

Planning Applications Report

**Planning Committee
9th 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

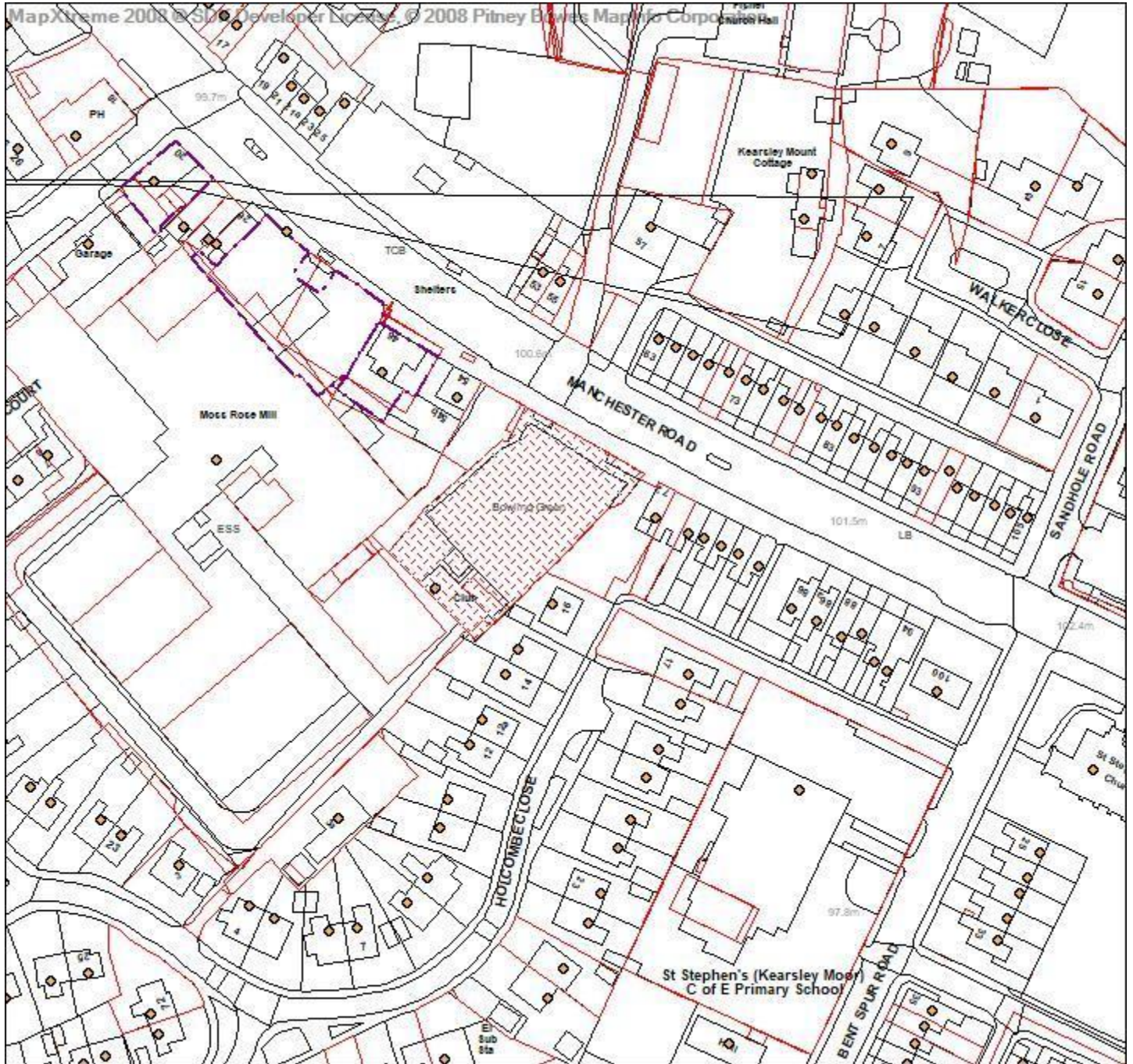
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

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Application number 07844/20



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Development Management Section

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Bolton Council

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Date of Meeting: 09/07/2020

Application Reference: 07844/20

Type of Application: Full Planning Application
Registration Date: 02/03/2020
Decision Due By: 31/05/2020
Responsible Officer: Helen Williams

Location: 58 MANCHESTER ROAD, KEARSLEY, BOLTON, BL4 8NZ

Proposal: DEMOLITION OF SOCIAL CLUB AND ERECTION OF 24 SELF-CONTAINED FLATS WITH ASSOCIATED ACCESS AND PARKING.

Ward: Kearsley

Applicant: Watson Homes Ltd
Agent : TADW Ltd

Officers Report

Recommendation: Approve subject to conditions

Executive summary

- * The application site is allocated for housing within the Council's development plan (Allocations Plan), as part of a wider Housing Allocation that also encompasses Moss Rose Mill (allocation reference 4SC - Moss Rose Mill). The principle of residential development on the site has already been established (back in December 2014 when the Allocations Plan was adopted) (see paras. 16-26).
- * This application is before Committee at the request of Cllr. Cunningham and as over five objections have been received. A summary of the concerns raised can be found within the Representation and Consultation Annex of this report.
- * The proposed one and two bed apartments would be accommodated within a three storey, flat roof building fronting Manchester Road.
- * A new vehicular access off Manchester Road is proposed to serve the development.
- * Bolton at Home (a Registered Provider/Housing Association) will be delivering all the apartments for social rent. The proposed development would therefore be 100% affordable and not subject to any planning obligations (Section 106) (see para. 79).
- * Bolton at Home have confirmed that there is currently a significant demand for the types of properties proposed within this development (apartments for affordable rent) (see para. 23).
- * The former bowling green on the site has not been used as a playing field for over 5 years and is therefore not afforded protection as such. The application site is instead allocated as a housing site. No formal objections were received during the adoption process of the Allocations Plan and Sport England did not raise an objection to the allocation of the site (see paras. 27-33).
- * The scale, height, layout and design of the proposed development is considered to be compatible with the character and appearance of the area for the reasons discussed within paragraphs 34-42 of this report.

- * Officers have found that there will be some harm to the outlook of the residents of 16 Holcombe Close owing to the scale and siting of the apartment building, but it is not considered that their overall amenity would be unduly harmed given that there would be no direct overlooking or undue loss of light (see paras. 47-51).
- * Given the potential noise impact on future residents from existing surrounding commercial uses, a noise assessment has been submitted in support of the proposal. This concludes that the noise impact on future residents would be acceptable, subject to a condition requiring the implementation of the recommended sound attenuation to the apartments (see para. 53).
- * The size of the five proposed two bed apartments falls slightly short of the nationally described space standards and it is recognised that the amount of usable communal open space for future residents is limited. It is however considered, given the highly sustainable location of the development and as Bolton at Home find the room sizes to be acceptable, that the proposed development would not unduly harm the amenity of future residents (see paras. 54-55).
- * A Transport Statement has been submitted in support of the proposal. The Council's Highways Engineers have raised no objection to the proposed location of the access or the amount of on-site parking, and find that the proposed development would have limited impact on the operational capacity of the surrounding highway network and minimal road safety implications (see paras. 58-64).
- * A number of trees within the site are to be lost to accommodate the proposed development, however these (with the exception of a Category B Ash tree) have been found to be Category C trees and therefore of low value. The trees of most amenity value (Category B trees) are off-site and these are not proposed to be removed. Additional tree and shrub planting is proposed within the development and this is considered to sufficiently mitigate for the loss of the existing trees and hedges. The Council's Tree Officers have raised no objection (see paras. 67-70).
- * Members are recommended to approve this application, subject to the suggested conditions.

Proposal

1. Permission is sought for the demolition of the single storey, Kearsley Social Club clubhouse building followed by the erection of a three storey, flat roofed building comprising 24 apartments. 5 of the apartments are to be two-bedroom apartments and 19 are to be one-bedroom.
2. The apartment building is proposed to be sited on the part of the site currently occupied by the former bowling green, with its principal elevation parallel to and fronting Manchester Road. The building is to be constructed in two tones of red brick (to help break up the massing of the block) and would have Juliet balconies to the living room areas at first and second floor.
3. Access into the development is proposed solely from a new vehicular access off Manchester Road, at the north eastern corner of the site, adjacent 72 Manchester Road.
4. A car park comprising 21 parking spaces is proposed at the rear (south) of the site, where the clubhouse building currently stands. The main outdoor amenity space for the apartments is proposed to the west of the site and there is additional amenity space proposed to the east of the building.
5. Bolton at Home (a Registered Provider/Housing Association) will be delivering all the apartments for social rent. The proposed development would therefore be 100% affordable.

Site Characteristics

6. The application site measures 0.16 hectares and comprises the clubhouse building and former bowling green to Kearsley Social Club.

7. The white painted, single storey clubhouse building is sited along the south western boundary of the site (back of the site when viewed from Manchester Road). To the west of the clubhouse, at the western corner of the site, is small car park, which is accessed off Manchester Road by a shared private access road by the side of 54 Manchester Road. The access road is not included within the application site. The majority of the application site comprises the former bowling green, which has most recently been used as a recreational lawn (with wooden tables and benches) in association with the social club.
8. The site is level. Off-site trees border the south western (behind the clubhouse) and south eastern boundaries of the site. A low wall forms the northern boundary of the site; this wall is sited to the back of the pavement on Manchester Road. There is pedestrian access into the site, through a gap in the wall, at the northern corner of the site. A street tree (an Ash) is located within the pavement to the front of the site. A concrete boarded fence forms the north western boundary with the private access road.
9. Manchester Road (A666), to the north of the application site, is a main classified road. This stretch of Manchester Road mainly comprises residential properties, but there are numerous commercial properties, including "Airflow Measurements" at no. 72, "Clifton Autos" at no. 54 and a restaurant ("Shabna Tandoori") at no. 46.
10. To the south of the application site are residential bungalows on Holcombe Close. To the south east and east is the large commercial complex of Moss Rose Mills.
11. The application site is considered to be partly previously developed land (brownfield), where the clubhouse and car park are located, and partly greenfield (not previously developed) where the former bowling green is. The whole of the application site is however allocated for housing within the Council's development plan (Allocations Plan), as part of a wider Housing Allocation that also encompasses Moss Rose Mill (allocation reference 4SC - Moss Rose Mill).

Policy

12. The Development Plan

- * Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Cleaner and Greener Bolton; CG2 Sustainable Design and Construction; C3 The Built Environment; CG4 Compatible Uses; SC1 Housing; OA6 Little Lever and Kearsley; IPC1 Infrastructure and Planning Contributions.
- * Allocations Plan: Appendix 4 Allocated Housing Land

13. Other material considerations

- * National Planning Policy Framework (NPPF): 2 Achieving sustainable development; 4 Decision-making; 5 Delivering a sufficient supply of homes; 8 Promoting healthy and safe communities; 9 Promoting sustainable transport; 11 Making effective use of land; 12 Achieving well-designed places; 14 Meeting the challenge of climate change, flooding and coastal change; 15 Conserving and enhancing the natural environment.
- * Supplementary Planning Documents (SPDs): Affordable Housing; General Design Principles; Accessibility, Transport and Road Safety.
- * Bolton's Allocations Plan, Inspector's Report September 2014

- * Emerging Greater Manchester Spatial Framework

Analysis

14. 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.

15. The main impacts of the proposal are:-

- * principle of residential development on the application site
- * loss of the former bowling green
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring and future residents
- * impact on the highway
- * impact on biodiversity
- * impact on flood risk

Principle of Residential Development on the Application Site

16. The application site is allocated for housing within the Council's development plan (Allocations Plan), as part of a wider Housing Allocation that also encompasses Moss Rose Mill (allocation reference 4SC - Moss Rose Mill).

17. Bolton's Allocations Plan was adopted in December 2014. No formal objections were received at this time regarding the proposed allocation of the application site for housing. Sport England was consulted on all sites proposed within the Allocations Plan, but, whilst raising objection to other proposed site allocations, did not object to the inclusion of the application site for development.

18. Policy OA6.3 of Bolton's Core Strategy states that the Council will concentrate sites for new housing within the existing urban area.

19. Paragraph 59 of the NPPF states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can 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. Paragraph 117 states that planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or "brownfield" land.

20. As stated above, Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with policies in the development plan, unless material considerations indicate otherwise. The Allocations Plan along with the Core Strategy and Greater Manchester Joint Mineral and Waste Plans form Bolton's development plan. As dwellings are being proposed on a site allocated for housing there is no conflict with the development plan in this respect. The principle of housing on the application site has indeed already been established by the site being allocated for housing.

21. The proposed development would also provide housing on a site within the existing urban area of Kearsley, compliant with Policy OA6.3 of the Core Strategy.
22. Notwithstanding the housing allocation, the application site is considered to be in a highly sustainable location, being located on a main thoroughfare (A666) between Bolton and Manchester, being within walking distance of local amenities (including shops, restaurants/cafes, public houses, and Kearsley Park) primary schools and a secondary school. There bus stops on both sides of Manchester Road, within less than 100 metres from the proposed development, and Kearsley Railway Station is approximately a 15 minute walk away.
23. Bolton at Home (a Registered Provider/Housing Association) will be delivering all the dwellings as affordable units. Bolton at Home have confirmed that there is a significant shortfall of suitable affordable properties in the Kearsley/Stoneclough area, and for the types of properties proposed within this development (apartments for affordable rent) there is currently both low turnover and significant demand. Over the period of July 2018 and November 2019, out of the total stock of 169 1 bed and 50 2 bed flats, there were only 17 properties that became available for re-let, of which 13 were 1 bed flats and four were 2 bed flats. Four of these were management moves and for the remaining properties the average expressions of interest for 1 bed flats were 75 and 25 for the 3 bed flats.
24. The proposed development would help to boost the supply of housing in the borough, and this would be in an area where there is a recognised need for the types of houses being proposed.
25. The principle of housing on the application site is therefore fully compliant with Bolton Council's development plan policies.
26. In accordance with planning law, this planning application should therefore be approved unless other material considerations indicate otherwise. These considerations are now considered below within this analysis.

Loss of the Former Bowling Green

27. Policy CG1.3 of the Core Strategy states that the Council will safeguard and enhance parks, gardens, allotments, civic spaces, cemeteries and playing fields and improve the quality and multi-functional benefits of these assets.
28. Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
29. The application site comprises of a lawned area that was previously used as a bowling green. The definition of a "playing field" within the Town and Country Planning (Development Management Procedure) (England) Order 2015 is i) land that has been used as a playing field at any time in the 5 years before the making of the planning application and which remains undeveloped, or ii) land that has been allocated for use as a playing field in a development plan or in proposals for such a plan.
30. The applicant has confirmed that it has been over 10 years since the grassed area of the

application site has been used for bowling and it is now intermittently used as a beer garden in association with the social club. This is evidenced by the wooden table and benches on the site and by aerial photographs dating back to 2011, which clearly show the lawn occupied by these tables and chairs. It is not the owner's intention to ever bring the site back into use as a playing pitch and the applicant has cited that it would be too costly for them to do so. As the bowling green has not been used as a playing field/pitch at any time in the last 5 years, it is considered that the site no longer comprises a playing field.

31. The bowling green was also not referenced within the Council's 2014 Playing Pitch Strategy (though it was in the 2007 Open Space Assessment), which suggests that it stopped being used between 2007 and 2014.
32. The site is also not allocated as recreational space within the Council's development plan.
33. The application site is instead allocated as a housing site within the Council's development plan (Allocations Plan). No formal objections were received during the adoption process of the Allocations Plan and Sport England did not raise an objection, despite formally objecting to the loss of other proposed sites within the Borough at that time. As the Allocations Plan was adopted in December 2014, this supports the applicant's claim that the land has not been used as a playing pitch for over 10 years.

Impact on the Character and Appearance of the Area

34. 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. Policy OA6 refers specifically to developments in Little Lever and Kearsley, and states [among other things] that the Council will conserve and enhance the character of the existing physical environment and will respect and enhance the built form and pattern of existing development.
35. The three storey, flat roof apartment building, comprising 24 apartments, is proposed to be sited on the part of the site currently occupied by the former bowling green. The principal elevation of the building (containing its entrance) would sit parallel to and front Manchester Road. The siting of the building is therefore considered to respect the established building line of this stretch of Manchester Road, where buildings follow a linear pattern of development on both sides of Manchester Road.
36. The height of the building, whilst a storey taller than the buildings it would immediately neighbour on Manchester Road and two storeys taller than the bungalows on Holcombe Close, is considered to be appropriate for the site given the presence of taller buildings in the vicinity (for example at Chestnut Court, Kearsley Mount Methodist Church and St. Stephen's Church) and as the apartment building would be viewed as a separate entity within the street scene and from neighbouring properties as it is of a different design, scale and tenure than the neighbouring buildings. The proposed flat roof to the building helps to reduce the overall height of the building.
37. It is noted that the proposed apartment building is rather simplistic and uninspiring in its design, however the proposed use of two tones of red brick and Juliet balconies at first and second floor levels help to break up the overall mass of the building and add some visual interest. Red brick is the predominant material used for buildings in the area and therefore the proposed material are considered to be acceptable.

38. The majority of the existing wall along the Manchester Road frontage of the site is to be retained, where it is not to be breached by the new vehicular access or the newly proposed pedestrian access (to the entrance of the apartment building). The taller part of the existing wall (at the northern corner of the site) is to be reduced to 1.2 metre (the same height as the rest of the wall) and new coping stones are to be installed along the full length of the wall. It is considered that the retention of this wall respects the existing character of the street scene of Manchester Road.
39. The other boundaries to the site are to be enclosed by 2.1 metre high close boarded timber fencing, which is considered to be a suitable boundary treatment for a domestic development and more attractive than the existing concrete panel fencing along north western boundary of the site.
40. The proposed development would involve the loss of a number of (generally poorly formed) trees along the eastern boundary, an Ash tree at the northern corner of the site, a Cypress hedge to the front/side of the clubhouse building and a group of Cypress trees at the western corner of the site (the rear boundary of the existing car park). The condition of these trees is discussed later in this analysis. The taller, more prominent trees when viewed in context with the site (and those having the most amenity value - Category B trees) are off-site and are not proposed to be removed.
41. A proposed landscape scheme has been submitted with the application, which proposes new tree, shrub and hedgerow planting along the north western and south eastern boundaries of the site, as well as around the communal garden areas. This scheme is considered to sufficiently mitigate for the loss of the existing trees and hedges within the site and will help soften the appearance of the building when viewed from the north and west.
42. For these reasons, it is considered that the scale, height, layout and design of the proposed development has regard to the overall existing built form of the area and would not be detrimental to the character and appearance of the area, compliant with Policies CG3 and OA6 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring and Future Residents

43. 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. SPD General Design Principles sets out the Council's recommended interface distances between dwellings.

Neighbouring residents

44. The proposed use of the application site for residential purposes (apartments) is considered to be a compatible use with the residential properties that neighbour the site.
45. The proposed apartment building would be approximately 24.5 metres away from the existing houses on the other side of Manchester Road. This meets the Council's recommended minimum interface distance of 24 metres between two storey and three storey dwellings (as prescribed within SPD General Design Principles).
46. The properties on Manchester Road on both sides of the application site are in commercial use.
47. The nearest neighbouring dwelling to the proposed building is the detached bungalow at 16

Holcombe Close. This property sits approximately 1.7 metres lower than the ground level of the application site and will be approximately 2.2 metres lower than the finished floor level of the proposed apartment building. The southern corner of the apartment building would only be approximately 11.2 metres away from the northern corner of 16 Holcombe Close.

48. Officers recognise that there would be some harm to the outlook for the residents of 16 Holcombe Close given the proximity of the proposed apartment building to their bungalow, and as these neighbouring residents are used to viewing an open lawn where the building is now proposed.
49. 16 Holcombe Close will however not directly overlook the proposed apartment building, with the rear elevation of the apartment building being set slightly further north than the northern side elevation of 16 Holcombe Close. There will also be no windows or Juliet balconies that would directly overlook the dwelling at 16 Holcombe Close or its rear garden. Whilst the distance between the corner of the proposed apartment building and bungalow at no.16 is relatively short, it is not considered (also taking into account the 2.2 metre level difference) that this relationship would unduly harm the privacy of the neighbours at 16 Holcombe Close given the proposed location of the windows on the apartment building, and noting that residents would be unable to sit out on the Juliet balconies. Also, as the apartment building would be sited to the north of the bungalow, it is not considered that its proposed siting and height would unduly affect the sunlight the neighbouring property currently receives.
50. A 2.1 metre high close boarded fence is proposed to be erected along the north western, south western and south eastern perimeters of the development. This would prevent any overlooking between users of the access road and car park and residents of 16 Holcombe Close.
51. Whilst there will be some harm to the outlook of the residents of 16 Holcombe Close, it is not considered that their overall amenity would be unduly harmed given that there would be no direct overlooking or undue loss of light.
52. A condition requiring details of any external lighting scheme for the development to be approved by the local planning authority, prior to installation, is suggested, to ensure neighbouring residents are not unduly affected by light pollution.

Future residents

53. A noise assessment (residential acoustic survey) has been submitted in support of the proposal, given the potential noise impact on future residents from existing surrounding noise sources. The application site is neighboured to the north by the A666 (Manchester Road), to the west and south by industrial buildings that form Moss Rose Mill, and to the west by a MOT garage. The submitted assessment concludes that the noise impact on future residents would be acceptable, subject to the installation of double glazed windows to all habitable windows and heat recovery systems for ventilation, as an alternative to opening windows. The Council's Pollution Control Officers have reviewed this assessment and agree with its findings. A condition requiring the implementation of the recommended sound attenuation to the apartments is therefore to be imposed on any approval.
54. The five proposed two bed apartments fall below the nationally described space standards (DCLG 2015), being 57 sq. metres rather than the recommended 60 sq. metres (therefore 3 sq. metres short of the national standard). The proposed one bed apartments meet the national standards should they be let to one person, but would be 5 sq. metres short if let to two people. Bolton Council however does not have a local policy or policy guidance on minimum space standards, therefore the national space standards are not mandatory. Bolton at Home, the Registered Social

Landlord that will be delivering the apartments, have confirmed that the sizes of the proposed apartments are acceptable and that they comply with Homes England funding criteria.

55. SPD General Design Principles advises that apartment schemes should provide 18 sq. metres of communal amenity space for each flat. For this development that would be 432 sq. metres. Officers calculate that the proposed development only achieves around half of this recommended amenity space, and this is spread out around the apartment building (that is, not just one dedicated communal area). The development would however only be within 500 metres of Kearsley Park (which is about a 6 minute walk away), therefore the development be accessible to usable public open space.
56. A preliminary risk assessment for land contamination has been submitted with the application. This has been accepted by the Council's Pollution Control Officers. A standard condition relating to land remediation is therefore suggested.
57. Whilst some harm has been recognised in terms of the change in outlook to 16 Holcombe Close, the size of the proposed apartments and the limited amount of usable communal open space around the development, it is considered, for the reasons discussed above, that the proposed development would not unduly harm the amenity of neighbouring residents or future residents of the development, thereby complying with Policy CG4 of the Core Strategy.

Impact on the Highway

58. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements and parking, in accordance with the parking standards sets out in appendix 3 of the Core Strategy. Policy S1.2 states that the Council will promote road safety in the design of new development.
59. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
60. Vehicular access into the development is proposed solely off Manchester Road, at the north eastern corner of the site and adjacent 72 Manchester Road. This would be a new access into the site. The existing access into the site, a shared private road by the side of 54 Manchester Road, would no longer be used and would be separated from the development by 2.1 metre high close boarded fencing. The Council's Highways Engineers have raised no objection to the location or dimensions of the proposed access.
61. A Transport Statement has been submitted with the application (although there was not a formal requirement for this given the number of dwellings proposed), which concludes that the level of traffic impact from the development would be minimal within the operational peak periods of the highway network. The Council's Highways Engineers consider that this level of traffic should have a limited impact on the operational capacity of the surrounding highway network and would have minimal road safety implications. It is therefore considered that the development would accord with paragraph 109 of the NPPF.
62. Highways Engineers have commented that the internal road within the development would remain as a private road, to be maintained at the landowner's expense. They state that the proposed layout appears sufficient to provide manoeuvrability into and within the site, and that the bin storage is proposed in a suitable location, close to the highway.

63. The proposed car park would comprise 21 parking spaces. The Council's car parking standards (set out in appendix 3 of the Core Strategy) requires a maximum of 29 spaces for such a development, however these are maximum standards, not minimum standards, and therefore there is not a conflict with policy. Furthermore, the submitted Transport Statement supports the number of spaces being proposed, highlighting that the site is highly accessible to sustainable modes of transport (there are bus stops less than 100 metres away on Manchester Road and Kearsley Railway Station is only approximately a 15 minute walk away). It is considered that is, along with the size of the apartments being proposed, justifies the number of parking spaces proposed. The Council's Highways Engineers also raise no objection to the number of parking spaces proposed.
64. It is considered, subject to a number of conditions recommended by the Council's Highways Engineers, that the proposed development would not jeopardise highway safety or have a harmful impact on the capacity of the local highway network, compliant with Policies P5 and S1.2 of Bolton's Core Strategy.

Impact on Biodiversity

65. Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.
66. An arboricultural impact assessment, a preliminary ecological appraisal and a bat emergence survey have been submitted with the application.
67. The proposed development would involve the loss of a number of trees along the eastern boundary, an Ash tree at the northern corner of the site, a Cypress hedge to the front/side of the clubhouse building and a group of Cypress trees at the western corner of the site (the rear boundary of the existing car park). These trees, along with the other trees on the site and those adjoining the site (to be retained), have been recorded and assessed within the submitted arboricultural impact assessment. The Ash tree is the only Category B tree that would be lost. The other trees and hedges would be Category C, therefore of low value. The Council's Tree Officers have reviewed the survey and has not disagreed with the categorisation. They have also not objected to the loss of the trees.
68. The trees of most amenity value (Category B trees) are off-site and these are not proposed to be removed.
69. Conditions are suggested to ensure that the retained trees are suitably protected by fencing during the construction period and that their root protection zones are not harmed by the construction of the access road, parking area and boundary fencing.
70. A proposed landscape scheme has been submitted with the application, which proposes new tree, shrub and hedgerow planting along the north western and south eastern boundaries of the site, as well as around the communal garden areas. This scheme is considered to sufficiently mitigate for the loss of the existing trees and hedges within the site.
71. Two bat emergence surveys have been carried out for the site and these show no evidence of emergence and only very limited level of bat activity. Greater Manchester Ecology Unit and the Council's Greenspace Officers have reviewed the surveys and agree with the conclusion of the surveys and ecological appraisal that bats are not utilising the clubhouse building as a roost and that no further surveys or measures relating to bats are required.

72. The proposed development would however incorporate nesting bricks for house sparrow and insect boxes within the fabric of the apartment building. These are to be secured via a planning condition.
73. It is therefore considered, subject to the suggested planning conditions, that the proposed development would safeguard and enhance biodiversity, compliant with Policy CG1.2 of the Core Strategy.

Impact on Flood Risk and Drainage

74. Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentration new development in areas of lowest flood risk. Policy CG2.2 states that the Council will ensure that all proposals for 5 or more residential units demonstrate the sustainable management of surface water run-off from developments. On brownfield sites the rate of run-off should be 50% less than conditions before the development. On greenfield sites the rate of run-off should be no worse than the original conditions before development.
75. The application site is located within Flood Zone 1 and therefore has a low risk of fluvial flooding.
76. It is proposed to that surface water from the site would be directed towards the existing public sewer network, the rates of which would need to be agreed with United Utilities. Flows in excess of this would be attenuated on site, with a cellular storage tank beneath the proposed car park.
77. The Council's Drainage Officers have raised no objection to the proposal, subject to the standard drainage condition.
78. It is therefore considered that the proposed development would comply with Policies CG1.5 and CG2.2 of the Core Strategy.

Other matters

Planning obligations

79. As the proposed development is for 100% affordable housing (provided by a Registered Social Landlord) there is no policy requirement for the applicant to contribute to any other infrastructure obligations.

Sustainable development

80. Policy CG2 of the Core Strategy states that the Council will ensure that all development proposals contribute to the delivery of sustainable development being located and designed so as to mitigate any adverse effects of the development and adapt to climate change by incorporating high standards of sustainable design and construction principles.
81. The applicant has stated that it is their intention to take a fabric first approach to sustainable construction. This represents a greater than 10% improvement on Building Regulations.
82. The applicant has also stated that they will be providing electric vehicle changing points within the proposed car park. This is therefore proposed to be secured via a planning condition.

Coal mining legacy

83. The application site falls within the defined Development High Risk Area, therefore within the application site and surrounding area there may be coal mining features and hazards that need to be considered. A desk-based coal mining risk assessment has been submitted with the application, which has been reviewed by the Coal Authority. The Coal Authority has raised no objection to the proposed development, subject to a standard pre-commencement condition requiring an intrusive site investigation.

'Tilted balance' exercise

84. 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

85. 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:

86. New Homes Bonus for the 24 proposed dwellings – this is not a material planning consideration.

Conclusion

87. The application site is an allocated housing site within Bolton Council's development plan, and therefore the principle of residential development on the site has already been established (back in December 2014 when the Allocations Plan was adopted). Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with policies in the development plan, unless material considerations indicate otherwise.
88. The proposed development of 24 affordable apartments on an allocated housing site would help to boost the supply of housing in the borough, in an area where there is a recognised need for the types of apartments being proposed. It is considered, for the reasons discussed above, that the proposed development would be compatible with the character and appearance of the area, would not unduly harm the amenity of neighbouring or future residents, would not jeopardise highway safety or harm the capacity of the local highway network, would safeguard biodiversity and would not lead to an increase risk of flooding, therefore complying with the Council's development plan policies in this respect.
89. Members are therefore recommended to approve this application, subject to the suggested conditions.

Representation and Consultation Annex

Representations

Letters:- 7 letters of objection have been received, which raise the following concerns:

- * Increase in traffic and congestion;
- * Very difficult to exit onto Manchester Road as it is;
- * Lack of parking spaces for the apartments, leading to demand in parking elsewhere;
- * What are the safety measures for cars manoeuvring on site given the difference in levels between the site and 16 Holcombe Close? There are no safety measures or boundary treatment shown on the submitted plans (*Officer comment: a 2.1 metre high close boarded timber fence is proposed along the boundary with this neighbouring property. This is shown on the submitted plans. There are no proposed changes to the existing level of the site here*);
- * Loss of privacy to neighbours;
- * Overlooking into 16 Holcombe Close, particularly from the Juliet balconies;
- * Loss of light to neighbouring properties owing to the height of the proposed building;
- * Three storeys is out of character with the area; the building is too high in comparison with the neighbouring bungalows on Holcombe Close and there are significant level differences;
- * Concerns about the design of the building; The design is extremely poor;
- * The proposal is an overdevelopment of the site, with only some tokenistic amenity space proposed;
- * Lots of trees will be lost;
- * Traffic movements in association with the neighbouring business may lead to complaints from the future residents; their vehicle compound is adjacent the application site (*officer comment; a noise assessment has been submitted as part of the application, which considers the existing noise disturbances from neighbouring uses. This is further addressed within the analysis*);
- * Increase in noise and air pollution (*Officer comment: it is considered that the proposed residential development of the site is a compatible use with the surrounding residential uses, and should not give rise to a material increase in noise and pollution*);
- * Where will the bin store be? (*officer comment: the proposed site plan shows that the bin store is proposed against the north eastern corner of the apartment building, by the proposed access*);
- * Disturbance during the construction period (*officer comment: some disturbance during the construction period is inevitable, and therefore it is considered that only limited planning weight should be given to this concern. It is not considered that the type or scale of the development is significant enough to require the applicant to provide a construction management plan, and the Council's Pollution Control Officers have not recommended one be submitted*);
- * Kearsley has had its fair share of new build (*officer comment: there is a recognised shortfall of suitable affordable rent properties in Kearsley area. The proposed development would help towards meeting this*).

Points raised above without specific officer comment are considered to have been addressed within the analysis of this report.

One letter commenting on the proposal has also been received. This states that they are happy that a quieter use than the social club is being proposed and that the homes will be affordable, but would like the Council to provide a comparable area elsewhere for children to play (*Officer comment: there is no a policy requirement for an alternative play area to be provided if the application is approved*).

Elected Members:- Cllr. Cunningham has requested that the application be heard before Committee, and raises the following concerns on behalf of a neighbouring property:

- * There was a delay in this neighbour receiving a notification letter about the application (*Officer*

comment: all neighbour notification letters were sent to the 33 neighbouring properties on 2 March 2020, and a site notice was also posted on the site on 16 March 2020. Any delay therefore does not appear to be as a result of any action of the LPA. The letters of objection and comment summarised above were received within the statutory consultation period, therefore suggesting that these neighbouring properties received their letters without any undue delay);

- * The proposed entrance to the development would unfairly impinge upon and have a detrimental impact on their business premises, in relation to disruption, road safety hazards and public costs that would be incurred by the unnecessary creation of a new junction (*Officer comment: the Council's Highways Engineers have raised no objection to the proposed access. The developer would have to pay for the required highways works*).

Consultations

Advice was sought from the following consultees: Highways Engineers, Pollution Control Officers, Tree Officers, Landscape Officers, Greenspace Officers, Drainage Officers, Housing and Public Health Officers, Education Officers, Economic Strategy Officers, Strategic Development Unit, Greater Manchester Ecology Unit, Coal Authority, Greater Manchester Police, Primary Care NHS.

Planning History

A single storey front extension to form conservatory/toilets on part of the existing car park was approved in April 2001 (58655/01).

Application 47653/95 for the change of use, conversion and extension of the social club to form restaurant with manager's flat, construction of new vehicular access and layout out of car park was refused in October 1995.

Application 38255/91 for an extension to the front and side of the clubhouse to form entrance store and lounge with beer cellar under entrance and store was refused in March 1991.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. 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**

The development hereby approved shall be carried out in full accordance with the approved Preliminary Risk Assessment - ref. CL-602-LKC 19 1107-01; dated 7 March 19; by LK Consult.

- * Prior to commencement of development (excluding any demolition or site clearance) a methodology shall be submitted to 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 submitted to and approved in writing by the local planning authority.
- * 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.

- i. Any further or unforeseen contamination encountered during development shall be notified to the local planning authority as soon as practicably possible and a remediation scheme to deal with this approved by the local planning authority.
- ii. Upon completion of any approved remediation schemes, and prior to first occupation, a completion report demonstrating that the scheme is suitable for its intended end use shall be submitted to and approved in writing 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. **Intrusive site investigations (coal mining legacy)**

Prior to the commencement of development (excluding any demolition or site clearance) intrusive site investigations shall be carried out on the application site to establish the exact situation in respect of coal mining legacy features. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. The findings of the intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority.

Where the findings of the intrusive site investigations identify that coal mining legacy on the application site poses a risk to surface stability, no development shall commence unless and until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority. The approved remedial works shall then be implemented in full accordance with the approved details and within the approved timescales.

Reason

To ensure the safety and stability of the development, and to comply with Policy CG4.3 of Bolton's Core Strategy.

Reason for pre-commencement condition: Adequate information pertaining to ground conditions and coal mining legacy is required prior to the commencement of any development to enable appropriate remedial and mitigatory measures to be identified and carried out before any building works commence on site.

4. **Surface water drainage**

Prior to the commencement of development (excluding any demolition or site clearance), 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. **Tree protection method statement**

Prior to the commencement of development of any works on site, including demolition, the developer shall submit a method statement detailing how the following elements of the site will be constructed without causing harm or damage to the protected trees found on the site to the Local Planning Authority. The specified areas are:

- iii. Demolition of the clubhouse building;
- iv. Formation of the car park;
- * Timetable of proposed construction work on site, to ensure that the formation of the access road is one of the final stages, to avoid impact on trees along the eastern boundary;
- * Location of gas and electricity services;
- * Installation of boundary fencing.

No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

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

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.

6. **Tree protection fencing**

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

1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of the type and in the location as shown within "Arboricultural Impact Assessment with Tree Protection Measures"; by Godwins Arboricultural Limited; received 18 Feb 2020 prior to such works commencing.
2. 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).

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. **Doors and windows**

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.

8. **Alternative on-site bird and insect accommodation**

The approved alternative on-site accommodation for nesting birds and insects, as shown on approved drawing 6320.01; "Landscape Proposal" shall be implemented in full, prior to first occupation of the building hereby approved, and retained thereafter.

Reason

To safeguard the biodiversity of the site, and to comply with policy CG1.2 of Bolton's Core Strategy.

9. **Sound attenuation scheme**

The development hereby approved shall be carried out in full accordance with the recommendations of the approved Noise Assessment: Residential Acoustic Survey; dated 21 February 2020; ref. 10815; by Braiden Acoustics.

The windows of the development hereby approved shall be installed so as to provide sound attenuation as laid down in BS8233:2014, LAeq/T living rooms 35dB, dining rooms 40dB and bedrooms 30dB (night time) with windows shut and other means of ventilation provided as detailed in 5.3 and 5.4 of the approved acoustic survey. The approved scheme shall be implemented in full prior to first occupation of the apartment building and retained thereafter.

Reason

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

10. **Boundary treatment**

Prior to the development being first occupied or brought into use, the approved boundary treatment as shown on drawings 11 Rev P6; "Proposed Site Plan"; revision dated 14.05.20 and 12 Rev P4; "Proposed Apartment Elevations"; revision dated 17.03.20 shall be implemented in full 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.

11. **Landscape scheme**

Trees and shrubs shall be planted on the site in accordance with the approved landscape scheme (drawing reference: 6320.01; "Landscape Proposal"; dated May '20) 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 the building or the completion of the development, whichever is the sooner. 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.

12. **Vehicular access**

Prior to the development hereby approved/permitted being first occupied the means of vehicular access to the site from Manchester Road shall be constructed to a minimum width of 5.0 metres with 3.0 metres radii in accordance with drawing ref. 11 Rev P6.

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'.

13. **Right-turn pocket on Manchester Road**

Prior to first occupation of the development hereby approved full details of the highway works at Manchester Road comprising the formation of a right-turn pocket within the central hatching on Manchester Road (in order to aid right turning vehicles accessing the development) 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".

14. **Access road and footpaths**

The approved development shall be occupied until the access road and footpaths leading thereto have been constructed and completed in accordance with drawing ref: 11 Rev P6.

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'.

15. **Parking**

Before the approved/permitted development is first brought into use no less than 21 car parking spaces shall be marked out and provided within the curtilage of the site in accordance approved the plan (drawing ref. 11 Rev P6). 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.

16. **Electronic vehicle charging points**

Details of the electric vehicle charging points to be provided within the car park shall be submitted and approved in writing by the Local Planning Authority prior to occupation. 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, and to incorporate high standards of sustainable design within the development, in compliance with policies CG2 and CG4 of Bolton's Core Strategy.

17. **Review of Traffic Regulation Orders**

Prior to the first occupation of the development hereby approved/permitted, all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult, advertise, promote and implement Traffic Regulation Orders to keep visibility splays at the access onto Manchester Road clear of parked vehicles.

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".

18. **Soil testing methodology**

No soil or soil forming materials shall be brought to the site until a testing methodology including testing schedules, sampling frequencies, allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information has been submitted to and approved in writing by the Local Planning Authority. The approved testing methodology shall be implemented in full during the importation of soil or soil forming material.

Prior to the development being first brought into use or occupied a verification report including soil

descriptions, laboratory certificates and photographs shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the site is safe for use and in order to comply with Core Strategy policy CG4.

19. **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 more 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.

20. **External materials**

The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: 12 Rev P4; "Proposed Apartment Elevations"; revision dated 17.03.20.

Reason

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

21. **No-dig construction of access road**

The access road shall be constructed using the Cellweb geosystem as detailed within "Arboricultural Impact Assessment with Tree Protection Measures"; by Godwins Arboricultural Limited; received 18 Feb 2020.

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.

22. **Tree pruning**

All pruning work must be carried out in accordance with British Standards 3998 (2012) recommendation for tree work.

Reason

To protect the health and appearance of the trees and to comply with policy CG1.2 of Bolton's Core Strategy.

23. **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 to the apartment building or any alterations to the roof shall be constructed.**

Reason

To safeguard the character and appearance of the area, to protect the amenity of neighbouring residents, and to ensure that adequate car parking provision and outdoor amenity space is retained, and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

24. **Approved plans**

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

11 Rev P6; "Proposed Site Plan"; revision dated 14.05.20

12 Rev P4; "Proposed Apartment Elevations"; revision dated 17.03.20
12 Rev P5; "Proposed Apartment Plans"; revision dated 12.02.20
6320.01; "Landscape Proposal"; dated May '20

Reason

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



General Notes

1. Dimensions must not be scaled from this drawing. If in doubt, please ask.

2. All dimensions should be verified on site before proceeding with the work.

3. All dimensions should be given in writing of any discrepancies.

4. © TADW Limited (UK) 2019

Legend

Schedule of Accommodation

5no. 2B3P flats at 57qm each

19no. 1B2P flats at 45sqm each

TOTAL - 24 units

P5	Levels added	8.05.20	MH	BB
P4	Dimensions added	18.02.20	MH	BB
P3	Apartment revised	12.02.20	MH	BB
P2	Additional roles added	10.02.20	MH	BB
P1	Revised for comment	31.01.20	MH	BB
Issue	Description	Date	Drawn	Checked

Drawing Status
P - Planning | T - Tender | C - Construction | R - As Record

For Planning

tadw architects

St. St. Peneglan, St. Peter's Church, St. Peter's, H10
PH016 477 6158 P: 0161 480 8342 m: 0161 480 8342 www.tadw.co.uk

Client Watson Homes Ltd

Job Kearsley Social Club

Title Proposed Site Plan

Scale 1:100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale

Job Number 021287

Drawing Number 11

Issue P5

01: Dimensions must not be scaled from this drawing. If in doubt, please ask.
02: All dimensions are in millimetres unless noted otherwise.
03: All dimensions should be verified on site before proceeding with the work.
04: TADM Architects shall be notified in writing of any discrepancies.
05: © TADM Architects Ltd. 2015. Doc E

Schedule of Materials

1. Rannoch Red Multi brick by Forterra
2. Laggan Mixture brick by Forterra
3. Grey upvc double glazing
4. Painted metal balustrade

P4	Boundary details added	17.03.20	MH	B8
P3	Redesigned	12.02.20	MH	B8
P2	Entrance revised	11.02.20	MH	B8
P1	Issued for comment	4.02.20	MH	B8
Issue	Description	Date	Drawn	Checked

Drawing Status
P - Planning | T - Tender | C - Construction | R - As Record

For Planning



Six St, Petersgate Stockport Cheshire SK1 1HD
Ph 0161 477 6158 Fx 0161 480 8342 mail@tadw.co.uk www.tadw.co.uk

Watson Homes Ltd

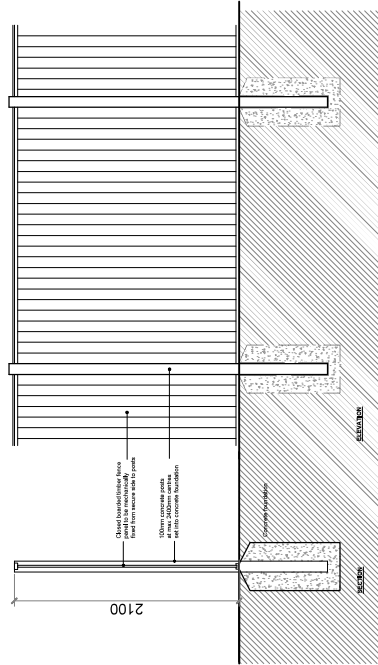
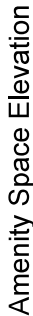
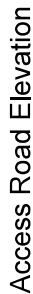
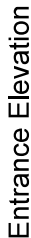
Kearsley Social Club

Title	Proposed Apartment Elevations

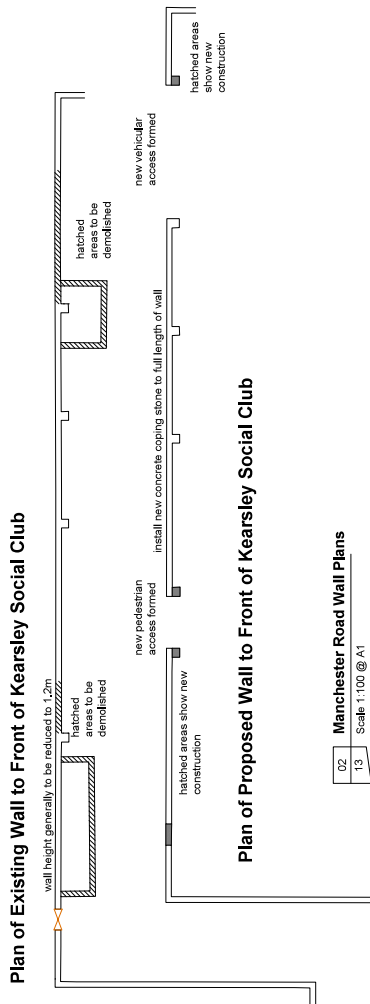
Scale 1:100 @ A1

Note - Prints from PDF files may not be to scale, check accuracy against scale

Job Number	Drawing Number	Issue
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2.1M HIGH CLOSE BOARDED TIMBER FENCE



Application number 07954/20



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: 09/07/2020

Application Reference: 07954/20

Type of Application: Outline Planning Permission

Registration Date: 02/03/2020

Decision Due By: 31/05/2020

Responsible Officer: Martin Mansell

Location: CROMPTON PLACE SHOPPING CENTRE, VICTORIA SQUARE, BOLTON; AND 56 & 58 BRADSHAWGATE; AND 33 VICTORIA SQUARE

Proposal: PART A: FULL APPLICATION FOR THE DEMOLITION OF CROMPTON PLACE SHOPPING CENTRE AND ALL ASSOCIATED STRUCTURES, 56 & 58 BRADSHAWGATE AND 33 VICTORIA SQUARE.
PART B: OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR A MIXED USE DEVELOPMENT COMPRISING OF USE CLASS A1 (RETAIL), USE CLASS A2 (PROFESSIONAL SERVICES), USE CLASS A3 (FOOD AND BEVERAGE), USE CLASS A4 (DRINKING ESTABLISHMENT), USE CLASS A5 (HOT FOOD TAKEAWAY), USE CLASS B1 (OFFICE), USE CLASS C1 (HOTEL, MAXIMUM 135 BEDROOMS), USE CLASS C3 (RESIDENTIAL, MAXIMUM 200 DWELLINGS), USE CLASS D1 (INCLUDING CLINIC, CRECHE, NURSERY, HALLS, DAY CENTRES, ART GALLERIES) AND USE CLASS D2 (ASSEMBLY AND LEISURE USES), TOGETHER WITH ASSOCIATED CAR PARKING, SERVICING, ACCESS ARRANGEMENTS, PUBLIC REALM, LANDSCAPING AND INFRASTRUCTURE.

Ward: Great Lever

Applicant: Bolton Regeneration Limited

Agent : Hive Land and Planning

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

- This is a hybrid planning application seeking full planning permission for the demolition of Crompton Place Shopping Centre and some associated structures together with seeking outline planning permission for a new mixed use development including shops, food & beverage, financial/professional services, office, hotel, residential and exhibition/multi-use spaces together with basement car parking
- Whilst much of the application is in outline only, detailed parameters drawings have been provided for the outline element of the proposal, indicating the approximate position and height of the structures that are to be constructed at the site; However, it is important for Members to

note that consent is not being sought at this time for the detailed design of any replacement buildings – whilst a considerable amount of information has been provided, including high quality detailed CGI images, consent is not being sought for the approval of any detailed design issues. Instead, the Applicant considered it appropriate to provide information on how the site could be developed, indeed how the Applicant feels the site should be developed, though all matters of detailed design would be subject to future reserved matters applications

- Policy TC1 of Bolton's Core Strategy seeks to support the civic and retail core as the principal location in the borough for retailing with an emphasis on renewal and improvement to achieve high quality floor space, supports the expansion of restaurants, food-orientated public houses, and financial and professional services, promotes Victoria Square for leisure and civic activities, and outdoor seating ancillary to restaurant and café uses and gives priority to providing good pedestrian links to Bolton transport interchange and car parks. The proposals are considered to deliver significantly on these objectives
- The Town Centre Framework promotes the creation of a link through to Bradshawgate, improved pedestrian circulation, an increase in the activity levels of the Victoria Square frontage via the introduction of restaurants and allowing people to enjoy views of Victoria Square and Bolton Town Hall together with the consideration of alternative uses other than retail. The proposals are considered to deliver significantly on these objectives
- The delivery of up to 200 residential units in this location would make a substantial contribution to the Council's housing targets at a time of significant undersupply, consistent with the Council's Housing Delivery Test Action Plan
- The proposal will result in transformational change to the character and appearance of Victoria Square and the surrounding Conservation Areas and heritage assets; however the parameters of the proposed development are considered to represent an appropriate scale and siting and would not compete with the historic elements of the town centre's skyline or context, including Bolton Town Hall. Officers consider that the proposals would not lead to any harm to the significance of any designated heritage assets. However, should Members take a different view and conclude that a degree of harm would be caused, this less than substantial harm should then be weighed against the public benefits of the proposal including, increased pedestrian permeability, opening up views of heritage assets together with the economic, employment and town centre viability benefits which are considered to be significant and capable of outweighing any limited harm
- The Applicant is committed to the delivery of public realm improvements include new materials and planting in order to enhance the setting of the development and to integrate this centrepiece development within the existing town centre
- The impact on the road network have been considered in detail by the Council's Highway Engineers and are accepted, subject to further information on the precise arrangements for managing construction together with a more detailed servicing strategy
- The outline application demonstrates a clear commitment to the incorporation of sustainable design and construction methods, energy efficiency and carbon emission reduction methods, but as this is an outline application the details of these would need to be developed during the Stage 3 design process prior to the submission of future reserved matters applications

Proposal

1. Outline consent is sought for the demolition of Crompton Place Shopping centre and a small

number of related properties and the erection of a mixed use development of up to 200 dwellings, up to 20,000 square metres of Grade A office spaces, a hotel with up to 135 bedrooms a large multi-purpose food hall (Bolton Works) and other ground floor commercial uses typical of a town centre such as retail, food & beverage and leisure uses. Vehicular access to the site would be taken from Bradshawgate, with the access road then following the line of Exchange Street to provide access to the basement car park and service yard.

2. The development would consist of five main blocks following a largely regular “quadrant” configuration with an additional block at the north east part of the site, allowing for new and significantly enhanced pedestrian routes through the site in the form of:-

- North-South - Mealhouse Lane would continue through the site and then connect to Chancery Lane
- East-West - Hotel Street would be extended to connect Victoria Square directly to Bradshawgate, following the line of Shipgate and emerging on Bradshawgate between Yates’ Wine Lodge and the former Flying Flute Public House
- East-West - Exchange Street would also be extended to provide direct connectivity between Victoria Square and Bradshawgate, emerging where the ramped access is currently located, though this road would be shared with the servicing and parking access
- East-West - a brand new street, referred to within the application as ‘Crompton Lane’ would broadly follow the line of the Town Hall clock through the centre of the site, providing a third connection to Bradshawgate, emerging at Fold Street facing Tapaz Restaurant

3. This is a hybrid planning application, seeking full planning permission for certain elements and outline consent for others. It therefore consists of two parts:-

- Part A is a detailed planning application for the demolition of Crompton Place Shopping Centre, 56 & 58 Bradshawgate and 33 Victoria Square.
- Part B is an outline application (with detailed parameters) to replace it with a comprehensive mixed-use regeneration scheme. In relation to Part B all detailed matters are reserved for approval at a later stage.

4. Detailed parameters drawings have been provided for the outline element of the proposal (Part B), indicating the approximate position and height of the structures that are to be constructed at the site. The approximate Gross Internal Area of the scheme, including basement car park and servicing area and the floorspaces for the residential and hotel uses is 53,730 square metres, split between the following proposed uses:-

- A1 (Retail) – up to 4,250 square metres
- A2 (Professional Services) - up to 2,150 square metres
- A3 (Food and Beverage) - up to 4,250 square metres
- A4 (Drinking Establishment) - up to 4,250 square metres
- A5 (Hot food takeaway) - up to 2,150 square metres
- B1 (Office) - up to 20,000 square metres
- C1 (Hotel) - up to 135 bedrooms
- C3 (Residential) - up to 200 dwellings
- D1 (including Clinic, Creche, Nursery, Halls, Day Centres, Art Galleries) - up to 1,550 square metres
- D2 (Assembly and Leisure uses) up to 2,000 square metres

Car Park (Sui Generis) approximately 272 spaces

5. In order to ensure that principles relating to the scale and general layout are established at the outline stage, the parameters plans provide an indication as to the footprint and heights of the buildings proposed across the site. The detailed proposals at reserved matters stage will then work within the established parameters.

Demolition

6. Crompton Place Shopping Centre is the main structure proposed to be demolished along with 56 & 58 Bradshawgate and 33 Victoria Square. The demolition of the Crompton Place Shopping Centre will also require the removal of the access bridge to the Marks & Spencer building (35 Deansgate) and arrangements are in place regarding an alternative servicing strategy for this building once the demolition phase gets underway. This matter is considered in more detail in the "Road Network" section below.

Block A

7. This block would be located at the north-eastern part of the site, broadly the present location of the existing Boots store within Crompton Place. The decorative frontage of the former Bolton Evening News building on Mealhouse House would be retained and would form the western elevation of a new 6-storey hotel. This block would be bounded by Mealhouse House to the west, the rear of properties fronting Deansgate to the north, the rear of properties fronting Bradshawgate to the east and an extended Hotel Street to the south, providing the link to Bradshawgate.

Block B1

8. This block would be located at the eastern part of the site immediately to the rear of Yates' Wine Lodge and would accommodate primarily residential uses with ground floor retail and café/restaurant uses. This six-storey block (four to Bradshawgate) would be bounded by the new Hotel Street / Shipgate link to the north, back Bradshawgate to the east, the new "Crompton Lane" / Fold Street link to the south, and the extended Mealhouse House / Chancery Lane link to the west. In terms of massing, the two residential elements would sit either side of a landscaped area on the roof of the ground floor commercial uses.

Block B2

9. This block would be located at the south eastern part of the site, fronting Bradshawgate and broadly the present location of the existing Primark store within Crompton Place. It would accommodate primarily residential uses with ground floor retail and café/restaurant uses. This block would be bounded by the new "Crompton Lane" / Fold Street link to the north, Bradshawgate to the east, the new extended Exchange Street link to the south, and the extended Mealhouse House / Chancery Lane link to the west. In terms of massing, Block B2 can be considered to have three main residential elements arranged around a landscaped area on the roof of the ground floor commercial uses rising to six storeys in the middle but four storeys to the Bradshawgate frontage.

Block C

10. This block would be located at the south western part of the site, fronting Victoria Square at broadly the present location of the existing Specsavers corner of Crompton Place and would accommodate "Bolton Works". It would contain primarily workspace uses in its western element, aimed at smaller occupiers, with ground floor retail and café/restaurant uses. To the east of the office element would be situated a multi-purpose multi-occupancy curated food hall. This block would be bounded by the new "Crompton Lane" / Fold Street link to the north, the extended Mealhouse House / Chancery Lane link to the east, the new extended Exchange Street link to the south and Victoria Square to the west. In terms of massing, Block C can be considered to have two main elements, four storeys to the Victoria Square frontage, rising to five and six via a series of setbacks

with the approximately two-storey (with a series of pitched roofs) multi-purpose food hall to the rear

Block D

11. This block would be located at the north western part of the site, fronting Victoria Square at broadly the present location of the existing HSBC corner of Crompton Place and would accommodate the office element. This block would be bounded by the new "Crompton Lane" / Fold Street link to the south, the extended Mealhouse House / Chancery Lane link to the east, Hotel Street to the north and Victoria Square to the west. In terms of massing, Block D can be considered to be four storeys to the Victoria Square frontage rising to five and six storeys with a plant enclosure above this using a series of significant "steps" in the section to minimise the impact.

12. As well as the relevant plans and elevations, the application is supported by the following documents:- Planning Statement (includes Affordable Housing Statement), Design and Access Statement, Location Plan and Scheme Plans, Landscaping / Public Realm Drawing, Statement of Community Involvement, Transport Assessment, Travel Plan, Preliminary Risk Assessment (inc Coal Mining Risk Assessment), Heritage Assessment, Archaeological Desk Based Assessment, Flood Risk Assessment & Drainage Strategy, Phase 1 Habitat Survey (including bat presence survey), Energy & Sustainability Statement, Crime Impact Statement, Noise Assessment, Air Quality Assessment, Tree Survey and Arboricultural Impact Assessment), Waste Management Strategy, Demolition Method Statement / Plan, Peregrine Mitigation Strategy.

13. The proposal has been amended in response to comments received from consultees such as the War Memorials Trust, Historic England, Bolton & District Civic Trust and the Council's Conservation & Design Officer and has been supplemented by an addendum to the Design & Access Statement that reflects these changes.

14. A Screening Opinion was sought from Bolton Council pursuant to the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, as amended by the Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018.

Site Characteristics

15. The site measures approximately 1.77 hectares in area and is located within the heart of Bolton town centre, directly opposite Bolton Town Hall and within Bolton's Civic and Retail Core as defined by the Policies Map. It largely consists of the Crompton Place Shopping Centre together with 56 & 58 Bradshawgate and 33 & 35 Victoria Square. Other elements included within the application site boundary are the access bridge that connects Crompton Place to the Marks and Spencer Building (35 Deansgate), the access ramp that serves Crompton Place from Bradshawgate and some of the adopted highway that immediately surrounds the existing buildings.

16. The Site is bounded by Hotel Street and Mealhouse Lane to the north, Bradshawgate to the east, Exchange Street to the south and Victoria Square to the west. The primary frontage faces Victoria Square and the Town Hall to the west and service access is presently taken from Bradshawgate with access to the underground parking area from Bowkers Road via Nelson Square. Fold Street and Shipgate connect to Bradshawgate to the east but area blocked to the west by the Crompton Place development. The perimeter of the site is largely pedestrianised (along Mealhouse Lane, Victoria Square and the majority of Exchange Street), with only Bradshawgate permanently open to vehicular traffic.

17. The Building Bolton SPD notes that Bolton's Civic Core is a monument to 19th century enterprise and vision. The classical design of buildings and spaces reflect ambitions for the town which remain

relevant nearly 100 years later and have proved enduring and flexible under pressure of change. The townscape around Victoria Square is characterised by architectural 'set pieces', rectangular urban blocks, good corner buildings and broad, classically proportioned streets and squares. East-west pedestrian links are poor compared to the well-established pattern of north south routes

Policy

The Development Plan

18. Committee should have regard to the requirements of the development plan as a whole. The following policies are considered to be particularly relevant.

19. Bolton's Core Strategy Development Plan Document (2011) - Strategic Objectives - SO3 - To take advantage of the economic opportunities presented by Bolton town centre and ensure that these opportunities benefit everybody in Bolton, including those people living in the most deprived areas, SO4 - To create a transformed and vibrant Bolton town centre, SO5 - Ensuring Bolton takes full advantage of its location in the Greater Manchester City Region, SO6 Ensuring that transport infrastructure supports all aspects of the spatial vision, SO9 - To reduce crime and the fear of crime, and improve road safety by ensuring that neighbourhoods are attractive and well designed, SO10 To minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects, SO11 Conserving and enhancing the best of Bolton's built heritage and landscapes, SO12 To protect and enhance Bolton's biodiversity, SO13 To reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream, SO14 - Providing housing that meets the needs of everybody, SO15 To focus new housing in the existing urban area, especially in Bolton town centre, SO16 To develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.

20. Bolton's Core Strategy Development Plan Document (2011) - H1 Healthy, P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, TC1 Civic & Retail Core, TC11 Design in Bolton Town centre, IPC1 Infrastructure and Planning Contributions and Appendix 3 - Car parking standards.

21. Bolton's Allocations Plan (2014) - P7AP Strategic Route Network

Other Material Considerations

22. Supplementary Planning Documents - Accessibility, Transport and Road Safety (October 2013), Infrastructure and Planning Contributions (July 2016), Affordable Housing (February 2013), General Design Principles (June 2015), Sustainable Design and Construction (October 2016), Building Bolton (2006), Public Realm Implementation Framework (2007)

23. National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment, conserving and enhancing the historic environment.

24. Relevant National Planning Practice Guidance - Air Quality, Build To Rent, Climate Change, Conserving and Enhancing the Historic Environment, Design, Ensuring the Vitality of Town centres, Environmental Impact Assessment, Flood Risk and Coastal Change, Health and Wellbeing, Housing, Land Affected By Contamination, Land Stability, Light Pollution, Natural Environment, Noise, Public Rights of Way, Planning Obligations, Renewable and Low Carbon Energy, Travel Plans, Transport Assessments and Statements, Use of Planning Conditions, Viability, Water Supply, Wastewater and Water Quality

25. The Setting of Heritage Assets: Historic Environment Good Practice Advice Note 3 in Planning (Historic England 2017) and Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning Note 2 (Historic England 2015), Conservation Principles for the Sustainable Management of the Historic Environment (Consultation Draft, 2017)

26. Planning (Listed Building and Conservation Areas) Act 1990 s. 66 - general duty as respects listed buildings in exercise of planning functions.

27. The Bolton Town Centre Framework was approved by Members of Bolton Council's Cabinet in September 2017 and is a material consideration in the determination of planning applications in Bolton Town centre, particularly within the identified intervention areas.

28. The Bolton Economy, Our Strategy For Growth 2016-2030

29. Consultation has closed on the revised draft of the Greater Manchester Spatial Framework which focuses on making the most of Greater Manchester's brownfield land and prioritises the regeneration of town centres and other sustainable locations. Only limited weight can be given to this; however, it is considered to be unlikely that the GMSF will change its focus away from brownfield and town centre regeneration.

Analysis

30. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies taken as a whole should be refused unless material considerations justify granting permission. Similarly, proposals which accord with the Development Plan 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 as whole and then take account of other material considerations.

31. The main issues in relation to the proposal are:-

- impact on the character and appearance of the area
- impact on the setting of nearby listed buildings, the surrounding Conservation Areas and other Heritage Assets
- impact on housing provision
- impact on Bolton's economy
- impact on Bolton town centre
- impact on the road network
- impact on ecology, biodiversity and trees
- impact on living conditions, future occupiers and existing nearby uses
- impact on infrastructure, affordable housing and planning contributions
- impact on surface water drainage and flood risk
- impact on sustainable construction and energy management
- impact on crime reduction
- impact on land stability, ground conditions and coal mining

Impact on the Character and Appearance of the Area

32, Strategic Objective 11 of the Core Strategy aims to conserve and enhance the best of Bolton's built heritage and landscapes and improve the quality of open spaces and the design of new buildings.

33. Core Strategy policy CG3 seeks to ensure that new development proposals contribute to good urban design. This has a number of elements including (amongst other things):

- conserve and enhance local distinctiveness ensuring development has regard to the overall built character and landscape quality of the area
- compatibility with surrounding area – scale, massing, grain, form, architecture, local materials and landscape treatment
- conserve and enhance the heritage significance of heritage assets and area
- maintain and respect the landscape character of the surrounding countryside and its distinctiveness, being compatible with the nearby landscape character

34. Core Strategy Policy TC11 relates specifically to development in Bolton Town centre and states that the Council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should conserve and enhance the special nature of the conservation areas and listed buildings; ensure that development along the gateways to the town centre enhances the townscape through the use of high quality design and improved street frontages and pedestrian permeability; ensure streets are designed in accordance with the Public Realm Implementation Framework to achieve a high standard of design which exhibits safety, consistency and accessibility, particularly for pedestrians, cyclists and users of public transport; require development to respect and enhance existing vistas - new architectural 'set pieces' will be supported where the design is of exemplary quality; have regard to the existing hierarchy of built forms as indicated in the Building Bolton SPD; make efficient and effective use of land in the town centre due to the existing levels of high density development, ensuring that development provides adequate amenity space and privacy, or attractive public areas, where appropriate for the site.

35. Core Strategy Policy TC1 relates specifically to development within the Civic and Retail Core of Bolton town centre; however it refers primarily to the allocation of uses and the improvement of pedestrian links rather than seeking to promote or discourage particular forms of design or architecture.

36. The National Planning Policy Framework (February 2019) sets out the Government's planning policy requirements. Section 12, Achieving Well-designed Places identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Para 127 further states that planning policies and decisions should ensure that developments are in accordance with the following:-

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of

development (including green and other public space) and support local facilities and transport networks

- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

37. Paragraph 131 of the NPPF states 'In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings.

38. The Government published its National Design Guide on 1st October 2019 as part of the National Planning Practice Guidance.

39. Officers consider that Core Strategy policies CG3 and TC11 are consistent with the NPPF and can be given substantial weight in the consideration of design matters.

40. The Building Bolton SPD contains a detailed analysis of the existing built form of Bolton town centre and highlights its local distinctiveness. Development proposals are very much welcome but are encouraged to work with rather than against this distinctiveness. It contains design guidance for a series of areas within the town centre, including the Crompton Place area, and draws attention to matters such as urban form, scale, massing and detail. The application site falls within the Civic Core area and the Building Bolton SPD notes that urban blocks in this part of the Civic Core tend to be rectangular rather than linear and are often surrounded by important streets with no obvious back or service frontage. New development that runs the full depth of a block should seek to maximise active frontage and minimise blank walls and service access. Officers note that the development proposes rectangular blocks and works within the "box" formed by the important streets of Bradshawgate, Hotel Street, Exchange Street and Victoria Square. It also creates two new important streets in the form of the new central east-west link between Victoria Square and Bradshawgate and the north-south link between Mealhouse Lane and Chancery Lane whilst extending the existing streets of Hotel Street and Exchange Street towards Bradshawgate. Servicing is predominantly located in the south east corner, maximising active frontages throughout the development.

41. The SPD requires that the distinctive pattern of set piece views which characterise the Civic Core area need to be taken into account, particularly when larger scale proposals are being considered. Buildings which are out of scale with their setting or intrude into views with a clear existing hierarchy will be resisted. A typical hierarchy of scale in the Civic Core comprises landmark buildings with subsidiary landmarks at block corners and occasionally in the middle of blocks. Larger building masses should be designed with care into this environment – different materials and setbacks can help manage the incorporation of larger buildings. Tall features should be assessed in relation to their immediate surroundings and also the Town centre skyline. Modern buildings which are intended to feature as new landmarks are welcome but need to be considered in relation to existing buildings.

42. Officers note that the application is supported by extensive analysis within the Design & Access Statement which clearly demonstrates that the development would not be out of scale within its setting and would not intrude into existing views or the existing hierarchy of built form within the area. Block corners are clearly defined and the "quadrant" layout ensures that blocks are divided in the middle, particularly the division created by the new central east-west route. Materials are subject to the detailed design stage but the indicative information shows a range of materials compatible with the area and setbacks to minimise the visual impact of the massing, in particular to the Victoria Square frontage. The building will be of a modern design and Officers fully accept this to be the right

approach as elements of pastiche would have the potential to detract from the historic surroundings. That said, the indicative visualisations suggest a frontage to Victoria Square that reflects the strong verticality of the front of Bolton Town Hall via a colonnade.

43. The Building Bolton SPD notes that a wide variety of styles are managed in the Civic Core within a generally 'classicising' context – that is, a proportionate balancing of height and width. It states that it is not necessary for modern designs to imitate traditional classical detailing, but development proposals should take into account the scale and massing of existing buildings. Design which reinterprets the characteristics of Civic Core architecture in an innovative way are welcome but proposals which wilfully ignore their context without a clear rationale will be resisted. Officers consider that the parameter drawings demonstrate a proportionate balancing of height and width. As noted above, whilst the final design will be subject to the reserved matters stage, the indicative visualisations suggest an approach that does not seek to imitate the detailing of the surrounding classical forms but does reflect certain elements such as the strong verticality.

44. The SPD notes the use of sandstone ashlar and cladding around Victoria Square and advises that modern proposals should reflect this. Red brick and stone dressings are also typical and can be complemented with a range of modern cladding materials. Strong material contrasts are the exception in this area, though where used successfully they contribute to the streetscape - for example the Whittakers 'half timbered' frontage on Deansgate. Modern equivalents will be judged on their merits and in their context. Officers note that materials do not form part of this planning application; however they are satisfied that the approach set out within the application submission demonstrates a clear willingness to work within the existing materiality of the setting, using contrasting materials as detailing where appropriate.

45. The Building Bolton SPD recognises that poor permeability between this area and the rest of the Civic Core has discouraged investment, and Mawdsley Street and Newport Street do not fulfil their potential as gateways to the retail core. It advises that public realm planning should take the strategic value of the area into account and plan for high quality paving finishes and street furniture along the major streets. It also encourages the possibility of new east-west routes designed to enhance the permeability of the area without destroying its scale and character, for instance between Victoria Square and Bradshawgate.

46. Officers consider that the proposed development addresses this requirement in full – three east-west routes are proposed and the public realm improvements will be required via a condition.

47. The Crompton Place Shopping Centre is an inward facing development with little aesthetic or townscape value. Its monotonous facades and bridging elements obscure views to and from the historic areas that envelop the site and its siting has a negative impact on permeability in the town centre generally. The demolition of the centre and its replacement with a development that recreates new streets through the area that are similar to the former historic street pattern would have an overall beneficial effect on the townscape of the area and on the way that this part of Bolton town centre functions. In particular, the creation of a direct route through to Bradshawgate from Victoria Square has a significant beneficial effect as would the continuation of Mealhouse Lane/ to Chancery Lane.

48. The development as a whole was subject to a Design Review by Places Matter (RIBA North West) in November 2019 and recommendations and improvements incorporated within the proposed development include:-

- enhanced linkages between Victoria Square and Bradshawgate
- office element moved to Victoria Square frontage; residential element relocated to

Bradshawgate

- wider townscape analysis and character spaces assessment carried out in order to test the linkages between the development and the immediately surrounding area
- consistent roofline maintained to Victoria Square with less architectural variation to this elevation

49. Officers also note that Places Matter did not raise concerns over the impact of the scale of the development on Victoria Square or on Bolton Town Hall beyond this – their priority in this regard was to ensure that the scale and massing of the new development “contains and encloses the square” in a way that the existing building does not do, or does not do sufficiently.

50. Officers note that whilst Bolton & District Civic Trust have formally objected to the proposal and Historic England raised some concerns over the proposal prior to its recent amendment (both considered in more detail below) both stakeholders consider certain elements of the proposed to be positive. Bolton & District Civic Trust recognise the benefits of redevelopment in principle and the increased permeability, with Historic England considering the existing shopping centre to be an unattractive building of squat and incongruous proportions that impacts negatively on both the significance of nearby heritage assets and to the character of the town centre of Bolton as a whole. Historic England also note the highly inward-looking form of the existing building which serves to form a barrier to connectivity within the town’s centre. They welcome the principles on which the current masterplan is based and consider them to set out a sensible framework for the more detailed elements of the proposal. In particular, they consider it positive to note that the Applicant has sought to address the current lack of permeability through the site and its lack of positive interaction with its surroundings by creating a clear street pattern, which is both more in keeping with the historic configuration of buildings evident on historic mapping, and which also allows greater movement and visibility through the area. Also welcomed is the potential that the creation of the new streets has to frame and create new long views of the Town Hall in order to increase and reinforce the visibility of that Grade II* listed building. They accept in principle the increase in the height and scale of the built form fronting onto Victoria Square, making the proposed building a more prominent and defining edge to this open space. This is supported in principle, as it seeks to resolve two of the inherent issues with the current built form – that its squat nature makes it visually and architecturally unappealing and that it does not currently enclose or complete what could be a distinctive set-piece square.

51. The submitted Design & Access Statement and its addendum following the submission of amended plans have been thoroughly assessed by Planning Officers and by the Council’s Conservation & Design Officer who consider it to be a detailed and rigorous assessment of the evolution of the scheme and the way it responds to the context of the site and the principles of good urban design. In particular, Officers welcome the way that the submissions address much of the principles sought to be established via the parameters and give a clear insight into the way that the Applicant’s team envisage the detailed design stage to be progressed. The statement considers in detail the physical context of the site and its surroundings, the historic development of Bolton town centre, the Mawson Plan promoted by Lord Leverhulme, the linkages and gateways of the area, its built heritage, character areas, urban grain and existing uses. Key views are considered as well as the constraints and opportunities offered by the site. A public realm strategy is promoted and matters of architectural design considered for each of the five blocks as well as landscaping and public art. Vehicular access (and inclusive access), servicing and parking strategies are considered but are also assessed in more detail in the relevant standalone reports, as are crime, sustainability, waste management, drainage, flood risk, heritage matters and ecology.

52. It is considered that the proposal will have a positive and transformative effect on the character and appearance of the area, entirely consistent with the requirements of Policies TC1, TC11 and

SO11 of Bolton's Core Strategy.

Impact on the Setting of Nearby Listed Buildings, the Surrounding Conservation Areas and other Heritage Assets

53. Strategic Objective 11 seeks to conserve and enhance the best of Bolton's built heritage and landscapes and improve the quality of open spaces and the design of new buildings.

54. Core Strategy policy CG3.3 states that the Council and its partners will seek to ensure that development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture and landscape treatment. Policy CG3.4 aims to conserve and enhance the heritage significance of heritage assets and heritage areas recognising the importance of sites. Policy TC11 relates specifically to development in Bolton Town centre and states that the Council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should conserve and enhance the special nature of the conservation areas and listed buildings.

55. Chapter 16 of the NPPF "Conserving and enhancing the historic environment" emphasises at para 185 that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. In terms of proposals affecting heritage assets, Para 189 states that during the determination process of application the applicant must describe the significance of any heritage assets affected, including any contribution made by their setting. Para 190 further comments that local planning authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal taking account of the available evidence and any necessary expertise. The impact of the proposal on the significance of a non-designated heritage asset should be taken into account in determination of an application taking a balanced judgement as to the scale of the harm and the significance of the heritage asset.

56. Paragraph 193 of the NPPF 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.'

57. Paragraph 196 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use'.

58. Paragraph 200 states that 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'.

59. With specific reference to Listed Buildings it is noted that s. 66 of the Planning (Listed Building and Conservation Areas) Act 1990 states that when a LPA is "considering whether to grant planning permission...for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

60. Section 72 of the Act requires the Local Planning Authority to pay special attention to the 'desirability of preserving or enhancing the character and appearance' of the designated areas. Consequently, it is important to consider the developments contribution to the townscape character

of the conservation areas and the impact of the proposed development on this aspect of the wider historic environment.

61. No works are proposed to any listed buildings; however there are 22 listed buildings within the vicinity of the site the settings of which could potentially be affected by the development proposals. These are Bolton Town Hall, the cenotaph, the statues of Dobson and Chadwick, the building formerly occupied by Coral Racing, 26-28 Bradshawgate and Yates' Wine Lodge, the former County Court building on Mawdsley Street and the Exchange buildings, the statue of Samuel Crompton and the railings and walls to the underground public conveniences on Nelson Square together with a number of listed buildings on Wood Street and Mawdsley Street.

62. The application site incorporates small elements of the three different conservation areas – the Deansgate Town Hall and Mawdsley Street Conservation Areas with a further two conservation areas located adjacent to the site – the Silverwell Street & Wood Street Conservation Area and the Churchgate Conservation Area.

Bolton Town Hall and its Setting, including the Town Hall Conservation Area

63. The Town Hall Conservation Area is located on the east of the town centre of Bolton and concentrated on Victoria Square and the streets to the west. The conservation area is located mostly to the west of the site, however, a row of shops fronting Victoria Square to the east falls within the site boundary.

64. The Town Hall was built in 1873, to designs by William Hill architect, and further extended in the 1930s. The Civic Centre on Le Mans Crescent was completed in 1939. Officers entirely agree with the assertion of Bolton & District Civic Trust that its western elevation is one of the best examples of a civic façade in the country as a whole and that the design of the building and especially this front façade is an architectural set piece.

65. It is important to note that only the parameters of scale and siting are to be considered at this outline stage, not the detailed designs of the new buildings; however, the Applicant has provided a number of images which set out their thinking on the next stage of the design of the proposals.

66. The submitted Heritage Statement and the Design & Access Statement and its addendum following the amendments to the proposal secured during the application period contain extensive analysis of the impact of the development on Bolton Town Hall and its setting. The impact of the existing building is considered to be neutral at best and potentially detrimental in particular due to its squat appearance and its failure to provide an appropriate scale of enclosure to the eastern side of Victoria Square. A key issue to take into account is that the amended proposals would not result in a frontage to Victoria Square that would rise above the cornice of the frontage of Bolton Town Hall. The application initially suggested an open-framed "frieze" at the top of the Victoria Square frontage, but this has been removed following the consideration of consultation responses, including the response of Historic England. This has resulted in the frontage changing from one with a five-storey appearance to one with a four-storey appearance. The upper point of the Victoria Square frontage now aligns with the cornice of Bolton Town Hall. A potential additional storey to the office building (Block D) has now also been removed to help reduce the overall scale and mass of the building, with a further 9.0m set-back to the plant screen at Level 6. The emerging scheme designs, whilst not formally part of this application indicate the possibility of stepping back the main glazed frontage of the buildings from the colonnade frontage, giving an additional sense of space to Victoria Square together with more open corners turning in to Crompton Lane, helping to enhance the setting of the town hall.

67. The maximum height of the revised parameters scheme is considered to represent an

appropriate balance between the need to better frame and reflect the Town Hall and enclose Victoria Square without overly dominating these heritage assets. The stepping back of the elements above level four will maximise the efficient use of land whilst minimising their impact. The current western frontage of Crompton Place is not considered to be aesthetically pleasing and the redevelopment proposals create an opportunity for this to improve.

68. The sole remaining legacy of the original Victoria Square frontage, 3 Back Cheapside, is proposed to be retained.

69. The Council's Conservation and Design Officer considers that the restoration of the former street pattern contributes to the requirement of better revealing significance and enhancing the setting of heritage assets as set out in paragraph 200 of the NPPF.

70. Officers note the objection from Bolton & District Trust (supplemented by one from SAVE Britain's Heritage) on the grounds of the impact on the setting and significance of Bolton Town Hall but consider them to have been fully addressed by the revisions to the parameters plan, in particular the reduction in height of the Victoria Square frontage.

71. Officers note that Historic England do not raise formal objection to the proposals but do express a number of concerns; however, it is considered that these concerns have been fully addressed by the revisions to the parameters plan, for the reasons set out in the consultation annex below.

72. These three bodies have been reconsulted on the plans and given a reasonable period to respond, should they wish to; however, at the time of writing it is not possible to report these in full and they will need to be reported at the meeting. However, the considered view of Planning Officers and the Council's Conservation & Design Officer is that any concerns have been addressed in full by the revised proposals.

73. Officers recognise that the impact on Bolton Town Hall and its setting, including the Town Hall Conservation Area will be a key issue that Members will want to carefully consider and therefore a number of plans and images considering this relationship have been appended to this report.

War Memorial

74. The proposals will alter the setting of the Grade II* listed Bolton War Memorial, located to the East of Victoria Square on the axis with Bolton Town Hall. The memorial was erected in 1928 to a design by Arthur Hope with sculpture by Walter Marsden, who served in the First World War, and includes the rare depiction of grieving women on a First World War memorial. The cenotaph is located directly in front of the Town Hall, and therefore has a prominent location within Victoria Square. The setting of this cenotaph is therefore important as its prominent location was by design.

75. The War Memorials Trust is the national charity for the protection and conservation of war memorials in the UK and was consulted on the planning application. Officers note that the War Memorials Trust do not raise formal objection to the proposal though the issues that they raise need to be taken into account.

76. Officers consider that the reduction in height of the Victoria Square frontage secured during the consideration of the application will further minimise the impact on the war memorial. The concerns of Historic England received during the consultation period are noted but are considered to be addressed in full by the revised scheme.

77. The new avenue viewpoint created from Bradshawgate along the line of Fold Street is considered to enhance the setting of the war memorial, opening up views which do not currently exist and

allowing for a degree of increased sunlight during the summer months. Furthermore, the emerging scheme designs, although not formally part of this submission, indicate that there is the potential to step back the main building from the development frontage and proposed colonnade, further revealing the Cenotaph. The corners from Victoria Square turning in to Crompton Lane would also be opened up and so this will also help to enhance the immediate setting of the Cenotaph. This more open design, combined with the new view of the Cenotaph walking towards Victoria Square from Crompton Lane, are considered to be positive aspects of the scheme that will help to enhance the setting of the Cenotaph.

78. The Demolition Management Plan clearly sets out that the protection of the War Memorial is paramount and adequate measures have been taken to ensure that it is protected throughout. The same would apply to the construction phase, the details of which will be included within the Construction Management Plan which will be a condition of any outline approval. The War memorial will remain accessible for key events such as Remembrance Sunday. A condition survey of the memorial will be carried out in order to assess the condition of the memorial prior to and following the development to ascertain whether any damage was caused and if conservation work/repair/cleaning is required due to dust/debris deposits etc.

Former Bolton Evening News building (Boots / entrance from Mealhouse Lane / Hotel Street)

79. The frontage of this building, whilst not listed, is considered to make a significant and positive contribution to the character and appearance of the Deansgate Conservation Area. The building frontage is excluded from the demolition proposals and its careful retention and incorporation within the proposals would be required by a condition.

Archaeology

80. Paragraph 189 of the NPPF and Core Strategy Policy CG3 also require the potential for heritage assets of archaeological interest to be considered as part of development proposals.

81. The application is supported by a comprehensive Archaeological Desk Based Assessment carried out by Salford Archaeology. The assessment notes that the proposals will require significant earthworks that could affect buried archaeological remains that may exist and so in line with planning policy requirements, the Applicant has sought to establish, the nature and significance of any buried archaeological resources within the area, and assess the impact of any future development upon this resource.

82. The assessment notes that the area is located within close proximity to the medieval core of Bolton (centred around the Market Cross at Churchgate). During this period, burgage plots lined these main streets, many of which may have occupied the land within the proposed development area. The site may contain within it some small areas containing in situ buried archaeological remains of local or borough significance relating to the Medieval Period burgage plots and the development of the area during the Industrial Period. However, it is also recognised that the basements of the Crompton Place Shopping Centre are extensive and have likely removed the majority of the archaeological remains that were within the footprint of the Shopping Centre. There is though the potential for pockets of land outside of these basements to contain intact buried remains. Specifically, this relates to the area near former Grapes Hotel (now 33 Victoria Square) and various shops fronting Victoria Square and buildings fronting Bradshawgate.

83. Greater Manchester Archaeological Advisory Service are the Council's technical advisors on this matter and they have been consulted on the application. They note that the application is supported by an Archaeological Desk Based Assessment prepared by Salford Archaeology in January 2020 and consider this to be a thorough and well executed report which identifies archaeological interest and potential across the site in terms of below-ground heritage. They accept that whilst the site was

close to the heart of Medieval Bolton where burgage plots lined the main streets, the post-medieval rise of industrialisation in Bolton brought rapid growth. This post medieval, industrial and more recent redevelopment of the site, particularly with the creation in the twentieth century of the Crompton Place Shopping Centre, will have destroyed much of the evidence for medieval or post-medieval activity: the extensive basement areas of the shopping centre being the primary factor in this. GMAAS are clear that although any remains, whether medieval or post-medieval, would be of some local and potentially regional significance, none of the remains anticipated would present nationally significant remains worthy of physical preservation in situ. With this in mind, GMAAS accepts that any approach to mitigating the impact of the development should be managed through a conditioned approach.

Heritage Impact Conclusion

84. The Council's Conservation & Design Officer is fully satisfied that the reduction in scale and massing to the front elevations of Blocks C and D facing Victoria Square to a comparable parapet line with the Town Hall pediment and cornice line (as now shown in the revised plans) would preserve the setting of the listed Town Hall and the cenotaph. The tighter height parameters will also ensure that the overall balance of massing and scale is maintained. The design changes, albeit indicative, have progressed the scheme to a more open and columned arcade fronting Victoria Square which would help reduce perceived mass, contribute to creating a contemporary civic set piece consistent with other grand piazzas and appropriate to the monumental qualities of Bolton Town Hall. The open feel and columned arcade of the design would also improve the sense of place and give the cenotaph a high quality backdrop. The Council's Conservation & Design Officer wishes to continue to work with the design team to ensure that the materials and quality of the façade is of the highest quality in the reserved matters stage. They reference a similar design approach on a scheme in Berlin (the James Simon Gallery) and feel that the scheme proposed at Victoria Square has the potential to become an award-winning civic space.

85. With respect to residential blocks B1 and B2 the tighter height parameters and clarification regarding internal landscape courtyards alleviates concerns regarding enclosure to the new Fold Street link and Hotel Street proposed. There would be sufficient variation in enclosure to create interest and details in the design of the façade would be progressed to mitigate impact and create an overall sense of place. Further confirmation provided with respect to scale, massing and the tighter parameters onto Bradshawgate has alleviated concerns with respect to impact on views from adjacent Conservation Areas and continuing progress on skyline design and materiality would further improve setting and views generally.

86. The Council's Conservation & Design Officer considers that, as revised, the scheme would present an overall benefit in design, heritage and townscape terms which would preserve as well as enhance the setting of heritage assets. There is considered therefore to be no harm to heritage significance (or if at all, neutral) which is significantly outweighed by the public benefits gained from improved connectivity, design and economic activity.

87. Planning Officers agree in full with the findings of the Council's Conservation & Design Officer. The revised proposals do not create harm to heritage significance and in many respects offer improvements. However, should Members take a different view and conclude that, on balance, a degree of harm to heritage significance would be caused by the development, the provisions of paragraph 196 of the NPPF would be engaged and it would be necessary to consider whether the benefits of the proposal outweigh any limited harm. Officers conclude that even if any degree of heritage harm were to be identified, this could not be any greater than less than substantial harm and would be significantly outweighed by the benefits of the proposal.

88. The impact of the proposal on nearby heritage assets is considered to be acceptable and the proposal is considered to comply with Policies SO11, CG3 and TC11 of Bolton's Core Strategy.

Impact on Housing Provision

89. Strategic Objective 14 of the Core Strategy seeks to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households. Strategic Objective 15 of the Core Strategy seeks to focus new housing in the existing urban area, especially in Bolton town centre, Council-owned housing areas and in mixed-use developments on existing older industrial sites.

90. Core Strategy policy SC1 states that the Council will identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026.

91. Chapter 5 of the NPPF (Feb 2019) "Delivering a sufficient supply of homes", states the Government's objective of significantly boosting the supply of housing within the UK. Para 59 emphasises the importance of a sufficient amount and variety of land can come forward where it is needed, and para 72 states that supplies of large numbers of homes can often be best achieved through larger scale development and that Local Planning Authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way.

92. Para 73 requires authorities to maintain a five-year deliverable supply of housing. Bolton currently cannot demonstrate a deliverable supply when measured against this target and is required to apply a 20% buffer on its housing requirement. The presumption in favour of sustainable development set out in NPPF para 11 is therefore engaged.

93. The priority of delivering new housing within Bolton town centre cannot be underestimated. Bolton town centre is anticipated to contribute 10-20% of the Borough's housing supply over the period of the adopted Core Strategy. This is critical to the strategy which seeks to focus development on brownfield sites within the urban area to safeguard the rural outer areas of the borough, Green Belt and Protected Open Land in particular, from proposals for new housing development. Failure of delivery within Bolton town centre would therefore put these areas at greater risk.

94. In addition to the Core Strategy the significant role that new housing will have in the future of the town centre is endorsed by the Council's Bolton Town Centre Framework. Whilst it is true that the Town Centre Masterplan does not specifically identify Crompton Place for residential expansion, this is due to the fact that the private ownership of the centre at the time that the Framework was developed meant that modifications to the centre were proposed rather than wholesale demolition and redevelopment. Nevertheless, taken as whole, it is clear that the Framework sees a significant increase in the number of residential properties in Bolton town centre as a key factor of its approach. Regeneration here, specifically, residential-led regeneration, will be an important catalyst for the wider Bolton town centre.

95. Bolton cannot currently demonstrate a 5 year housing land supply which makes it vulnerable to speculative housing applications on open land. Approving and delivering schemes within the town centre is vital to being able to resist these and uphold the Council's decisions at appeal. In addition, Bolton has only achieved 60% of its housing target over the last 3 years and being below the 95% threshold, like many authorities, was required to publish a Housing Delivery Test Action Plan in August 2019. This Action Plan identifies that the Bolton Town Centre Framework offers the opportunity to develop 2000+ units on brownfield sites as well as on publicly owned land and potential numbers are increasing as schemes become clearer. The application site therefore forms an important part of this Action Plan to deliver homes on brownfield land in the town centre area, at a highly accessible location at the heart of Bolton town centre and close to Bolton Interchange.

96. The provision of new residential development to meet housing need is a material consideration relevant to the determination of this application. The Victoria Square development provides the

opportunity for delivery of up to 200 dwellings in an accessible location a short distance from Trinity Interchange. It will make a significant and positive contribution to the Council's housing requirements and land supply, specifically within the town centre where accommodation is currently limited, consistent with Policies SO15 and SC1 of Bolton's Core Strategy. It will contribute to the Government's objective of significantly boosting the supply of housing, as required by the NPPF.

97. The Council's Growth and Regeneration Manager has noted that there is currently a limited housing market in Bolton town centre that focuses mainly on social rent and student accommodation. It is their view that the residential element of the proposed scheme will provide much needed housing. It will help to assist with the diversification of the housing market, attracting economically active residents to the town centre and to increase footfall and spend. This supports the identified need for town centre living and the development of brownfield sites as a priority.

98. In accordance with Policy IPC1 of Bolton's Core Strategy and the Infrastructure and Planning Contributions SPD, as the scheme proposes high quality improvements to the public realm, no contributions have been sought in the form of affordable housing.

99. The proposed development is considered to make a significant and positive contribution to the housing supply in Bolton, consistent with Policies SO15 and SC1 of Bolton's Core Strategy and contributing to the Government's objective of significantly boosting the supply of housing within the UK, as set out within the NPPF.

Impact on Bolton's Economy

100. Strategic Objective 3 seeks to ensure a 'Prosperous Bolton' by taking advantage of the economic opportunities presented by Bolton town centre and the M61 corridor, and ensure that these opportunities benefit everyone in Bolton, including those people living in the most deprived areas.

101. The NPPF states in paragraph 2 that the planning system has three overarching objectives, one of which is an economic objective. This is defined as being to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. Chapter 6 Building a strong, competitive economy, indicates that planning should help create the conditions in which businesses can invest, expand and adapt. Para 80 particularly emphasises that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development, building on an area's strength and countering the weaknesses for the future. Para 82 states the importance of recognising and addressing the specific locational requirements of different sectors.

102. It is considered that the Core Strategy is consistent with the NPPF and can be given significant weight.

103. The economic benefits of the development are considered to include the following:

- there are longstanding ambitions of Bolton Council to bring forward comprehensive regeneration within the town, including the application site as a key component and catalyst for this regeneration. The objectives of these regenerative ambitions are to counter the deprivation currently experienced by local people in the area and to bring forward new opportunities to live, work and socialise in Bolton town centre
- the proposals brought forward with this application will deliver significant investment in new homes, job opportunities, construction work, income to be spent in the local area, business rates

revenues and more

- increased and improved commercial floorspace accommodating a significant number of jobs, together with the construction jobs and a major capital investment into Bolton
- These substantial socio-economic benefits will create improved living conditions for local people and encourage continued comprehensive regeneration within the local area, thus meeting the ambitions of the regeneration vision set by Bolton Council and for local people
- Within the context of The Bolton Economy: Our Strategy for Growth 2016-2030 the Council has adopted a Town Centre Strategy including a masterplan framework and key intervention areas. These documents set out Bolton's ambition and vision to achieve a now £1.5bn regeneration of the town centre and sustain its immediate future to the benefit of the wider Borough and its residents, supported by £100m direct investment from the Council. The application site is included as a key intervention area, though it is recognised that the Town Centre Framework did not envisage the comprehensive redevelopment of Crompton Place as, at the time it was drafted, the ownership of the centre appeared to preclude this
- The Town Centre Strategy and the proposed investment acknowledges the importance of the town centre, as well as the challenges faced and the opportunities presented, including the need to diversify beyond a traditional retail offer. A key element of these strategies is to increase the quantity and quality of residential development in the town centre attracting more people to generate demand through household spend and improve its vitality, viability and sustainability. The Civic and Retail Core of Bolton town centre is of strategic importance in achieving these objectives and supporting sustained growth of Bolton, including as a regional centre and within the wider Northern Powerhouse. It is an important destination for visitors to the town centre and a very high standard of design is required. It presents an exciting development opportunity for a mixed-use development that will have a significant regeneration impact and kick start development of the wider Bolton town centre area
- positively transforming the image and profile of the area through a critical mass of development. Also ensuring a comprehensive regeneration approach to the site through strategic public investment alongside the private investment by Bolton Regeneration Limited, leading to the opportunity for further inward investment into the outer core area.
- new opportunities for housing (up to 200 units) for the Private Rented Sector (PRS) where there is currently a limited market in Bolton town centre that focuses mainly on social rent and student accommodation. This PRS housing will attract economically active residents to the town centre and to increase footfall and spend
- the creation of more quality Grade A office space which the town centre currently lacks, other than Bolton Central
- securing a new urban form and destination within Bolton town centre
- refreshing the existing basement car park would provide a more attractive parking offer at the heart of Bolton town centre
- provision of new areas of public realm within the development and significantly enhanced links to Bradshawgate

104. Planning Officers note the economic and social benefits of the proposal which are very

significant material considerations in the determination of this application.

Impact on Bolton Town Centre

105. The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years, will be a main location for education, especially for those over 16 years old and will be one of the main locations for new housing development and a focus for transport infrastructure. Office developments will be concentrated in Bolton town centre, especially in the Bolton Innovation Zone, Merchant's Quarter and Church Wharf. The town centre will be the principal location for financial and professional services, and the Innovation Zone will be the location for knowledge-based employment, benefiting from the location of the university and colleges. Good urban design is recognised as being essential for producing attractive, high-quality, sustainable places in which people will want to live, work and relax. It is of particular importance for creating a successful and flourishing town centre.

106. Policies SO3, SO4 and SO5 of Bolton's Core Strategy are strategic objectives within the "Prosperous Bolton" theme and seek to take advantage of the economic opportunities presented by Bolton town centre and ensure that these opportunities benefit everybody in Bolton, including those people living in the most deprived areas, together with creating a transformed and vibrant Bolton town centre and ensuring that Bolton takes full economic advantage of its location in the Greater Manchester City Region.

107. Policy TC1 of Bolton's Core Strategy sets out the development objectives for the Civic and Retail Core of Bolton town centre as being:-

- Continue to support the civic and retail core as the principal location in the borough for retailing with an emphasis on renewal and improvement to achieve high quality floor space.
- Support the expansion of restaurants, food-orientated public houses, and financial and professional services.
- Promote Victoria Square for leisure and civic activities, and outdoor seating ancillary to restaurant and café uses.
- Give priority to providing good pedestrian links to Bolton transport interchange and car parks.

108. The Bolton Town Centre Framework was approved by Members of Bolton Council's Cabinet on 25th September 2017 and is a material consideration in the determination of planning applications in Bolton Town centre, particularly within the identified intervention areas.

109. A number of key development principles were established within the Bolton Town Centre Framework, but this was prior to Bolton Council's acquisition of the Crompton Place Shopping Centre in 2018 and so the emphasis was more focussed on remodelling and identifying key intervention opportunities rather than complete redevelopment, but the key principles are considered to remain applicable:-

- the creation of a link through to Bradshawgate
- improving pedestrian circulation
- increasing the activity levels of the Victoria Square frontage via the introduction of restaurants and allowing people to enjoy views of Victoria Square and the Town Hall
- the consideration of alternative uses other than retail

110. The NPPF states at para 85 that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It also recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.

111. Officers note that the Core Strategy states that Bolton town centre will be one of the main locations for new housing development over the plan period. Delivering a significant increase in the number of residents of Bolton town will help support its vitality and viability at a time when town centres are generally struggling. New development at this core location will significantly improve the appearance and character of the town centre for visitors arriving at this point. The removal of the largely inward looking Crompton Place development in such a prominent location as together with the dramatic enhancements proposed by the public realm improvements and improved east-west and north-south pedestrian routes will contribute further to the sense of Bolton town centre as a destination. The improved investor confidence evidenced by the development, together with the development of a local customer base for existing and new town centre commercial activities, is considered to be likely to lead to other improvements in the town centre offer.

112. It is accepted that Core Strategy Policy TC1 does not specifically refer to residential as one of the main uses encouraged by that policy; on the other hand it does not seek to discourage residential uses either. The first objective stated within Policy TC1 is that the Council will continue to support the civic and retail core as the principal location in the borough for retailing with an emphasis on renewal and improvement to achieve high quality floor space. The proposals will deliver on this by ensuring that the Market Place Shopping Centre remains the principal focus for larger scale retailing with the proposals for Bolton Victoria Square emphasising food and beverage and other uses over retail.

113. Policy TC1 goes on to state that the Council will support the expansion of restaurants, food-orientated public houses, and financial and professional services. The provision of the new food & beverage offers, in particular in the Bolton Works building, together with the Grade A office floor space will deliver on this objective.

114. Policy TC1 also states that the Council will promote Victoria Square for leisure and civic activities, and outdoor seating ancillary to restaurant and café uses. Again, the provision of the new offers will allow this to take place and whilst the development makes use of the new central open space for outdoor seating, this will be strongly linked to Victoria Square via the new route.

115. Finally, Policy TC1 states that the Council will give priority to providing good pedestrian links to Bolton transport interchange and car parks. It is considered that the significant improvements to pedestrian permeability, in particular the north-south route linking Mealhouse Lane with the Mawdsley Street area and the Interchange beyond, will deliver on this objective.

116. Clearly, when considered against these objectives adopted by the Council in 2011, the proposed development, in particular the permeable public realm elements, can be seen as significantly delivering on the objectives of Core Strategy Policy TC1.

117. The proposal will also deliver on the objectives of the Town Centre Framework by the creation of a link through to Bradshawgate, improving pedestrian circulation, increasing the activity levels of the Victoria Square frontage via the introduction of restaurants and allowing people to enjoy views of Victoria Square and the Town Hall

118. By increasing the housing offer within Bolton town centre, providing employment opportunities, improving the public realm and increasing investor confidence, the impact on Bolton town centre is

considered to be significant and beneficial, in accordance with Policies TC1, SO3, SO4 and SO5 of the Core Strategy.

Impact on the Road Network

119. Core Strategy Strategic Objective 6 seeks to ensure that transport infrastructure supports all the aspects of the spatial vision and that new development is in accessible locations and makes the best use of existing infrastructure. In addition, Core Strategy Strategic Objective 9 aims to improve road safety by ensuring that neighbourhoods are attractive and well designed.

120. Core Strategy policy P5 and S1 seek to ensure that new development proposals take account of accessibility of transport prioritising pedestrians, cyclists, public transport users over other motorised vehicle users, design developments to be accessible by public transport, servicing arrangements, sufficient parking, transport needs of people with disabilities. Major trip generating developments would need to be supported by a Transport Assessment. Core Strategy policy S1 seeks to ensure that the Council and its partners will promote road safety in the design of new development and also target expenditure on road safety to locations with the worst safety record.

121. Appendix 3 of the Core Strategy provides car, cycle, motorcycle and disabled parking standards for a range of new development proposals. In addition, guidance contained within the Accessibility, Transport and Safety SPD covers a range of highways related matters including provision of facilities for people with disabilities, provision for pedestrians, cyclists, public transport and car parking. In addition, the SPD provides guidance on highway design, Transport Assessments/Statements, Travel Plans, Infrastructure provision and the means for securing such provision.

122. Chapter 9 of the NPPF (Feb 2019) relates to the promotion of sustainable transport. Para 102 stresses the importance of development proposals addressing transportation issues at an early stage in a development in order to identify the potential impacts of a proposal and look at opportunities to reduce them together with promoting more sustainable methods of transport. Para 103 states that the planning system should actively manage patterns of growth in support of these objectives, focusing on locations that will limit the need to travel offering a genuine choice of travel modes, with the overall aim being to reduce congestion and emissions. Para 105 states that planning policies should support an appropriate mix of uses across an area, and within larger scale sites, minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.

123. Officers consider that whilst Core Strategy policies P5 and S1 were adopted prior to publication of the NPPF, they are consistent with the NPPF and can be given significant weight.

124. The applicant has submitted several documents in order to justify this development proposal from a transport and highways perspective - a Transport Assessment, a Travel Plan and a Delivery Management Strategy.

Demolition and Construction Phase

125. The Council's Highway Engineers have been involved in pre-application discussions with the developer, contractor and their transport consultant in terms of the demolition and construction phases of development and the potential impact on the town centre area at that location. The contractor has explored all avenues in terms of trying to reduce and limit the impact of implementing this development proposal within this area of the town centre. The Council's Highway Engineers have agreed in principle the proposed traffic management proposals and construction phasing for development and the routing of construction vehicles to and from the site. As indicated within the submission, the developer is preparing a detailed Construction Phase Plan. As part of, this a detailed Traffic Management Plan will need to be developed which must be risk-assessed and audited in order

to reduce potential road safety implications owing to the pedestrianised nature of the routes into and out of the site. The traffic management proposals will require detailed temporary traffic regulation orders to be in place owing to the impact on the one-way servicing route within the town centre core and the impact on the pedestrian priority zone at that location. The demolition and construction phasing of this development may have wider implications on the economy of the town centre owing to the length of implementation time indicated. Due to this, a wider consultation will likely be required on the Construction Phase Plan and Traffic Management Proposals with affected businesses and stakeholders and especially with the Council's Events Team owing to the potential impact on established events such as Ironman and the Bolton Food and Drink Festival.

126. The developer would need to provide a detailed condition survey on the routes for construction vehicles into the site, before and after completion of the demolition and construction phases. The level of vehicle movements associated with these phases will potentially require the replacement of the public realm at that location in its entirety. Additional information in line with the above recommendations will need to be submitted for the Council's Highway Engineers to be supportive of Part A of this application and this will be required by a condition.

127. Planning Officers note the potential for impacts on the way that Bolton town centre functions during the demolition and construction phases but do not consider these to be so substantial as to make the development unacceptable in principle or to have the potential to outweigh other benefits of the proposal. Conditions will be imposed requiring the submission of a Construction Phase Plan, a detailed Traffic Management Plan together with improvements to the public realm in order to both mitigate damage caused during development and to enhance its setting.

Operational Phase – Vehicle Movements and Parking

128. The Applicant's transport consultant WSP has submitted a detailed transport assessment in order to substantiate the proposal from a transport and highways perspective and this document has been reviewed by the Council's Highway Engineers as part of the planning process. The transport assessment indicates that the quantum of use classes proposed will be broadly comparable with the extant use of the site. The level of parking provision proposed is slightly less than that associated with the existing building - the existing car park at Crompton Place provides 294 parking spaces to visitors and whilst the exact details are subject to the detailed design stage the Applicant anticipates that the proposed basement car park would comprise approximately 272 parking spaces, of which approximately 13 would be disabled spaces. Provision would also be made for motorcycle parking and electric vehicles with cycle parking integrated throughout the site as short stay stands at ground level as part of the overall public realm strategy and as long stay dedicated cycle parking in the basement car park. As access to the underground car park would be taken straight from Bradshawgate rather than via Nelson Square at present, this will take traffic away from Nelson Square, helping to enhance it and further encourage pedestrian activity.

129. It is therefore considered that the level of traffic impact would be comparable to the existing situation and can be accommodated without detriment to the existing operational capacity of the surrounding highway network at that location, compliant with paragraphs 108 and 109 of the National Planning Policy Framework.

Operational Phase – Servicing

130. The servicing strategy proposed by the Applicant is that for the commercial uses a service yard is to be located in the ground level next to the basement car park ramp and accessed from Bradshawgate, with capacity for four vehicles and two compactors. On street servicing for the northern buildings (Blocks A, B1 and D) will be achieved from Hotel St and Mealhouse Ln via Market St using existing servicing routes. When the primary service yard is occupied, the southern buildings (Blocks B2 and C) will be serviced from Bradshawgate, Exchange St and Mawdsley St with the

small-scale retail units proposed in Boltonworks (Block C) able to use the basement car park for servicing small items from cars and small vans. Deliveries to the residential units and people pick up and drop off is to occur from Bradshawgate. An alternative servicing strategy is also necessary for the Marks & Spencer building and so as with the proposals for the new buildings, servicing will take place on street (subject to the necessary Traffic Regulation Orders) from Mealhouse Lane via Deansgate with vehicles reversing off Deansgate into a dedicated lay-by.

131. The Council's Highway Engineers note that the servicing strategy proposed to serve the development proposal will be vastly different than that which serves the existing shopping centre. Currently, roof top servicing is provided accessed using the private section of Exchange Street via Bradshawgate. This existing servicing provision currently also allows the unfettered servicing of the existing Marks and Spencer store via the service bridge over Hotel Street. For the new development, a servicing yard is to be provided accessed from Bradshawgate. The service yard has been tracked using industry standard software demonstrating that a 10m rigid service vehicle is the maximum size of vehicle that can utilise this facility if they are to access and egress in forward gear. Engineers note that major retailers normally require articulated HGV access to service their businesses and therefore the fact that the service yard can only utilise smaller service vehicles could potentially limit the end user of the retail units proposed. However, Officers note that the redevelopment scheme proposes a maximum of only 4,250 square metres of retail space – the existing centre contains 22,862 square metres of Class A1 retail space, meaning that this will reduce by a considerable 18,612 square metres with a concomitant impact on servicing requirements.

132. The Transport Statement indicates that on-street servicing could be utilised when the service yard is full and when servicing of distant buildings is required. Again, Engineers note that the constraints of the surrounding highway network within the town centre core would limit accessibility for articulated HGV access; however, they agree in principle that servicing of the Marks and Spencer store can be achieved from Mealhouse Lane via Deansgate - the submitted tracking analysis appears to indicate that this manoeuvre can be achieved. A detailed design will be required at reserved matters stage in order to demonstrate how this can be accommodated within the public realm at that location. This will require a full Road Safety Audit and amendments to the existing traffic orders at that location. Additional lay-by servicing provision is also being proposed for Bradshawgate which can be utilised as a servicing arrangement for this development. A detailed Delivery Management Strategy will be required for all the buildings proposed under this application in order to demonstrate how servicing can be achieved safely without impacting on other road users, and also to prevent congestion issues occurring on the surrounding highways.

133. The proposed service vehicle access point from Bradshawgate will also accommodate access to the proposed undercroft parking provision to serve the development. Engineers raise concern about a potential conflict between service vehicles and customers using the car park - this potential concern has prompted a recommendation within the Transport Assessment of providing some form of signal arrangement to reduce potential safety concerns and to aid accessibility. This proposed access arrangement will need to be independently risk assessed with some form of Road Safety Audit. The proposed layout of the buildings and pedestrian routes through has been tracked using industry standard software to demonstrate accessibility for the emergency services and maintenance vehicles if and when required.

134. Officers note that the Council's Highway Engineers accept the principles of the proposed servicing strategy but will require further detailed design, a delivery management strategy and a road safety audit at the appropriate stage. These requirements will be met by conditions.

Sustainable Location

135. The Transport Assessment notes that the development is located within Bolton town centre and

is therefore highly accessible to sustainable modes of transportation and to nearby existing car parking provision. This is considered to provide an element of justification to the level of parking provision proposed to serve development if it fell below the Council's maximum parking standards. It must also be noted that these standards are expressed as a maximum, above which parking provision should not be made and should in any case be revised downwards in sustainable locations such as the one proposed

Statutory and Technical Matters

136. The Council's Highway Engineers note that the development may require the stopping-up of redundant sections of public highway - this must be carried out by the Applicant via S247/253 of the Town and Country Planning Act through the Department for Transport. There may also be sections of access that would need to be dedicated/adopted to public highway status - this will need to be undertaken through the statutory powers of the Highways Act 1980 (S38, 220 or 278). Some of the work within the basement/sub-basement levels may require retaining structures that will be supporting part of the public highway. In these cases, the applicant will need to provide detailed structural calculations for scrutiny by the Council Structures Team.

137. Highway Engineers confirm that they have no objection to the proposed development.

Public Right of Way

138. Officers note that the number of public rights of way within the boundary of Bolton town centre is very limited, likely due to the excellent pedestrian footway provision within the town centre. However, Public Right Of Way Bolton 448 is in the vicinity of the development and has the potential to be affected by this development. This PROW has a very short length and is essentially the covered alleyway between nos. 15 and 17 Deansgate. Officers note that the narrow north-south routes to and from Deansgate once formed an important part of its character and as limited numbers of these alleys now remain, the impact of those that do remain on the understanding of the significance of the Deansgate Conservation Area should not be underestimated. However, Officers are satisfied that once the development is complete, this PROW will remain unaffected. The impacts of the demolition and construction phase will be managed via the conditions referred to above and the Applicant will be advised of the presence of the PROW and the need to ensure that it remains open unless the relevant statutory processes are undertaken for a temporary closure. It is also noted that no objections were received from the statutory public right of way consultation bodies. Colleagues responsible for PROWs note that paragraph 98 of the NPPF states that planning policy should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks. However, Officers consider that the lack of prominence of the PROW and the fact that it only leads to the back streets of Deansgate and Bradshawgate, together with the increased pedestrian permeability offered by the development mean that opportunities for enhancing the PROW should not be pursued in this instance.

139. Planning Officers also note the significant improvements to pedestrian permeability that would occur as a result of the provision of the east-west and north-south routes through the site. Pedestrians in Bolton town centre have only been able to walk through the site from north to south with the permission of the owners of the shopping centre during opening hours only and the east-west link was closed to the public some years ago and the application proposals seek to address this.

140. The impact on the road network is considered to be acceptable in terms of vehicle movement and to be beneficial in terms of pedestrian movements and permeability and to comply with policies P5 and S1 of Bolton's Core Strategy and the Accessibility, Transport and Road Safety SPD.

Impact on Ecology, Biodiversity and Trees

141. The aim of Core Strategy Strategic Objective 12 is to protect and enhance Bolton's biodiversity. Core Strategy policy CG1.2 seeks to ensure that the Council and its partners will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development and improving the quality and interconnectivity of wildlife corridors and habitats.

142. Chapter 15 of the NPPF "Conserving and enhancing the natural environment" states at Para 170 that planning decisions should contribute to and enhance the natural and local environment. This can be achieved by providing net gains for biodiversity and by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. This goes on to state that wherever possible, development should help to improve the local environment such as air and water quality. Under the subheading Habitats and biodiversity, developments should protect and enhance biodiversity and geodiversity (Para 174). Para 175 further comments that opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

143. Officers consider that Core Strategy Strategic Objective 12 and Core Strategy policy CG1.1 are consistent with the NPPF and can be given significant weight. Additionally, the relevant sections of the NPPF provide a more detailed consideration of biodiversity and ecological matters and should be taken into account.

144. A Preliminary Ecological Appraisal accompanies the planning submission, carried out by Appletons.

Bats

145. The appraisal identified negligible to low potential value for roosting bats and considering the well-lit nature of the town centre and overall lack of semi-natural or green habitats, the site area is not considered to be of value to foraging and commuting bats. That said, a recommendation is made to carry out a nocturnal emergence or dawn re-entry bat activity survey to establish the presence of bats at the site. The findings of that survey would then determine whether any mitigation is necessary within the proposed development.

146. On this issue, Greater Manchester Ecology Unit advise that they would normally recommend that the application not be determined unless it can be comprehensively ruled out that the building does not provide roosting potential for bats. However, in the current circumstances, given the practical difficulties of carrying out survey work under present constraints and bearing in mind the well-lit nature of the town centre, they accept that this can be dealt with via a condition. The Applicant has been advised of the limited window for carrying out a satisfactory emergence / re-entry survey (May to August) so that this can be factored into their programme.

147. Subject to this condition, the impact on bats is considered to be acceptable.

Nesting Birds

148. The appraisal advises that any vegetation removal or demolition of structures suitable for nesting birds should be undertaken outside of the nesting bird season. If this is not possible then any buildings to be demolished or trees and shrubs to be removed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting, any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally.

149. Greater Manchester Ecology Unit accept these findings and recommendations and advise that a general informative should be used to ensure no demolition takes place during the main bird nesting season (March – August inclusive) unless it can otherwise be demonstrated that no active bird nests are present.

Peregrine Falcons

150. The appraisal notes that numerous records of peregrine falcon were identified by the ecological desk study. However, the only potentially suitable ledges within the site itself are within the building containing the Boots store (the former Bolton Evening News building) though these are relatively narrow, fitted with bird deterrent spikes and are relatively close to pedestrian disturbance and opposite buildings across the street. The presence of nesting falcons within the site area is considered to be highly unlikely.

151. Greater Manchester Ecology Unit accept that the site itself is highly unlikely to provide nesting opportunities for peregrine falcons. However, they note that this species has been known to nest on Bolton Town Hall in previous years, which is within 100 metres of the proposed works, approximately 50 metres at its closest point. Peregrine falcons are listed on Schedule 1 of the Wildlife and Countryside Act, 1981 and as such are protected from disturbance during breeding. The potential for demolition or construction activities to disturb breeding peregrines should they breed on Bolton Town Hall or other buildings in close proximity to the site needs to be carefully considered in order to ensure that a criminal offence is not committed under the Wildlife and Countryside Act during the demolition and construction phase.

152. In response to this, the Applicant has submitted a Peregrine Mitigation Strategy which notes that the peregrine falcon is one of several species that can become inured to the effects of at least some human disturbance, as witnessed by its occupation of nest sites subject to disturbance such as working quarries and urban centres. The tolerance of this species to disturbance from human activities within urban environments is relatively high, although it is dependent on the regularity and form of the disturbance which occurs as 'background' and breeding peregrines are most likely disturbed by activities taking place above their nest, which would not be the case in this instance.

153. The submitted strategy notes that specific data relating to persecuted species such as peregrines should remain confidential. Officers consider that the use of Bolton Town Hall in previous years as a nesting site for peregrines is well-known but the strategy contains other additional information relating to the observed and recorded activities of "Bolton's peregrines" that Officers do not consider it appropriate to reveal within this report in the interests of their protection.

154. The strategy fully accepts that given the lengthy period of the demolition and construction phases, completing the works outside of the peregrine breeding season (i.e. undertaking works between October and January) is not possible. However, the strategy contains a highly detailed description of the methods of demolition and construction and the measures that will be put in place to minimise the risk of disturbing this protected species should they choose to nest nearby – which, of course, may or may not happen, depending on a wide range of factors. The strategy states that further advice and monitoring will be provided by an experienced ecologist and if evidence of disturbance is observed by this monitoring, the works in question shall be halted temporarily and a way forward shall be agreed with the ornithologist in relation to altering methodologies, timing and/or introducing a strategy to more gradually habituate the birds to the works required. GMEU have provided further advice on how the strategy could be strengthened.

155. In summary, Officers are entirely satisfied that the site itself offers no opportunities for peregrines and that, once complete, the development would not have any impact on their activities

over and above the existing situation. On the matter of disturbance during demolition and construction, Officers make a distinction between the biodiversity provisions of national and local planning policies and the fact that peregrine disturbance is likely to represent a criminal offence under the Wildlife and Countryside Act. It is not the role of the Local Planning Authority to enforce the Wildlife and Countryside Act but instead to ensure that reasonable steps have been taken to ensure that harm to biodiversity is minimised. By virtue of the detailed consideration of the methods of demolition and construction that the Applicant has undertaken, Officers are entirely satisfied that they are well aware of their responsibilities under the Act and the matter of ensuring that they do not commit a criminal offence under that act can be reasonably left to them, rather than to planning control.

Biodiversity Gains

156. The site is currently very limited in terms of its ecological value and biodiversity potential and so the proposals present the opportunity to enhance the ecological value of site area in line with local and national planning policy. Measures are suggested within section 7.3 and appendix 6 of the Preliminary Ecological Appraisal, which will be incorporated into the reserved matters submissions. These include the use of green roofs and walls, native trees and shrub planting and installation of bat and bird boxes. Suitable nesting platforms for peregrines could also be incorporated into the scheme. The scheme therefore has the potential to achieve a Biodiversity Net Gain, which aligns with emerging government guidance and the recently announced Environment Bill

Existing Trees

157. Victoria Square contains a number of large and very prominent plane trees which are considered to make a significant contribution to its character. Whilst these trees are not protected via a Tree Preservation Order, they benefit from protection by way of being in the Council's ownership and their location within the Town Hall Conservation Area.

158. This is a major construction project with only one major highway (Bradshawgate) providing good access to the site on one side. Therefore, the approach to logistics needs to balance a number of competing objectives and pressures including the need to minimise the impact on the road network, crane locations, the protection of the cenotaph, the safety of the construction project and the length of the construction period together with the impact on trees.

159. It was initially proposed that seven trees would be removed from Victoria Square in order to accommodate a circular construction route around the site, though it was also proposed to compensate for their loss via the new planting scheme that would form part of the public realm proposals. Council Officers, including Greenspace Officers, wished to be satisfied that all efforts had been made to minimise the amount of necessary tree removals from Victoria Square.

160. The construction team therefore revisited the logistics plan and managed to reduce the width of the vehicle route required through Victoria Square and subsequently the number of trees that need to be lost down from seven to two. The two proposed for removal are category B and C (moderate and low quality) given their visual appearance and bias towards the existing shopping centre. They also note that they are proposing a large quantity of new trees and planting within the development's newly created streets and squares as well as multi-activity green spaces on the residential podiums and office roofs.

161. Officers are satisfied that all other logistical options were explored and subsequently discounted for valid reasons. If only Bradshawgate were to be used as the access / egress point it would mean limited workfaces in use at any one time which would add a significant amount of time to the overall project duration – therefore, not only would the disruption of the construction period be lengthened,

the benefits of the proposal would take longer to come forward.

162. The loss of the two trees is regrettable but the reduction from seven to two is welcomed and Officers are satisfied that this has been kept to a minimum. New planting will compensate for their loss

163. The impact on trees is considered to be acceptable.

Impact on Living Conditions, Future Occupiers and Existing Nearby Uses

164. Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. It also seeks to ensure that development does not generate unacceptable nuisance by way of odours, fumes, noise or light pollution nor cause detrimental impacts upon water, ground or air quality. Development proposals on land affected by contamination or ground instability must include an assessment of the extent of these issues and any possible risks. Development will only be permitted where the land is, or is made suitable for the proposed use.

165. The NPPF contains in para 8 an environmental objective that development should minimise pollution. Para 170 states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.

166. Paragraph 183 of the NPPF states that "the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

167. Officers consider that Core Strategy policy CG4 is consistent with the NPPF and has significant weight in the determination of this application as has the NPPF guidance itself.

168. The key issues are considered to be noise and pollution from the nearby transport infrastructure and activities relating to evening and night time economy uses on Bradshawgate.

Noise

169. The application is supported by an Environmental Noise Report carried out by WSP. Prior to undertaking any noise measurements at the site Pollution Control colleagues were contacted to agree the methodology and proposed assessment criteria. A survey was carried out, including microphone readings at seven locations around the site and at varying times of the day and night (including at the height of the evening economy period), to establish the existing noise levels along the perimeter of the site and at the nearest noise-sensitive receptors.

The background sound levels have been used to inform the façade sound insulation performance and ventilation design together with setting limits for any proposed external building services.

170. The survey recognises that the dominant noise sources around the proposed development are road traffic on Bradshawgate and from activities related to the evening economy on weekend evenings and night times, particularly music. Recommendations are made for the specifications of windows, ventilation and plant. The findings and recommendations of the report have been accepted by the Council's Pollution Control Officers and will be carried forward via conditions.

171. Victoria Square is sometimes used for large events such as the Food & Drink Festival and over

the festive period. Whilst the residential element will introduce a greater number of potential noise receptors into the area, Officers note that the Council team responsible for managing such events are already mindful of the potential impact on existing residents in locations such as Oxford Street and will be able to implement an effective management and communication strategy with residents which should help to avoid complaints arising as specific arrangements can be made in advance of any such events taking place. It is also noted that the residential element does not directly front on to Victoria Square, though this location was originally proposed to be in residential use.

172. For the reasons given above, it is considered that the noise sensitive uses proposed (residential and hotel) can be accommodated at this location without harm to the living conditions of occupants or guests and without placing unreasonably burden or restrictions on the ability of existing evening and night time economy uses to operate.

Air Quality

173. The National Planning Practice Guidance contains a section on Air Quality and provides considerations to be addressed during the planning process, detailing the target emission reductions that the UK have committed to and the implications air quality can have on public health, habitats and biodiversity. Planning applications should have regard to the current and future air quality and assess any changes that might significantly change the air quality during the construction or operational phases. It states that air quality assessments should be proportionate to the nature and scale of the development proposed and the potential impacts, taking into account existing air quality conditions, ideally with the scope agreed with the Local Authority. The assessment should provide details of any proposed mitigation if required in order to make the development acceptable in air quality terms.

174. The statutory consultation on the Greater Manchester's Clean Air Plan will be delayed due to the coronavirus pandemic. That said, the majority of Bolton town centre's main roads and junctions fall within the defined Air Quality Management Area.

175. An Air Quality Assessment has been carried out by WSP to ascertain the existing air quality situation and the potential, demolition, construction and operational impacts. For all phases, the type, source and significance of potential impacts were identified, and the measures that should be employed to minimise these proposed. The methodology followed was discussed and agreed with Pollution Control colleagues.

176. The report identifies that - if no mitigation measures were put in place - there is a high risk of dust impacts and a low to medium risk of increases in particulate matter concentrations due to construction activities. However, through good site practice and the implementation of suitable mitigation measures the effect of dust and particulate matter releases would be significantly reduced. This means that the residual effects (in other words, compared with the existing situation and taking the mitigation measures into account) of the construction phase on air quality are expected to be negligible.

177. Pollution Control colleagues accept the findings of the air quality assessment in relation to the demolition and construction phase and recommend a condition requiring further information to demonstrate how the construction phase will be mitigated – this will be ensured by the Construction Environmental Management Plan condition recommended below.

178. The report shows that the assessment of the potential air quality impacts caused by nitrogen oxide and particulate matter resulting from traffic generated by the operational phase of the proposed development are likely to be negligible at existing sensitive receptors and roadside locations. Furthermore, all predicted concentrations at the site will remain below the relevant

health-based air quality standards.

179. Pollution Control colleagues accept the findings of the air quality assessment in relation to the operational phase. However, in line with Institute of Air Quality Management good practice, they recommend that:-

- further information be provided to show how the underground car park will be ventilated to ensure that vents do not impact on pedestrians or other users of the development, particularly residents of the apartments
- further information on the proposed heating system to ensure that any emissions from this potential source are not significant
- electric vehicle charging points will be required
- the Framework Travel Plan should be conditioned

180. Whilst there will be risks to air quality during construction it is considered that these can be controlled by good practice and mitigation measures which will be secured via a condition requiring a detailed Construction Environmental Management Plan. Despite the presence of a major highway to the east of the site, it is the case that issues with air quality reduce markedly over a relatively short distance and therefore future occupants will not be exposed to concentrations of pollutants from the surrounding highways at levels above air quality objectives. It is also noted that gas boilers are not proposed for domestic hot water or heating as these are another major source of air quality issues. Further information on the ventilation of the car park and electric charging points will be required at the detailed stage.

181. In summary, Planning Officers and Pollution Control colleagues accept the findings of the submitted Air Quality Assessment and its recommendations will be carried through into conditions. The development is therefore considered to be acceptable in terms of air quality.

Wind and Microclimate

182. Bolton's Core Strategy does not contain specific policies relating to the effects of tall buildings on wind and or microclimate; however it is considered to be good practice and good design to ensure that new development does not have an unacceptable impact on the local microclimate, for example in terms of the speed, direction or tunnelling of wind, or leading to the trapping of air pollution.

183. Similarly, the National Planning Policy Framework does not provide planning policies directly relating to wind or microclimate issues; however, the benefits of a high quality built environment are clearly emphasised within the Framework. Taken together, the wind environment and microclimate of an area form part of what makes a place successful or not - for example Para 110c encourages the creation of places that are safe, secure and attractive whilst para 122e stresses the importance of well-designed, attractive and healthy places. Para 127d states that planning policies and decisions should ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

184. In October 2019 the Government published the National Design Guide which forms part of the National Planning Practice Guidance and contains some advice on managing the microclimate of an area.

185. Paragraph 40 notes that well-designed new development responds positively to the features of

the site, enhancing positive qualities and improving negative ones, including the microclimate. Paragraph 70 states that proposals for tall buildings and other buildings with a significantly larger scale or bulk than their surroundings require special consideration. This includes their location, siting and relationship to environmental impacts, such as sunlight, daylight, overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character. Paragraph 103 notes that landscaping in new high-quality public spaces can positively influence the microclimate within those areas.

186. Officers note that whilst the proposed structures will be higher than the existing building, they are not considered to fall within the definition of “tall buildings” in that they are not of a significantly larger scale or bulk than their surroundings. That said, the Design & Access Statement notes the potential that street trees have to provide shelter from wind and shade in summer months. The statement also notes that, at the pre-application consultation stage, Bolton & District Civic Trust raised concerns over the effects of wind, particularly at the new central pedestrian east-west link between Victoria Square and Bradshawgate. The Applicant will endeavour to address these concerns at the detailed design stage, via devices including planting to reduce westerly winds along Crompton Lane/Fold Street, subject to further discussions with Places Matter and Planning Officers.

187. The Design & Access Statement also contains some massing and sun-path analysis which notes that the north-south orientation of Mealhouse Lane ensures good daylight into the spaces outside food and beverage units at lunch time. The analysis also shows good year-round midday sunlight on to the landscaped residential courts as well as the face of buildings onto Victoria Square and good early-evening sunlight onto buildings overlooking Victoria Square in summer.

188. As the proposed buildings are to be taller than the existing Crompton Place Shopping Centre, there will be an increase in shading across Victoria Square, primarily between the hours of 9am and 11am. However, as the front faces of Blocks C & D have now been reduced by 5.3 metres during the consideration of the application there will be a reduction in the amount of shading that will occur on Victoria Square during these mid-morning hours. This is considered to be a relatively short timeframe balanced out by the exceptional amounts of sunlight that falls on Victoria Square in the middle of sunny days due to the open and wide character of Newport Street to the south. It is also noted that the creation of the new route through the centre of the scheme will see direct sunlight reach Victoria Square in a way that is not currently possible.

189. The impact on wind and microclimate is considered to be acceptable.

Nearby Uses

190. The surrounding uses are primarily commercial though small elements of residential use do exist above existing commercial uses on Oxford Street, Deansgate and Bradshawgate. Furthermore, the Pack Horse Hotel was converted into student accommodation a few years ago and the former office building known as Provincial House at the western head of Nelson Square has also been converted to residential use. The Construction Environmental Management Plan condition required by Pollution Control colleagues and the Traffic Management Plan required by Highway Engineers are considered to be sufficient to ensure that, during the demolition and construction phase, the living conditions of nearby residential are not unacceptably affected and existing business do not have unreasonable restrictions placed on their ability to operate. During the operational phase, it is not considered that, subject to conditions relating to odour control from food led uses, any of the proposed uses are capable of having any significant negative impact on existing nearby uses. The uses proposed – office, residential, hotel, retail, food & beverage – are all entirely typical town centre uses and already exist comfortably elsewhere within Bolton town centre.

191. In summary, the proposal complies with the requirements of both the development plan and

NPPF in terms of being compatible with surrounding land uses and occupiers and protecting amenity.

Impact on Infrastructure, Affordable Housing and Planning Contributions

192. Core Strategy policy H1 seeks to ensure that new development proposals contribute appropriately through planning contributions to meet the health needs that they generate.

193. Core Strategy policy IPC1 states that the Council will seek to ensure that developers make reasonable provision or contribute towards the cost of appropriate physical, social and green infrastructure which are required by the proposed development and/or to mitigate the impact of the development to ensure the development is made acceptable in planning terms and achieves the objective of sustainable development. For new residential development specific contributions are generally sought for affordable housing, open space provision and maintenance, health and well-being, education and community facilities. For major development within Bolton town centre with a non-residential element, the policy requires contributions for public realm improvements. Contributions will apply unless it can be demonstrated by the applicant that the scheme would not be viable if contributions were sought or offered. However, Policy IPC1 also states that "within Bolton town centre it is anticipated that the Council will primarily seek contributions to secure high-quality improvements to the public realm".

194. Whilst precise details of materials, landscaping and street furniture will be reserved for future consideration, the public realm strategy aims to improve the north-south and east-west connections and therefore the permeability of the site, whilst creating its own hierarchy of streets and spaces. Inspiration has been taken from the historic field pattern, medieval burgages and surrounding urban grain by reintroducing the primary north-south and secondary east-west routes, reopening links to Bradshawgate and bringing in street trees and planting where possible. The detailed design of the public realm will integrate the new development into the square and redefining its edges, maximising the Mawson axis through Bolton Town Hall. Significant and transformative improvements to the public realm of the new streets and central areas will be required. These will be in line with (though updated to present design approach) to those of the Public Realm Infrastructure Framework (2007). These improvements will far exceed any contribution which could be sought or gained via a planning contribution and will be delivered as an integral part of the scheme.

195. As transformational improvements to the public realm will be required by conditions, the proposed development is considered to be fully compliant with the Council's approach to public realm improvements as set out within Policy IPC1 of the Core Strategy and accordingly no further developer contributions are sought.

Impact on Surface Water Drainage and Flood Risk

196. Strategic Objective 13 aims to reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream.

197. Core Strategy policy CG1.5 seeks to ensure that the Council and its partners will seek to reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk.

198. Paragraph 163 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and that where appropriate, applications should be supported by a site-specific flood-risk assessment. Paragraph 165 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should take account of advice from the lead local flood authority, have appropriate proposed minimum operational standards, have

maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development and where possible, provide multifunctional benefits.

199. Officers consider that both Core Strategy policy SO1 and CG1 are consistent with the NPPF and can be given substantial weight.

200. The applicant has submitted a Flood Risk Assessment and Drainage Strategy which aim to ensure compliance with the requirements of the NPPF, Core Strategy policy CG1 and the Sustainable Design and Construction SPD.

Flood Risk

201. A Flood Risk Assessment and Drainage Strategy Report has been prepared by WSP, which takes into account the Bolton Level 1 and Bolton Town centre Level 2 Strategic Flood Risk Assessment. The Environment Agency's Flood Map for Planning indicates that the site is wholly located in EA Flood Zone 1 and therefore has a low risk of flooding from rivers or other bodies of water. The FRA indicates that surface water flooding may occur within the site boundary in the basement car parking area of the existing building off Exchange Street as well as along Bradshawgate. However, this risk is to be mitigated through the detailed design process – it is important to note that the presence of surface water flooding risk should not preclude a development proposed but it does need to be taken into account in the detailed design.

Surface Water Runoff

202. The Council's policies seek to ensure a minimum 50% betterment in flow rates from a newly developed brownfield site – in other words, that the rate of water leaving the site should be at least 50% less than the previous situation. This can be achieved in a number of methods – in "grey" ways including underground rainwater storage where water is held before being discharged at a slower rate than would have previously been the case, and in more "green" ways that mimic the way that rainwater interacts with natural features. The policy is also to seek discharge as high up the drainage hierarchy as is reasonably possible:-

- discharge into the ground via infiltration
- to a nearby surface water body such as a river, culverted river or other watercourse
- to a dedicated surface water sewer, highway drain, or another drainage system that takes only surface water
- to a combined sewer that takes both surface water and foul flows

203. The existing shopping centre currently discharges to the 900mm combined sewer which intersects the site and will be diverted during the redevelopment.

204. The site is a brownfield development and so a minimum reduction in pre-development surface water runoff rates of 50% is required as for all new developments. Infiltration via soakaways or a direct connection to an existing watercourse are not feasible options for the disposal of surface water from this development due to the geology of the site and the distance to the nearest watercourse. It is therefore proposed that surface water is to be discharged to the existing surface water public sewer at United Utilities manhole 6110, located on the other side of Victoria Square. This surface water drain then follows the line of Central Street into the River Croal. The final discharge rates will be agreed with UU, in discussion with the Local Lead Flood Authority.

205. In respect of surface water flow attenuation within the site the Applicant anticipates that this will be located at basement level and will be formed as a reinforced concrete tank incorporated into the proposed building foundations with a pumped outlet.

206. Officers consider that the decision on this matter is essentially a trade-off of between the benefits of removing surface water from the existing combined (i.e. foul and surface water) sewer system and the energy consumption of the pumped solution. The significant regeneration works proposed for Bolton town centre over the forthcoming years represent an opportunity to address the structural deficiencies within the existing drainage network which does not currently deal with foul and surface water separately, for the most part. The likely increase in rainfall resulting from climate change results in increased flood risk within the existing combined sewer network and one method of addressing this is to ensure that new developments direct surface water out of existing combined sewers and into dedicated surface water drains that flow into watercourses. In this instance, it is considered that greater weight should be given to a reduction in surface water flood risk in Bolton town centre than to the energy use of the pumping system. It is accepted that, due to the increase in levels between the site and the proposed connection, water cannot drain via gravity and will need to be pumped. Flood Risk colleagues wish to be satisfied that the receiving structure is capable of accommodating the flows from the site and to consider whether green roofs can make any contribution to the reduction in flows from the site. This will be achieved via a condition requiring further drainage details at the detailed design stage.

Foul Water

207. United Utilities have confirmed that development will be allowed to drain to the public combined/foul sewer network at an unrestricted rate. Existing connections will be utilised where further surveys indicate it is acceptable to do so and new connections provided where necessary. Detailed calculations for foul flow rates and detailed design to show the layout of the proposed foul drainage system and points of connection to the public sewer will be carried out at the detailed design stage.

208. Whilst the detailed drainage strategy will not be known until the detailed design stage, Officers are satisfied that an acceptable foul and surface water drainage strategy for the site can reasonably be achieved and will explore the use of sustainable urban drainage principles. Subject to a condition requiring the submission of a detailed drainage scheme, the proposal would comply with Core Strategy CG1 in that the risk of flooding has been minimised to an acceptable degree.

Impact on Sustainable Construction and Energy Management

209. Strategic Objective 10 seeks to minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects.

210. Core Strategy policy CG2 seeks to ensure that new development proposals contribute to sustainable development, being located and designed to mitigate any adverse effects of the development and adapt to climate change by incorporating high standards of sustainable design and construction principles. There is a requirement on developments of 5 residential units or more or where proposals result in the creation of 500 sq. m of non-residential floorspace to achieve:

- (i) a Level 3 of the Code for Sustainable Homes or the "very good" BREEAM standard;
- (ii) Incorporate decentralised, renewable or low carbon energy sources to reduce CO2 emissions of predicted regulated and unregulated energy use by at least 10%;
- (iii) Demonstrate the sustainable management of surface water run-off from developments.

211. Further guidance is contained within the Sustainable Design and Construction SPD. This document has been through the relevant public consultation process and is now a fully adopted SPD.

212. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

213. Officers consider that Core Strategy policy CG2 carries substantial weight in the assessment of the environmental sustainability of the proposed development. Guidance contained both within the NPPF and also the Council's Sustainability SPD also carry significant weight as they provide additional detail to guide the assessment of planning applications.

214. The site is directly adjacent to the Civic & Retail Core of Bolton town centre and provides all residents and users of the site with easy access to a wide variety of amenities, leisure facilities and employment opportunities. It is approximately 5 minutes' walk to and from Bolton's transport interchange and accessibility will be improved via the three east-west and one north-south pedestrian route through the site. In fact, it is difficult to envisage a more sustainable location than the one proposed.

215. The application is supported by an Energy & Sustainability Statement carried out by FHP which indicates that a wide range of passive and energy efficient methods will be incorporated into the design, including optimised levels of thermal insulation, building air tightness, solar control glazing, efficient artificial lighting and controls, as well as high efficiency building services that exceed the requirements set out in Approved Document Part L2A:2013 in order to reduce the overall CO2 emissions of the scheme.

216. The Energy & Sustainability Statement considers a number of energy strategy opportunities and these are either being explored further with a view to being integrated into the design of the detailed scheme or are being ruled out at this stage. Reasons for energy strategies being ruled out primarily centre upon the technical feasibility rather than financial viability considerations. As this is an outline application, the details of the strategies to be incorporated will need to be developed at the detailed design state but are likely to include:-

- energy efficient passive design measures
- energy efficient plant measures
- exceed the requirements of the building regulations in relation to the conservation of fuel and power
- ground source heat pumps incorporated within the piled foundations
- air source heat pumps
- photovoltaics

217. For the reasons set out in the Energy & Sustainability Statement, Officers accept that the neither the site nor the proposed development are suitable for combined heat and power / tri-generation, a district heating connection, urban wind, solar thermal heating or biofuel

218. The dwellings will be constructed to a high specification fabric, exceeding minimum Building Regulations standards and include efficiency measures designed to reduce heat losses through thermal transmission. Improved thermal bridging details and air leakage rates that are better than the minimum Building Regulation standards of 10m3/hr/m3 at 50Pa to be adopted on the scheme, reducing the annual CO2 emissions associated with the building's heating system by limiting the heat loss through the buildings fabric. The glazing types and areas can improve a building's energy efficient, by reducing the energy consumption associated with artificial lighting, utilising daylight sensors. Therefore, the proposed scheme aims to maximise natural lighting wherever possible. Day lighting, when properly managed, can result in substantial energy savings by reducing the need for artificial lighting, whilst creating a pleasant environment to occupy.

219. Waste heat taken from the dwellings will be captured by high-efficiency mechanical ventilation with heat recovery (MVHR) designed to limit the development's fresh air heating and cooling

requirements, hence reducing its associated annual CO2 emissions. The proposed 100% low energy lighting provision and control systems for the space and water heating will also ensure the energy consumed by dwellings is efficiently used. Photo switching and automatic dimming of the lighting will be specified to the communal areas of the building in order to further improve the efficiency of the lighting system. The space heating demand of the dwellings will be met by electric heating. The predicted future carbon factor of grid electricity is expected to be close to that of mains gas. The applicant's drainage strategy confirms that the surface water run-off from all parts of the development would be reduced to 50% of the brownfield run-off rates.

220. Officers are satisfied that Bolton Regeneration Limited are committed towards the incorporation of sustainable design and construction methods to achieving wherever feasible an exceedance of national and local policy requirements in respect of energy efficiency and carbon emission reduction targets. The Energy and Sustainability Statement is proposed to be conditioned to ensure these measures are duly considered and incorporated in the detailed design and reserved matters stage. It is therefore considered that the proposal would comply with the relevant development plan policy, guidance in NPPF and the Sustainable Design and Construction SPD.

Impact on Crime Reduction

221. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are therefore material considerations that a local authority should take into account when exercising its planning functions under Town and Country Planning legislation.

222. Bolton's Core Strategy notes that the town's recorded crime levels are reducing but perception of crime remains high. The Core Strategy's most important direct contribution to reducing crime and the fear of crime is through the design of new development. A contributory factor to improving safety is to create and sustain a sense of place that enables people to identify with their surroundings or locality. This can be achieved through appropriate layout, high quality architecture, good lighting and landscape design. In considering design, the Council takes into account national advice as currently set out in the Government publication "Safer Places – the Planning System and Crime Prevention." Ensuring that the whole of the civic and retail core is safe and attractive for pedestrians will be a priority.

223. Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, reduce crime and the fear of crime, by ensuring that neighbourhoods are attractive and well designed. Policy S1 is part of the "Safe Bolton" Sustainable Community Strategy theme and states that the Council and its partners will ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy CG4 of Bolton's Core Strategy seeks to ensure that new development protects, amongst other things, safety and security.

224. The National Planning Policy Framework states that planning decisions should aim to achieve places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

225. The application is supported by a Crime Impact Statement, carried out by Greater Manchester Police's Design For Security team and issued in February 2020.

226. GMP Design For Security welcome the redevelopment of the site as it will add day-long activity, natural surveillance and interest to this part of Bolton town centre. The proposed mix of housing,

commercial and community uses and the indicative location of these uses are considered to be appropriate.

They note the challenges faced when redeveloping sites within established town centres - in this case, the need to be mindful of the impact of the existing night-time economy on future residents, the need to carefully consider night-time movement of people and traffic to avoid creating soulless streets (which can make some users fearful and leaves premises more exposed) and the need to give subtle but effective protection of crowded public spaces from the threat of terrorism. GMP Design For Security consider that the design team have demonstrated an awareness of the challenges and have produced (at this stage) a scheme that is complementary to the wider town centre. More detailed Crime Impact Statements will need to be prepared when the layout and design and landscaping of the outline elements of the scheme have progressed and further assessment of the details and specifications can be made.

227. It is clear from their response that GMP Design for Security are happy to support the development at this outline stage.

228. Planning Officers welcome the advice and recommendations provided by GMP Design for Security as it will be helpful to ensure that the reserved matters stage of the proposal is designed and assessed in a way that complies with Policies SO9 and S1 of Bolton's Core Strategy.

Impact on Land Stability, Ground Conditions and Coal Mining

229. Core Strategy policy CG4 seeks to ensure that new development proposals on land affected by contamination or ground instability must include an assessment of the extent of these issues and any possible risks. Development will only be permitted where the land is or is made suitable for the proposed use.

230. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. They should also contribute by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. It also advises that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and / or landowner.

231. Officers consider that Core Strategy policy CG4 is consistent with the NPPF and carries substantial weight.

232. Given the extensive groundworks to be undertaken and the contamination sensitive uses proposed (particularly residential), a Phase 1 Geo-Environmental Risk Assessment and Coal Mining Risk Assessment has been prepared by WSP and has been submitted with the application. Both the Council's Pollution Control officers and the Coal Authority have been consulted on the proposed development.

Land Contamination

233. The Phase 1 assessment considers the potential for significant soil or groundwater contamination at the site to be low due to the limited historical potentially contaminative land uses and the construction of a basement over much of the site area in the 1960s. The study has found no evidence of potential sources of contemporary contamination that are likely to have impacted the ground conditions. Once intrusive site investigations begin following demolition, should contamination sources be found, minor remedial action (e.g. removal of hot spots of contamination),

would likely be suitable to render the site suitable for commercial / residential redevelopment.

234. Pollution Control Officers accept the findings of the Phase I and the recommend a condition requiring the submission of a more detailed Phase 2 site risk assessment at the appropriate stage.

Coal Mining Legacy Issues

235. In respect of coal mining and land stability issues the Coal Authority consider the submitted report to have been informed by appropriate mining and geological information for the application site and the proposed development. The report identifies that the likelihood of unrecorded shallow coal mine workings cannot be ruled out and that further intrusive site investigations are required. The report recommends that intrusive site investigations should determine the exact ground conditions and the presence or otherwise of shallow mine workings. The exact form and extent of intrusive site investigations need to be agreed with the Permitting Section of The Coal Authority as part of the applicant's permit application. These intrusive site investigations should be prepared and conducted by a suitably competent person and findings used to inform an appropriate scheme of remedial measures if necessary. In addition, it would be prudent if consideration was also afforded to the risk posed by mine gas to the application site and proposed development

236. To conclude, the Coal Authority does not object to the proposal subject to an appropriately worded planning condition which requires the submission and approval of further site investigations at the appropriate stage.

237. Officers consider that the proposed land use and development of the site are appropriate and whilst further site investigation work and a detailed remediation strategy are required to secure the safe development of the site in order to comply with Core Strategy CG4, this can be conditional upon any outline approval.

Conclusion

238. The development proposal under consideration is a significant regeneration scheme that has the potential to make an enormous contribution to the vitality and viability of Bolton town centre in terms of maintaining and increasing visitor numbers. The economic and employment benefits should be given great weight. The social benefits of a significant increase in housing numbers in this location needs to be taken into account, contributing to delivering a significant part of the shortfall in housing delivery in terms of demonstrating a five-year supply. Other social benefits will flow from the unique Bolton Works proposals in terms of building on the excellent reputation of Bolton Food & Drink Festival. The environmental impacts, in particular the impact on the surrounding heritage assets has been minimised and will in fact lead to some enhancements, opening up views of these assets that do not currently exist. Increasing pedestrian permeability via the removal of the current impermeable block of Crompton Place will deliver significant accessibility benefits and will improve links between Bradshawgate to Victoria Square in a way that has not been possible for the last fifty years.

239. The application is supported by a comprehensive suite of technical documents covering issues such as sustainability, the impact on biodiversity and the development's resilience to flood risk. These have been assessed by the relevant technical consultees and their responses have been analysed within the report.

240. It is considered that the proposals before Members represent a unique opportunity transform the heart of the heart of the borough of Bolton by creating a distinctive new multiple use development that future residents of the area, visitors and workers within the area and of the town as whole can be proud of.

Representation and Consultation Annex

Representations

Consultation letters were sent to 608 premises and properties in the immediate vicinity of the site. Seven site notices were displayed around the site, each prominently located on the Victoria Square, Exchange Street, Bradshawgate and Hotel Street frontages together with a further three notices displayed within Crompton Place Shopping Centre itself.

Officers consider that no objections have been received as a result of the direct postal consultation with nearby businesses and residential properties or that can be reasonably considered to result from the ten notices displayed in and around the site. With the one exception (a representation from a resident of Lever Park Avenue, Horwich) all representations result from consultation with stakeholders including Bolton & District Civic Trust, Historic England and the War Memorials Trust, as set out below.

It is acknowledged that two members of the Trust have objected in a personal capacity, though as there is considerable crossover between the substance of their objections and the issues raised in the formal response, it is considered to be reasonable to address those issues together.

For the avoidance of doubt, Officers do not in any way consider that representations made by anyone outside the immediate vicinity of the application site should be attributed less weight than one made from a nearby business or resident. Bolton town centre is at the heart of the borough and the site is at the heart of Bolton town centre. Changes within this area would be experienced by the majority of Bolton residents and visitors to the town centre for decades to come and heritage assets such as Bolton Town Hall and its setting are of national significance. The purpose of the comments above is solely to give Members an understanding of the locational element of any representations.

Officers also note the overwhelmingly supportive response (91%) of the Applicant's own public consultation exercise carried out in November 2019 and set out within the submitted Statement of Community Involvement.

Bolton & District Civic Trust

A lengthy objection has been received from Bolton & District Civic Trust. Some of the issues raised by the Civic Trust are considered to relate to the detailed design of the scheme and so are not relevant to the determination of the application currently before Members, which is in outline and relates solely to the principle and parameters of development. Their objections, insofar as they relate to the matters under consideration at the outline stage, are summarised below together with Planning Officers' response to the issues raised:-

- By virtue of its massing and design the new built form fronting onto Victoria Square is not considered to appropriately respond to the significance of either the Town Hall or Bolton Cenotaph.

(Officer's response: The application initially suggested an open-framed "frieze" at the top of the Victoria Square frontage. Officers consider that this may possibly have been an acceptable design response to the setting but welcome its removal, the reduction of the height parameter at this point and the 4.5 metre setback introduced at level 4. The upper point of the Victoria Square frontage now aligns with the cornice of Bolton Town Hall, as shown on the submitted section drawings. A potential additional storey to the office building (Block D) has now also been removed to help reduce the

overall scale and mass of the building, with a further 9.0m set-back to the plant screen at Level 6. The emerging scheme designs, whilst not formally part of this application indicate the possibility of stepping back the main glazed frontage of the buildings from the colonnade frontage, giving additional space to the Cenotaph. The corners from Victoria Square turning in to Crompton Lane could also be opened up, helping to enhance the setting of the Cenotaph)

- The height and massing of the buildings fronting Victoria Square are considered to be overpowering and dominant. The emerging designs suggest vertical apertures, which have the effect of increasing the perception of scale. This is considered to have a harmful impact upon the setting of the Town Hall and Cenotaph.

(Officer's response: To a great extent, this issue is considered to be addressed by the response above and the changes that the Applicant has made to the parameters plans. It is also noted that matters of detailed design do not form part of this planning application, though the "direction of travel" indicated by the emerging plans is considered to provide significant reassurance on this point)

- The buildings fronting Victoria Square should be further set back to help protect the setting of the Cenotaph and Town Hall

(Officer's response: Given that the height of the Victoria Square frontage has been reduced by one level, and would now align with the cornice of the front of Bolton Town Hall is not considered that there is any merit in pushing the line of the frontage back beyond the that of the existing building. The emerging design proposals also now suggest a colonnade frontage to the building that would run along the outer horizontal limit of development, but then the main bulk of the building sits behind this colonnade. This would not only help to further reveal the Cenotaph, but would also help to ensure that the proposed development remains subservient to the Town Hall and its setting. Officers are confident that the exceptional height of the tower of Bolton Town Hall draws the eye to such as degree that its dominance of its setting will remain entirely unchallenged)

- The Energy and Sustainability Strategy needs to do more to combat climate change and deliver sustainable development, for example demonstrate that near zero-carbon standards can be achieved

(Officer's response: There is no requirement in national or local planning policies for this to be a near zero-carbon development and to do so would be entirely unreasonable. National and local planning policies instead encourage the incorporation of sustainable construction measures where possible and it is considered that the approach set out in the relevant section above is entirely consistent with those policies. It is also the case that a detailed Energy and Sustainability Strategy cannot be produced until the detailed design stage, as it relies upon details relating to materiality and the exact scale, location, use and form of the proposed buildings. However, the Energy and Sustainability Strategy submitted with the planning application identifies the key principles that are to be considered at the detailed development stage and Officers are satisfied that the Applicant is working towards the incorporation of sustainable building methods and energy strategy opportunities wherever possible.)

- Green Infrastructure should be integrated into the development.

(Officer's response: Officers note that paragraph 122 of the NPPF states that planning decisions should support development that makes efficient use of land. It is considered that this requirement should be given even greater weight in the heart of a town centre that itself sits at the heart of the borough. The site plan is considered to represent an appropriate balance between making an efficient use of land in the form of buildings and providing land for public realm enhancements and

pedestrian permeability. Giving over more land for green (or blue) infrastructure would result in a development that did not get this balance right. That said, the Applicant considers that the exact location and nature of any green infrastructure to be integrated into the site plan will form part of the detailed design proposals at reserved matters stage. It is also noted that the emerging design concepts have always been mindful of the need to integrate green infrastructure and opportunities include the incorporation of green/living roofs and walls, bird boxes and other wildlife attracting planting into the landscaping plans that will accompany the detailed design proposals at reserved matters stage. The development, when fully detailed will therefore deliver green infrastructure as a fundamental element of the overall design strategy and this will then also create new opportunities for biodiversity enhancement which simply do not exist at present)

- The proposals would result in increased mid-morning shadowing on Victoria Square, to the detriment of the setting of the Town Hall and Cenotaph and the validity of the extent/alignment of shadows shown on some of the submission material is also questioned

(Officer's response: The impact of shadowing is considered in the Wind & Microclimate section above and is considered to be acceptable. It is also noted that as the scale of the buildings at the Victoria Square frontage are to be reduced following the revisions to the height parameters, there will be a reduction in the amount of shading that will occur on Victoria Square during these mid-morning hours.)

- The findings of the Heritage Statement fail to show insufficient understanding of the significance and heritage value of the Town Hall, the Cenotaph and their Settings.

(Officer's response: the submitted Heritage Statement was prepared by highly experienced professionals at Salford Archaeology and is considered to provide a robust understanding and assessment of the significance and heritage value of Bolton Town Hall, the cenotaph, the surrounding conservation areas and the settings of these heritage assets. The impact on these assets is considered in detail in the relevant section above)

- The new central route from Victoria Square to Bradshawgate is welcomed, but it should be wider

(Officer's response: a minimum public realm width of 8m is to be maintained between Blocks C and D and a minimum 7m maintained between Blocks B1 and B2. (east-west) A minimum of 10m is then to be maintained between Blocks C & D and Blocks B1 & B2 (north-south). This is considered to be a sufficiently wide area of public realm, in particular when the NPPF paragraph 122 requirement to make efficient use of land is taken into account)

Historic England

Officers note that the response from Historic England stops short of formally objecting to the proposals but does raise some concerns in respect of the impact on the setting of Bolton Town Hall and the war memorial. Planning Officers and the Council's Conservation & Design Officer consider the revised proposals to fully address these concerns; however, Historic England have been reconsulted on the revised proposals and any response will be reported at the meeting.

SAVE Britain's Heritage

SAVE Britain's Heritage consider the impact of the two blocks fronting Victoria Square to be too great (as originally proposed) and do not consider that the submitted Heritage Statement adequately assessed the impact on the setting of Bolton town hall, focusing too greatly on the benefits of the removal of the existing building. Officers note that the response of SAVE Britain's Heritage was received prior to the receipt of the amended plans that reduced the height of the Victoria Square

Frontage. Reconsultation has taken place and any response will be reported at the meeting.

War Memorials Trust

The War Memorials Trust is the national charity for the protection and conservation of war memorials in the UK and was consulted on the planning application.

They note that scheme will alter the setting of the Grade II* listed Bolton War Memorial, located to the East of Victoria Square on the axis with Bolton Town Hall, The memorial was erected in 1928 to a design by Arthur Hope with sculpture by Walter Marsden, who served in the First World War, and includes the rare depiction of grieving women on a First World War memorial. The main change will be the new avenue viewpoint created from Bradshawgate along the line of Fold Street. The Trust wish to highlight the following:

- As per the Project Demolition Management Plan the listed war memorial should be adequately protected during the works and the vibration levels should be monitored to ensure the works do not affect the structural integrity of the memorial. It should also be checked as to whether any height adjustments in revised buildings might impact the natural light to the war memorial and potential wider environment which could impact its long-term condition.
- The Trust supports that as a minimum the war memorial will be accessible for key events, such as the Remembrance Sunday Service.
- The Trust recommends that a condition survey of the memorial is carried out in order to assess the condition of the memorial prior to and following the development to ascertain whether any damage was caused and if conservation work/repair/cleaning is required due to dust/debris deposits etc.
- Following the works, the Trust recommends that the condition of the memorial is assessed regularly to monitor the impact of the change of natural light as well as the potential increase of wildlife.

Officers note that the War Memorials Trust do not raise formal objection to the proposal though the issues that they raise need to be taken into account. The Demolition Management Plan clearly sets out that the protection of the War Memorial is paramount and adequate measures have been taken to ensure that it is protected throughout. The same would apply to the construction phase, the details of which will be included within the Construction Management Plan which will be a condition of any outline approval.

With regards to sunlight, a specific study of the cenotaph has not been carried out, however given the height of the War Memorial and its current close proximity to the west of the existing Crompton Place Shopping Centre, the increase in building height is not considered to lead to any additional detriment in respect of direct sunlight during the early morning hours. As is the case presently, the War Memorial will receive direct sunlight from around 11am throughout the rest of the day. The intention to open a central route through the scheme could in fact result in some early morning sunshine directly on to the War Memorial during the summer months.

It is noted that the Project Demolition Management Plan confirms that the War memorial will be accessible for key events such as Remembrance Sunday. A condition survey of the memorial will be carried out in order to assess the condition of the memorial prior to and following the development to ascertain whether any damage was caused and if conservation work/repair/cleaning is required due to dust/debris deposits etc. However, to continue monitoring the condition of the War Memorial in perpetuity is not considered to be appropriate as there is no precedent for this type of survey being undertaken on a continuous basis. It would therefore be difficult to ascertain whether any changes to the condition of the War Memorial are directly attributable to the proposed development as they could have occurred over a prolonged period or would have happened regardless.

It is considered that the details of the demolition and construction programme will adequately address the issues raised by the War Memorials Trust.

Resident of Lever Park Avenue, Horwich

- There is plenty of good, unused office space in and around the town centre and the current lock-down suggests that more businesses will operate with staff from home, much more commonly than has been the case until now. A lot of businesses will not survive and there has to be a question of how this space is to be used.

(Officer's response: Only one Grade A office building has been constructed in Bolton town centre in the last ten years - Bolton Central on Great Moor Street, which secured a 100% pre-let prior to practical completion and had a number of enquiries from both local and out of town occupiers. Currently all the Grade A offices in the Town centre are over 90% occupied, including Atria on Spa Road. Lesser grade office space such as Provincial House and Sun Alliance house has been converted to residential. Officers also note that as offices are defined as a town centre use in the NPPF, there is no requirement for the Applicant to demonstrate need)

- The proposed development will be too dominant in relation to Bolton Town Hall, given the proposed height.

(Officer's response: For the reasons given in response to the representations above and in the relevant section of the report, this is not considered to be the case)

- Presumably the columns are meant to complement those of the Town Hall but they don't. The design is much more like a multi-storey car park than one that is fit for an environment such as this. The proposal will out of date before the first batch of concrete has been poured.

(Officer's response: the detailed design of the proposals does not form part of the application presently before Members)

- The area around there is already one with wind tunnels so their removal would be great. This design looks as if it will create wind tunnels so adequate modelling is needed.

(Officer's response: For the reasons set in the Wind & Microclimate section of the report, a formal technical assessment is considered to be disproportionate, though the Applicant will be mindful of this issue in the detailed design stage)

- Although the frontage onto Bradshawgate is not nearly as critical, again it looks as if it will be too high to be in keeping with surrounding buildings.

(Officer's response: it is considered that the massing studies and views contained within the Design & Access Statement demonstrate that the frontage to Bradshawgate will be entirely compatible with its surroundings and the significant setback of the higher elements behind this means that these will not appear dominant)

Consultations

Advice was sought from the following consultees: Greater Manchester Ecology Unit, Environment Agency, Greater Manchester Archaeological Advisory Service, National Grid, Drainage and Technical Support, Trees and Woodland officer, Coal Authority, Highways Engineers, Greenspace Management (Wildlife Liaison officer), Landscape Architect, Environmental Health officers, Strategic Housing Service, Economic Strategy, Housing and Public Health Unit, Bolton District Civic Trust, Primary Care

NHS Bolton, Transport for Greater Manchester, United Utilities, Asset Management and Planning (Education), Strategic Development Unit, Public Rights of Way bodies, War Memorials Trust

Planning History

The demolition of the mostly 19th Century buildings which were formerly located at the site and the development of what was known as the Arndale Centre pre-dates the Council's planning records.

Planning permission was granted in 1988 for selective demolition and the erection of an extension (known as Shipgates) to the Arndale Centre - 31519/88

Planning permission was granted in 2008 for alterations to the Bradshawgate elevation. These changes resulted in the loss of the pedestrian link from Victoria Square to Bradshawgate; however, as this was not a public right of way its impact could not be taken into account in the decision - 794625/08

Planning permission was granted in 2014 for the demolition of part of the first and second floors and the erection of a multi-screen cinema together with the part change of use of the first and ground floors to restaurants together with external alterations - 91383/14. This consent expired unimplemented.

Bearing in mind that the site would be almost completely cleared of all buildings, the planning history is considered to be of only limited weight.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. **Full Permission Time Condition**

The demolition approved under Part A of this consent must be begun not later than the expiration of three years beginning with the date of this permission.

Reason

To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. **Reserved Matters Time Condition**

All applications for approval of reserved matters shall be made no later than the expiration of three years beginning with the date of this permission and the development must be begun no later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

Required to be imposed pursuant to Section 92 of the Town & Country Planning Act 1990 for those parts of the application submitted for outline permission only, that these matters were reserved by the applicant for subsequent approval and that the time period reflects the separated development programme.

3. **Reserved Matters Parameters**

Any development of any phase or plot as shown on the approved plans shall be brought forward for reserved matters approval in accordance with the following parameters:

A1 (Retail) – up to 4,250 square metres

A2 (Professional Services) - up to 2,150 square metres

A3 (Food and Beverage) - up to 4,250 square metres

A4 (Drinking Establishment) - up to 4,250 square metres
 A5 (Hot food takeaway) - up to 2,150 square metres
 B1 (Office) - up to 20,000 square metres
 C1 (Hotel) - up to 135 bedrooms
 C3 (Residential) - up to 200 dwellings
 D1 (including Clinic, Creche, Nursery, Halls, Day Centres, Art Galleries) - up to 1,550 square metres
 D2 (Assembly and Leisure uses) up to 2,000 square metres
 Car Park (Sui Generis) up to 272 spaces

The total Gross Internal Area of the scheme, including basement car park and servicing area and the floorspaces for the residential and hotel uses is shall not exceed 53,730 square metres.

Reason

To ensure an appropriate mixed-use development in accordance with Policy TC1 of Bolton's Core Strategy.

4. **Reserved Matters Supporting Documents**

Any application for the approval of reserved matters for any phase or plot within each development phase hereby approved shall be accompanied by the following information for approval in writing by the Local Planning Authority: save for any non-material amendments to such approved reserved matters as may be agreed in writing by the Local Planning Authority:

- a) Details of materials and finishes for all external walls, roofs, windows and doors and other external building features
- b) Floorplans for each level of any building including basement and roof plans;
- c) Cross-sections in two planes for any building including basement levels;
- d) Details of finished floor levels (FFL) and associated ground levels;
- e) Details of total gross floorspace for any building, and gross floorspace for separate units or uses within;
- f) Floorplans to demarcate different units / uses formed within any building;
- g) Access and movement strategy for ingress and egress for pedestrians and vehicles for any building, including for deliveries;
- h) Details of internal circulation for buildings and units formed within, including emergency access;
- i) Details of on-site waste management relevant to any building or use(s) therein, including waste recycling;
- j) Elevations for all sides of buildings erected;
- k) Details of shopfronts and location for signage;
- l) Signage strategy for each building to inform future advertisement consent applications;
- m) Details of external lighting;
- n) Details and arrangement of any required external plant, extract ventilation and flues, including detailed specifications of proposed plant;
- o) A Sustainability / Energy Report based upon the recommendations set out in the hereby approved Energy & Sustainability Statement that considers measures of passive and energy efficiency measures for any building within the phase or plot, which shall include optimised levels of thermal insulation, building air tightness, solar control glazing for all commercial floors, efficient artificial lighting and controls and high efficiency building services.
- q) Detailed drainage design in accordance with the approved drainage strategy

The development of any phase or plot shall be carried out in accordance with the approved details.

Reason

To ensure an appropriate form of development, consistent with the relevant policies of Bolton's Core Strategy.

5. **Reserved Matters Design & Access Statement**

Any application for the approval of reserved matters for any phase or plot in a development phase shall be accompanied by a Design and Access Statement that shall set the design principles and concepts that have been applied to the proposals including the appearance, access, layout, landscape and scale of the development. In addition, the design element shall demonstrate how the proposals have had regard to the approved Design & Access Statement and its addendum in terms of the

context of the plot within the overall development site and its setting. The access element shall explain how access arrangements to the relevant phase or plot will ensure that all users will have a convenient and safe means of access to buildings and spaces related to the phase or plot, the overall development site and pedestrian and cycle network. Development of each phase or plot shall be carried out in accordance with the approved details.

Reason

To ensure high quality urban design in accordance with Policies CG3 and TC11 of Bolton's Core Strategy.

6. Phasing Reserved Matters

No application for reserved matters shall be made until details of phasing of development across the whole development site has been submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall include the following matters:

- a) A plan demarcating the development phases;
- b) Details of the development plots / phases, uses and floorspaces by development phase; and
- c) A programme of delivery of development phases

All reserved matters applications and consequent development shall be made in accordance with the approved phasing scheme, or any subsequently submitted and approved amendments to the scheme.

Reason

To ensure the satisfactory development of the site in a phased manner.

7. Demolition / Clearance - Ecology

No demolition or site clearance of any building or structure shall commence until a follow-up bat emergence survey to the hereby approved Preliminary Ecological Appraisal (Appletons *REF:2290-E1*) has been undertaken relevant to the building or structure proposed for demolition / clearance, submitted to and approved in writing by the Local Planning Authority. Demolition / clearance shall be carried out in accordance with the findings and recommendations, including any mitigation or compensation measures, as set out within the relevant approved bat emergence survey.

The demolition and construction shall also be carried out in accordance with the requirements and recommendations of the submitted Peregrine Mitigation strategy, including the use of a suitably qualified ecologist or ornithologist.

Reason

To identify any residual threat to the habitat of a protected species and to ensure that appropriate mitigation measures are undertaken as part of a phased development in accordance with Policy CG1.2 of Bolton's Core Strategy.

8. Construction Environmental Management Plan

Prior to the commencement of development, including demolition, ground works or vegetation clearance on any phase or plot a Construction Environmental Management Plan (CEMP) for that phase or plot shall be submitted to and approved in writing by the local planning authority. The CEMP shall include the following details:

- a) Hours of construction and deliveries
- b) Details of the precautions to guard against the deposit of mud and substances on the public highway, to include washing facilities by which vehicles will have their wheels, chassis and bodywork effectively cleaned and washed free of mud and similar substances prior to entering the highway
- c) Dust suppression measures;
- d) Noise emission suppression measures;
- e) Construction routes in and around the site;
- f) Compound locations together with details of the storage facilities for any plant and materials including off-site consolidation if appropriate, the siting of any site huts and other temporary structures, including site hoardings and details of the proposed security arrangements for the site,

- g) Parking of vehicles associated with construction, deliveries, site personnel, operatives and visitors,
- h) Sheeting over of construction vehicles.

Development of each phase or plot shall be carried out in accordance with the approved CEMP.

Reason

To ensure that adequate consideration is given to the need to minimise the impact on the road network and reduce pollution, in accordance with Policies P5 and CG4 of Bolton's Core Strategy.

9. **Highways - Detailed Design**

No development of any phase or plot that involves work to an existing or proposed public highway shall commence until the following details relevant to that phase or plot has been submitted to and approved in writing by the Local Planning Authority:

- details of the access to the service yard / undercroft car parking provision.
- improvement works to Mealhouse Lane to accommodate the servicing of the M&S Store-to include
- a full Road Safety Audit for the Reserved Matters stage
- Details of works at Mealhouse Lane, Hotel Street, Victoria Square, Exchange Street, Back Cheapside and Mawdsley Street comprising replacement of footway/carriageway/public realm owing to the demolition/construction phases of development.
- Bradshawgate/Exchange Street - access to service yard/car park access-work within the public highway to retrofit-Reserved Matters.
- Bradshawgate-Implementation of lay-by arrangements indicated on the submitted plansDetails of street-lighting and any upgrade to existing lighting; and,
- Details to confirm extent of proposed public highways and stopping-up of redundant public highways within the phase or plot in order to facilitate development.
- Details for surface water drainage of the public highway
- Schedule of works to implement the details relevant to that phase or plot

Development of the relevant phase or plot shall be carried out in accordance with the approved details and schedule.

Reason

In the interests of highway safety and in accordance with Policy P5 of Bolton's Core Strategy and Public Realm Improvement Framework (2007).

10. **Land Contamination**

No development shall commence on any phase or plot until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority for the relevant phase or plot:

i. The requirements as part of this condition shall have regard to the preliminary risk assessment that has been submitted to and approved by the Local Planning Authority, namely the requirement to undertake a Phase 2 intrusive survey as set out in the approved WSP report .

ii. Prior to any physical site investigation, 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 relevant to the phase or plot 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 for the relevant phase or plot and approved by the Local Planning Authority.

iii. Where necessary a scheme of remediation for the relevant phase or plot to remove any unacceptable risk to human health, buildings and the environment shall be approved by the Local Planning Authority prior to implementation.

iv. Any additional or unforeseen contamination encountered during development of the relevant phase or plot 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.

v. Upon completion of any approved remediation schemes for the relevant phase or plot, and prior to occupation where relevant, a completion report demonstrating that the scheme has been appropriately implemented for the relevant phase or plot and it is suitable for its intended end use shall be 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 for each relevant phase or plot and once all information specified within this condition and other requested information has been provided to the satisfaction of the Local Planning Authority for the relevant phase or plot and occupation/use of the development shall not commence on the relevant phase or plot 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.

11. **Coal Mining Legacy**

No development (other than demolition) shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance. Where the findings of the intrusive site investigations identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details. Following implementation and completion of the approved remediation scheme and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Reason

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

12. **Archaeology**

No demolition/ development groundworks shall take place until the applicant or their agents or successors in title has secured through the commissioning of an archaeological contractor and the production by them of a Written Scheme of Investigation (WSI) which shall be submitted to and approved in writing by GMAAS as archaeological advisors to Bolton Planning Authority. The works specified in the WSI are to be undertaken in accordance with the Written Scheme of Investigation (WSI). The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording of areas 1, 2 and 3 (as identified in figure 15 of the DBA) to include:
 - i) targeted archaeological evaluation through trial trenching
 - ii) informed by the above, a scheme for area excavation (subject to a separate WSI)
2. A programme for post-investigation assessment to include:
 - i) analysis of the site investigation records and finds
 - ii) production of final reports on the significance of the archaeological and historical interest represented.
3. Deposition of the final reports with the Greater Manchester Historic Environment Record and Bolton Local Studies Library.
4. Dissemination of the results commensurate with their significance. As a minimum this will include: information boards within the public realm, a popular booklet in the

Greater Manchester Past Revealed series and an academic article. A public open day/guided tours should also be considered.

6. Provision for archive deposition of the report and records of the site investigation.
7. Nomination of a competent person or persons/organisation to undertake the works set out within

the approved WSI.

Reason: In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible.

Reason

In accordance with NPPF Section 16, Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible.

13. Ecology - Clearance Vegetation

No works to trees or shrubs shall occur, or demolition commence between the 1st March and 31st August in any year on any phase or plot unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present within the relevant phase or plot which has been submitted to and agreed in writing by the Local Planning Authority.

Reason

To protect and enhance urban biodiversity, in accordance with Policy CG1.2 of Bolton's Core Strategy.

14. External Lighting

No development shall commence on any phase or plot until details of all external lighting equipment where proposed for that phase or plot has been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be designed to avoid giving rise to nuisance to residential accommodation in close proximity and designed to provide a standard maintained illumination of 5 LUX at the nearest residential property façade (or proposed façade in a future phase or plot). The external lighting for the relevant phase or plot shall be installed in accordance with the approved details and no other external lighting equipment may then be used within the relevant phase or plot other than as approved by the Local planning Authority.

Reason

To minimise the impact of light on the residential amenity of the area in accordance with Policy CG4 of Bolton's Core Strategy.

15. Landscape Reserved Matters

Any relevant application for the approval reserved matters for any phase or plot shall be accompanied by a Landscape Delivery & Management Scheme to cover all landscaped areas including associated public realm improvements of that phase or plot. The Scheme shall include, but not be limited to, matters of:

- Details of materials and finishes to hard surfaces in public and publicly accessible areas;
- Detail of trees and shrubs to be planted / green infrastructure;
- Details and materials of walls, fences, boundary treatments;
- Details of proposed lighting structures;
- Details of proposed seating, bollards, bins, cycle racks, grilles and other street furniture; and,
- Details of the applicant's proposals for the future maintenance of the landscape areas in the form of a Delivery & Management Statement relevant to that phase or plot

The development of that phase or plot shall be brought forward and maintained thereafter in accordance with the approved Scheme.

Reason

To ensure the provision of an acceptable standard of public realm in accordance with Policies TC11 and CG3 of the Bolton Core Strategy and the Public Realm Implementation Plan

16. **Crime Impact**

Any relevant application for the approval of reserved matters for any phase or plot within the development site shall be accompanied by a 'Crime Impact Statement' which shall examine all aspects of site security including, site car parking, pedestrian footways, entrances, internal layout and external security measures for that phase or plot in accordance with the Crime Impact Statement: prepared by GM Police and which shall be capable of meeting 'Secured by Design' requirements. The Crime Impact Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of that phase. Development of that phase shall be carried out in accordance with approved Crime Impact Statement and approved site security measures shall be retained thereafter.

Reason

In the interests of crime reduction and in accordance with Policy S1 of Bolton's Core Strategy.

17. **Noise - External Sources**

All residential units and hotel accommodation shall be constructed to achieve within the building envelope (windows, floor, ceilings and walls) provision of sound attenuation against external noise that achieves the following internal noise levels with windows shut and other means of ventilation provided if necessary:

- a) Living room – daytime 07:00 to 23:00 hours 35 LAeq 16 hours
- b) Dining room / Area – daytime 07:00 to 23:00 hours 40 LAeq 16 hours
- c) Bedroom – daytime 07:00 to 23:00 hours 35 LAeq 16 hours and night time 23:00 to 07:00 hours 30 LAeq 8 hours and 45 L_{max} (not to be exceeded more than 15 times per night)

Details of the acoustic insulation shall be submitted to and approved in writing by the Local Planning Authority prior to commencement development of each relevant phase or plot. The acoustic attenuation measures shall be implemented in accordance with the approved details prior to first use or occupation of the phase or plot and retained thereafter.

Reason

To safeguard the living conditions of occupiers from noise pollution.

18. **Noise - Plant & Equipment**

The rating level, as defined in BS4142:2014, from fixed plant and equipment installed within any phase or plot within the development shall not exceed the measured daytime and/or night time background sound level at the closest sensitive premises at any time. A noise assessment shall be carried out and a report submitted to and approved in writing by the Local Planning Authority prior to the installation of any fixed plant for the relevant phase or plot. The report shall include all the information specified in Clause 12 of BS4142:2014 and details of any mitigation proposed to achieve the rating level. The approved details shall be carried out in full and the plant retained and operated in accordance with the approved details thereafter on the relevant phase or plot.

Reason

To minimise the impact of noise on the general and residential amenity from fixed plant and equipment associated with the development.

19. **Noise - Commercial Uses**

Prior to the development of any phase or plot that includes a non-residential use / commercial use and a residential (class C3) or hotel (class C1) use a scheme specifying the provision to be made to control noise transmission / break out from the non-residential / commercial unit(s) that may affect any proposed residential or hotel use units, 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 brought into first use or occupation and retained thereafter.

Reason

To safeguard the living conditions of residents from the effects of noise in accordance with Policy CG4 of Bolton's Core Strategy.

20. 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.

21. 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.

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

**Parameter Plans: Existing Site Location Plan: Red Line Boundary
BVS-CTA-00-00-DR-A-07001**

**Parameter Plans: Indicative Demolition and Alteration Works
BVS-CTA-00-00-DR-A-07002**

Parameter Plans: Proposed Building Plots BVS-CTA-00-00-DR-A-07003

Parameter Plans: Proposed Site Levels BVS-CTA-00-00-DR-A-07004

**Parameter Plans: Proposed Indicative Vehicular and Pedestrian Access Locations
BVS-CTA-00-00-DR-A-07005**

Parameter Plans: Proposed Uses BVS-CTA-00-00-DR-A-07006

Parameter Plans: Proposed Horizontal Limits of Deviation BVS-CTA-00-00-DR-A-07007

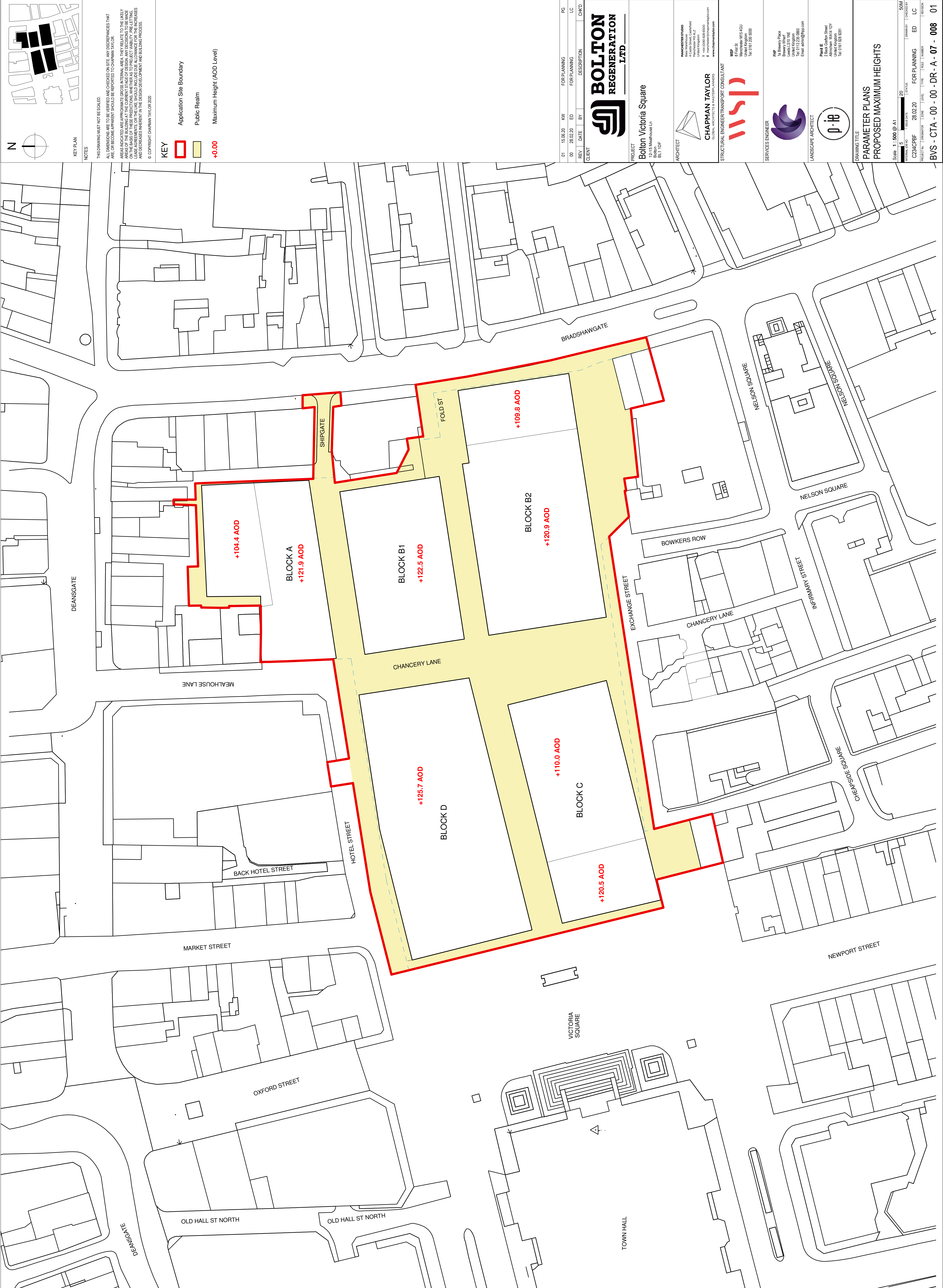
Parameter Plans: Proposed Maximum Heights BVS-CTA-00-00-DR-A-07008 rev 01

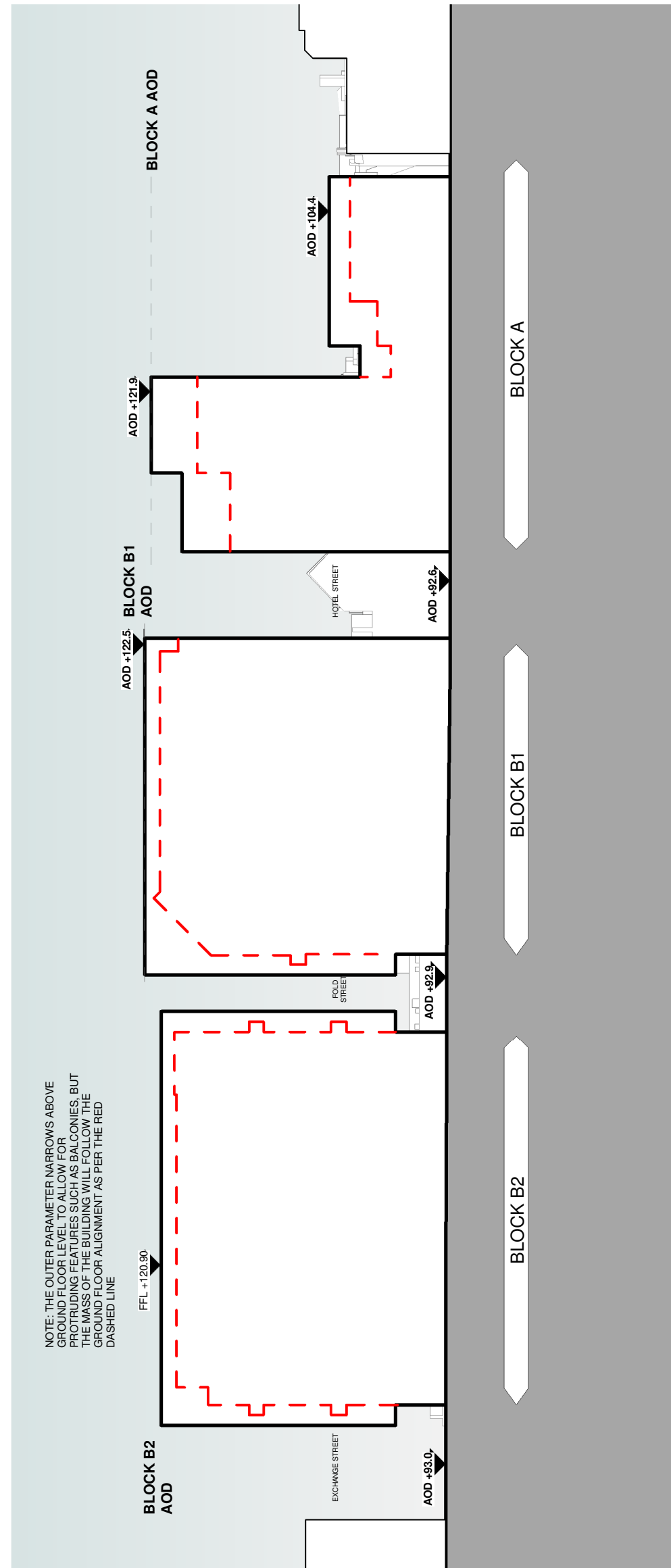
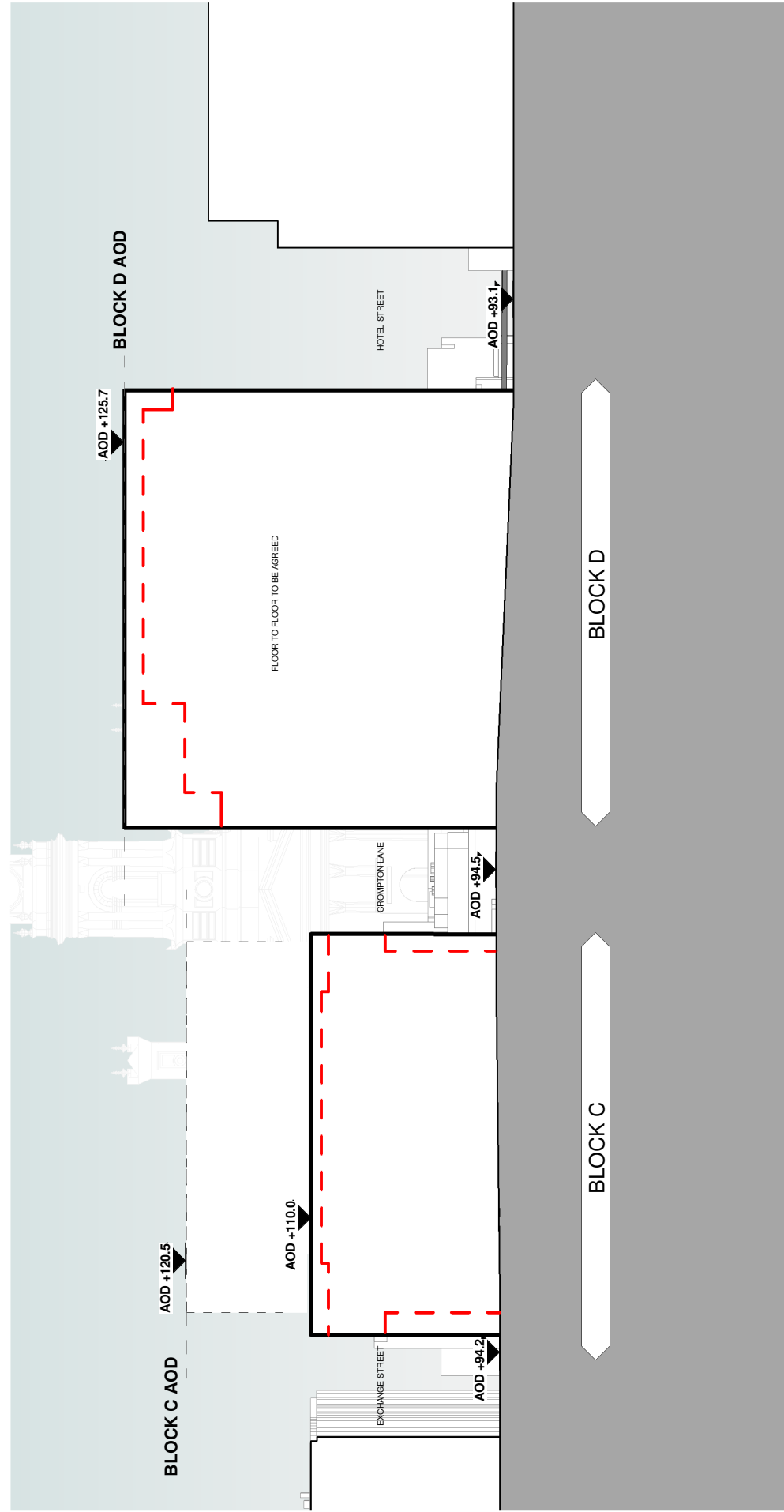
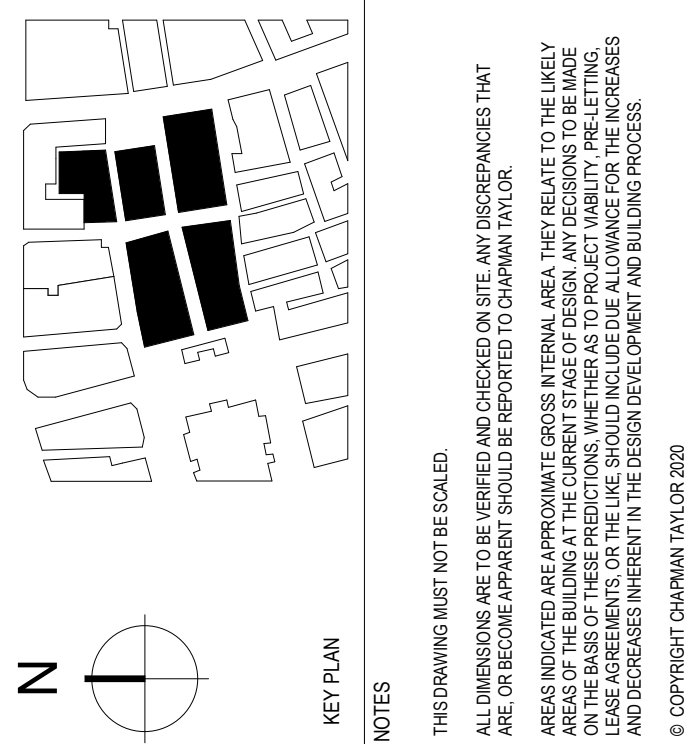
Parameter Plans: Proposed Public Realm and Landscape BVS-CTA-00-00-DR-A-07009

Parameter Plans: Proposed Site Sections BVS-CTA-00-00-DR-A-070010 rev 01

Reason

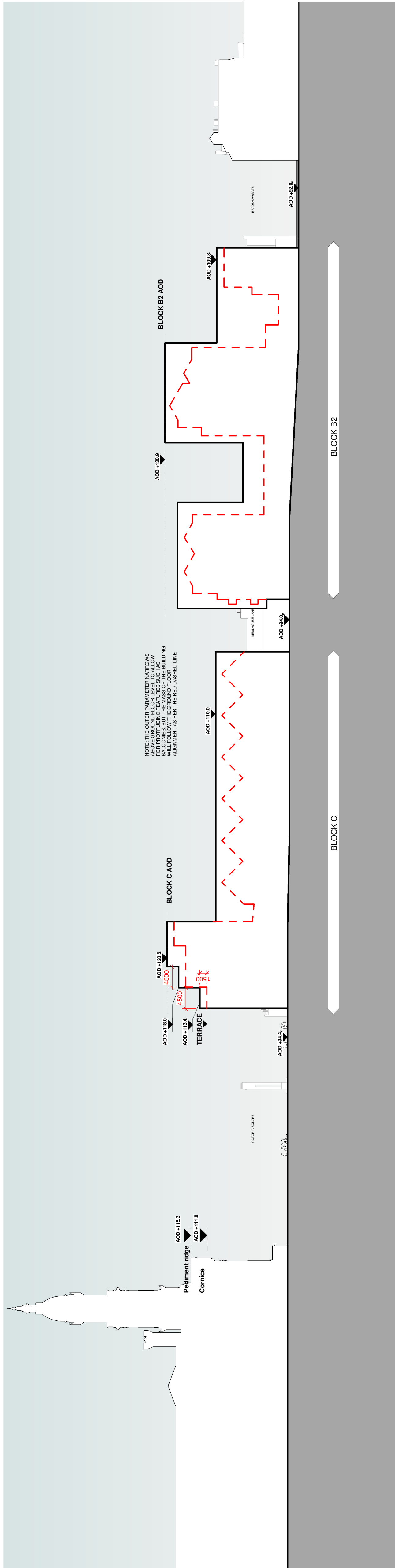
For the avoidance of doubt and in the interests of proper planning.





SECTION A-A'

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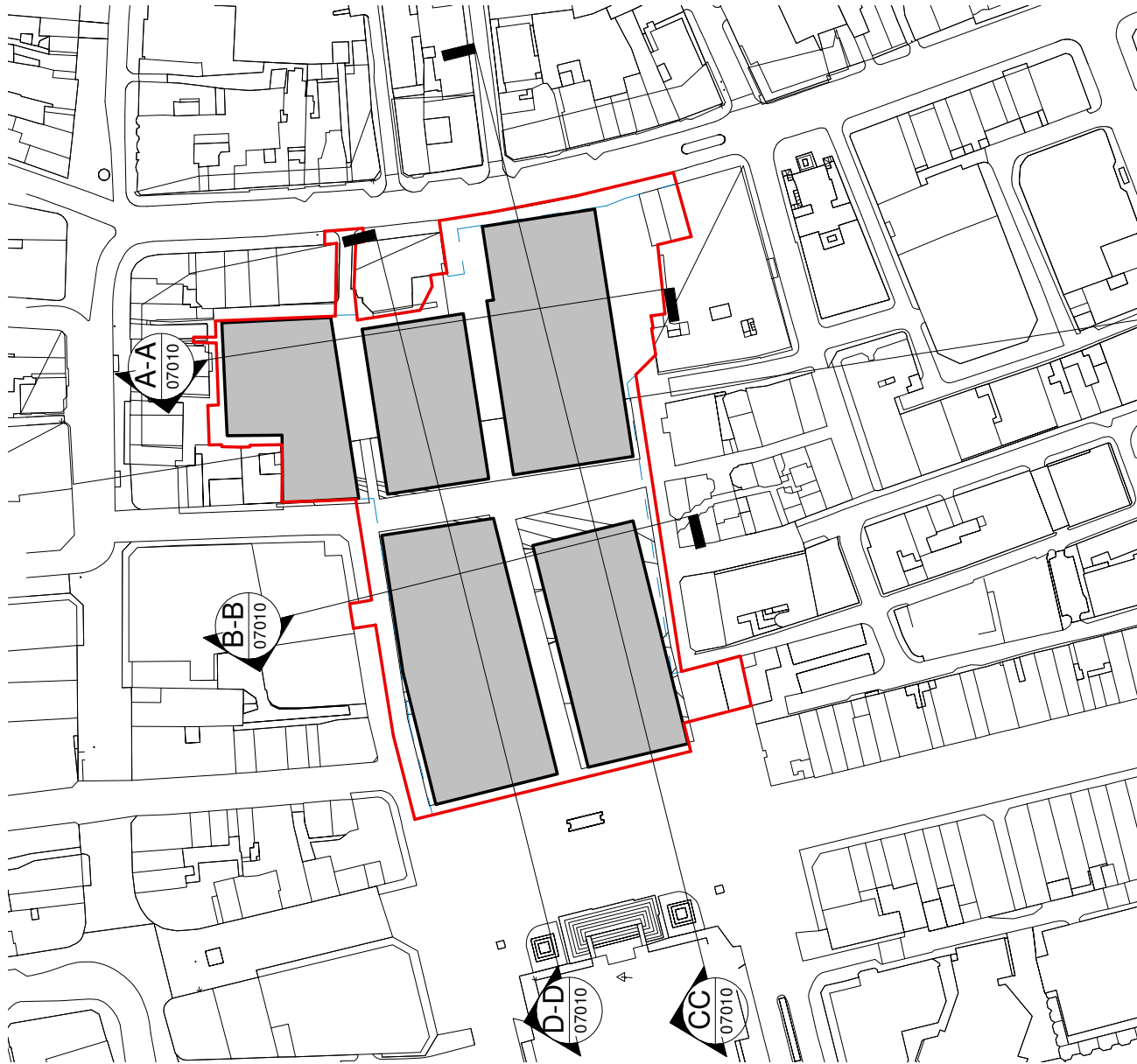
SECTION C-C'

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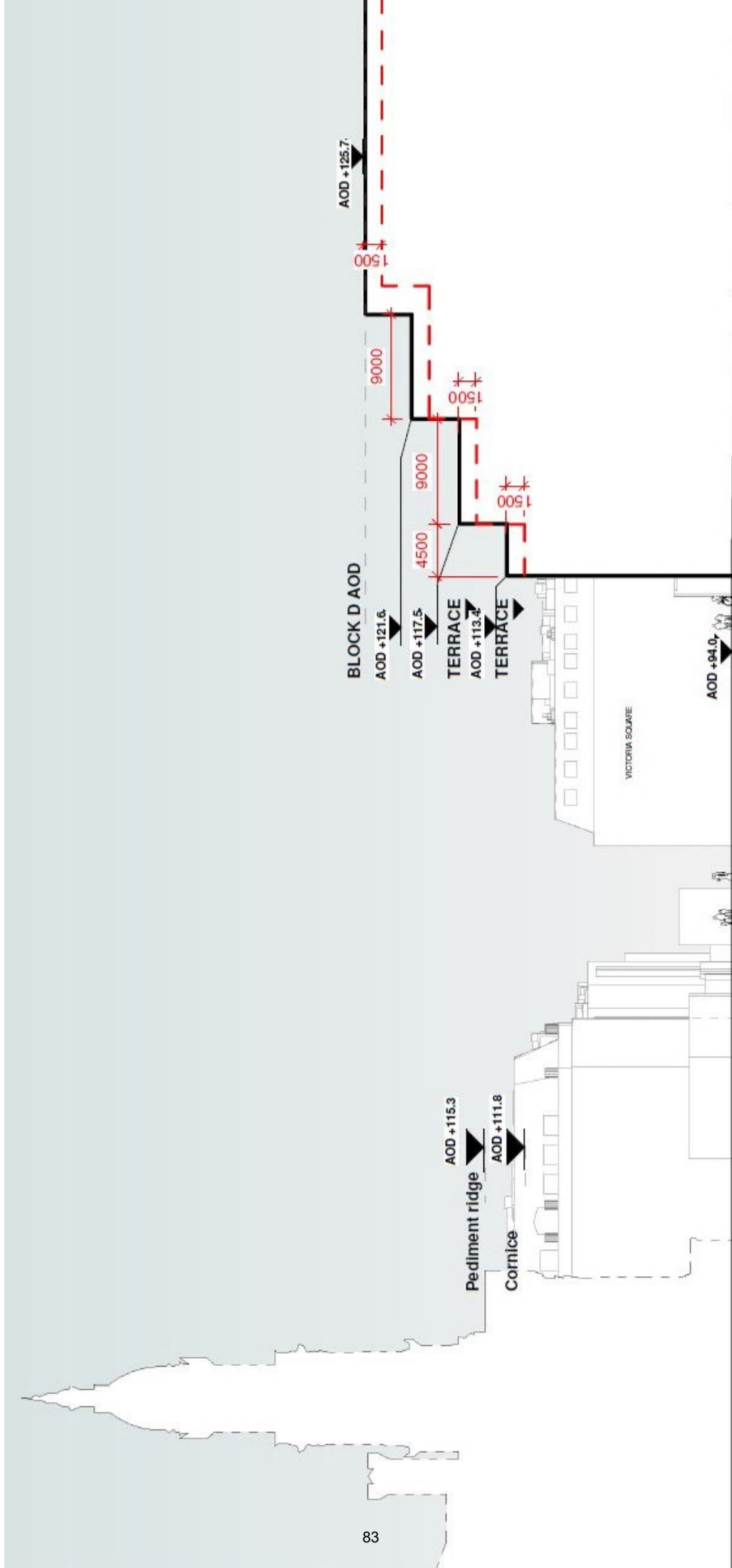
SECTION D-D'

1 : 500



KEY PLAN

CLIENT				PROJECT			
REQ	REV	DATE	BY	DESCRIPTION	CHKD	PC	LC
01	15.06.20	KW		FOR PLANNING			
02	28.02.20	ED		FOR PLANNING			
 BOLTON REGENERATION LTD				Bolton Victoria Square 12-15 Meakins Ln Bolton BL1 1DF			
 ARCHITECT CHAPMAN TAYLOR <small>GENERAL ARCHITECTS & PLANNING SERVICES</small>				 WSP 100-105 Macaulay Rd United Kingdom Tel: 0191 720 3000 E: info@wsp.com			
STRUCTURAL ENGINEERING CONSULTANT  SERVICES ENGINEER				 PJP 200-205 Brewery Wharf 100-105 United Kingdom Tel: 0113 265 0860 Email: design@pjp.com			
LANDSCAPE ARCHITECT 				Plant E 2 Belford Court, West 100-105 United Kingdom Tel: 0191 568 9268			
DRAWING TITLE PARAMETER PLANS PROPOSED SITE SECTIONS Scale: As indicated @ A1							
PREPARED BY C240-PBF		REVISION 28.02.20		STATUS FOR PLANNING		PROPERTY ED LC	
DRAWN BY 10-01		CHECKED BY 10-01		TOLERANCE 10-01		REGION 10-01	
BYS - CTA - 00 - XX - DR - A - 07 - 010 01							



**SUPERCEDED
SCHEME**

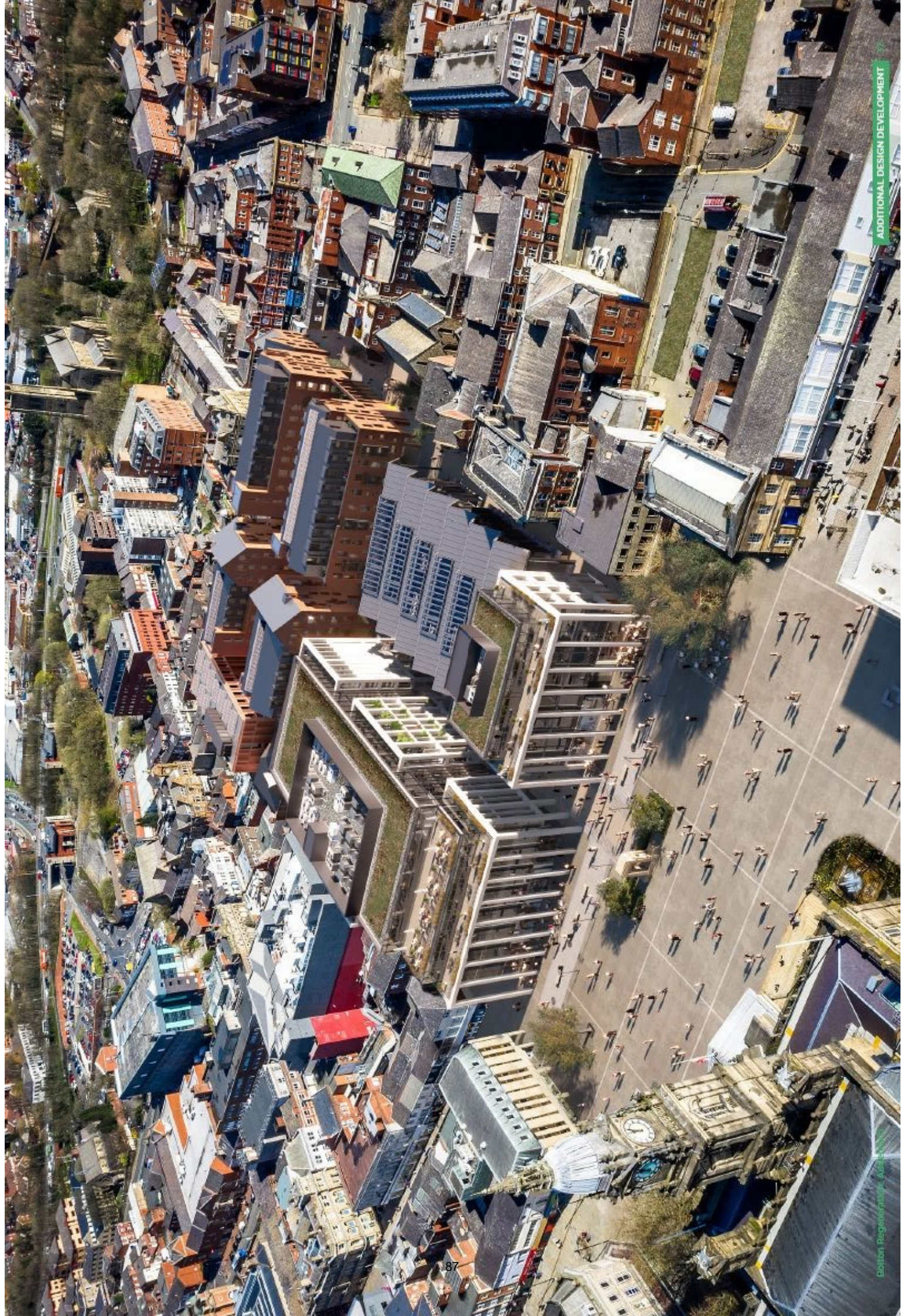


**SCHEME NOW
PROPOSED**









Application number 08088/20



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: 09/07/2020

Application Reference: 08088/20

Type of Application: Full Planning Application

Registration Date: 20/03/2020

Decision Due By: 14/05/2020

Responsible Officer: Adam Mustafa

Location: CHORLEY NEW ROAD, HORWICH

Proposal: SITING OF NEW 20 METRE HIGH PHASE 7 MONOPOLE C/W
WRAP AROUND CABINET AT BASE TOGETHER WITH
ASSOCIATED ANCILLARY WORKS

Ward: Horwich North East

Applicant: MBNL (EE LTD & HUTCHINSON 3G UK LTD)

Agent : WHP

Officers Report

Recommendation: Approve subject to conditions

Executive Summary

1. This application is before Committee at the request of Cllr. Silvester.
- * This is an existing telecommunications site.
- * The Government through the NPPF views an advanced high quality communications infrastructure as being essential for sustainable economic growth and social well-being.
- * The proposal would redevelop the existing installation and would result in the replacement of the existing 20 metre high monopole (supporting 2no. 300mm transmission dishes together with 4no. equipment cabinets) with a 20 metre high monopole (supporting 1no. transmission dish and 2no. existing cabinets with the addition of 6no. additional cabinets).
- * Though no greater in height, the redevelopment would result in additional ground equipment (cabinets).
- * This is an upgrade so no issues arise with regard to proliferation of sites and no alternative locations are required to be considered.
- * The applicant has provided a certificate indicating that the proposed installation will meet the relevant guidelines on public exposure to radiowaves.
- * The Council's telecommunications consultant states in the technical consultee comment, "Note that the installation of 5G does not present any new issues with regard to health and safety".
- * No objections from technical statutory consultees.
- * 2 letters of objections received from local residents. See 'Representation Annex' for details and Officer response.
- * The Officer's recommendation is for approval.

Proposal

1. This application has been submitted on behalf of Three and EE (trading as MBNL). The proposal is to upgrade an existing telecommunications site (previous planning approval ref; 04714/19).

Planning permission is sought for the 'swap out' of the existing 20 metre high monopole (supporting 2no. 300mm transmission dishes together with 4no. equipment cabinets) for a replacement 20 metre high monopole (supporting 1no. transmission dish and 2no. existing cabinets with the addition of 6no. additional cabinets).

2. The application has been submitted on behalf of three providers (it is a shared installation). The monopole is required as an upgrade to 5G.
3. The pole is proposed to be finished in Galvanised Steel. The cabinets would be steel and finished in grey (Goose Grey).

Site Characteristics

4. This is an existing telecommunications site.
5. The existing (and proposed) site is a level grass verge that forms part of adopted highway at Chorley New Road. Chorley New Road is a main transport corridor between Bolton and Horwich.
6. The site fronts dwellings to the north and faces Fowler Industrial Estate to the south.
7. The immediate surrounding streetscape has an array of street lighting and advertising signage.

Policy

8. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses; S1 Safe Bolton; OA1 Horwich and Blackrod.
9. National Planning Policy Framework - Section 10

Analysis

10. Section 10 of the NPPF sets out the Government's general overview regarding supporting high quality communications infrastructure. Paragraph 112 states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Paragraph 113 states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Paragraph 113 states that Local Planning Authorities should ensure that: a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.
11. 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.

12. The main impacts of the proposed development are considered to be:-

- * Site Search and Health Considerations
- * Design and Impact on the Character and Appearance of the Surrounding Area
- * Amenity of Existing Residents and Future Occupiers

Site Search and Health Considerations

13. NPPF Paragraph 112 states that Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Paragraph 113 states that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged.

14. Paragraph 113 states that Local Planning Authorities should ensure that: a) they have evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and b) they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services.

15. It is noted that the proposal would redevelop the existing installation and would result in the 'swap out' of the existing 20 metre high monopole (supporting 2no. 300mm transmission dishes together with 4no. equipment cabinets) for a replacement 20 metre high monopole (supporting 1no. transmission dish and 2no. existing cabinets with the addition of 6no. additional cabinets). Though no greater in height, the redevelopment would result in additional ground equipment. NPPF supports "the expansion of electronic communications networks, including next generation mobile technology (such as 5G)". The monopole is required as an upgrade to 5G. The application has been submitted on behalf of three providers on a shared basis. The proposal would not result in significant additional equipment or the proliferation of masts which is in line with the objectives of the NPPF.

16. This is an upgrade so no issues arise with regard to proliferation of sites. The applicant has indicated that the upgrade is to provide improved telecommunications services in the area and this is accepted. The height of the monopole is previously approved and justified by the radio engineering requirements. The application is an upgrade so no alternative locations were considered. This is generally an acceptable approach where any adverse visual impacts, due to the proposed changes, are incremental.

17. In this case, the proposed structure is no greater in height than the existing installation. The proposed installation will have a greater visual impact than the existing one by virtue of increased number of ground cabinets. The applicant has provided a certificate indicating that the proposed installation will meet the relevant guidelines on public exposure to radiowaves. Officers accept this to be valid.

18. Having regard to the above it is considered that the proposed development would accord with

the guidance contained within section 10 of the NPPF.

Design and Impact on the Character and Appearance of 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 require development to be compatible with the surrounding area in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing landscape and physical environment and ensure that development respects street patterns, the grain and the form of predominant architectural styles and where possible makes sympathetic use of locally distinctive materials such as stone. Core Strategy Policy S1 seeks to ensure that the design of new development will promote road safety.
20. The telecommunications site is adjacent Chorley New Road; a classified road and busy public transport corridor.
21. The siting and appearance of the existing telecommunications equipment is well established.
22. Officers note that the physical appearance would be very similar in terms of mast height, design and nature of supporting equipment and antennas, albeit with a greater number of ground cabinets. Officers also note that the position of the mast would shift slightly towards the west within the site.
23. The mast would be viewed from Chorley New Road in context with the modern industrial units of and entrance to Fowler Industrial Estate. The mast would also be viewed against a backdrop of dwellings. The proposed galvanised steel finish is widely considered the most suitable finish for blending into the urban environment and sky backdrop whilst the grey colour of the ground cabinets would blend into the road/pavement urban backdrop. Officers note that the increase in numbers of ground cabinets would have some harm in the form of clutter.
24. Having regard to the above, being; the minimal changes in siting and appearance of the existing telecommunications equipment; the mast being sited close to a busy classified carriageway and entrance to Fowler Industrial Estate with its associated signage and industrial/commercial paraphernalia, on balance, it is not considered that the proposal would have an unacceptable detrimental impact on the amenity of the area.
25. The Council's Highways Engineers have been consulted on the proposal and have raised no objections and note "the proposed installation will be located in a grass verge at the back of the footway area on Chorley New Road. It will potentially have no impact on pedestrian movement at that location and it should pose minimal road safety implications. There appears to ample area for servicing of the facility clear of the classified road".
26. It is considered that the proposed replacement mast and associated antennae and ground cabinets would not be out of keeping with the surrounding townscape, nor detract from the safety, character and appearance of the nearby streetscene. Therefore, it is considered that the proposal would be of appropriate siting and design and would be in accordance with policies CG3 of the Core Strategy and NPPF Section 10.

Amenity of Existing Residents and Future Occupiers

27. 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.

28. Given the minimal changes in respect of the siting (and appearance) of the proposal it is considered that any issues in relation to residential amenity already exist and the proposal, albeit greater in number of ground cabinets, would not exacerbate this to any unacceptable degree. It is not considered therefore that the introduction of the proposal would have a greater detrimental impact on the level of residential amenity. The applicant has provided a certificate indicating that the proposed installation will meet the relevant guidelines on public exposure to radiowaves. Officers accept this to be valid. The Council's telecomms consultant states in the technical consultee comment, "Note that the installation of 5G does not present any new issues with regard to health and safety".

Conclusion

29. The Government through the NPPF views an advanced high quality communications infrastructure as being essential for sustainable economic growth and social well-being. For the reasons discussed above and on balance, it is considered that the proposed replacement telecommunications equipment would be of appropriate siting, height and design and by replacing an existing pole and antennae would not appear overly prominent within the surrounding townscape, nor cause any significant harm to the amenity of neighbouring residents and to the function and safety of the surrounding highway network.
30. The proposal is therefore considered to comply with the aforementioned national and local planning policies. Members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- 2 letters have been received objecting to the proposal on the following grounds;

- would rather the monopole was sited on the Loco Works site - *Officer comment - this was the original siting of this pole, notice was served by the land owner due to the redevelopment of the Loco Works site thus application 04714/19 was approved to move the pole to the current location.*
- scientific evidence proves such monopoles are unsafe - *Officer comment - The applicant has provided a ICNIRP certificate indicating that the proposed installation will meet the relevant guidelines on public exposure to radiowaves.*

Councillor Silvester has requested that the application be decided at Planning Committee and has objected to the proposal on the grounds of;

- character and appearance - visual obtrusion, clutter of ground cabinets
- disputes that this is a replacement monopole
- no other locations considered

These points have been addressed in the body of the report.

Horwich Town Council:- raised no comment at their meeting of 23rd April 2020.

Consultations:- The Council's Highways Engineers, Corporate Property Services and Engineered Communications Solutions Ltd.

Planning History

04714/19 - APPLICATION FOR PRIOR APPROVAL FOR A 20M HIGH MONOPOLE MAST, WITH ASSOCIATED WORKS - prior approval granted November 2018.

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. The development hereby approved shall not be brought into use unless and until the existing telecommunications development proposed for removal at the application site as shown in proposed site plan drawing ref; **Max Configuration Site Plan, 215 A, 03.03.20** has been entirely and permanently removed.

Reason

To protect the visual amenity of the area and to comply with policy CG3 of Bolton's Core Strategy.

3. Notwithstanding the approved plans, the hereby approved telecommunications mast and associated equipment shall be steel or painted light grey. The telecommunications mast and associated equipment shall remain so coloured thereafter.

Reason

To safeguard the character and appearance of the surrounding area and to comply with Policy CG3 of Bolton's Core Strategy.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 16, Class A (or any Order revoking, re-enacting or modifying that Order) no additional telecommunications cabinets / equipment shall be installed on the site subject to this approval, other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the land and to comply with policy CG3 of Bolton's Core Strategy.

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

Max Configuration Site Plan, 215 A, 03.03.20
Max Configuration Elevations, 265 A, 03.03.20
Cherry Picker/Crane Locations, 005 A, 03.03.20
Access Plan, 003 A, 03.03.20
Site Location Plan, 002 A, 03.03.20

Reason

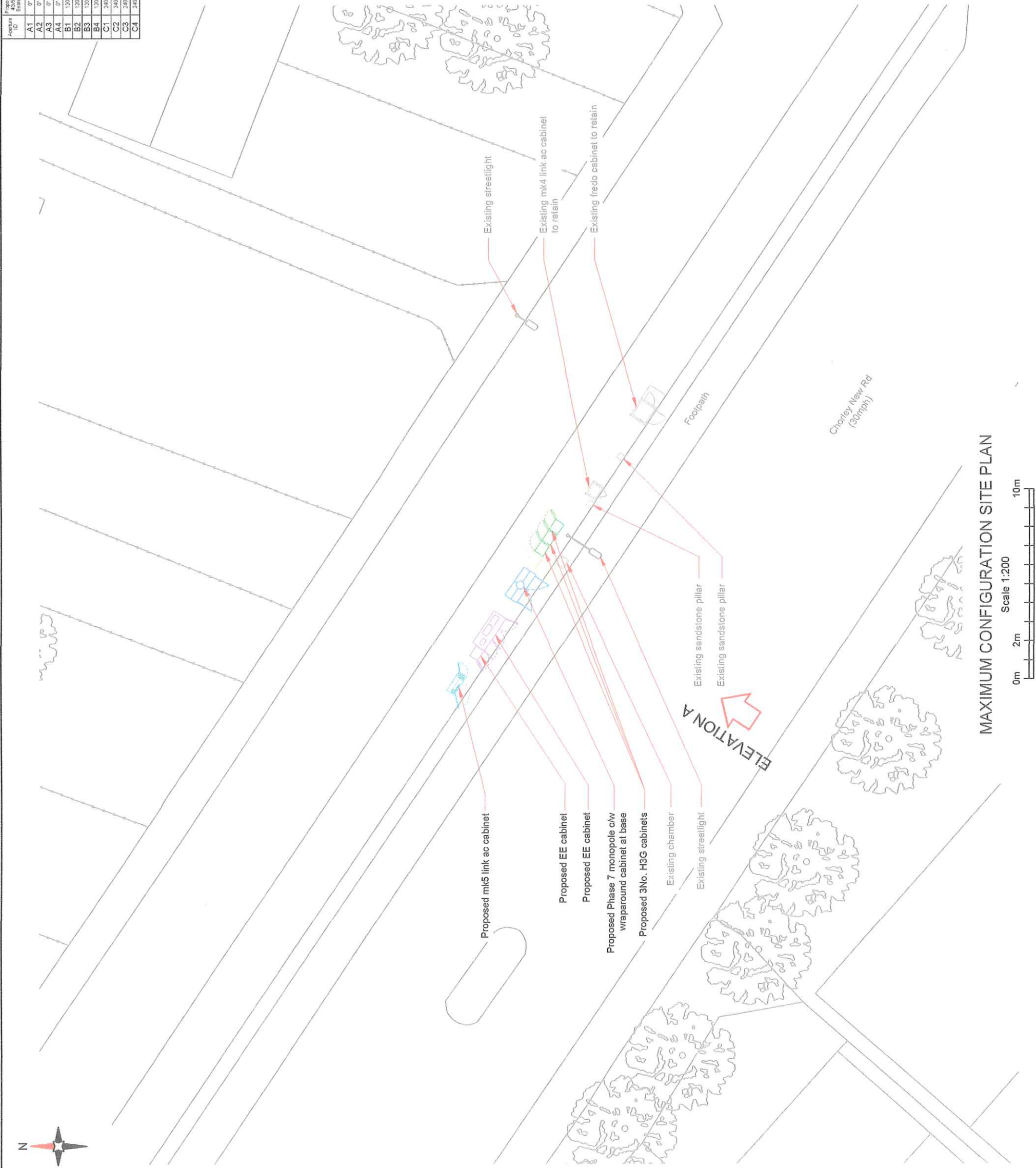
For the avoidance of doubt and in the interests of proper planning.


Aperture ID	Proposed H350 Bearing	Questionnaire Response
A1	0°	EE
A2	0°	H35
A3	0°	EE/H35
A4	0°	EE/H35
B1	130°	EE
B2	120°	H35
B3	120°	EE/H35
B4	120°	EE/H35
C1	240°	EE
C2	240°	H35
C3	240°	EE/H35
C4	240°	EE/H35

Proposed bearings match nomination issued on
14/02/2020

Existing cabinets, monopole and PCC flags to be removed.

20 MAR 2020

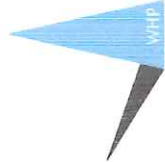


	M001 CDN CDN RN AW	0303/2020 CDN RN AW	ATAP Planning	A
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MBNL
Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:

HW1



Site Name: CHORLEY NEW ROAD DNS

Site ID: 1534943

Address: CHORLEY NEW ROAD
HORWICH
BOLTON
BL6 5PS

Title: 215 MAXIMUM CONFIGURATION SITE PLAN

Project: ATAP

PLANNING

EE Cell ID: 76364	MBNL Cell ID: BLN106	3UK Cell ID: BL0212
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Master Drawing No:
1534943_BLN106_76364_BL0212_M001

Aperture ID	Proposed Aperture Bearing	Operator
A1	0°	EE
A2	0°	H3G
A3	0°	EEH3G
A4	0°	EEH3G
B1	120°	EE
B2	120°	H3G
B3	120°	EEH3G
B4	120°	EEH3G
C1	240°	EE
C2	240°	H3G
C3	240°	EEH3G
C4	240°	EEH3G

Top of Tower +20.0m AGL

C/L of AAU +19.60m AGL

C/L of AAU +18.30m AGL

C/L of Apertures +16.61m AGL

C/L of Apertures +14.61m AGL

C/L of Dish +12.86m AGL

Proposed Phase 7 monopole c/w wraparound cabinet at base

Existing streetlight

Proposed mk5 link ac cabinet

Proposed 2No. EE cabinets

Proposed 3No. H3G cabinets

Existing mk4 link ac cabinet to retain

Existing freda cabinet to retain

MAXIMUM CONFIGURATION ELEVATION A

Scale 1:100



20 MAR 2020

MBNL M001	MBNL	ATAP	Planning	A
03/03/2020	03/03/2020	First Issue		
CDN	CDN			
AW	AW			



Hutchison 3G UK Limited
Bridgeway, 20, Canal Road
Leeds LS10 5BT
Tel: 0113 261 5551
Fax: 0113 261 5551
H3G Mobile Services Information Line
0845 6040000
Available from Sun 11:00am to 7:00pm

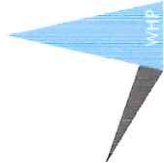


Hatfield Business Park
Hatfield
Hertfordshire
AL10 9BW
Tel: 01707 315000
Fax: 01707 315001



Mobile Broadband Network Limited
Sixth Floor, Thames Tower, Station Road, Reading, RG1 1LX

Design Consultant & Principal Contractor:



WHP Telecoms
Unit 1 Maple Park,
Low Fields Avenue, Leeds
LS12 6HH
Tel: 01133023550
e-mail: info@whptelecoms.com

Site Name:

CHORLEY NEW ROAD DNS

Site ID:

1534943

Address:

CHORLEY NEW ROAD
HORWICH
BOLTON
BL6 5PS

Title:

265 MAXIMUM CONFIGURATION ELEVATION

Project:

ATAP

Purpose of Issue:

PLANNING

EE Call ID:

76364

MBNL Call ID:

BLN106

3UK Call ID:

BL0212

Master Drawing No:

1534943_BLN106_76364_BL0212_M001

Issue:

A

RECEIVED PLANNING APPEALS from 06/02/2020 to 26/06/2020

06480/19 **64 LONGWORTH ROAD, EGERTON, BOLTON, BL7 9TS**

RETENTION OF 2500mm APPROX NETTING TO TOP OF EXISTING FENCE

Decision date: **28-Nov-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **23-Jan-20**

Appeal ref: **APP/N4205/D/19/3243237**

07277/19 **2 OLD SWAN CLOSE, EGERTON, BOLTON, BL7 9UW**

DEMOLITION OF EXISTING GARAGE TOGETHER WITH THE ERECTION OF A SINGLE STOREY EXTENSION TO SIDE WITH DORMER AND RAISING OF THE ROOF HEIGHT BY 900MM

Decision date: **10-Jan-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **20-Mar-20**

Appeal ref: **APP/N4205/D/20/3248643**

07325/19 **7 OAK COPPICE, BOLTON, BL1 5JD**

ERECTION OF DORMER AT REAR TO INCORPORATE LOFT CONVERSION

Decision date: **24-Feb-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **31-Mar-20**

Appeal ref: **APP/N4205/D/20/3248734**

07531/19 **41 LAKESIDE AVENUE, BOLTON, BL3 2HY**

DEMOLITION OF REAR GARAGE, ERECTION OF FRONT CANOPY WITH TIMBER POSTS, TWO STOREY EXTENSION AT SIDE AND REAR TOGETHER WITH DORMER TO REAR.

Decision date: **05-Feb-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **31-Mar-20**

Appeal ref: **APP/N4205/D/20/3249860**

04798/18 **HIGHER CRITCHLEY FOLD BARN, LONGWORTH ROAD, EGERTON, BOLTON, BL7 9PU**

ERECTION OF DWELLING AND STABLES WITH ASSOCIATED ACCESS AND LANDSCAPING TOGETHER WITH CHANGE OF USE OF LAND TO OUTDOOR LEARNING AREA.

Decision date: **11-Mar-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **27-Sep-19**

Appeal ref: **APP/N4205/W/19/3229616**

05815/19 **444A DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9HZ**

CHANGE OF USE FROM A SALON TO A DOG CRECHE/TRAINING UNIT

Decision date: **03-Sep-2019**

Decision: **Refused**

Decision level: **Committee**

Appeal start date: **15-Nov-19**

Appeal ref: **APP/N4205/W/19/3237480**

06222/19 **LAND AT BRIGHTMET STREET, BOLTON**

CERTIFICATE OF LAWFUL DEVELOPMENT FOR THE EXISTING CONTINUED USE OF LAND AS A PAY AND
DISPLAY CAR PARK

Decision date: **26-Jul-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **27-Nov-19**

Appeal ref: **APP/N4205/X/19/3235312**

06301/19 **510 DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9DX**

CERTIFICATE OF LAWFUL DEVELOPMENT FOR PROPOSED USE TO (A1) SECTION 192

Decision date: **24-Feb-2020**

Decision: **Refused**

Decision level: **Delegated**

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

Appeal ref: **APP/N4205/X/20/3249127:**

06588/19 **170 DEANE ROAD, BOLTON, BL3 5DL**

SITING OF 1NO. INTERNALLY ILLUMINATED GABLE MOUNTED ADVERTISING DISPLAY UNIT

Decision date: **27-Sep-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **7-Jan-20**

Appeal ref: **APP/N4205/Z/19/3241315**

05772/19 **LAND REAR OF 15-49 SINGLETON AVENUE, HORWICH, BOLTON**

ERECTION OF 48No DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING

Decision date: **29-Jul-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal start date: **14-Oct-19**

Appeal ref: **N4205/W/19/3237598**

DECIDED PLANNING APPEALS from 06/02/2020 to 26/06/2020

06480/19 **64 LONGWORTH ROAD, EGERTON, BOLTON, BL7 9TS**

RETENTION OF 2500mm APPROX NETTING TO TOP OF EXISTING FENCE

Decision date: **28-Nov-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **4-Mar-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/D/19/3243237**

07277/19 **2 OLD SWAN CLOSE, EGERTON, BOLTON, BL7 9UW**

DEMOLITION OF EXISTING GARAGE TOGETHER WITH THE ERECTION OF A SINGLE STOREY EXTENSION TO SIDE WITH DORMER AND RAISING OF THE ROOF HEIGHT BY 900MM

Decision date: **10-Jan-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **11-Jun-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/D/20/3248643**

07325/19 **7 OAK COPPICE, BOLTON, BL1 5JD**

ERECTION OF DORMER AT REAR TO INCORPORATE LOFT CONVERSION

Decision date: **24-Feb-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **11-Jun-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/D/20/3248734**

07531/19 **41 LAKESIDE AVENUE, BOLTON, BL3 2HY**

DEMOLITION OF REAR GARAGE, ERECTION OF FRONT CANOPY WITH TIMBER POSTS, TWO STOREY EXTENSION AT SIDE AND REAR TOGETHER WITH DORMER TO REAR.

Decision date: **05-Feb-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **11-Jun-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/D/20/3249860**

04798/18 **HIGHER CRITCHLEY FOLD BARN, LONGWORTH ROAD, EGERTON, BOLTON, BL7 9PU**

ERECTION OF DWELLING AND STABLES WITH ASSOCIATED ACCESS AND LANDSCAPING TOGETHER WITH CHANGE OF USE OF LAND TO OUTDOOR LEARNING AREA.

Decision date: **11-Mar-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **31-Mar-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/19/3229616**

05815/19 **444A DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9HZ**

CHANGE OF USE FROM A SALON TO A DOG CRECHE/TRAINING UNIT

Decision date: **03-Sep-2019**

Decision: **Refused**

Decision level: **Committee**

Appeal decision date: **18-Feb-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/19/3237480**

06222/19 **LAND AT BRIGHTMET STREET, BOLTON**

CERTIFICATE OF LAWFUL DEVELOPMENT FOR THE EXISTING CONTINUED USE OF LAND AS A PAY AND
DISPLAY CAR PARK

Decision date: **26-Jul-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **20-Feb-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/X/19/3235312**

06301/19 **510 DARWEN ROAD, BROMLEY CROSS, BOLTON, BL7 9DX**

CERTIFICATE OF LAWFUL DEVELOPMENT FOR PROPOSED USE TO (A1) SECTION 192

Decision date: **24-Feb-2020**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **25-Jun-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/X/20/3249127**

06588/19 **170 DEANE ROAD, BOLTON, BL3 5DL**

SITING OF 1NO. INTERNALLY ILLUMINATED GABLE MOUNTED ADVERTISING DISPLAY UNIT

Decision date: **27-Sep-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **18-Feb-2020**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/Z/19/3241315**

05772/19 **LAND REAR OF 15-49 SINGLETON AVENUE, HORWICH, BOLTON**

ERECTION OF 48No DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING

Decision date: **29-Jul-2019**

Decision: **Refused**

Decision level: **Delegated**

Appeal decision date: **13-May-2020**

Appeal decision: **Allowed**

Appeal ref: **N4205/W/19/3237598**

Summary of decided planning appeals

	Allowed	Dismissed	Total
Total	1	9	10

RECEIVED ENFORCEMENT APPEALS from 06/02/2020 to 26/06/2020

Appeal start date:

Appeal ref:

DECIDED ENFORCEMENT APPEALS from 06/02/2020 to 26/06/2020

Decision date:

Decision:

Appeal ref:

Summary of decided enforcement appeals