compromise any future residential development proposals at the mill site.
39. Overall, the proposal is considered to comply with Bolton's Core Strategy policy CG4 and guidance contained in SPD 'General Design Principles'.

Impact on the Highway Network

40. Policy P5 of the Core Strategy states that the Council will ensure that development takes into account [amongst other things] accessibility by different types of transport, prioritising pedestrian, cyclists, public transport users over the motorised vehicles users, servicing arrangements and parking. Policy S1.2 seeks to promote road safety in the design of new development. Appendix 3 of the Core Strategy sets out the Council's maximum parking standards.
41. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
42. Access to the application site is via Cross Street, which is a narrow, residential road, which suffers from on-street parking congestion. The access into the site is narrow and constrained by the buildings on either side of the entranceway. Due to these issues a Transport Statement (TS) has been submitted with the application.
43. Highway Engineers acknowledge the constraints of the site access in terms of access width, forward visibility and facility for pedestrian movement, hence the request for the TS, they also

requested tracking analysis for a refuse vehicle to access and manoeuvre within the site. Considering the submitted information, the authorised use of the site (scrapyard) and the site specific circumstances, Highway Engineers conclude that the trip generation from the proposed residential use would be less than the extant use, in addition to the loss of commercial vehicles to and from the scrapyard use. Engineers are satisfied that the carriageway and access widths appear sufficient to accommodate the level of traffic impact offset against the extant use, and the tracking analysis shows the site to be accessible to a refuse vehicle, and despite the limits to pedestrian footpaths along the immediate stretch into the site, they conclude that, "This development proposal could not be considered to pose a severe impact in terms of traffic or additional risk to road safety".

44. Appendix 3 of the Core Strategy states a maximum parking standard of 2 spaces per dwelling for 3-bedroom houses. The site layout shows 1-space per dwelling for most of the plots, with 3 visitor/overspill spaces. In addition, plots 5, 6 and 7 may be able to accommodate 2 tandem spaces on the driveway depending on the size of the vehicles. Although the number of spaces is below the guidance in Appendix 3, this is a maximum standard and given that the site is accessible to sustainable modes of transport, as well as being within walking distance of Farnworth Town Centre, the parking provision is considered acceptable in this instance.

45. The proposal is considered to comply with Bolton's Core Strategy policies S1.2 and P5.

Impact on Sustainable Construction

46. Policy CG2 of the Core Strategy makes the requirement for developments to incorporate sustainable design and construction methods into the built form of the buildings.

47. CG2.2(c) makes a specific requirement for development proposals of 5 or more residential units to demonstrate the sustainable management of surface water run off, for brownfield sites this should be 50% less than conditions before development. Policy CG1.5 seeks to reduce the risk of flooding in Bolton by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk.

48. Some drainage information has been submitted during the application process, Floodrisk have requested further details, however the Applicant has requested that this is conditioned due to the current national Covid-19 situation and being unable to get the required survey work completed. Floodrisk have confirmed that a pre-commencement condition will adequately cover this issue in this instance.

49. The submission of an energy assessment is required via condition to ensure that the development meets the requirements of policy CG2.2(b).

Impact on Land Stability and Contamination

50. Policy CG4.3 states that development proposals on land that is (or is suspected to be) affected by contamination or ground instability must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or is made, suitable for the proposed use.

51. The application site falls within the consultation zone of a hazardous substance consent, this relates to the former Gas Holder Station site at Gas Street, Farnworth. National Grid have confirmed that Holder was decommissioned in 2010 and is programmed for demolition in the next 12-18 months. HSE have therefore recommended that the Council revokes the hazardous substance consent and the HSE do not object to the proposed residential development. The overall conclusion is that the site is safe for development and the former gas holder will not

impact upon the safety of the development or safety or amenity of future residents.

52. The site is a former scrap yard, within a historically industrial area. The site is therefore known to have some contamination issues. The safety and contamination risks of the site have been raised as major concerns by local residents. A Preliminary Risk Assessment has been submitted with the application and assessed by the council's Pollution Control Team. In their assessment they are satisfied that the site can be developed safely with appropriate mitigation measures. Pollution Control have requested via condition that further intrusive investigation works are undertaken and appropriate mitigation measures put in place to ensure that the site is developed safely, which will make certain that there is no impact on either existing or future residents.
53. The proposal is thereby considered to comply with Bolton's Core Strategy policy CG4.

Impact on Trees and Biodiversity

54. Core Strategy policy CG1.2 seeks to, "safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees ... from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats."
55. There are no trees within the application site, however there are trees within the park to the northern and eastern boundaries. Tree Officers have assessed the application proposal and have confirmed that the trees are set at a slightly lower level than the application site and the ingress of roots into the site due to the location of the wall and its foundations is unlikely. The trees are on the eastern aspect of the proposed dwellings and therefore light loss should not be an issue in respect to shading of the properties. There is a significant levels difference between the site and the trees to the north, therefore the development will not impact on these trees.
56. No biodiversity enhancement measures have been proposed as part of the application submission. A condition will therefore be required to secure sufficient biodiversity enhancement on the site, this is likely to include bat and bird provision. As the existing boundary wall is to be retained hedgehog holes will not be required in the outer perimeter of the site, however provision should be made in the boundary treatment within the site.
57. On the basis of the recommended condition, the proposal complies with Core Strategy policy CG1.2.

Other Matters

58. It is acknowledged that the Council is not able to demonstrate a 5-year supply of deliverable housing sites. This represents a housing shortfall. In this circumstance paragraph 11 of the NPPF indicates that the policies that are most important for determining the application should be regarded as out-of-date and that there is a 'tilted balance' in favour of granting permission. It is found in this case that there is no harm that would significantly and demonstrably outweigh the tilted balance in favour of granting permission.

Local finance considerations

59. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:
60. New Homes Bonus for the 11 proposed dwellings – this is not a material planning consideration.

Conclusion

61. The proposed development is considered to comply with policy in that it proposes the

development of an allocated housing site, the site is in a sustainable location, it has been well designed and does not impact detrimentally on the residential amenity of either existing or future residents, does not impact detrimentally on the setting of the listed Farnworth Park, will provide sufficient car parking given the location of the site, will not impact detrimentally upon the highway or highway safety, does not pose a detrimental impact to the site's biodiversity, and sufficient information has been submitted to prove that the site can be developed safely in terms of contamination. Overall, the proposed development is considered to comply with policy and Members are recommended to approve the application subject to the recommended conditions.

Representation and Consultation Annex

Representations

Letters:- 7 letters of objection have been received, as well as 9 duplicate letters of objection. The Officer has endeavoured to address the issues in the main body of the report, however where this has not been possible Officer comments are shown in italics. The following concerns have been raised:

- Concern about building homes on land contaminated land, which has been used by the gas/coal board and as a scrap yard.
- Concern about development of contaminated land/asbestos and impact on the local residents and the children's play area.
- Gas holder on the site.
- The proposed houses are not in keeping with the surrounding area/properties.
- The height of the proposed buildings, overshadowing the adjacent bungalow (living room/kitchen).
- Loss of outlook.
- Narrow access route into the site from Cross Street – will be hazardous to cars and pedestrians and will impact on access/egress to the existing garage.
- The access road is not wide enough for construction vehicles and damage will be caused to the garage.
- The land has not been used as a scrap yard for 10 years, therefore the development would not result in the loss of a scrap yard.
- Insufficient parking provision.
- The width of the access from Cross Street does not allow for a public footpath which will be dangerous for pedestrians, especially disabled residents.
- Misleading plans relating to highways, parking and access (*Officer comment – the plans and dimensions have been checked by the Applicant and the plans updated to ensure accuracy*)
- The proposed properties are too close to the side wall of the garage for any repairs to be carried out (*Officer comment – a distance of 1 metre has been retained between the existing and proposed structures*)
- The site is elevated from the main street in Farnworth – the houses will look enormous.
- Concern about the noise from vehicles entering the application site and impact on the adjacent mill building (particularly if this is converted to residential in the future) (*Officer comment – noise from 11 residential units and associated vehicle movements will be significantly less than from a scrapyards/industrial use*).
- Proximity of the proposed dwellings to the mill building and impact on amenity.
- Noise from the existing industrial site and impact on residents – noise and disturbance.

Petitions:- a 19 signature petition in objection to the application (additional duplicated signatures submitted).

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees:

Bolton Council: Highways, Economic Strategy, Strategic Development, Trees, Housing Strategy, Greenspace, Floodrisk.

External Consultees: English Heritage, Bolton CCG, GM Police.

Planning History

None.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **CONTAMINATED LAND**

The development hereby approved shall be carried out in full accordance with the submitted Preliminary Risk Assessment: Phase 1 Preliminary Risk Assessment, dated May 2018, ref: LKC 18 1160 by LK Consult.

- Prior to the commencement of development and before any physical site investigation is carried out, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment should be presented and approved by the Local Planning Authority prior to the commencement of development.
1. Where necessary a scheme of remediation to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.
 2. Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.
 3. Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be submitted to and approved in writing by the Local Planning Authority.

The discharge of this planning condition will be given in writing by the Local Planning Authority on completion of the development and once all information specified within this condition and other requested information have been provided to the satisfaction of the Local Planning Authority and occupation/use of the development shall not commence until this time, unless otherwise agreed by the Local Planning Authority.

Reason

To safeguard the amenity of the future occupants of the development and to comply with Core Strategy policy CG4.

Reason for Pre-Commencement Condition:

Any works on site could affect contamination which may be present and hinder the effective remediation of any contamination causing a risk to the health of future occupiers and harm to the environment, hence the initial investigation must be carried out prior to the commencement of any works on site.

3. **SUSTAINABLE DRAINAGE**

Prior to the commencement of any groundworks, full details of the proposed surface water drainage works shall be submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out to investigate the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system is to be provided, the submitted details

shall:

4. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.
 1. Include a timetable for its implementation, and
 2. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved works shall be implemented in full prior to the occupation of the buildings hereby approved and those works as approved shall be retained thereafter.

Reason

To ensure the site provides satisfactory means of surface water drainage and to comply with policies CG1.5 and CG2.2 of Bolton's Core Strategy.

Reason for pre-commencement condition:

The solution for surface water disposal must be understood prior to works commencing on site as it could affect how underground works are planned and carried out.

4. BIODIVERSITY

Prior to the commencement of any above ground construction works, a biodiversity enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority, the scheme shall include (although not exclusively) provision for on-site bat and bird accommodation and provision for hedgehogs. The approved scheme shall be implemented in full prior to the first occupation the dwellings and retained thereafter.

Reason

To safeguard and enhance biodiversity on the site and in order to comply with Bolton's Core Strategy CG1.2.

5. LEVELS DETAILS

Before the approved development is commenced details of the existing and proposed ground levels within the site and on adjoining land including spot heights, cross sections and finished floor levels of all buildings and structures shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full and retained thereafter.

Reason

To safeguard the visual appearance and or character of the area and in order to comply with Core Strategy policies CG3 and CG4.

Reason for Pre-Commencement Condition:

Any changes in land levels on site could affect the character and amenity of the area and the living conditions of nearby residents, thereby details of existing and proposed land levels must be agreed with the LPA prior to commencement.

6. ENERGY ASSESSMENT

Prior to the commencement of any above ground construction works, an energy assessment shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include a scheme which details how either (i) renewable energy technology or low carbon energy sources or (ii) an alternative scheme, for example design measures to the built form of the development, shall reduce CO2 emissions of predicted energy use of the development by at least **10% below the baseline of Building Regulations Part L standards**. The scheme shall also include provision for electric vehicle charging points at the visitor/overspill parking spaces. The development shall be completed in accordance with the approved details and retained thereafter.

Reason

In the interests of tackling climate change and in order to comply with policy CG2.2 of Bolton's Core Strategy and the Sustainable Design and Construction SPD.

7. **MATERIALS**

Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or full details of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness and to comply with policy CG3 of Bolton's Core Strategy.

8. **WINDOW AND DOOR SPECIFICATION**

Prior to any doors or windows being installed, a detailed specification for all doors and windows shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first occupied and retained thereafter.

Reason

To ensure the development reflects local distinctiveness in order to comply with policy CG3 of Bolton's Core Strategy.

9. **ACOUSTIC GLAZING**

Before the first occupation of the dwelling(s) hereby approved, the windows shall be acoustically double glazed and ventilated in accordance with the submitted Noise Assessment by Miller Goodall, ref: 102029, dated 12th April 2019 (specification in table 10 of the report for glazing and table 11 for ventilators).

Reason

To minimise the impact of noise on residential amenity in order to comply with Bolton's Core Strategy policy CG4.

10. **LANDSCAPE SCHEME**

Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first brought into use. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reflect and soften the setting of the development within the landscape and in order to comply with Core Strategy policies CG1 and CG3.

11. **EXTERNAL LIGHTING**

Before the development hereby approved is first brought into use a scheme shall be submitted to and approved in writing with the Local Planning Authority for external lighting. The lighting shall be designed to an illumination value of no greater than 5 lux at the nearest residential property. The beam angle of any lights directed towards any potential observer should be kept below 70 degrees.

Spill shields should also be fitted. The approved scheme shall be implemented in full before the development is first brought into use and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

12. CAR PARKING

Before the approved/permitted development is first brought into use no less than 14 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be provided within the curtilage of the site, in accordance approved plan (drawing ref: **Site Plan, drawing no. 3C, dated 09.02.20**). Such spaces shall be made available for the parking of cars at all times.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3.

13. PARKING AREAS

Prior to the occupation of the dwelling houses hereby permitted provision shall be made for the parking of motor vehicle(s) adjacent to each of the dwelling houses in the areas identified for that purpose on the approved plan (Site Plan, drawing ref: 3C, dated 09.02.20). Those areas shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or replacing that Order), no extensions, garages, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway and in order to comply with Bolton's Core Strategy policies S1, P5 and Appendix 3.

14. BOUNDARY TREATMENT

Prior to the development being first occupied or brought into use, details (including a brick or masonry specification and colour scheme) of the treatment to all boundaries within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within 21 days of the Local Authorities approval, unless otherwise agreed in writing with the Local Planning Authority and retained thereafter.

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area and in order to comply with policies CG3 and CG4 of Bolton's Core Strategy.

15. FOOTWAY AND ACCESS ROAD

No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed and completed in accordance with the drawing ref: Site Plan, drawing 3C, dated 09.02.20.

Reason

In the interests of highway safety and in order to comply with Bolton's Core Strategy policies S1, P5

and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

16. RETENTION OF BRICK WALL BOUNDARY

Notwithstanding the submitted plans, the brick wall boundary treatment to the eastern (park), western (industrial estate) and northern (park) boundaries shall be retained in their current form. Any damage to the walls before, during or after the construction process shall be made good in materials to match the existing walls (colour, texture and size). The brick wall(s) shall be retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason

The brick walls form an important boundary with the Grade II listed Farnworth Park and the adjacent industrial area, loss or damage to the walls would impact detrimentally on the setting of the listed park and would be contrary to Bolton's Core Strategy policy CG3.

17. PERMITTED DEVELOPMENT RIGHT RESTRICTION

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, garages, outbuildings, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed on the dwellings hereby approved.

Reason

To safeguard the character and appearance of the dwellings given the proximity to the listed Farnworth Park and the plot size is limited and any extension would result in an unsatisfactory scheme.

18. APPROVED PLANS

The development hereby permitted shall be carried out in complete accordance with the following approved plans:

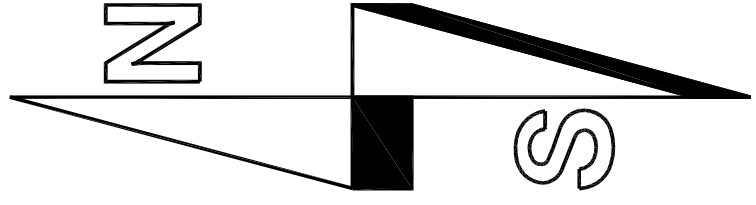
Site Plan, Drawing no. 3 rev C, dated 09.02.20

Plans & Elevations House Types 1&2, Drawing no. H1D, dated Oct 19.

Plans & Elevations House Type 2A, Drawing no. H2A, dated 24.01.20.

Reason

For the avoidance of doubt and in the interests of proper planning.



Rev C Turning head road, finishes added 09 02 20

Rev A Plot 2A REPOSITIONED. 24/01/20

~~Revisions~~

Client.

~~Mr. H. JACKSON.~~

Works

Drawing Title.

SITE PLAN.




SCALE: 1:200 DATE: MARCH 14

DRAWN: R.M. CHECKED: N.T.

CONTRACT No:

F7150

PROPOSED NEW DWELLINGS AT CROSS STREET, FARNWORTH.

**Foxx Limited.**

Consulting Civil & Structural Engineers,
66-70 Park Hill Street, Bolton, BL1 4AR.
Tel: (01204) 362300
Fax: (01204) 362301
Email: info@foxx.co.uk

SCALE: 1:100

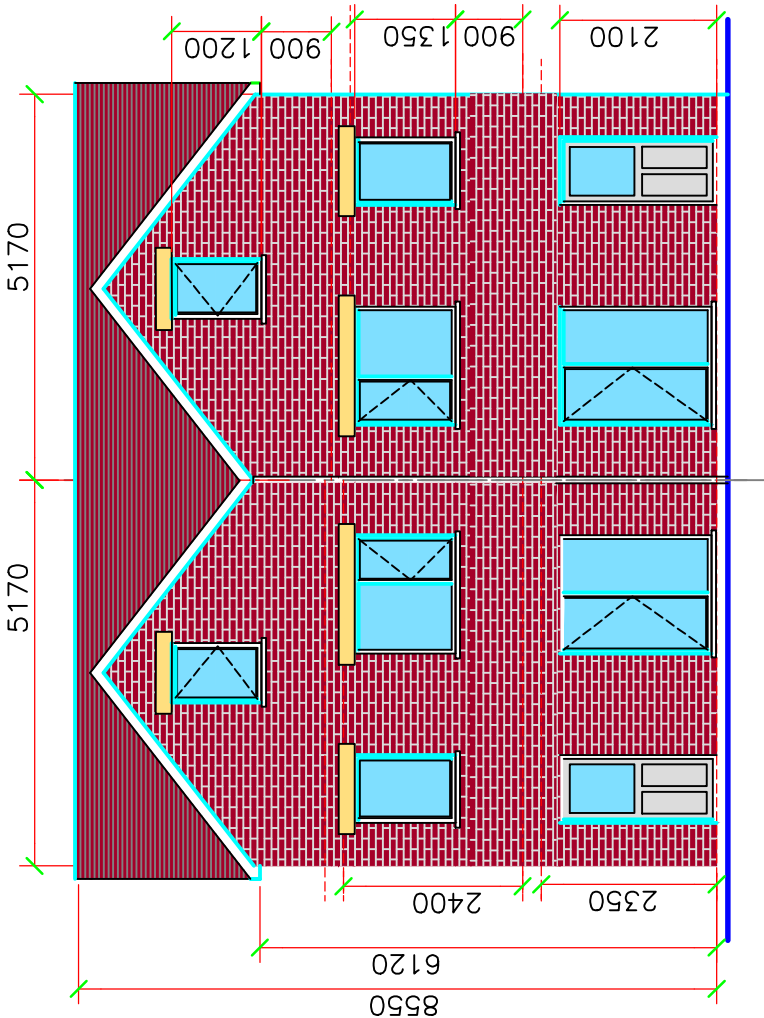
DATE: OCT 19

DRAWN: R.M.

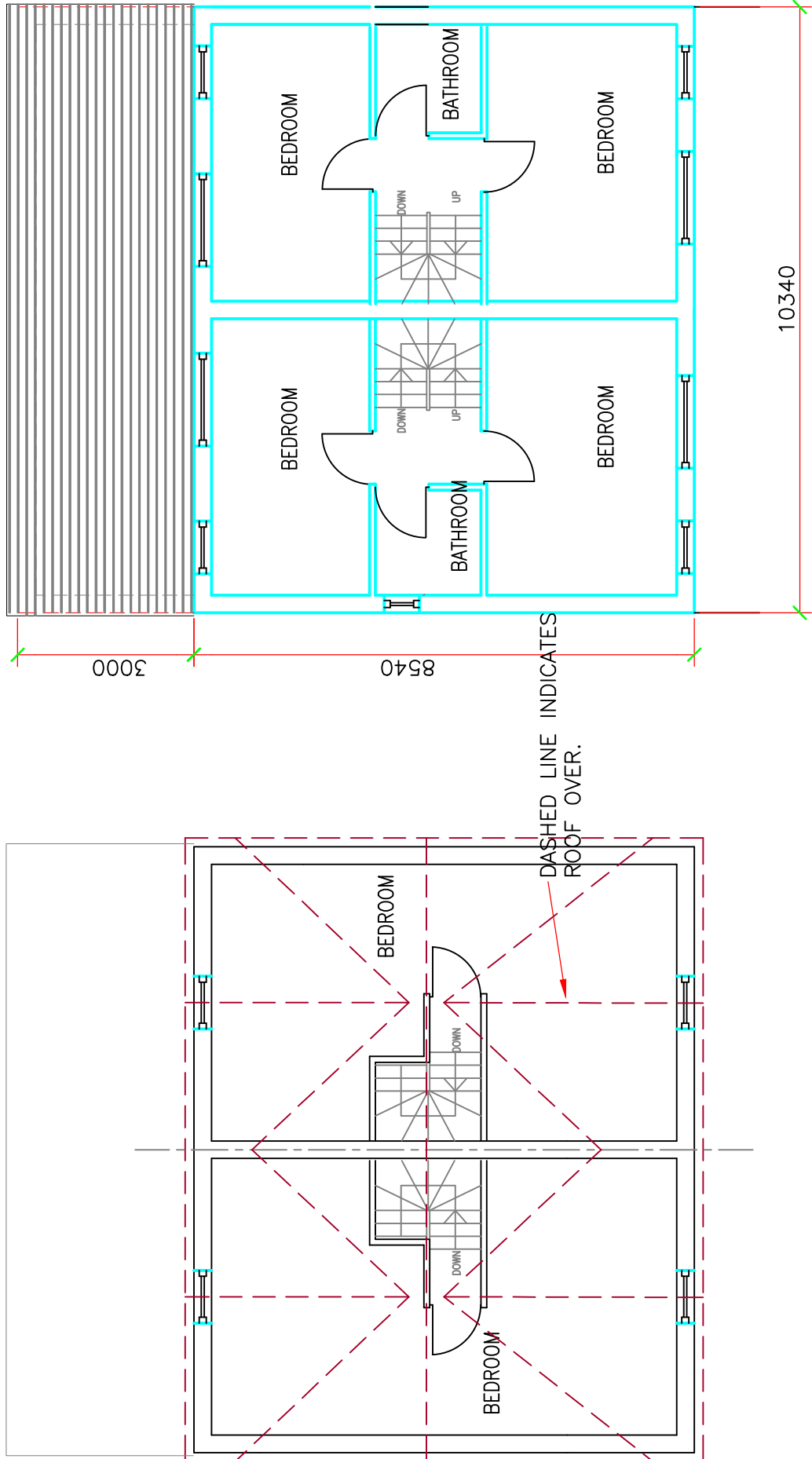
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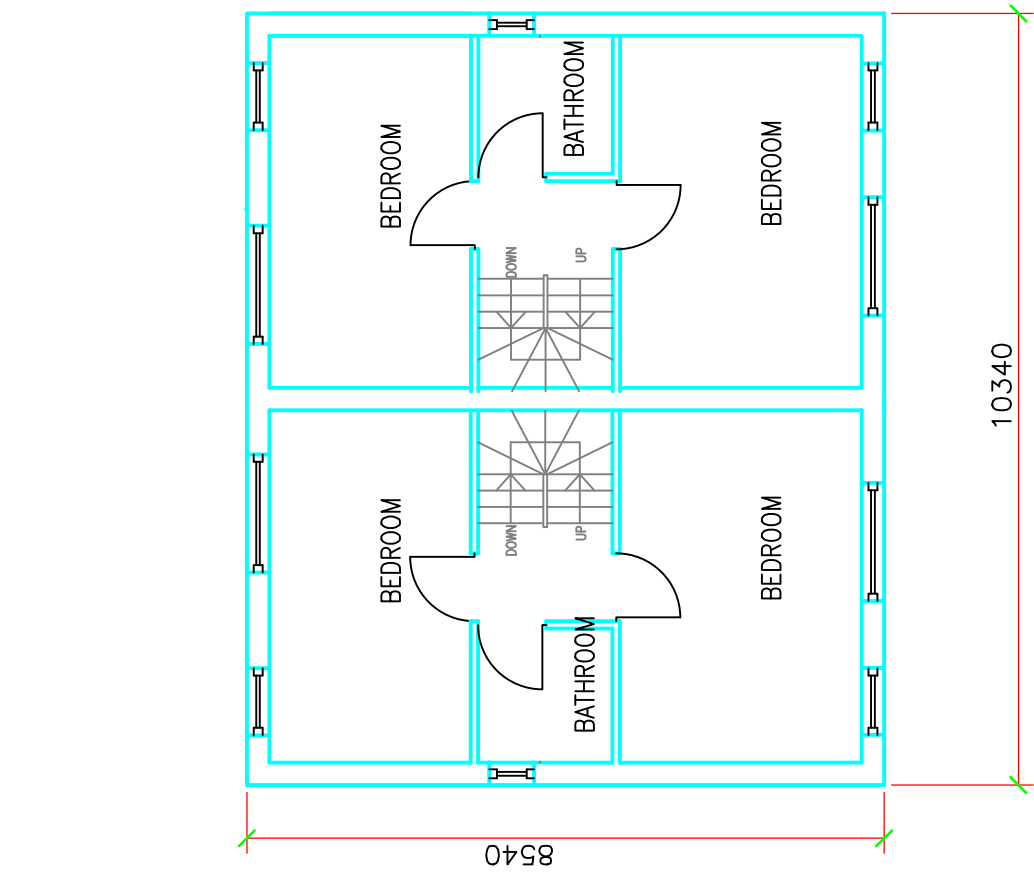
DRAWING NO: **F7150 H1D**



REAR ELEVATION.

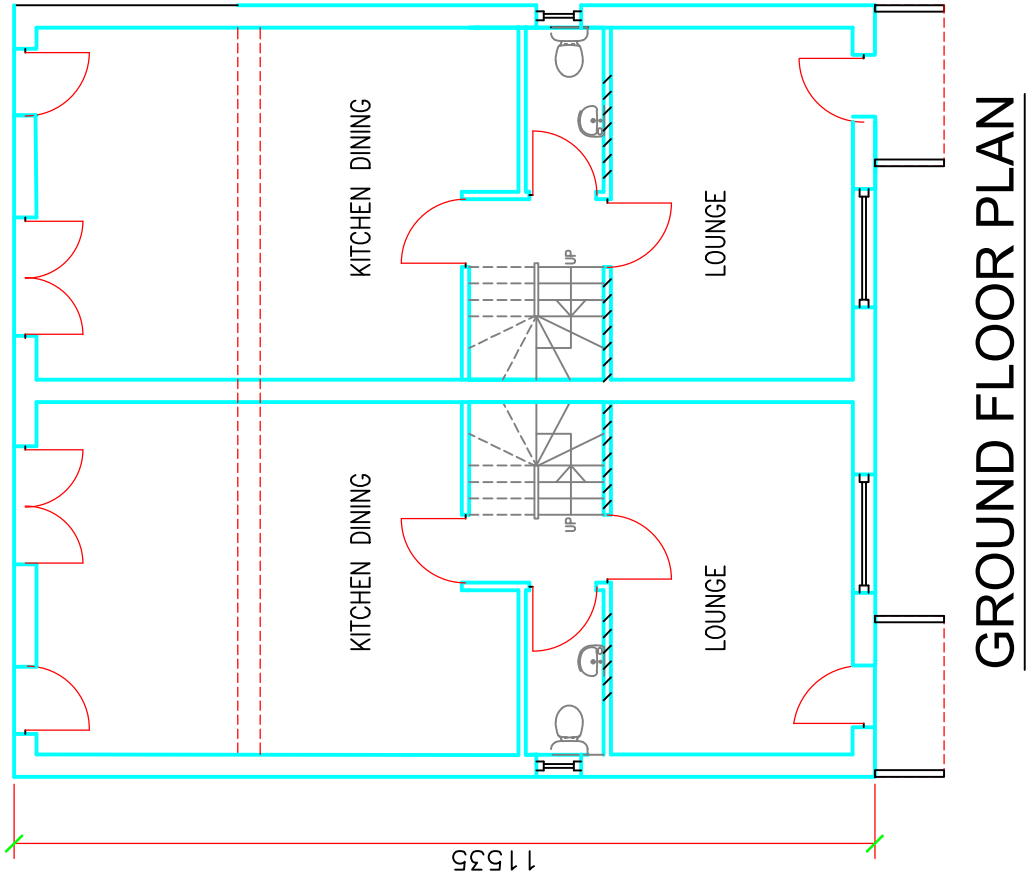


SECOND FLOOR PLAN



FIRST FLOOR PLAN

HOUSE TYPE 1



GROUND FLOOR PLAN

Materials

Roof – Marley Modern – Charcoal

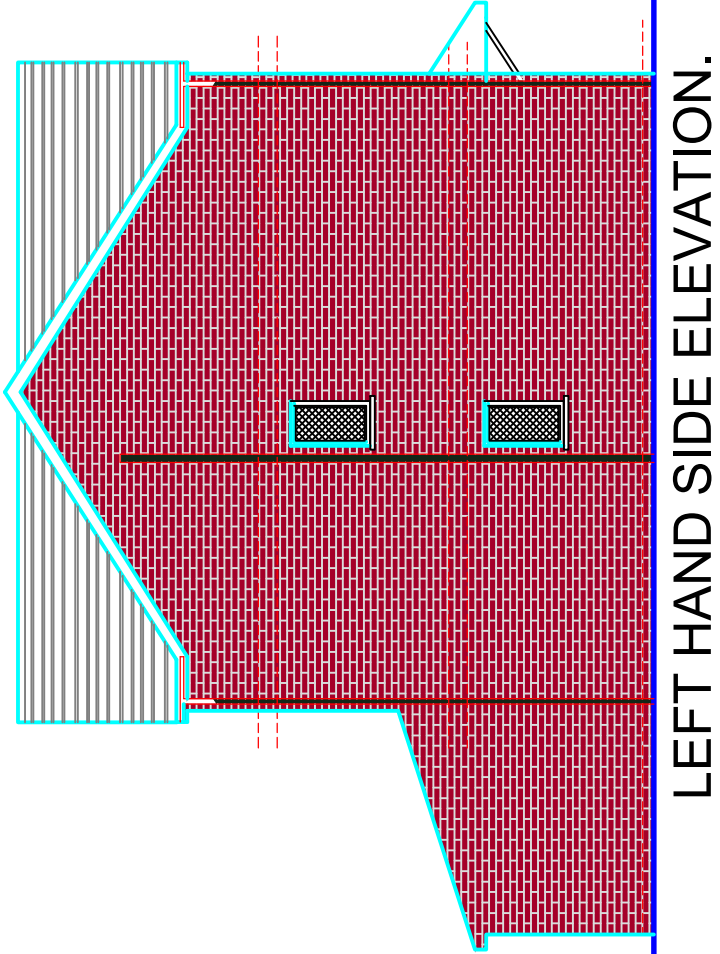
Walls – Approved facing brick

Doors and Windows – uPVC

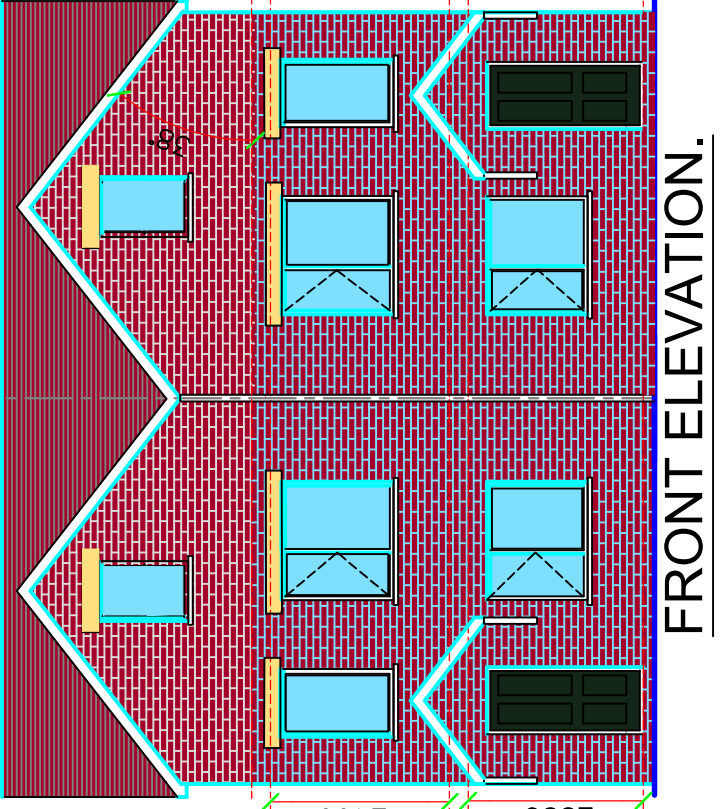
Rainwater Goods – Black uPVC

Dormer – u.P.V.C Cladding (Rear)

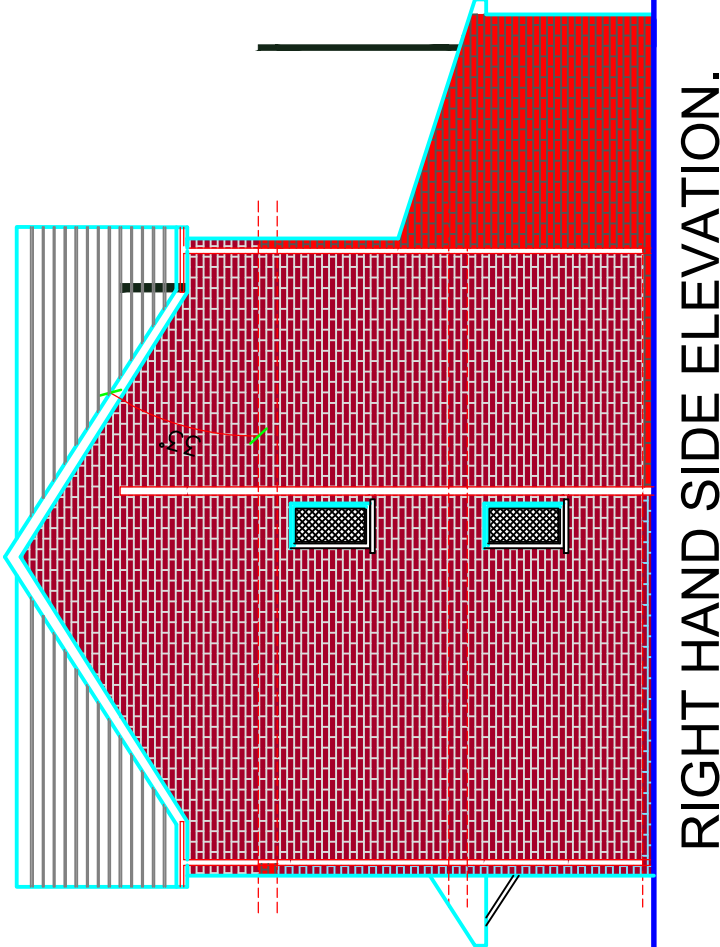
Dormer –Lead Effect (Front)



LEFT HAND SIDE ELEVATION.

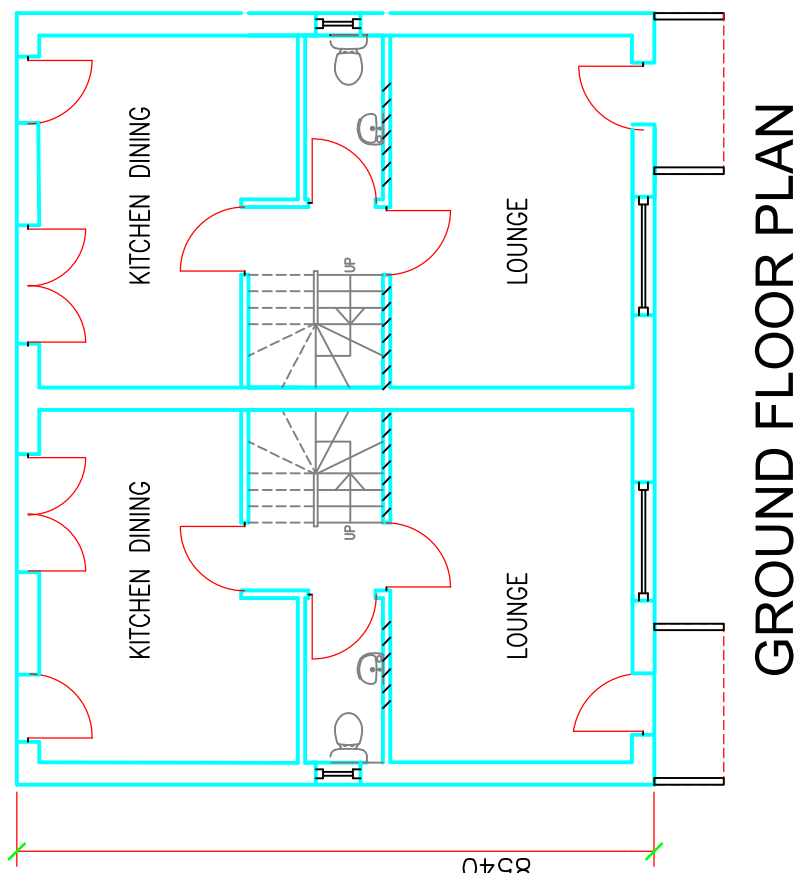


FRONT ELEVATION.



RIGHT HAND SIDE ELEVATION.

HOUSE TYPE 2



GROUND FLOOR PLAN

Materials

Roof – Marley Modern – Charcoal

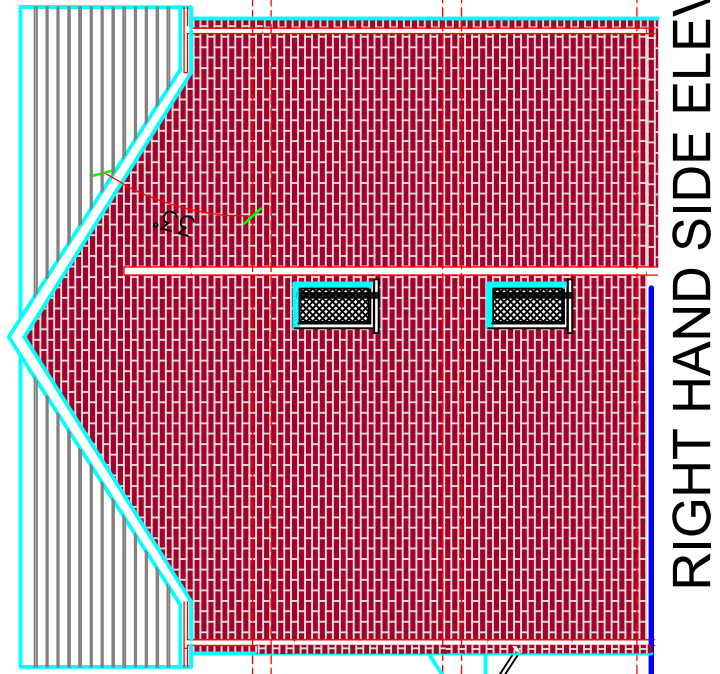
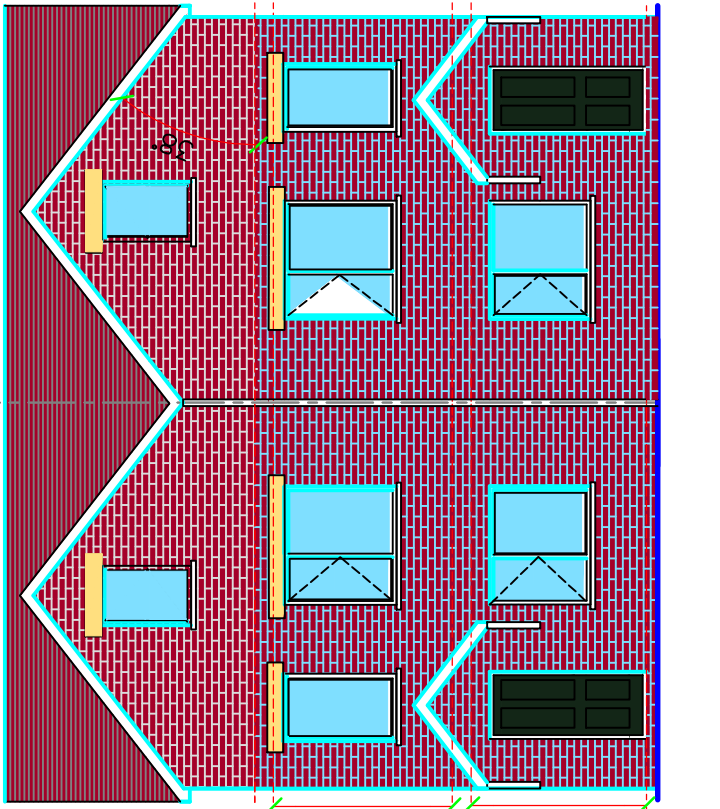
Walls – Approved facing brick

Doors and Windows – uPVC

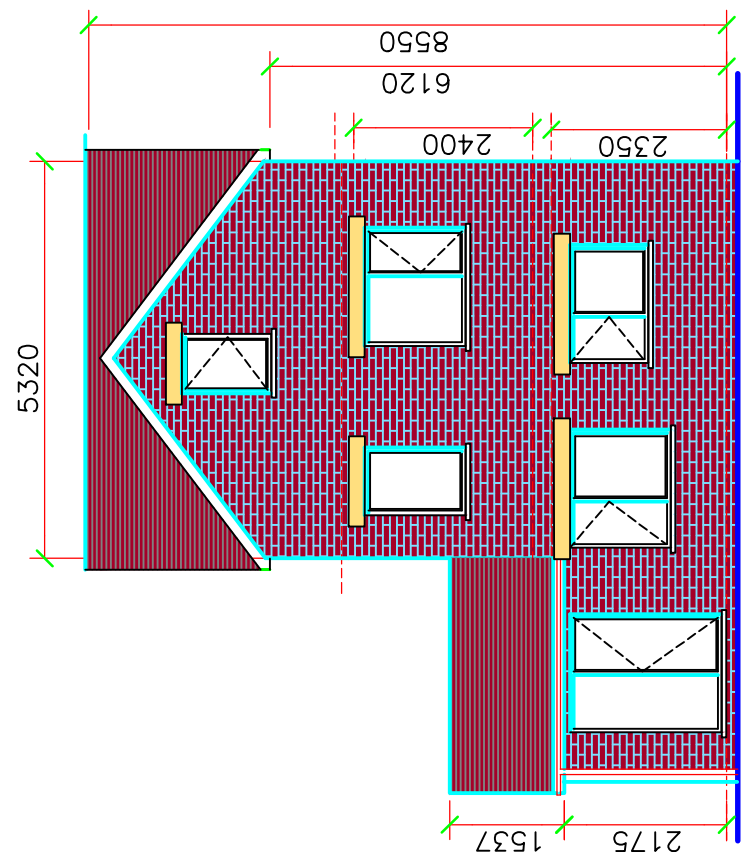
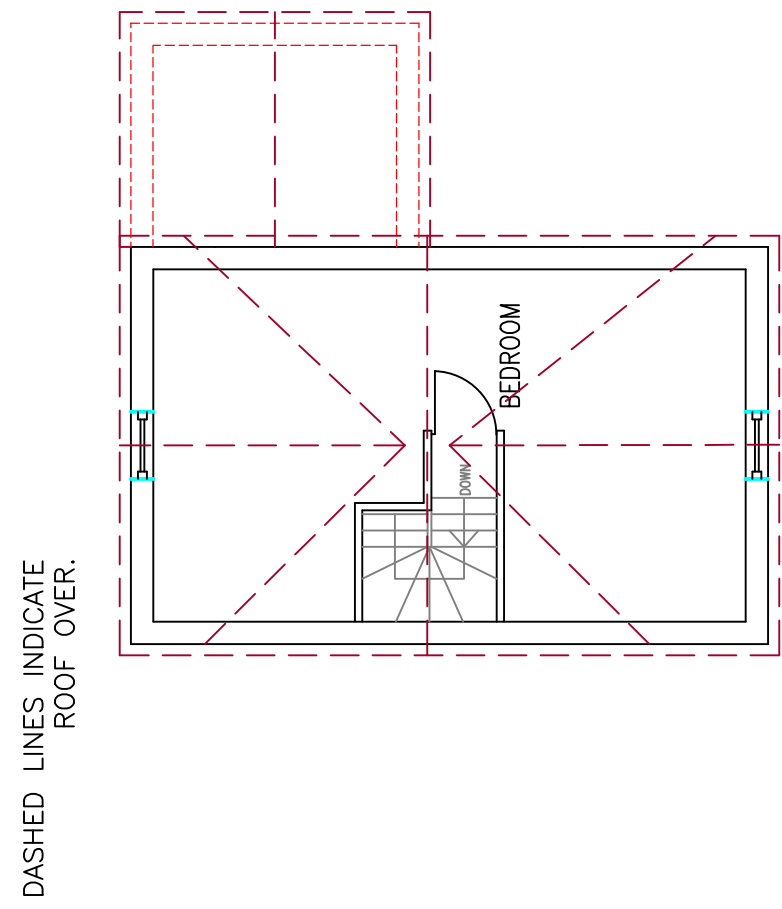
Rainwater Goods – Black uPVC

Dormer – u.P.V.C Cladding (Rear)

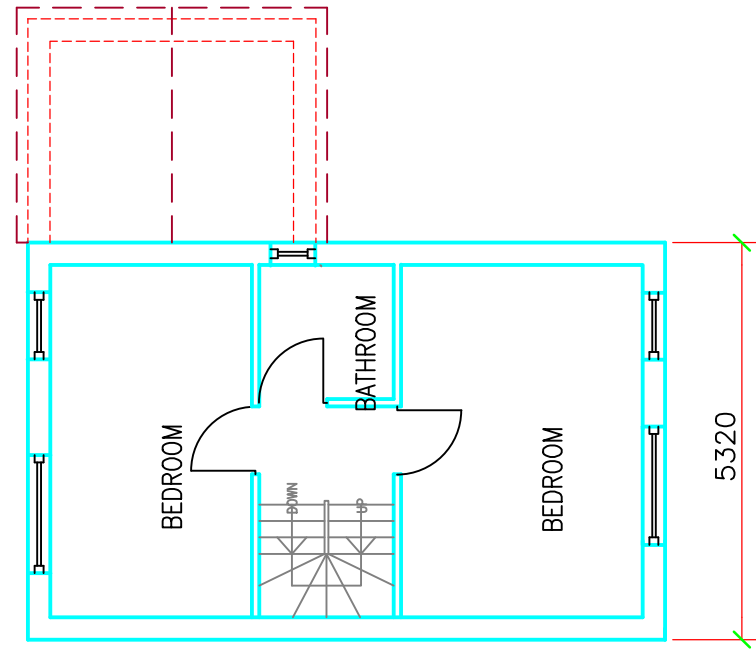
Dormer –Lead Effect (Front)



RIGHT HAND SIDE ELEVATION.

REAR ELEVATION.

SECOND FLOOR PLAN

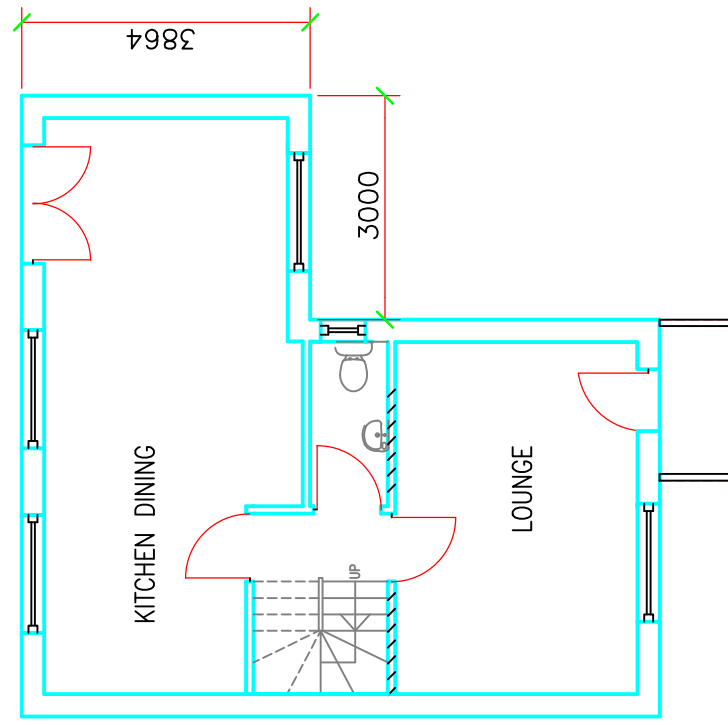


FIRST FLOOR PLAN

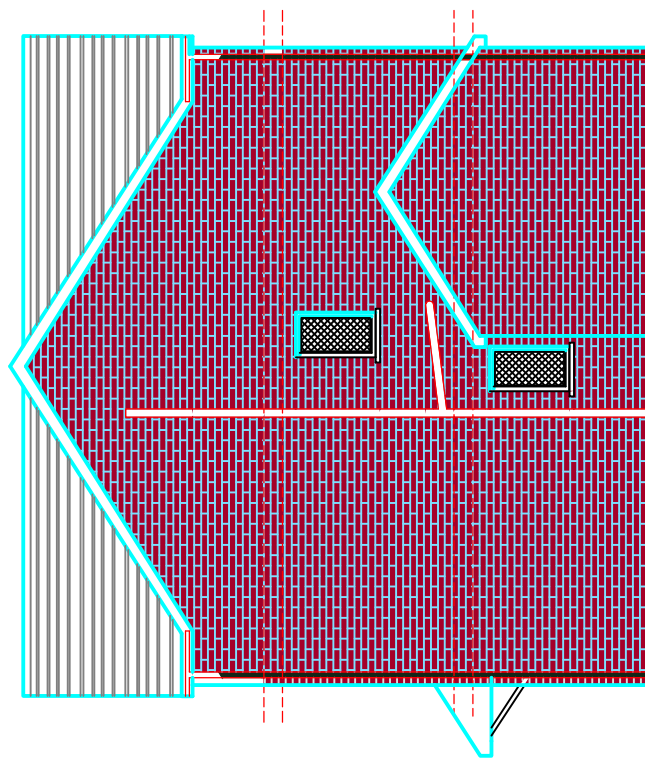
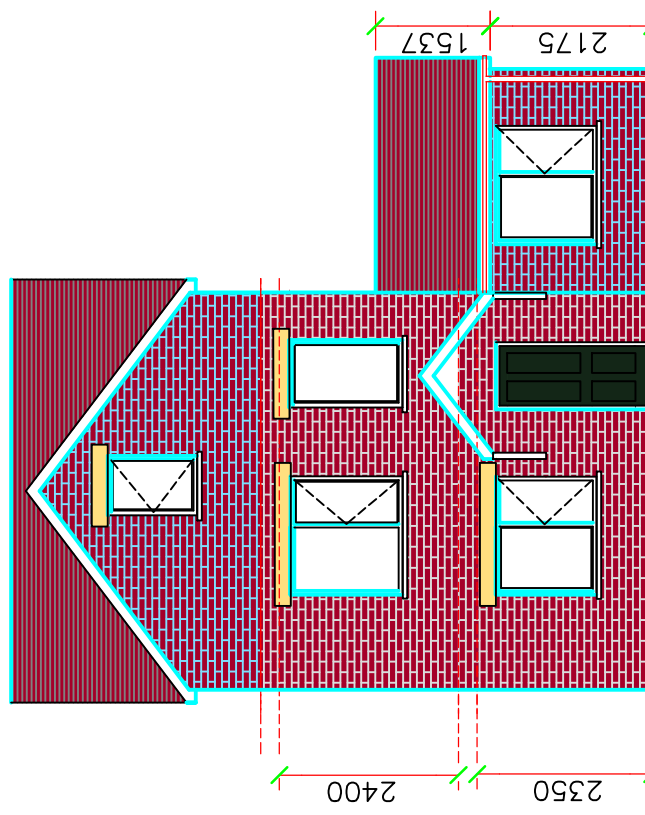
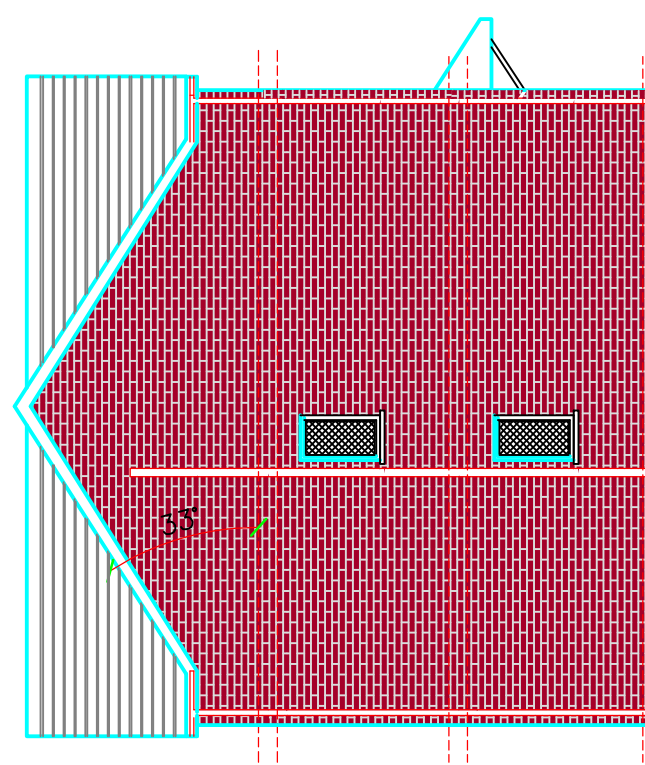
HOUSE TYPE 2A

Materials

Roof Marley Modern – Charcoal
Walls Approved facing brick
Doors and Windows uPVC.
Rainwater Goods Black uP.V.C
Dormer –u.P.V.C Cladding (Rear)
Dormer –Lead Effect (Front)



GROUND FLOOR PLAN



PROPOSED NEW DWELLINGS AT CROSS STREET, FARNWORTH.

Rev A House handed 24/01/20
Revision
Client

Mr. H. JACKSON.

Drawing Title.

PLANS & ELEVATIONS

HOUSE TYPE 2A

Fox Limited.

Consulting Civil & Structural Engineers,
66-70 Park Hill Street, Bolton, BL1 4AR.
Tel: (01204) 362300
Fax: (01204) 399200
Email: info@foxx.co.uk

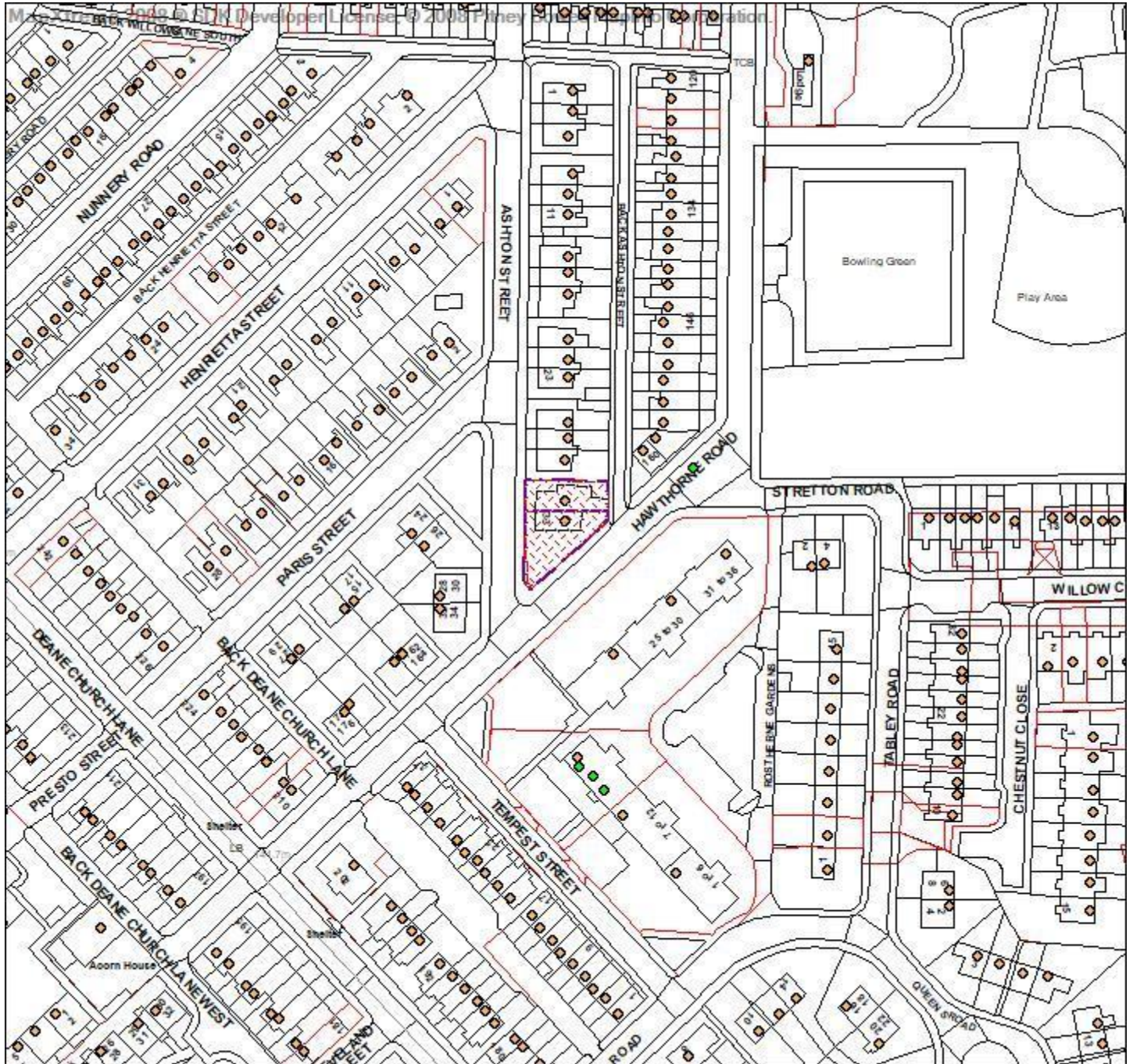
SCALE: 1:100 DATE: OCT 19

DRAWN: R.M.

CONTRACT No:

F7150 H2A

Application number 07002/19



Directorate of Place
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
Telephone (01204) 333 333

Bolton Council

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Date of Meeting: 23/07/2020

Application Reference: 07002/19

Type of Application: Full Planning Application
Registration Date: 30/09/2019
Decision Due By: 24/11/2019
Responsible Officer: Helen Williams

Location: 31 AND 33 ASHTON STREET, BOLTON, BL3 4HN

Proposal: RETENTION OF SINGLE STOREY EXTENSION TO SIDE AND REAR OF NO 31 AND PART SINGLE STOREY / PART TWO STOREY EXTENSION WITH DORMER TO REAR OF NO 33.

Ward: Rumworth

Applicant: Mr M Patel
Agent : SMS Architecture

Officers Report

Recommendation: Refuse

Executive Summary

- * Cllr. Abdullah has requested that this application be heard before Committee.
- * Rear and side extensions have been built at 31 Ashton Street without the benefit of planning permission (not in accordance with a previous planning approval).
- * An Enforcement Notice has been served on 31 Ashton Street to demolish the unauthorised extensions.
- * The extensions as built at no. 31 and previously proposed at no. 33 have been refused under two applications and have been dismissed at appeal.
- * The applicant has now submitted amended plans and seeks permission for:
 - * 31 Ashton Street - the single storey side and part two storey, part single storey rear extensions as built, along with an additional 2 metre long single storey extension along the party boundary with no. 33.
 - * 33 Ashton Street – the part two, part single storey rear extension and rear dormer as previously approved in 2016, along with an additional 2 metre long single storey extension along the part boundary with no. 31.
- * Officers do not consider that the amendments have sufficiently addressed the Planning Inspector's reasons for dismissing the previous appeal, and that the proposed extensions would still harm the character and appearance of the host dwellings and the surrounding area, would result in an unacceptable amount of outdoor amenity space for the residents at 33 Ashton Street, and the single storey side extension at no. 33 would unduly harm the outlook of the residents at 29 Ashton Street.
- * Members are therefore recommended to refuse this application.

Proposal

Background to proposal

1. Permission was granted in August 2016 for the erection of part single, part two storey extensions with dormer at the rear of both 31 and 33 Ashton Street (application ref. 96932/16). The approved extension at no. 31 projected 4 metres at ground floor and 3 metres at first floor. The approved extension at no. 33 also projected (in total, after extending an existing single storey rear extension) 4 metres at ground floor and 3 metres at first floor.
2. In December 2016 the Local Planning Authority (LPA) received an enforcement complaint that the extensions at no. 31 were not being built in accordance with the approved plans (enforcement ref. 16/0670/01). No. 33 had not implemented their permission (had not started building).
3. A planning application (ref. 01594/17) was then submitted for the retention of the extensions built at no. 31 (i) a 4 metre projecting two storey rear extension, ii) a further single storey rear extension projecting a further 4.35 metres from the rear of the two storey extension (therefore a total projection of 8.35 metres along the party boundary with no. 33), iii) a single storey side extension 1.5 metres in width and 8.23 metres in length, projecting 4 metres to the rear, and iv) a rear dormer window) and for proposed (larger than approved) extensions at no. 33 (i) a 3 metre projecting two storey rear extension, ii) a further single storey rear extension projecting a further 5.35 metres from the rear two storey extension (therefore a total projection of 8.35 metres along the party boundary with no. 31), and iii) a rear dormer window). This application was refused under delegated powers in September 2017 for the following two reasons:

1. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document – "House Extensions".

2. The proposal represents an over development of the site which will result in a loss of outlook and privacy for neighbouring occupiers and will result in insufficient private, useable amenity space for the existing dwelling and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions'

4. On 6 October 2017 a Planning Enforcement Notice was issued on the owner of no. 31, requiring the rear and side extensions to be removed.
5. On 6 December 2017 the applicant/owner of no. 31 tried to appeal the refusal (01594/17) but as an Enforcement Notice had been issued (which only gives 28 days to appeal) the owner was 'out of time'.
6. The LPA however allowed the applicant to re-submit the refused planning application, to allow them the opportunity to appeal the Council's decision. This resubmitted planning application was 04596/18. This application proposed the same extensions as application 01594/17 and refused by the Council under delegated powers in January 2019 for the following reasons:

1. The proposed development, by virtue of its design, height, scale, bulk and siting would introduce an incongruous, over dominant feature within the street scene detrimental to the character and appearance of the host dwellings as well of the surrounding area contrary to Policy CG3 of Bolton's Core Strategy and guidance contained within the Supplementary Planning Document – "House Extensions" and the National Planning Policy Framework.

2. The proposed development at no. 31 represents an over development of the site which results in substandard living conditions by way of insufficient private and useable amenity space for the existing dwelling contrary to Policy CG4 of Bolton's Core Strategy and contrary to guidance contained within the Supplementary Planning Documents 'General Design Principles' and 'House Extensions' and within the National Planning Policy Framework.

3. The proposed development at no. 31 represents an over development of the site resulting in an overbearing relationship with the neighbouring garden and leading to an undue reduction in daylight at no. 29 Ashton Street detrimentally impacting residential amenity of neighbouring occupiers contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions' and the National Planning Policy Framework.

7. The applicant appealed the refusal of 04596/18 (appeal ref. N4205/W/19/3221758). The appeal was dismissed by the Planning Inspector on 29 April 2019. The Inspector's decision is attached to the end of this officer's report. The Inspector found that the extensions would be harmful to the character and appearance of the host buildings and the wider area (paras. 14-18) and that they would be harmful to the living conditions of 31 Ashton Street owing to the lack of private and useable amenity space (paras. 20-26) and the side extension at no. 31 would be harmful to the outlook of 29 Ashton Street (paras. 29-30).

This latest proposal

8. Permission is now sought for the following:

9. 31 Ashton Street

- Retention of part two, part single storey rear extension: Projecting 4 metres at ground floor from the rear of the original dwelling and 3 metres at first floor. Full width of original dwelling. As approved under application 96932/16 and as built.
- Proposed additional single storey rear extension: Projecting 2 metres from the rear of the part two, part single storey full width extension (described above). 3.3 metres in width and adjoining the party boundary with no. 33. This is a newly proposed extension. The existing (unauthorised) 4.35 metre long single storey extension built along the party boundary with no. 33 would need to be demolished to accommodate this new, reduced extension.
- Retention of single storey side extension: Projecting 1.5 metres from the side elevation of the original dwelling and measuring 8.23 metres in length. The extension is set in approximately 4.32 metres from the front elevation and would project 4 metres past the rear of the original dwelling. This extension is linked to the rear extension. This extension is as built and was refused under applications 01594/17 and 04596/18 and dismissed at appeal.

10. The rear dormer at no. 31 is not applied for as it has previously been granted permission (under application 96932/16) and has been built in accordance with that approval.

11. 33 Ashton Street

- Proposed part two, part single storey rear extension: Projecting 4 metres at ground floor (existing 1.9 metre extension plus additional 2.1 metre proposed extension) and 3 metres at first floor. Full width of dwelling. As approved under application 96932/16.
- Proposed additional single storey rear extension: Projecting 2 metres from the rear of the proposed part two, part single storey full width extension (described above). 3 metres in width and adjoining the party boundary with no. 31. This proposed extension is reduced in projection from that refused under applications 01594/17 and 04596/18 and dismissed at appeal.
- Proposed rear dormer: As previously approved within application 96932/16.

Site Characteristics

12. The dwelling subject to this joint application are semi-detached, two storey dwellings. 33 Ashton Street is located on the corner of Ashton Street and Hawthorne Street and has a triangular shaped plot. No. 31 adjoins no. 33 to the north.
13. Unauthorised rear and side extensions have been built at 31 Ashton Street. The rear dormer approved under application 96932/16 has also been installed on the property.
14. 33 Ashton Street has an existing single storey rear extension (1.9 metre projection).
15. To the immediate north of no. 31 is the end terraced property of 29 Ashton Street.
16. Back Ashton Street runs parallel and to the east of Ashton Street.

Policy

Development Plan Policies

Core Strategies Policies: P5 Transport and Accessibility; CG3 The Built Environment; CG4 Compatible Uses; RA1 Inner Bolton

Other material considerations

SPD House Extensions; SPD General Design Principles

National Planning Policy Framework (NPPF)

Inspector's appeal decision for N4205/W/19/3221758

Analysis

17. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.

18. The main impacts of the proposal are:-

- * Impact on the character and appearance of the dwellings and the surrounding area
- * Impact on the amenity of the residents and neighbouring resident

Impact on the Character and Appearance of the Dwelling and the Surrounding Area

19. Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing and architecture. Policy RA1 relates specifically to developments in Inner Bolton and states [amongst other things] that the Council will conserve and enhance the distinctive character of the existing physical and natural environment, ensure that development has particular regard to massing and material used, and respect and strengthen the traditional grid-iron pattern and the street-scaping of existing housing and mills where it is compatible with

good urban design.

20. SPD House Extensions provides general advice on house extensions and offers guidance relating to the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area with paragraph 3.1 stating that a well-designed extension should be subordinate in relation to the dwelling and should be of a size and scale which is in proportion to the existing house.
21. The proposed rear extensions would be viewed from public viewpoints on Hawthorne Road and Stretton Road, as well as from Back Ashton Street.
22. The rear dormer windows and the proposed 4 metre at ground floor, 3 metre at first floor rear extensions to both 31 and 33 Ashton Street have previously been approved under application 96932/16. These extensions have therefore previously been considered acceptable and are again considered to be acceptable.
23. In addition to what has previously been approved, the following are now proposed:

Single storey extensions at the rear of the previously proposed rear extensions, at both no. 31 and 33

24. The two extensions would each project 2 metres from the rear of the previously approved part two, part single storey rear extensions, along the party boundary between the two semi-detached properties. Whilst proposed next to each other, these extensions will not be joined: there will be a narrow gap between them meaning that they can be built separately (as with the part two, part single storey extensions).
25. The single storey extension constructed (unauthorised) at no. 31 projects 4.35 metres to the rear of the part two, part single storey rear extension, and extends the full length of the party boundary with no. 33. Its rear elevation forms the rear boundary of the plot. The single storey extension now proposed would be 2.35 metres less in projection than built, however it would continue to look prominent and incongruous owing to the proposed height of its ridge (4.025 metres). A 'mirrored' single storey extension is proposed at the rear of no. 33, which would help make the extension at no. 31 less obtrusive by balancing the appearance of the semis at the rear, however, as the rear extensions proposed at nos. 31 and 33 are not physically linked they do not need to be built together, and therefore it is possible that the extensions at no. 33 may not be built. This would leave the extensions at no. 31 appearing highly prominent and incongruous features, and would unbalance the semi-detached pair of properties when viewed from Hawthorne Road, Stretton Road and Back Ashton Street.
26. Whilst the reduction in the length of the proposed single storey extensions at the rears of 31 and 33 Ashton Street are an improvement to those previously refused and dismissed at appeal (and will retain a larger amount of outdoor amenity space for the residents), it is considered that the combination of the extensions proposed at the rears of these properties would, by virtue of their scale, massing, siting and design, harm the character and appearance of the host dwellings and the surrounding area.

Single storey side extension at 31 Ashton Street

27. This extension does not have permission. The Planning Inspector specifically refers to the side extension at paragraph 17 of the appeal decision, where he states, "The position of the side extension at No 31 means it is less visible from Hawthorne Road, Stretton Road and Back Ashton Street than the rear extension. Its visual impact from Ashton Street is also reduced due to being set-back from the front elevation. Nevertheless, as a result of its scale, massing and design it is

a prominent and obtrusive feature on the host building and in the streetscene along Back Ashton Street."

28. The scale, massing and design of the side extension has not been amended; it is again proposed as built. It is therefore considered that the Inspector's concerns about this extension have not been addressed and the extension would remain as a "prominent and obtrusive feature on the host building and in the streetscene along Back Ashton Street".
29. Officers have advised the applicant, during the determination of this application, to remove the side extension from the proposal, however the applicant wishes for this element to be retained.
30. For the reasons discussed above, it is considered that the proposed single storey rear extensions at nos. 31 and 33 and the single storey side extension to no. 31 would, in addition to the proposed part two, part single storey rear extensions, be harmful to the character and appearance of the dwellings and the surrounding area, contrary to Policy CG3 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

31. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy safety and security.
32. SPD House Extensions provides policy guidance on extensions. Section 4 covers the impact of extension on neighbouring properties and states that extensions should not have an overbearing or overly dominant effect on adjoining dwellings.

Living conditions of the neighbouring residents at 29 Ashton Street

33. The Planning Inspector found, within his appeal decision at paragraphs 29 to 30, that the single storey side extension at 31 Ashton Street, by virtue of its height, massing and proximity to the boundary with no. 29, is, "a visually prominent, overbearing feature, which adversely affects the outlook from no. 29 and its rear and side garden areas. Notwithstanding that the boundary fence is broken, were it to be in good repair the side extension is still significantly higher and would be readily visible above it." The Inspector therefore concluded in paragraph 30 that the side extension at no. 31, "is harmful to the living conditions of future occupiers of 29 Ashton Street, with particular regard to outlook", contrary to Policy CG4 of the Core Strategy and the guidance contained within the SPD.
34. As the applicant proposes to retain the single storey side extension at no. 31 as built, the above statements by the Planning Inspector still stand and it is still considered that the proposal would unduly harm the amenity of the neighbours at no. 29.

Living conditions of occupiers of 31 Ashton Street

35. Within his appeal decision the Planning Inspector found that the 20 sq. metres of rear yard left at no. 31, following the erection of the extensions, was harmful to the living conditions of the occupiers of 31 Ashton Street. The reduction of the single storey rear extension at no. 31 would increase the amount of outdoor amenity space retained for the residents to about 28 sq. metres. This is still well below the 50 sq. metres of amenity space recommended within SPD House Extensions.

Living conditions of occupiers of 33 Ashton Street

36. If the extensions proposed for both 31 and 33 Ashton Street are built in full compliance with the plans now proposed, it is not considered that the amenity of the residents at no. 33 would be

unduly harmed, as the rear extensions would mirror each other. There is however no assurance that the extensions proposed to the rear of no. 33 will be built, and indeed the (unauthorised) extensions at no. 31 were fully constructed without any approved extension at no. 33 being commenced. As the extensions proposed at no. 31 and 33 are not physically linked, there is no control in place to ensure that both sets of extensions are built. If the extensions at no. 33 are not built, the rear extensions now proposed at no. 31 would have a harmful impact on the amenity of the residents of no. 33 owing to the scale, massing, height and siting of the extensions (as is currently the case). (The extensions as approved under application 96932/16 were compliant with policy guidance and therefore it was considered that they would still be acceptable if only one property implemented their permission: this is not the case now).

37. For the reasons discussed above, it is considered that the proposed single storey side extension would continue to unduly harm the outlook of the residents at 29 Ashton Street, contrary to Policy CG4 of the Core Strategy.
38. The amount of outdoor amenity for the residents of 31 Ashton Street would continue to remain well below the recommended standard within SPD House Extensions, unduly harming the living conditions of the residents of no. 31 and contrary to policy CG4 of the Core Strategy.
39. Should the extensions proposed at no. 33 not be built, the proposed rear extensions at no. 31 would unduly harm the amenity of the neighbours at 33 Ashton Street, contrary to Policy CG4 of the Core Strategy and the guidance within SPD House Extensions.

Conclusion

40. For the reasons discussed above, it is not considered that the proposed amendments sufficiently address the previous reasons for refusing applications 01594/17 and 04596/18 and the reasons the Planning Inspector gave for dismissing the subsequent planning appeal (N4205/W/19/3221758).
40. It is considered that the proposed combination of extensions would continue to be overbearing and incongruous, harming the character and appearance of the host buildings and the wider area, contrary to Policy CG3 of the Core Strategy and the guidance contained within SPD House Extensions.
41. It is still considered that insufficient outdoor amenity space would be retained for the residents of 31 Ashton Street, contrary to Policy CG4 of the Core Strategy and the guidance contained within SPD House Extensions.
42. It is also still considered that the single storey side extension at 31 Ashton Street would unduly harm the outlook of the residents at 29 Ashton Street, by virtue of its siting and scale, contrary to Policy CG4 of the Core Strategy.
43. Members are therefore recommended to refuse this application for these three reasons.
44. Should Members be minded to approve the application, officers would recommend that the applicant enter a Legal Agreement to ensure that the extensions at 33 Ashton Street are commenced at the same time as the amendments to the extensions at no. 31 are commenced (or within another agreed timeframe) to ensure that the extensions do not unduly harm the amenity of the neighbours at no. 33.

Representation and Consultation Annex

Representations

Letters:- One letter commenting on the proposal has been received. This states that the proposed works are a monstrosity.

Elected Members:- Cllr. Abdullah has requested that this application be heard before Planning Committee for the following reasons:

- * The scheme has been reduced and is no longer a full length extension at the rear. Neighbouring properties are happy with the proposal.
- * No principal windows are being affected by the extension. Further to this the 45 degree principle is being adhered to. It is common place in Rumworth ward to see such extensions in order to cater for the needs of large families. Due to minimal impact on the neighbouring properties I request this application be taken to Committee.

Consultations

None.

Planning History

96932/16 – Erection of part single/part two storey extensions at rear together with dormers at rear of both No.31 and 33 – Approved 22.08.2016.

01594/17 – Erection of single storey extensions to side and rear of no 31 and part single storey/part two storey extension and dormer to rear of no 33 – Refused 26.09.2017 for the following reasons:

1. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document – "House Extensions".

2. The proposal represents an over development of the site which will result in a loss of outlook and privacy for neighbouring occupiers and will result in insufficient private, useable amenity space for the existing dwelling and would be out of character with the surrounding locality and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions'

04596/18 - Retention of single storey extensions to side and rear of no 31 and erection part single storey/part two storey extension and dormer to rear of no 33 – Refused 08.01.2019 for the following reasons:

1. The proposed development, by virtue of its design, height, scale, bulk and siting would introduce an incongruous, over dominant feature within the street scene detrimental to the character and appearance of the host dwellings as well of the surrounding area contrary to Policy CG3 of Bolton's Core Strategy and guidance contained within the Supplementary Planning Document – "House Extensions" and the National Planning Policy Framework.

2. The proposed development at no. 31 represents an over development of the site which results in substandard living conditions by way of insufficient private and useable amenity space for the existing dwelling contrary to Policy CG4 of Bolton's Core Strategy and contrary to guidance contained within the Supplementary Planning Documents 'General Design Principles' and 'House Extensions' and within the National Planning Policy Framework.

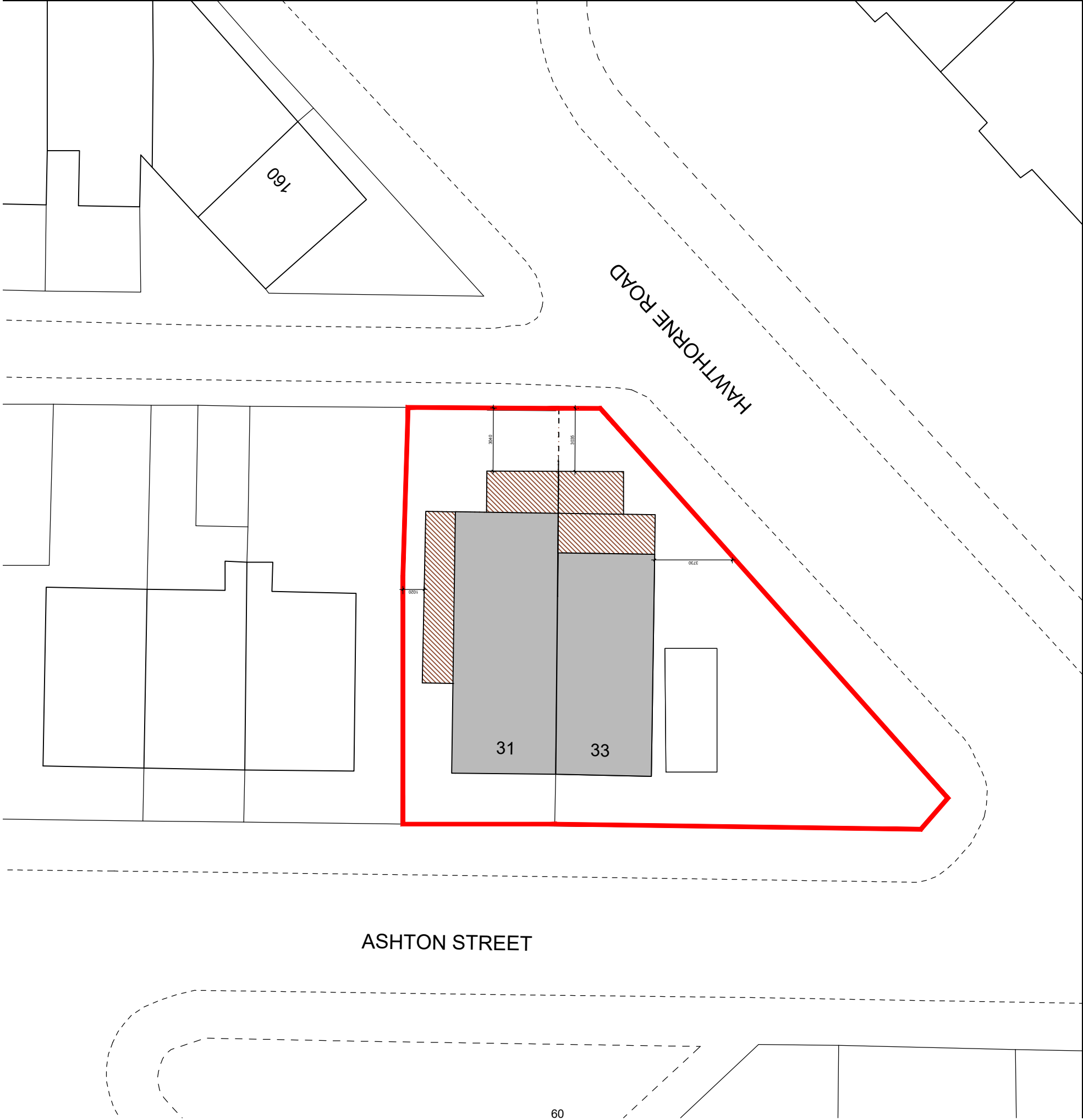
3. The proposed development at no. 31 represents an over development of the site resulting in an overbearing relationship with the neighbouring garden and leading to an undue reduction in daylight at no. 29 Ashton Street detrimentally impacting residential amenity of neighbouring occupiers contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions' and the National Planning Policy Framework.

The applicant appealed the refusal of 04596/18 (appeal ref. N4205/W/19/3221758). The appeal was dismissed by the Planning Inspector on 29 April 2019.

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development, by virtue of its design, height, scale, bulk and siting, would introduce an incongruous, over dominant feature within the street scene detrimental to the character and appearance of the host dwellings as well of the surrounding area, contrary to Policy CG3 of Bolton's Core Strategy and guidance contained within the Supplementary Planning Document – "House Extensions" and the National Planning Policy Framework.
 2. The proposed development at 31 Ashton Street represents an over development of the site which results in substandard living conditions by way of insufficient private and useable amenity space for the existing dwelling, contrary to Policy CG4 of Bolton's Core Strategy and contrary to guidance contained within the Supplementary Planning Documents 'General Design Principles' and 'House Extensions' and within the National Planning Policy Framework.
 3. The single storey side extension at 31 Ashton Street, by virtue of its scale and siting, would have an undue impact on the outlook of the neighbouring residents at 29 Ashton Street, contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles' and 'House Extensions' and the National Planning Policy Framework.
-
1. The Local Planning Authority has produced a Planning Control Policy Note No.3 that sets out guidelines and standards applied by Council in dealing with Planning Applications for "House Extensions". Copies can be obtained from the Environment Department, Town Hall, Bolton (Telephone: 01204 336000).

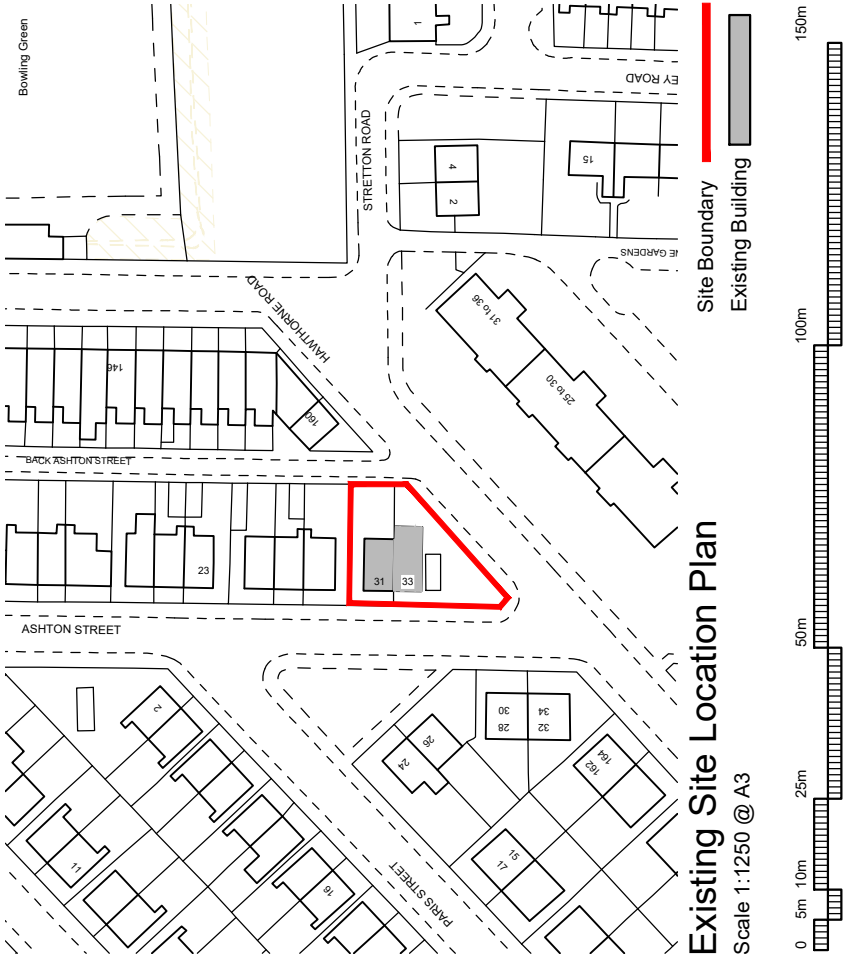


Proposed Site Plan
Scale 1:200 @ A3

Site Area - SqM/ SqFt

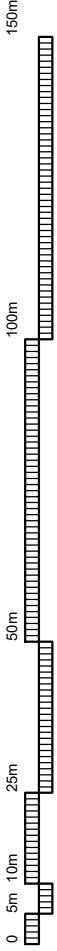
Existing Building
Proposed Extension

Site Boundary



Existing Site Location Plan
Scale 1:1250 @ A3

Site Boundary
Existing Building



NOTES:

No scaling or dimensions other than those figured are to be taken from this drawing. All dimensions to be checked on site

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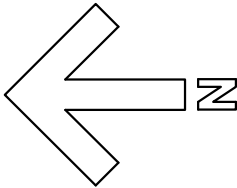
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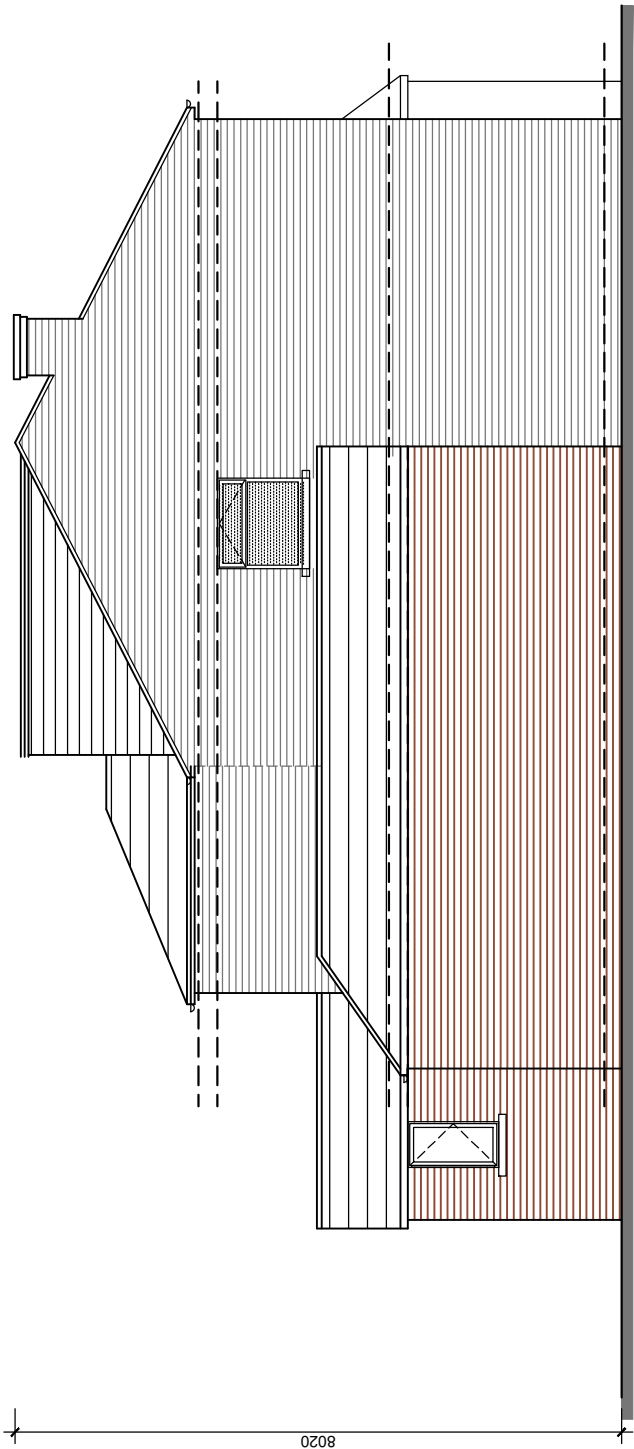
31 and 33 Ashton Street
Bolton
Lancashire
BL3 4HN

Drawing:

00 Site Location
REV 2

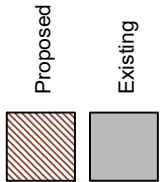
Scale: **Varies**
Size: **A3**
Date: **09/19**





SIDE ELEVATION

1:100



NOTES:

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Project Location:

31 Ashton Street
Bolton
Lancashire
BL3 4HN

Drawing:

02 Proposed Building
REV 2

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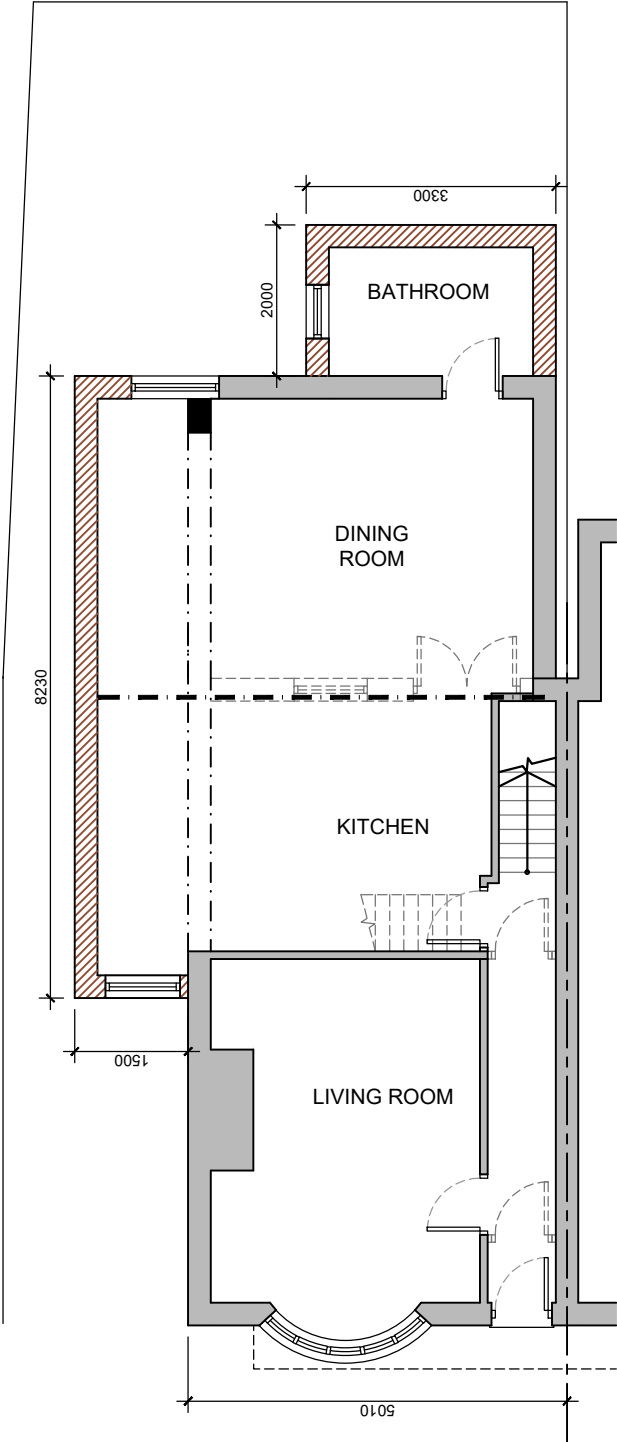
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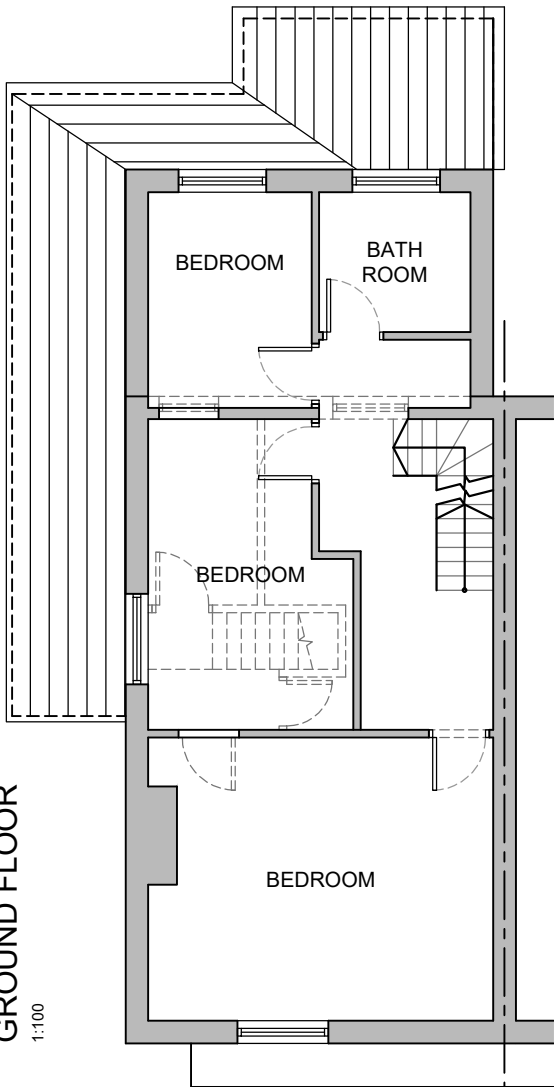
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09/19



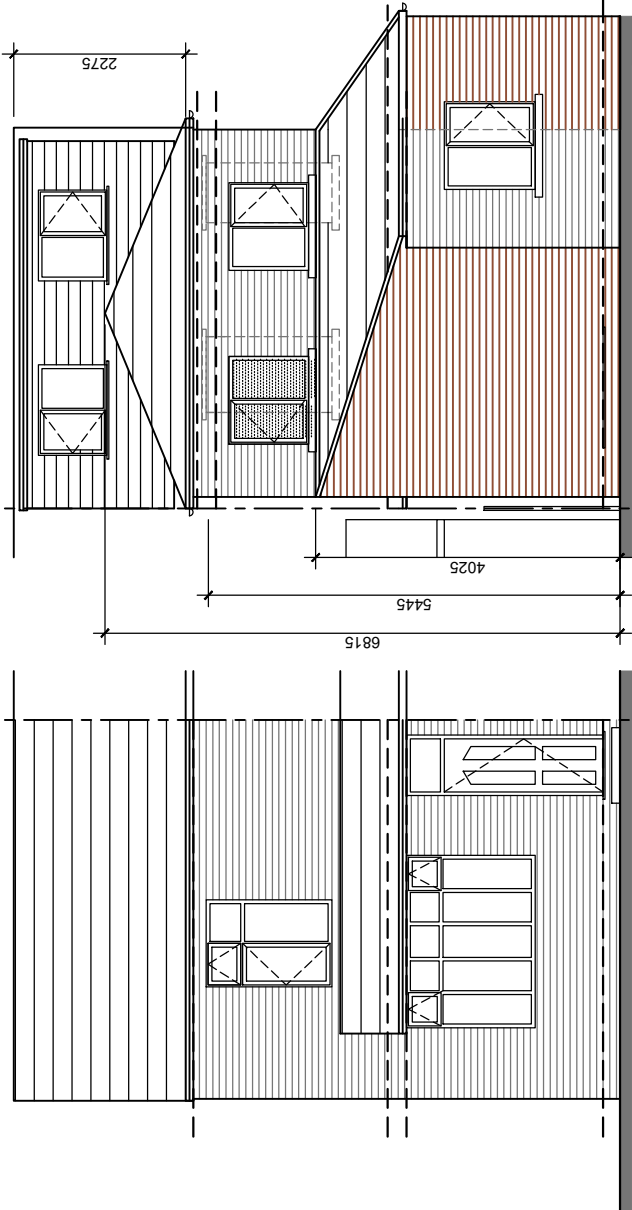
GROUND FLOOR

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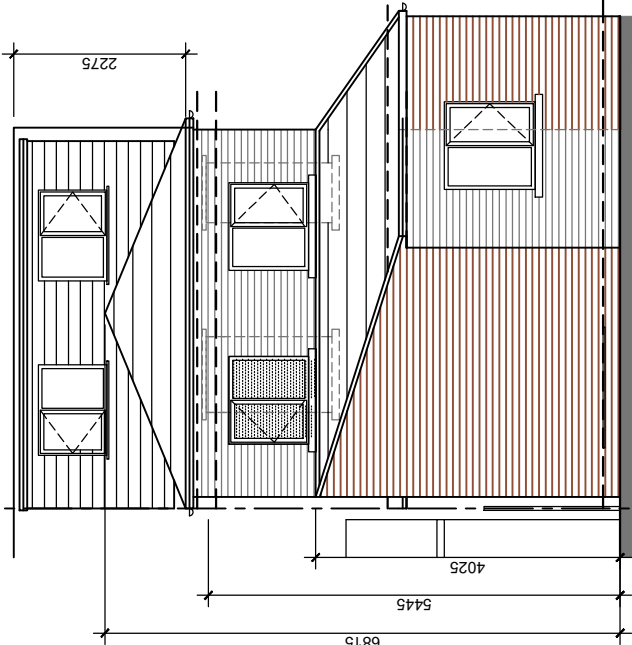
FIRST FLOOR

1:100



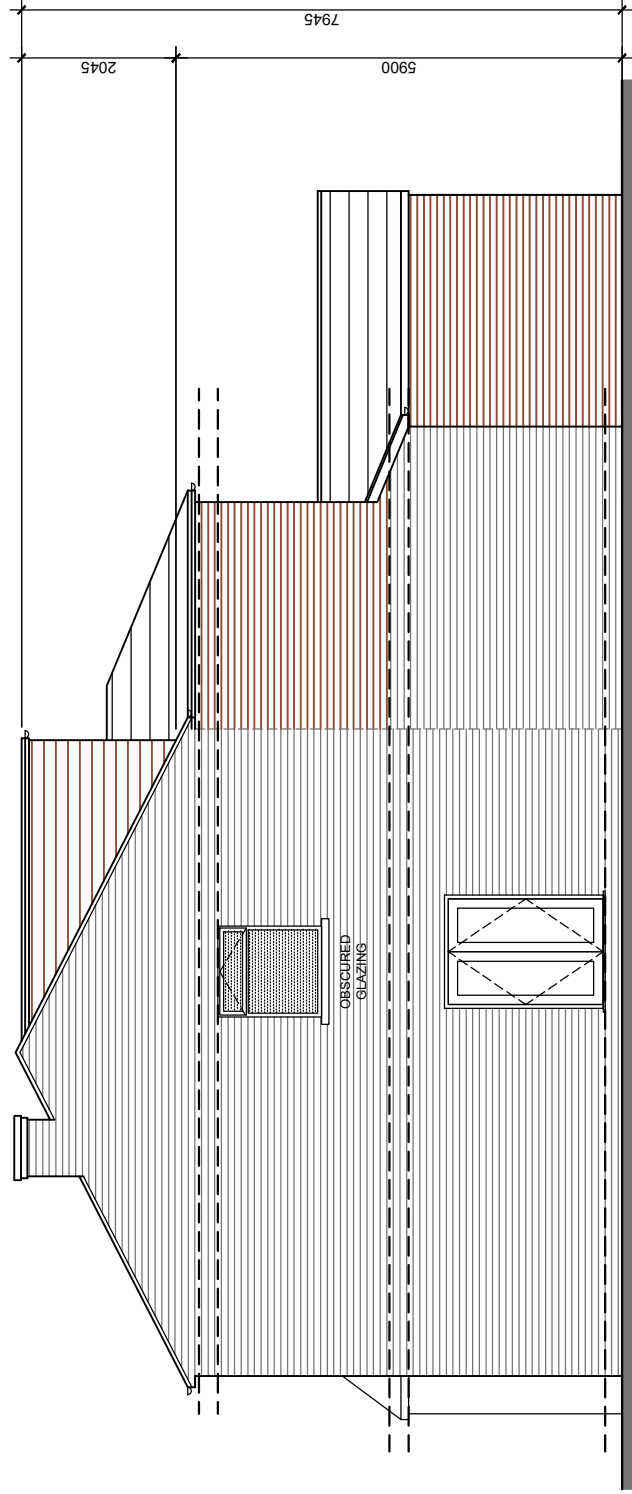
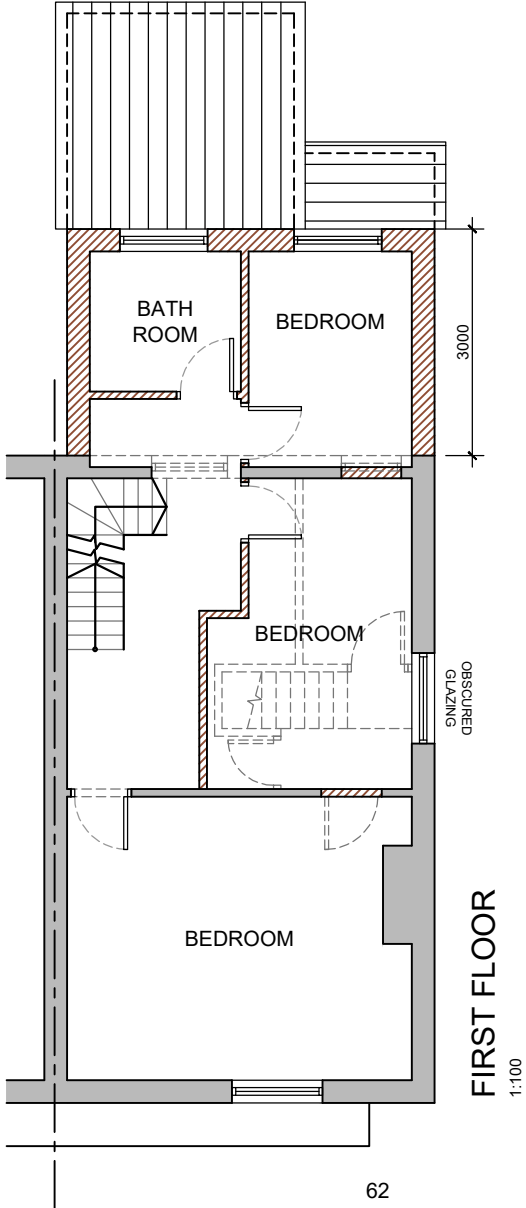
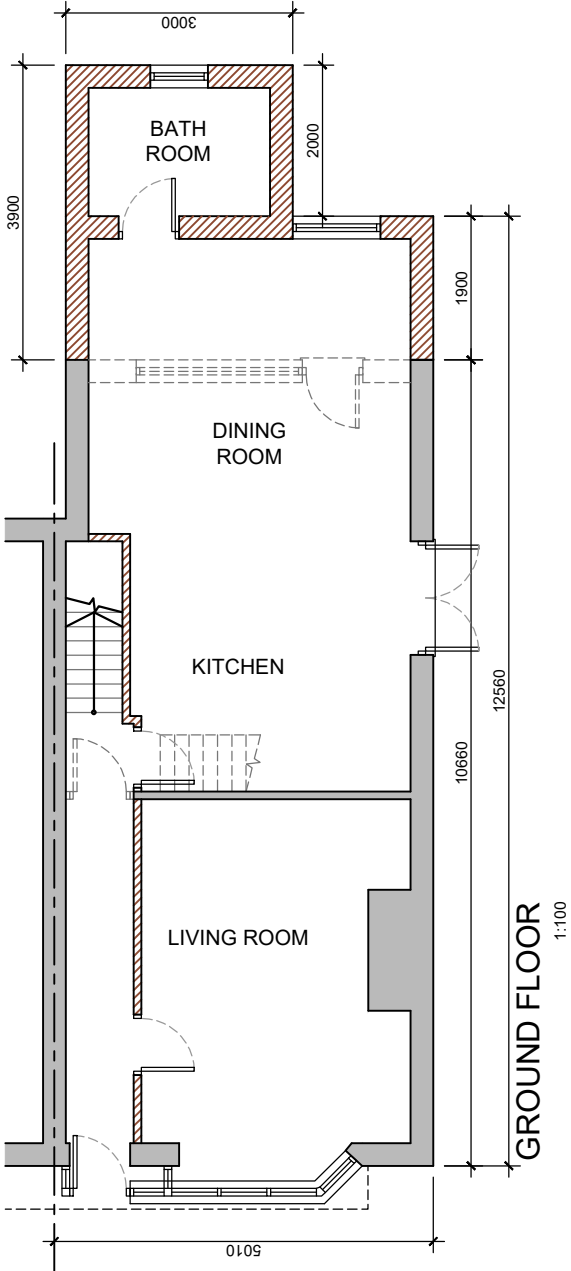
FRONT ELEVATION

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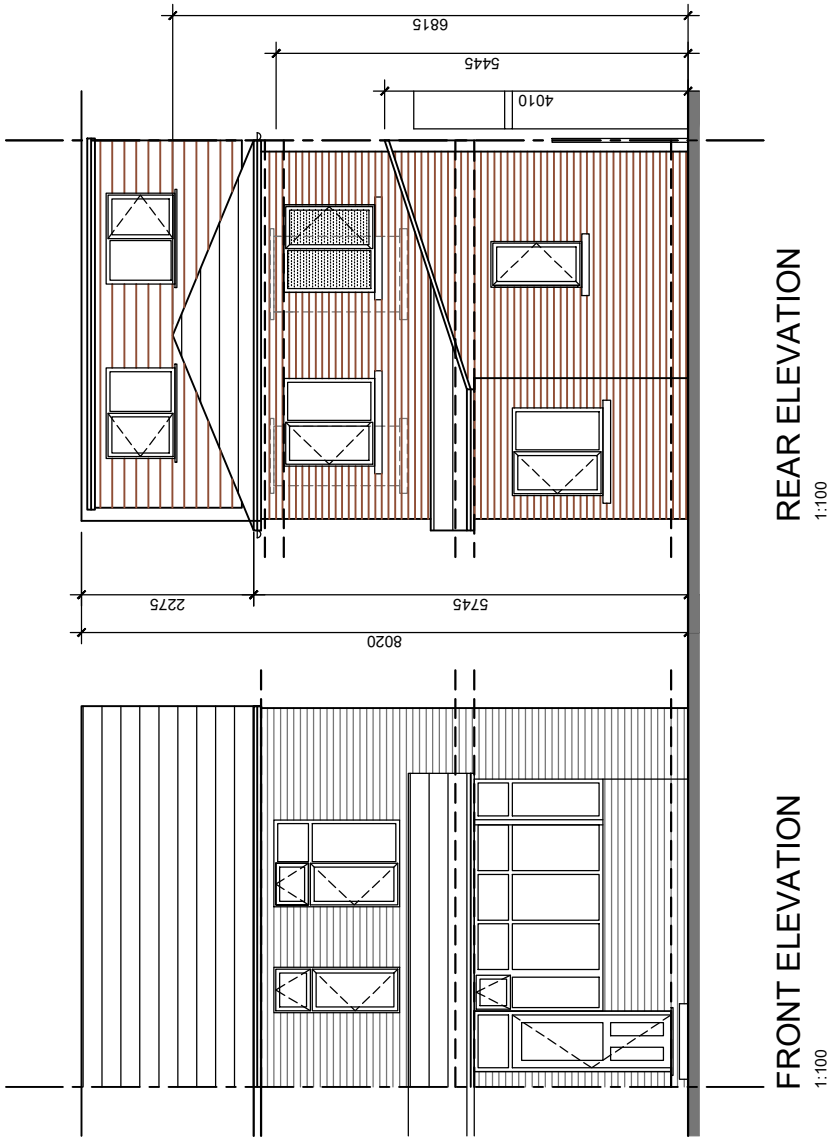


REAR ELEVATION

1:100



SIDE ELEVATION
1:100



NOTES:
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Project Location:
33 Ashton Street
Bolton
Lancashire
BL3 4HN

Drawing:
**02 Proposed Building
REV 2**

Scale: 1:100	Size: A3	Date: 09/19
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Appeal Decision

Site visit made on 29 April 2019

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2019

Appeal Ref: APP/N4205/W/19/3221759

31 and 33 Ashton Street, Bolton BL3 4HN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mohammed Patel against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 04596/18, dated 18 September 2018, was refused by notice dated 8 January 2019.
 - The development proposed is the retention of single storey extensions to side and rear of No 31 and the erection of a part single storey / part two storey extension and dormer to rear of No 33.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have amended the site address so that it accords with the submitted drawings and matches the address on the appeal form and the Council's decision notice.
3. I have also used the description of the proposal taken from the decision notice and appeal form, which more accurately describes what is proposed, with minor amendments to improve clarity and remove superfluous words.
4. This is an appeal at two joined semi-detached houses, Nos 31 and 33 Ashton Street. In 2016 planning permission¹ was granted for the erection of part single/part two storey extensions, with dormer windows, at the rear of these properties. There is no dispute that the extensions at No 31 approved under this consent have been constructed or that the approved extensions at No 33 have not been.
5. The Council states that further works were undertaken to No 31 without consent: a single storey side extension and a single storey rear extension. In September 2017 a retrospective planning application² for the side and rear extensions at No 31 and for the erection of a part single/part two storey extension and rear dormer at No 33 was refused by the Council. The Council states that an Enforcement Notice was then served for No 31 requiring the removal of the unauthorised extensions. An appeal against the refusal of planning permission was subsequently made. However, as a result of an

¹ LPA Ref. 96932/16

² LPA Ref. 01594/17

Enforcement Notice being served the appeal was made outside the required timescales and was therefore not valid.

6. The Council states that it allowed the previously refused application to be re-submitted, which was subsequently refused and appealed, and this is the appeal before me now.
7. When I visited the site, I was unable to access the curtilage of No 33, despite the visit being arranged with the appellant. I was able to access the curtilage of No 31 and I also observed both properties from the surrounding streets.
8. I sought the views of both main parties on whether they considered I had sufficient information on which to determine the appeal. Only the Council's first reason for refusal relates to No 33, and after reviewing the case file and considering the comments of both main parties, I am satisfied that I have sufficient information to determine this appeal based upon my observations in the field and the submitted information.
9. When I visited the site, I noted that at No 31 the rear extension contained a rooflight and the side extension contained four rooflights that are not shown on the submitted drawings. Irrespective of what has been constructed on site, I have determined this appeal on the basis of the submitted drawings, which the Council considered in refusing planning permission.

Main Issues

10. The main issues are the effect of the proposed development on:
 - The character and appearance of the host buildings and the wider area
 - The living conditions of future occupiers of 31 Ashton Street, with particular regard to private and useable amenity space
 - The living conditions of future occupiers of 29 Ashton Street, with particular regard to outlook and loss of light.

Reasons

11. As set out above, the appeal development at No 31 has been constructed. It has two parts, firstly, a single storey, mono-pitched roof extension some 1.5 metres wide and 8.23 metres long with a maximum height of some 4.025 metres, positioned next to the side wall of the dwelling. It is set back from the front elevation of the building and extends along the side elevation next to No 29 as far as the end of the previously approved ground floor extension.
12. The second part is a single storey, mono-pitched roof rear extension some 3.3 metres wide and 4.35 metres long with a maximum height of some 4.025 metres on the western side, next to No 33. It is attached to the rear of the previously approved ground floor extension and extends to the rear boundary wall on Back Ashton Street.
13. The proposed works to No 33 have not been undertaken and the dormer, 2-storey and part of the single storey rear extensions would be the same as the works approved under the aforementioned 2016 planning permission. However, similar to No 31, an additional single storey, mono-pitched roof extension would be constructed at the rear elevation of the previously

approved extension and would extend to the rear boundary wall on Back Ashton Street / Hawthorne Road. The eastern end of the extension would be angled to follow the site boundary, but would generally mirror the design, scale, massing and position of the constructed rear appeal extension at No 31.

Character and Appearance

14. The appeal dwellings are located at the southern end of Ashton Street, at its junction with Hawthorne Road; Back Ashton Street runs parallel and to the east of Ashton Street. This is a predominantly residential area containing a variety of housing types and designs. There is an area of landscaped open space to the south of the appeal site, next to the flats on the southern side of Hawthorne Road.
15. The rear appeal extensions at No 31 and No 33 would be seen together in views from Hawthorne Road and Stretton Road, as well as from Back Ashton Street. Whilst each would largely screen the other from view from the south and north once constructed, the scale, massing, position and design of the rear appeal extensions mean that they would be highly prominent and incongruous features on the host buildings and in the streetscene.
16. The existing rear appeal extension at No 31 is not currently screened in views from the south because the 'mirrored' rear extension at No 33 has not been constructed. This absence of screening means it has a similar adverse visual impact on the streetscene as both rear extensions would have, for the same reasons set out above.
17. The position of the side extension at No 31 means that it is less visible from Hawthorne Road, Stretton Road and Back Ashton Street than the rear extension. Its visual impact from Ashton Street is also reduced due to being set-back from the front elevation. Nevertheless, as a result of its scale, massing and design it is a prominent and obtrusive feature on the host building and in the streetscene along Back Ashton Street.
18. The approved extensions have increased / would increase the scale and massing of the host buildings compared to their neighbours, significantly reducing the size of their curtilages. In this visual context, the appeal extensions give / would give an appearance of cramped overdevelopment that is out of character with other properties in the area, particularly the nearby properties on Ashton Street / Back Ashton Street.
19. For these reasons the appeal extensions would be harmful to the character and appearance of the host buildings and the wider area. They therefore conflict with Policy CG3 (built environment) of Bolton's Core Strategy Development Plan Document 2011 (BCS), guidance contained within the House Extensions Supplementary Planning Document 2012 (HESPD) and with the National Planning Policy Framework 2019 (the Framework).

Living Conditions of future occupiers of 31 Ashton Street

20. No 31 has a significantly smaller curtilage and consequently smaller outdoor amenity space than No 33 does. This amenity space has been significantly reduced by the previously approved extensions and the appeal extensions at No 31 reduce this further, to an area of some 55sqm.

21. Both parties refer to the HESPD, which states that 50 sqm of amenity space is reasonable for a semi-detached or detached dwelling, although I note that this is not an absolute figure to be applied. However, from the submitted drawings and my observations on site there are significant limitations to the use of the 55 sqm of amenity space by the occupiers of No 31.
22. The space to the north of the side extension is narrow and adjacent to the boundary with No 29, which is marked by a broken timber panelled fence some 1.5-2.0 metres high. It provides sufficient space to walk between the front and rear areas, provided nothing is located there to block the way. Its shape and position mean it would be unlikely to be used other than as a means of access.
23. The area to the front of the side extension, including the front garden area, provides access from Ashton Street to the dwelling, and to the rear of the property via the narrow side passageway, which reduces the amount of useable space. Furthermore, it is readily visible from Ashton Street as a result of the low front boundary wall, which is topped with decorative metal railings. This lack of privacy means that it is unlikely to be well-used by future occupiers for sitting – out, even if it benefits from more sunlight than the side or rear areas. Such areas are also not typically used for drying clothes for various reasons, including lack of privacy.
24. As a result of the side and rear appeal extensions, there is only 20 sqm of private amenity space at the rear of No 31. This rectangular space to the north of the rear appeal extension, provides access to Back Ashton Street via a gate, which is set at a lower level. To facilitate access to the gate, a part of the yard space next to the rear appeal extension has been lowered, reducing the functional area of the rear yard further.
25. When I visited the site, several refuse / recycling bins were stored in this rear yard area, together with various other pieces of domestic paraphernalia such as would be typically found in rear yards, further reducing its useable area. Given the current storage arrangements for the bins, close to Back Ashton Street, it is unlikely that the occupiers would choose to store them to the front / side of the dwelling.
26. For these reasons the appeal extensions are harmful to the living conditions of future occupiers of 31 Ashton Street, with particular regard to private and useable amenity space. Whilst the appeal development does not conflict with Policy CG4 (compatible uses) of the BCS or with the space standards contained in the HESPD, it conflicts with guidance contained in the General Design Principles Supplementary Planning Document (GDPSPD) and in the Framework, in particular with guidance contained in Chapter 12 *Achieving well-designed places*.

Living Conditions of future occupiers of 29 Ashton Street

27. The side extension at No 31 is located close to the boundary with No 29 and as described above, extends for more than 8 metres, with around half of its length projecting beyond the principal rear elevation of No 29. The rear appeal extension at No 31 is set further away from the boundary with No 29.
28. Whilst No 31 is located to the south of No 29, no substantive evidence has been provided to demonstrate that the appeal extensions reduce daylight to No 29 or its rear garden. Given the approved 2-storey rear extension at No 31

and the separation distance between the rear appeal extension and the boundary with No 29, it is unlikely that there would be a significant reduction in daylight as a result.

29. The rear extension is set away from the boundary with No 29 and with its mono-pitch roof is not, in my view, overbearing. It is not disputed that neither of the appeal extensions breach the Council's *45 degree rule*. However, the side extension's height, massing and proximity to the boundary with No 29, and that it extends some four metres past the principal rear elevation of No 29 means that it is a visually prominent, overbearing feature, which adversely affects the outlook from No 29 and its rear and side garden areas. Notwithstanding that the boundary fence is broken, were it to be in good repair the side extension is still significantly higher and would be readily visible above it.
30. For these reasons the appeal extensions do not adversely affect natural light, but the side extension is harmful to the living conditions of future occupiers of 29 Ashton Street, with particular regard to outlook. It therefore conflicts with Policies CG3 (built environment) and CG4 (compatible uses) of the BCS, and with guidance contained in the HESPD, the GDPSPD, and with the Framework, in particular with guidance contained in Chapter 12 *Achieving well-designed places*.

Other Matters

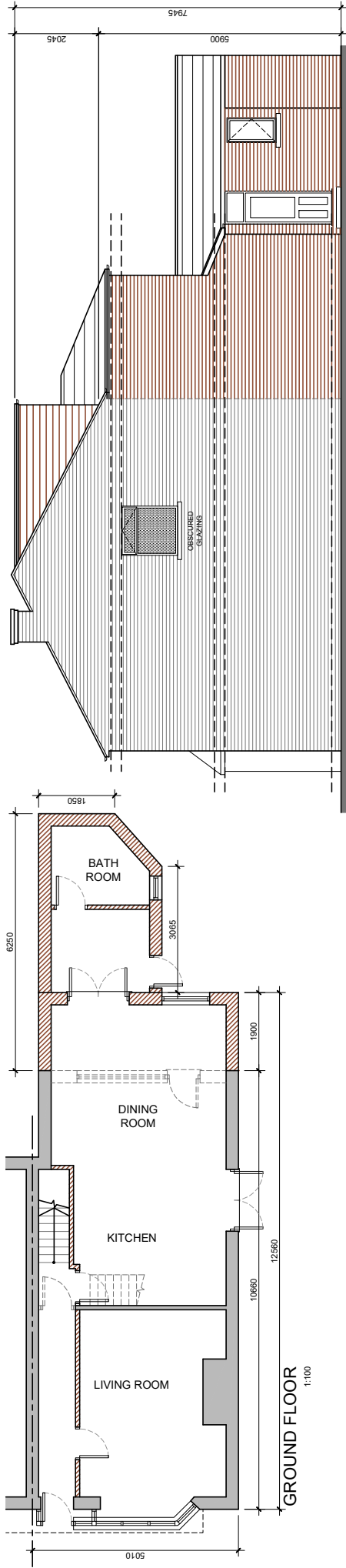
31. The appellant makes reference to the joint application / appeal that is promoted in the HESPD. The appellant also refers to an existing side extension at No 33 and when I visited the site, I noted that there was a timber boarded extension fixed to the side of the dwelling. However, it is not shown as such on the submitted drawings, and in any event, neither of these matters overcome the harm that I have identified, as set out above.

Conclusion

32. For the reasons given above, and taking into account all matters raised, I conclude that the appeal should be dismissed.

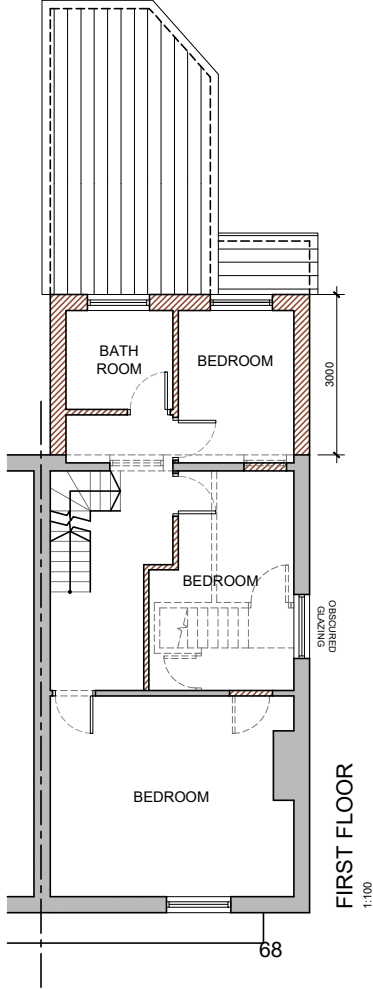
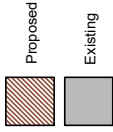
Andrew Parkin

INSPECTOR



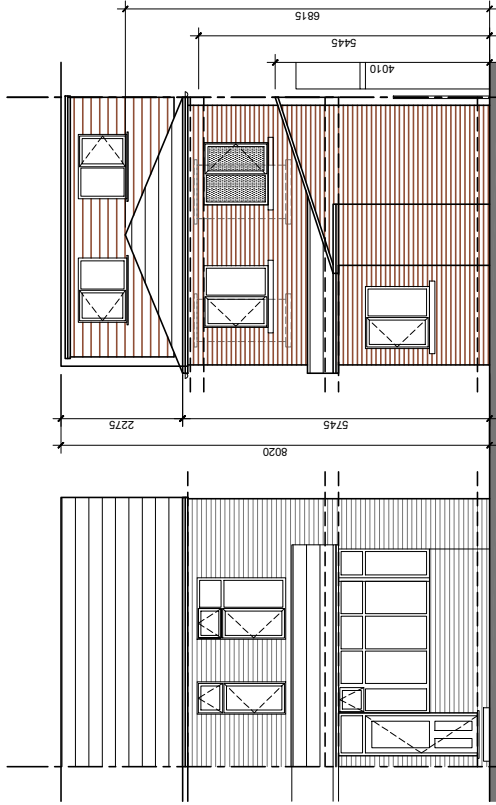
SIDE ELEVATION

1:100



FIRST FLOOR

1:100



FRONT ELEVATION

1:100

REAR ELEVATION

1:100

NOTES:

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Project Location:

33 Ashton Street
Bolton
Lancashire
BL3 4HN

Drawing:

02 Proposed Building

Scale:

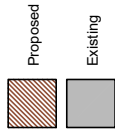
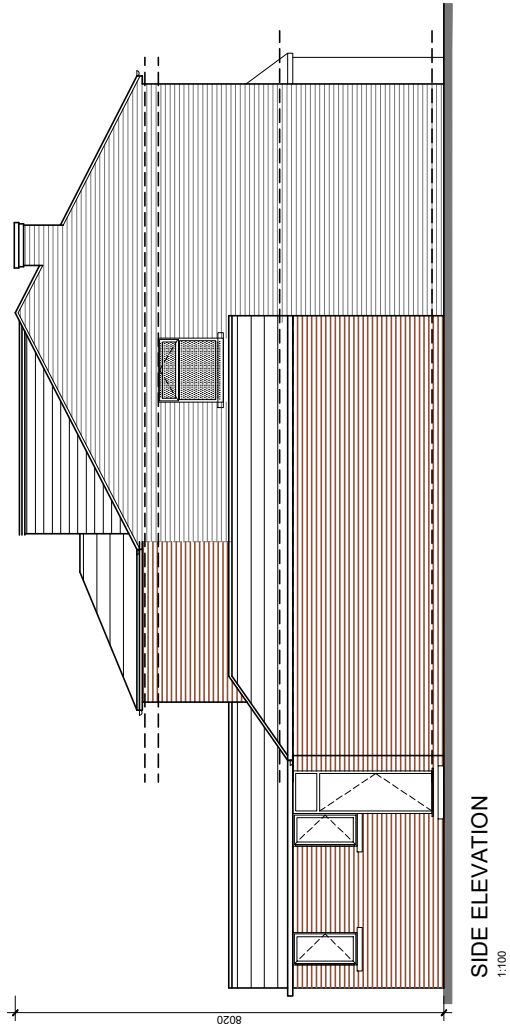
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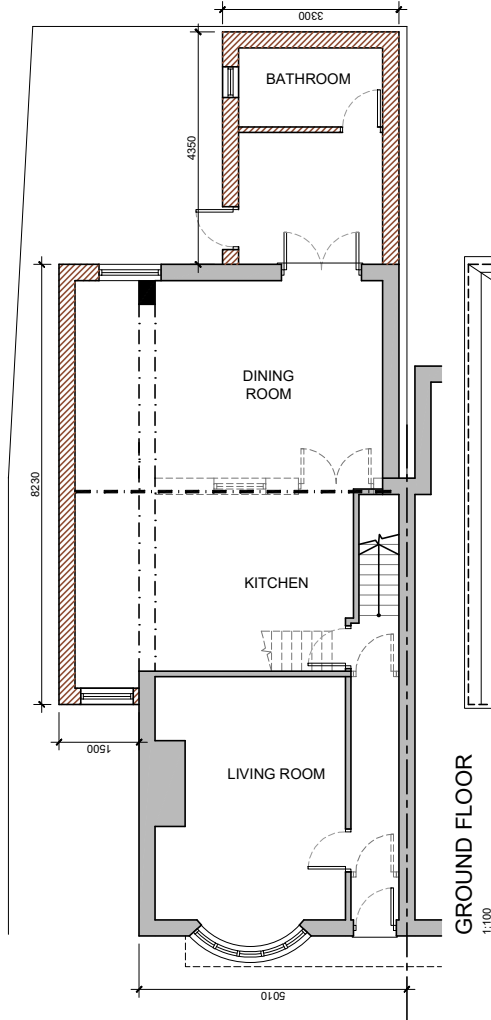
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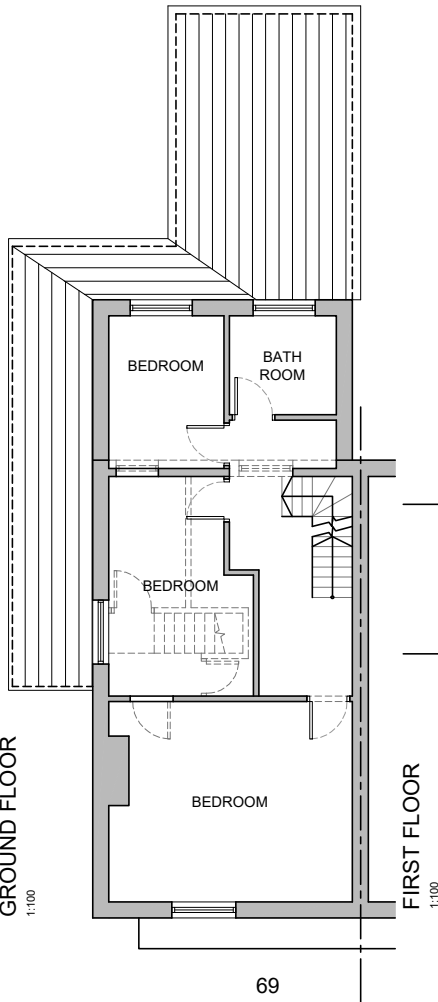
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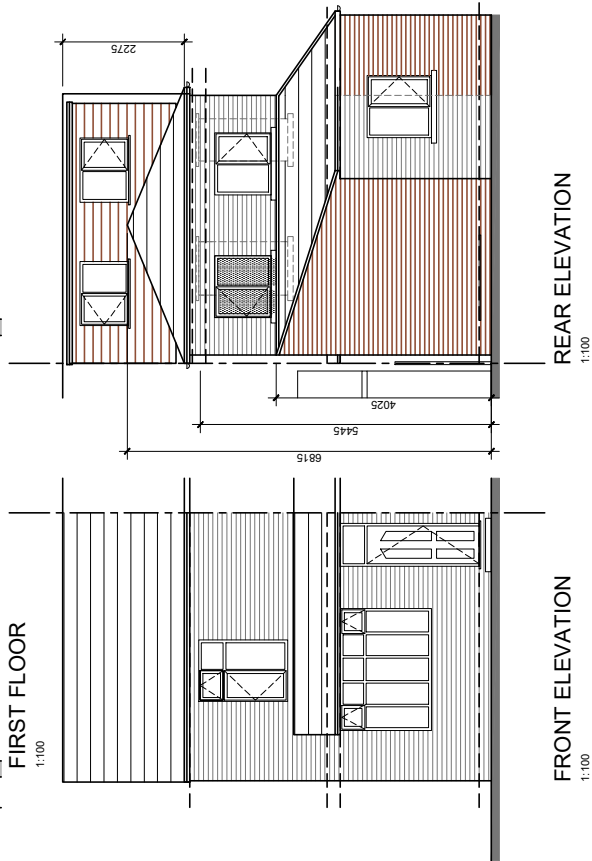
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1:100



GROUND FLOOR
1:100



FIRST FLOOR
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FRONT ELEVATION
1:100

REAR ELEVATION
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NOTES:

No scaling or dimensions other than those figured are to be taken from this drawing. All dimensions to be checked on site

This drawing is for use at the named location and for Planning Permission purposes only and as such should not be used at any other location or for any other purposes

Project Location:

31 Ashton Street
Bolton
Lancashire
BL3 4HN

Drawing:

02 Proposed Building

Scale:

1:100

Size:

A3

Date:

07/17

RECEIVED PLANNING APPEALS from 29/06/2020 to 10/07/2020

04802/18 **LAND SOUTH OF DENTDALE CLOSE, LOSTOCK, BOLTON**

OUTLINE APPLICATION FOR THE ERECTION OF THREE DETACHED DWELLINGS, (ACCESS AND LAYOUT DETAILS ONLY). INCLUDING RETENTION OF LAND TO THE SOUTH AS A WILDLIFE CORRIDOR.

Decision date: **04-Jul-2019**

Decision: **Refused**

Decision level: **Committee**

Appeal start date: **27-Jan-20**

Appeal ref: **APP/N4205/W/19/3243960**

06698/19 **LAND TO THE NORTH OF TEMPLECOMBE DRIVE AND SOUTH OF LONGWORTH LANE, BOLTON**

OUTLINE APPLICATION FOR THE ERECTION OF 5No DWELLINGS WITH ASSOCIATED ACCESS AND LANDSCAPING AND RELOCATION OF ELECTRICITY SUBSTATION (ACCESS, LANDSCAPING AND LAYOUT DETAILS ONLY).

Decision date: **24-Oct-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **10-Feb-20**

Appeal ref: **APP/N4205/W/20/3245436**

07692/20 **185 ST HELENS ROAD, BOLTON, BL3 3PS**

INSTALLATION OF ONE INTERNALLY ILLUMINATED ADVERTISING SCREEN ON HOARDING WALL FOR PERIOD OF 5 YEARS

Decision date: **20-Mar-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **4-Jun-20**

Appeal ref: **APP/N4205/Z/20/3252696**

05825/19 **3 TOWNCROFT LANE, BOLTON, BL1 5EW**

PART A: FELLING OF ONE LIME TREE (T1)
PART B: FELLING OF ONE LIME TREE (T2)

Decision date: **21-May-2019**

Decision: **Approved Part A and Refuse Part**

Decision level: **Delegated**

Appeal start date: **19-Jun-19**

Appeal ref: **APP/TPO/N4205/7473**

DECIDED PLANNING APPEALS from 29/06/2020 to 10/07/2020

04802/18 **LAND SOUTH OF DENTDALE CLOSE, LOSTOCK, BOLTON**

OUTLINE APPLICATION FOR THE ERECTION OF THREE DETACHED DWELLINGS, (ACCESS AND LAYOUT DETAILS ONLY). INCLUDING RETENTION OF LAND TO THE SOUTH AS A WILDLIFE CORRIDOR.

Decision date: **04-Jul-2019**

Decision: **Refused**

Decision level: **Committee**

Appeal decision date: **3-Jul-2020**

Appeal decision: **Allowed**

Appeal ref: **APP/N4205/W/19/3243960**

06698/19 **LAND TO THE NORTH OF TEMPLECOMBE DRIVE AND SOUTH OF LONGWORTH LANE, BOLTON**

OUTLINE APPLICATION FOR THE ERECTION OF 5No DWELLINGS WITH ASSOCIATED ACCESS AND LANDSCAPING AND RELOCATION OF ELECTRICITY SUBSTATION (ACCESS, LANDSCAPING AND LAYOUT DETAILS ONLY).

Decision date: **24-Oct-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **6-Jul-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/20/3245436**

07692/20 **185 ST HELENS ROAD, BOLTON, BL3 3PS**

INSTALLATION OF ONE INTERNALLY ILLUMINATED ADVERTISING SCREEN ON HOARDING WALL FOR PERIOD OF 5 YEARS

Decision date: **20-Mar-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **8-Jul-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/Z/20/3252696**

05825/19 **3 TOWNCROFT LANE, BOLTON, BL1 5EW**

PART A: FELLING OF ONE LIME TREE (T1)

PART B: FELLING OF ONE LIME TREE (T2)

Decision date: **21-May-2019**

Decision: **Approved Part A and Refuse Part**

Decision level: **Delegated**

Appeal decision date: **6-Jul-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/TPO/N4205/7473**

Summary of decided planning appeals

	Allowed	Dismissed	Total
Total	1	3	4

RECEIVED ENFORCEMENT APPEALS from 29/06/2020 to 10/07/2020

Appeal start date:

Appeal ref:

DECIDED ENFORCEMENT APPEALS from 29/06/2020 to 10/07/2020

Decision date:

Decision:

Appeal ref:

Summary of decided enforcement appeals