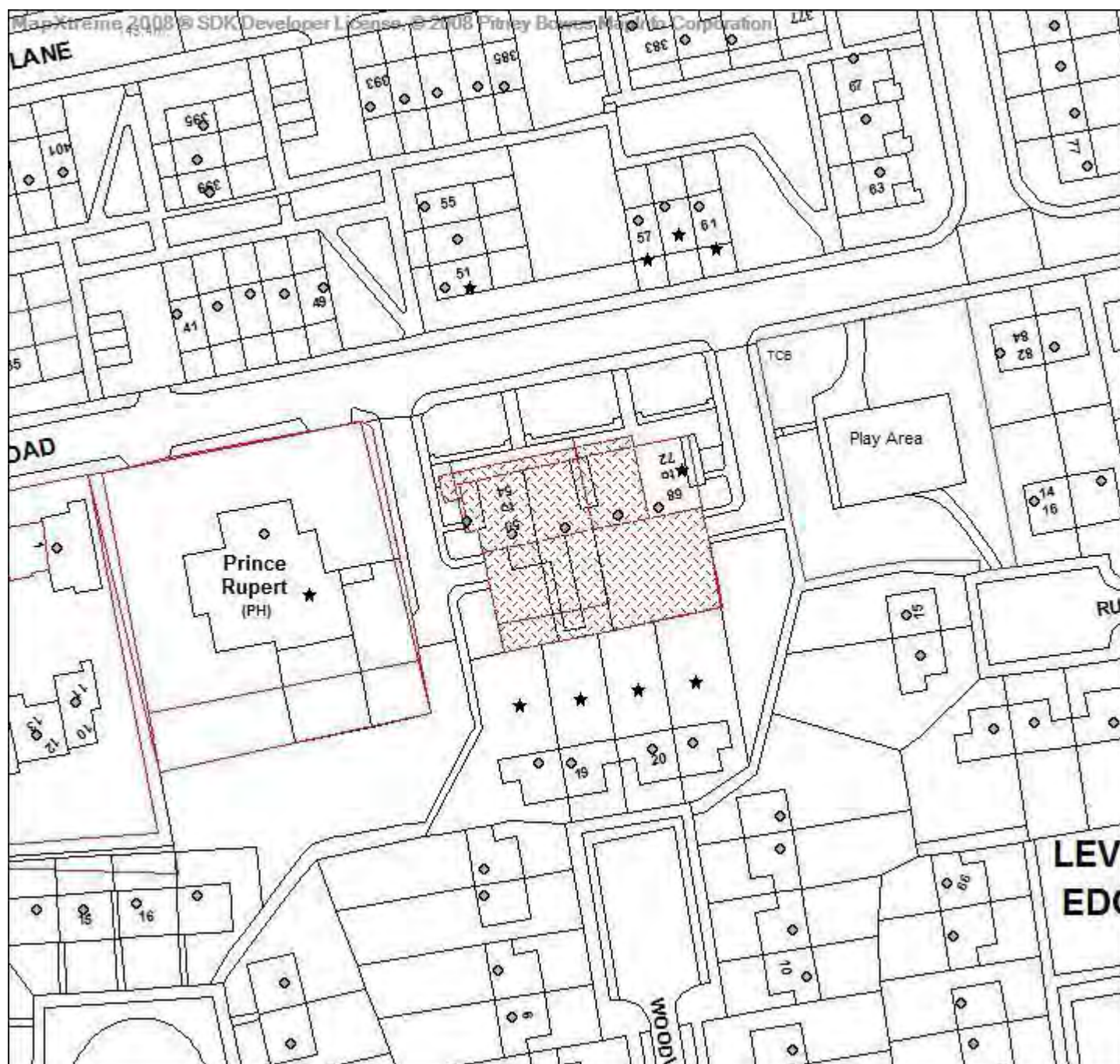


Application number
00037/17



Development & Regeneration Dept
Development Management Section

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

**Bolton
Council**

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Date of Meeting: 27/04/2017

Application Reference: 00037/17

Type of Application: Full Planning Application

Registration Date: 10/01/2017

Decision Due By: 06/03/2017

Responsible Officer: Paul Bridge

**Location: RAISE EDUCATION AND WELLBEING SCHOOL 54-56
HOLMESWOOD ROAD, BOLTON, BL3 3HS**

**Proposal: RETENTION OF 2.0 METRE HIGH MESH SECURITY FENCE TO
FRONT OF PROPERTY**

Ward: Harper Green

Applicant: Raise Education and Wellbeing School

Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought for the retention of 2.0 metre high mesh security fence to front of this property with associated pedestrian gates. The fencing is a mesh design and is powdercoated green. The fence encloses the entrances to the Raise education units located at the ground floor. The fencing was erected to prevent ongoing anti-social behaviour and to improve security to the Raise Education Units.

Site Characteristics

The fence is located to the front of this three storey building which is constructed out of brick with a tiled roof. There are commercial units at ground floor level with residential flats sited on the upper floors.

Policy

National Planning Policy Framework (NPPF)

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

Allocations Plan Policies: None Applicable

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.

Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the building and the surrounding area
- * impact on the amenity of neighbouring residents
- * impact on parking/highway safety

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

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.

The application site is located within the Harper Green area of Inner Bolton. The surrounding area has a mix of boundary treatments consisting of walls, fence and bushes which differ in height (as well as some sites being open plan). The application site occupies an area directly to the front of 54-56 Holmeswood which is set back approximately 10m from the Road and on a slightly lower level.

The mesh fencing encloses the entrances to the Raise education units located at the ground floor and provides additional security and prevent anti-social behaviour. It is considered that the character and visual amenity of the building and wider area is not compromised by the design, which respects the context in which it is set. For these reasons the mesh fencing is considered to be acceptable in terms of its siting and design.

The boundary treatment defines the separation between public and private space. Consequently, it would help to deter criminal activity. In addition, the mesh fencing is designed in such a way as to allow views through it ensuring a level of natural surveillance to the building at ground floor level. Given that the boundary treatment is a maximum of 2m in height, it is considered that it does not appear unacceptably dominant.

It is considered therefore that the fencing does not form an incongruous or obtrusive feature within its setting and does not harm the character of the immediate surrounding area, nor is it detrimental to the visual amenity of the wider surrounding area in accordance with policies CG3 and RA1 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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.

Given the size and siting of the fencing in relation to the residential flats above and nearest to the adjacent properties, it is considered that the mesh fencing does not have a significant impact on neighbouring occupiers in terms of loss of light or an overbearing impact in accordance with Policy CG4.

Impact on Parking/Highway Safety

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.

The proposal would not result in the loss of any existing parking provision and coupled with the size and siting of the fence and the fact that the mesh fencing would be visually permeable, it is considered therefore that the fencing does not have an unacceptable impact on highway safety or parking provision in accordance with policy P5 of the Core Strategy.

Other Issues

Access to the flats for the occupiers of the residential dwellings on the upper floor is maintained. Where necessary the occupiers of the flats have been given the access code to the electronic pedestrian access gates to enable controlled access.

Conclusion

It is considered that the fencing does not have an unacceptable detrimental impact on the street scene, highway safety, design and crime or the amenity of neighbours in accordance with all relevant policies within NPPF and Core Strategy and that there are no other material considerations that outweigh those policies.

Representation and Consultation Annex

Representations

Letters:- two letters have been received in response to the planning application publicity which raise the following concerns:-

- impact on visual amenity (Officer's note: this issue has been address in the appraisal above)
- the applicants did not consult with neighbours before the fencing was erected. (Officer's note: national policy does recommend that applicants consult with neighbours before the submission of a formal application, however this a recommendation and not a statutory requirement)
- loss of business and/or property value. (Officer's note: the loss of property or business value is not a material planning consideration)

Petitions:-None received

Town Council:- N/A

Elected Members:-None received

Consultations

Advice was sought from the following consultees: none.

Planning History

None relevant in this instance.

Recommendation: **Approve subject to conditions**

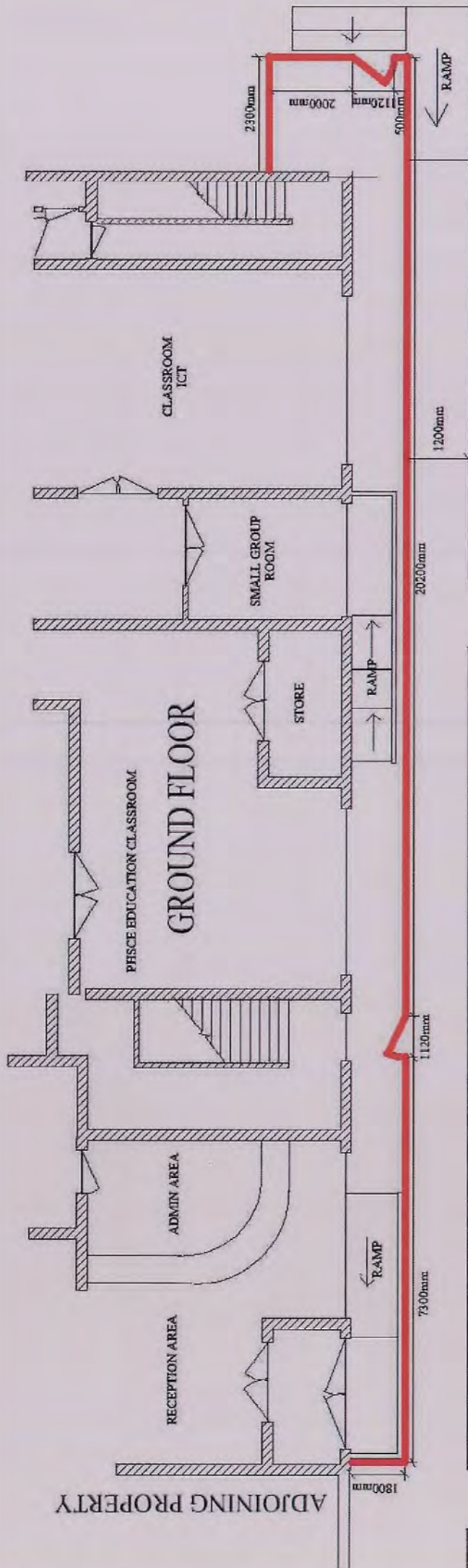
Recommended Conditions and/or Reasons

1. The development hereby permitted shall remain coloured green and maintained in complete accordance with the following approved plans:

Location Plan received 10th January 2017
Ground Floor Plan received 10th January 2017
Photo of Fencing received 10th January 2017

Reason

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



SAFEGUARDING FENCE highlighted in red
 2000mm High 358 Prison Mesh Security Fencing
 Keypad gate entry on a Maglock system
 Fire panel linked to Maglocks for automatic
 release on fire activation

Raise Education and Wellbeing School
 Raise the Youth Foundation CIC
 54-56 Holmeswood Road
 Great Lever
 Bolton
 BL3 3HS
 TEL:-01204 431946
 Date 14/12/16

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Application number 00322/17



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Application Reference: 00322/17

Type of Application: TPO Application

Registration Date: 22/02/2017

Decision Due By: 18/04/2017

Responsible Officer: Stuart Cairns

Location: 3 THE WESLEYS, FARNWORTH, BOLTON, BL4 0JJ

Proposal: FELLING OF ONE ASH TREE.

Ward: Harper Green

Applicant: Mr Alan Pilling

Agent :

Officers Report

Proposal

The applicant would like to fell one Ash tree. Their justification for this is that it is causing the residents to have a diminished quality of life, excessive shading to the properties and severe damp. The tree is subject to a Tree Preservation Order, Bolton 229 (T14)

Site Characteristics

The Ash tree (T1) is situated to the Plodder Lane side of the property on the southern aspect.

Analysis

Section 40 of the Natural Environment and Rural Communities Act (NERC) of 2006 requires all public bodies to have regard to biodiversity conservation when carrying out their functions. Section 197 of the Town & Country Planning Act 1990 places a general duty upon Local Planning Authorities to ensure the preservation of trees, where appropriate.

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should contribute to conserving and enhancing the natural environment. It also states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss

Policy SO12 of Bolton's Core Strategy is as strategic policy and states that one objective of the Core Strategy is to protect and enhance Bolton's biodiversity. Policy CG1.2 of Bolton's Core Strategy states 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. Policy RA1 relates specifically to Inner Bolton and states that the Council will ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate.

The NPPF states in paragraph 109 that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological

conservation interests and soils.

Core Strategy Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.

The Councils Trees & Woodland Manager (CT&WM) undertook a ground inspection of the Ash tree and found it to be a mature tree that has been pruned in the past with good wound occlusion forming in general. The CT&WM noted that there was no evidence of rootplate movement to suggest the stability of the tree was at risk at the time of inspection. The CT&WM also noted that the canopy was healthy and was exhibiting good bud definition and expected shoot extension for a tree of this age, form and maturity. In addition there was no externally visible evidence of fungal brackets or decay on the stem of the tree to suggest their structural integrity was being compromised at the time of inspection.

The canopy of the tree has been raised in the past and slightly reduced to remove overhang to the road and properties. Crown thinning has also been undertaken with good wound occlusion forming in general.

In respect to the points raised for the removal of the tree the CT&WM would note that the applicants have stated that the Ash tree is causing the residents to have a diminished quality of life based upon the following issues.

1. The tree causes severe damp - The CT&WM would note that in the supporting information that the applicants have submitted they have stated there is damp and green mould on the inside floor and walls of the property. However they do not state how this is related to the tree. The tree has been crown raised in the past with the lower canopy of the tree having been raised to improve air circulation around the roof lines of numbers 2 & 3 The Wesleys.

The CT&WM would note that internal damp is usually caused by one of two things: either a sudden increase in the amount of moisture entering the building, or a gradual local build-up of moisture caused by its inability to escape. It is noted that the applicant has stated that they have installed an air filter into the property which should reduce the issue. If there is water ingress into the property this may be due to a requirement for the gutters to be cleared, however it is considered that with regular maintenance blocked gutters can be avoided.

2. The tree causes excessive shading to the properties – The tree has been crown raised and thinned in the past to improve the light filtration to the properties on the underside of the canopy. It is considered that for most of the day the light filtration to the south facing windows will be restricted to the stem of the tree. It is worthy of note that the western elevation, south facing window of the applicants property will be heavily shaded during the morning hours due to the building design of the property (see attached photos). The CT&WM does not concur that the tree is blocking the street lamp as it is some distance from the tree.

There are two paved areas to the south of 2 The Wesleys, one closest to the property and one closer to the Plodder Lane highway. Whilst it is noted that there is some movement to the flags nearest the front wall and gated entrance with Plodder Lane it is considered that this could be repaired, and should not result in the loss of the tree. The CT&WM notes that there are four trees along the frontages of 1-3 The Wesleys and each tree has been pruned in the past to improve light filtration to the properties/gardens. Each tree in its own right will create some shading issues at some point during daylight hours to the properties. However the CT&WM does not consider this should form sufficient reason for the removal of a healthy tree of high visual

amenity.

3. Trees branches fall off the tree – The CT&WM notes that there was no evidence of dead, dying or damaged branches that would pose a potential damage hazard to members of the public or property at the time of inspection. It is considered that regular maintenance of the tree in line with the applicants duty of care should prevent any potential damage hazards taking place and therefore this should not form a reason for the removal of the tree.
4. Berries and leaves constantly fall from the tree. It should be noted that this is a seasonal issue and a natural phenomenon and should not form reason for the removal of a healthy tree.
5. Effects of the tree roots to the area at the back of the property - Whilst the CT&WM has not seen the alleged damage to the flags at the rear of the property he would consider that if the tree is causing a change to the plane of the land that this would be evidenced by damage to the properties; none of which was evident at the time of inspection.

The applicant has not indicated on the application form (section 8 Additional Information Part 2 Alleged Damage to the property) if they consider subsidence to be an issue. The CT&WM notes that should additional evidence be supplied in respect to this issue that the Council's tree officers would be willing to consider this information further.

6. In respect to the previous drain repair issues the CT&WM notes that no evidence of this has been supplied as part of this application. However he would consider that if the repair was correctly undertaken then there should be no reason to assume that the drain would become damaged a second time.
7. In respect to the alleged damage caused by mould to the garage roof the CT&WM would consider that as the garage is some distance away from the tree it is unlikely that the tree is the sole reason for the formation of the mould.
8. Cleaning of gutters – The CT&WM notes that leaf fall into gutters can be reduced by the use of gutter guards and thus will reduce the requirement and frequency to have the gutters cleaned.
9. The Applicant cannot have Sky TV – The CT&WM notes that no evidence from the Applicant or their Sky provider in respect of this claim has been submitted for consideration.

Based upon the above information the CT&WM considers that the reason stated for the removal of the Ash tree are not justified and therefore the application is not supported.

Conclusion

It is considered the works specified within the application are in excess of good arboricultural practice. The specified works would have a detrimental impact upon the amenity and character of the area, and would be contrary to CG1.1 and CG1.2 of Bolton's Core Strategy, Safeguarding trees, woodlands and hedgerows.

It is therefore recommended that Members refuse the application to fell the Ash tree.

Representation and Consultation Annex

Representations

Elected Members:- Councillor Howarth has requested that the application be heard at Planning Committee.

Planning History

Ref. No: 87035/11: Pruning Of One Ash Tree at 3 The Wesleys, Farnworth, Bolton, BL4 0JJ |

Received: Wed 26 Oct 2011 | Validated: Wed 26 Oct 2011 | Status: Decided - Approved

Ref. No: 74397/06: Pruning Of One Ash Tree at 3 The Wesleys, Farnworth, Bolton, BL4 0JJ |

Received: Tue 30 May 2006 | Validated: Tue 30 May 2006 | Status: Decided – Approved

Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The Ash tree (T1) is a healthy specimen, and its removal would be contrary to CG1.1 and CG1.2 of Bolton's Core Strategy, Safeguarding trees, woodlands and hedgerows in that it would result in the unacceptable tree loss, to the detriment of the character, appearance and amenity of the surrounding area.



T1 Ash tree viewed from Plodder Lane



T1 Ash tree viewed from Plodder Lane



T1 Ash tree crown raised in the past.



T1 Ash tree viewed from Plodder Lane



Photo taken at 10.50hrs (23/3/17) – shows shading



The CT&WM noted that there was no evidence of

by the stem of the tree rather than the canopy. Note shading to side window at No. 2 The Wesleys is from the building itself.

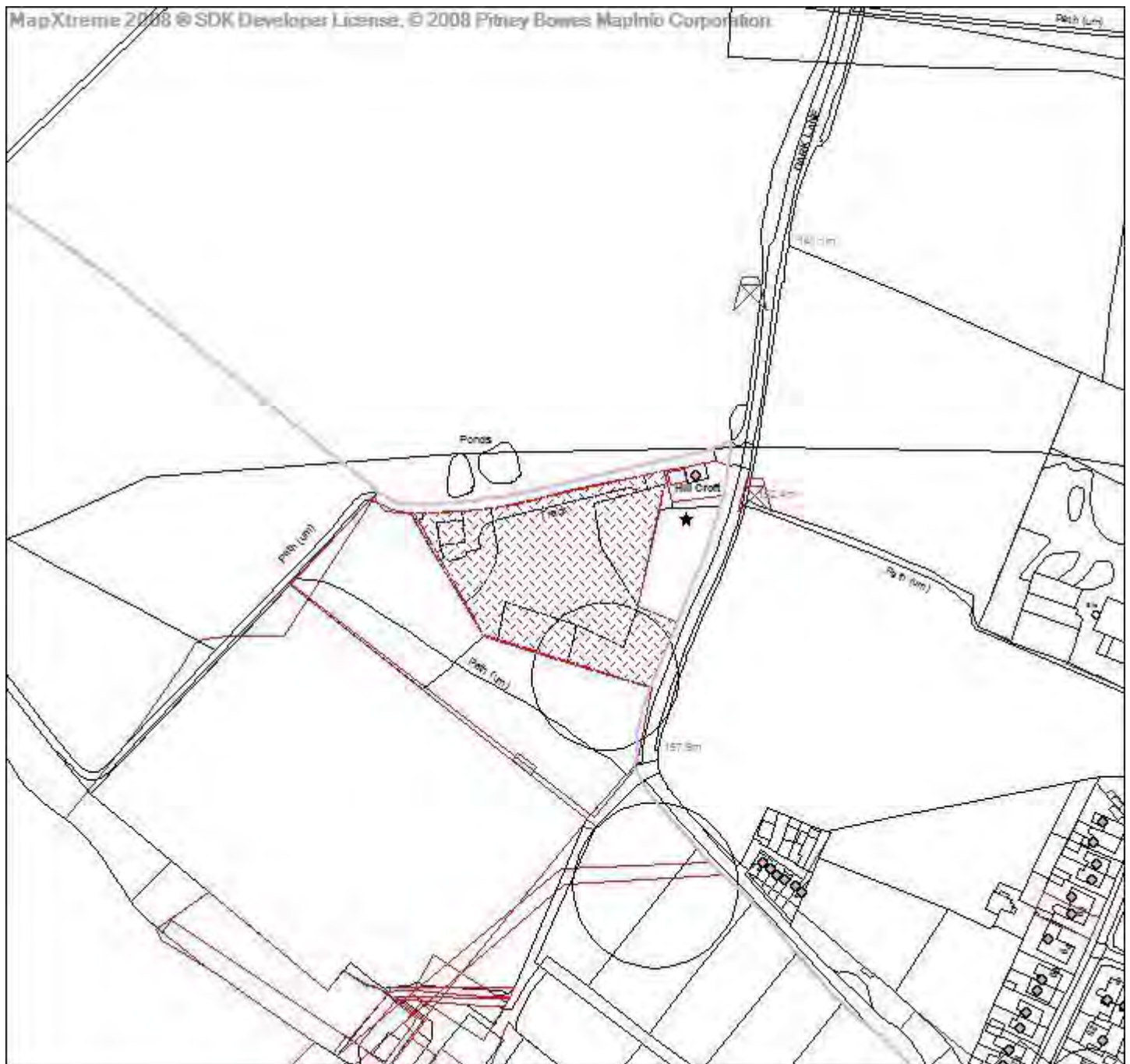
rootplate movement to suggest the stability of the tree was at risk at the time of inspection.



No damage evident to the front of the property. The tree is approx. 5.2 metres from the southern elevation.



Application number
00095/17



Development & Regeneration Dept
Development Management Section

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Date of Meeting: 27/04/2017

Application Reference: 00095/17

Type of Application: Full Planning Application
Registration Date: 18/01/2017
Decision Due By: 14/03/2017
Responsible Officer: Helen Williams

Location: HILLCROFT, DARK LANE, BLACKROD, BOLTON, BL6 5JL

Proposal: CHANGE OF USE AND CONVERSION OF STABLE TO DWELLING
TO INCLUDE CHANGE OF USE GRAZING LAND TO DOMESTIC
CURTILAGE.

Ward: Horwich and Blackrod

Applicant: Mr P Byron
Agent :

Officers Report

Recommendation: Refuse

Proposal

Permission is sought for the change of use and conversion of the stable building to a dwelling and part of the surrounding open land to a domestic curtilage (garden areas). The stable building was erected circa 2009/10.

The detached stable building is of a blockwork construction with Marley Modern roof tiles. The proposed external finish is of random stone cladding. The building has several modest windows and functional door openings, with roof lights in both roof planes (which would all continue be utilised in the proposal). A limited number of new window openings would be formed.

The applicant has submitted that the adjacent sand paddock would remain in situ (not be included within the proposal). A hard surfaced parking area and domestic bin store area would separate the sand paddock from the proposed dwelling.

The proposal also includes works to increase structural load where required, works to widen the foundations and weather proofing and insulation works.

Since the initial submission the applicant has amended the proposed domestic curtilage plan to show the proposed curtilage "red edged" and the wider site ownership "blue edged". Neighbours have been reconsulted on the amended plan.

Site Characteristics

The 0.7 hectare application site is located off Dark Lane within the Green Belt. Stables at 'Hillcroft' lie approximately 95 metres to the east. Open agricultural land lies to the north and west. The nearest residential property (18 Dark Lane) is approximately 190 metres in distance to the south east of the

application site. Crowshaw Farm lies approximately 200 metres to the south, Longworths Tenement Farm lies approximately 250 metres to the east and Little Scotland and the built up area of Blackrod starts 300 metres beyond to the east.

The application site comprises stables and surrounding open land. The stable building and adjacent sand paddock lie approximately 1.3 metres lower than, and to the west of, the main field. An existing embankment forms the proposed curtilage boundary. The stable building is barely visible from Dark Lane.

The original and existing vehicular access is to the north of the site, off Dark Lane. A new vehicular access into the site off Dark Lane has planning consent (to the north of the layby), the new access crosses the field to the south of the stable development (93652/15).

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA1 Blackrod and Horwich.

Allocations Plan Policies: CG7AP Green Belt.

SPD Accessibility, Transport and Safety.

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.

Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the character and appearance of the area
- * impact on highway safety
- * impact on ground stability

Impact on the Purposes and Openness of the Green Belt

Section 9 of the National Planning Policy Framework (NPPF) concerns protecting Green Belt land. The Government attaches great importance to Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 continues

that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 90 of the NPPF states that certain forms of development are not inappropriate development in Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include [amongst other things] the re-use of buildings provided that the buildings are of permanent and substantial construction.

Policy CG7AP of the Council's Allocations Plan reflects the national Green Belt policy contained within section 9 of the NPPF.

The proposed conversion of the stable building would constitute the re-use of a building that is of permanent and substantial construction. The applicant has submitted details of the work required to enable the residential conversion and the Council's Building Control Officers have advised that the applicant's structural report confirms that the building would be suitable for the proposed change of use. The proposals do not comprise any extension to the existing footprint, scale or height of the existing building.

For the proposed development to be considered "not inappropriate development in Green Belt" the proposal must preserve the openness of the Green Belt and not conflict with the purposes of including land in Green Belt (paragraph 90 of the NPPF).

The proposed use of the building, as residential, is an inappropriate use within the Green Belt, however "barn conversions" within the Green Belt are often accepted given that these buildings are already there and that there is no further harm to the openness of the Green Belt from the re-use of these buildings. Unlike a traditional barn conversion, this proposal would convert a newly (circa 2009/10) built stable building which, unlike traditional farm buildings, does not have the same heritage or aesthetic value. It is however accepted that the residential re-use of the building (in itself) would not have a greater harm on the openness of the Green Belt than its current stable use as no extensions are proposed.

Officers however consider that the determining issue in this case is the proposed change of use of land around the building to residential/domestic curtilage. The size of the proposed curtilage (at approximately 1,800 sq metres including the building footprint) is not considered to be limited in scale.

It is noted that the applicant proposes this area as curtilage to the dwelling as it follows the existing topography of the site (it is at a naturally lower ground level than the surrounding land) and that the site is not particularly visible from public areas, however the proposed domestic use of this land has the potential to change the character and appearance of the site (from rural to domestic) and the openness of the Green Belt in this location. Whilst the local planning authority could remove permitted development rights from the proposed residential curtilage (which would restrict such developments as extensions, outbuildings and fencing) it could not restrict the erection of domestic paraphernalia on the land (such as garden furniture, washing lines, swings, wendy houses, etc.) which do not require the benefit of planning permission and by their very nature would alter the character and openness of the area.

Trees and shrubs could be planted around the boundaries of the proposed curtilage to the dwelling, which would help screen the development from wider views, however it would be very difficult for the local planning authority to condition the retention of this landscaping and the proposal should not

have to rely on substantial screening to make it acceptable.

Whilst the proposed development would be distant from the nearest neighbouring dwellings in the area (and therefore would not lead to the unrestricted sprawl of the built up area of Blackrod) it would however represent encroachment into the countryside and would not assist in urban regeneration (paragraph 80 of the NPPF).

For the reasons discussed above, it is considered that the proposed development (by virtue of the proposed residential use and extent of the proposed residential curtilage) would represent inappropriate development in the Green Belt as it would not preserve the openness of the Green Belt and would conflict with the purposes of including land in the Green Belt. It is therefore considered that the proposed development would be contrary to section 9 of the NPPF and Bolton's Allocations Plan Policy CG7AP.

Impact on the Character and Appearance of the Area

Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, 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 states that the Council will ensure that development in Horwich and Blackrod 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.

The site is located off the western side of Dark Lane within a Green Belt location. The nearest residential property (no. 18 Dark Lane) is approximately 190 metres in distance to the south east of the application site.

The proposals do not comprise any extension to the existing footprint or height of the stable. The stable building and sand paddock lie approximately 1.3 metres lower than, and to the west, of the main field, the stable building is approximately 110 metres from Dark Lane.

The proposal involves the residential conversion of the stable building to provide a four bedroom, single storey dwelling. The stable building is of a blockwork construction with Marley Modern roof tiles. The proposed external finish is random stone cladding. The building has several window and door openings and roof lights in both roof planes, which would all be utilised in the proposal. A limited number of new window openings would be formed, being two small openings in the currently blank rear/west elevation and two additional glazed doors in the side/south elevation. The existing roller shutter entrance (east elevation) would be glazed and minor alterations would be made to the existing pedestrian access door. The windows have stone cills and are recessed and window frames would be dark grey UPVC.

The proposed vehicle access and hardstanding would be crushed stone planings.

The proposal also involves the change of use of the immediate surrounding open land to domestic garden, which has been discussed above.

It is not considered that the proposed alterations to the building (to accommodate the proposed dwelling) would significantly harm the character and appearance of the area given the limited proposed changes.

Impact on Highway Safety

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] servicing arrangements. Policy S1.2 states that the Council will promote road safety in the design of new development.

A new vehicular access into the site off Dark Lane has planning consent (to the north of the layby), which would cross the field to the south of the stable development (93652/15). The access would be constructed of stone and is to be 4.5 metres wide, with a steel field access gate being set back 6 metres from the new junction with Dark Lane. A post and rail fence would be erected on either side of the entrance to the access.

The Council's Highway Engineers have raised no objection to the proposal, providing that the same conditions are applied as with planning consent 93652/15, which stipulate that the entrance to the access has 6 metres radii and visibility splays of 2.4 metres by 45 metres. The proposed field gate will be set back 6 metres from Dark Lane, to allow for vehicles to pull in off Dark Lane before opening the gate.

It is considered, subject to conditions, that the proposal would not jeopardise highway safety, compliant with Core Strategy Policies P5 and S1.2.

Impact on Ground Stability

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

The Coal Authority has raised no objection to the proposal and therefore it is considered that the proposal would comply with Policy CG4.3 of the Core Strategy.

Other Matters

Greater Manchester Ecology Unit (GMEU) have reviewed the submitted bat report and as the proposal is conversion and not demolition, recommend that a pre-cautionary emergence bat survey be undertaken during the period May to August prior to commencement of development. GMEU recommend that this be conditioned.

The Council's Greenspace Management Team have raised no objection to the proposal and recommend that a bat survey is conditioned to be undertaken prior to commencement of development, should the application be approved.

The Council's Drainage and Technical Support Team have raised no objection to the proposal.

The Council's Landscape Design Team have commented that details of boundary treatments and hard and soft (trees and shrubs) landscape proposals are required before determination since this is a very sensitive site. Boundaries and gates should be in keeping with the rural nature of the site and there should be mixed native species hedges wherever possible. The hardstanding around the building should be kept to a minimum to reduce visual impact on the countryside. The gateway off Dark Lane should be treated in as low key way as possible, to look like a farm access, and to avoid suburbanising the appearance of this section of Green Belt land.

Local finance considerations

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:

New Homes Bonus for the one proposed dwelling – this is not a material planning consideration.

Conclusion

For the reasons discussed above, it is considered that the proposed development by virtue of its residential use and the scale of the proposed residential/domestic curtilage would harm the purposes and openness of the Green Belt, contrary to section 9 of the NPPF and Bolton's Allocations Plan Policy CG7AP.

Members are therefore recommended to refuse the application for this reason.

Representation and Consultation Annex

Representations

Letters:- One letter has been received from a resident of Dark Lane objecting to the proposal on the grounds of:

- * Impact on the Green Belt

Reconsultation - No further comments received.

Town Council:- Blackrod Town Council proposed no comment to this application at their meeting of 6th February 2017 and requested that health and safety aspects are sought as this is a development within the identified Hazard Zone that surrounds the pumping station.

Consultations

Advice was sought from the following consultees: The Council's Highways Engineers, Drainage and Bridge Maintenance, Greenspace Management, Landscape Development and Design, Building Control, The Coal Authority and Greater Manchester Ecology Unit.

Planning History

Prior Approval was refused for the proposed change of use of agricultural building to dwelling house (Use Class C3) in June 2016 (96496/16).

Permission was granted in July 2015 for the formation of vehicular access to the stable block (93652/15).

Permission was granted in March 2009 for the erection of one stable block (81541/09).

An application for the erection of one stable block was refused in September 2008 (80599/08).

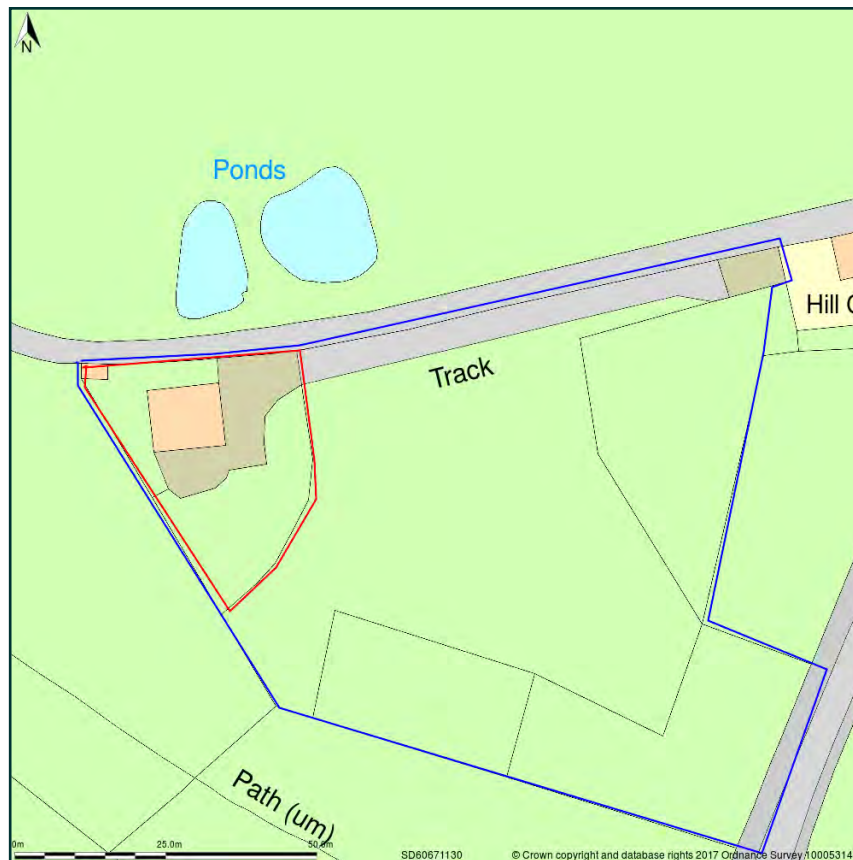
A sand paddock, rail fencing, hardstanding and floodlighting were approved in July 2006 (74428/06).

Recommendation: Refuse

Recommended Conditions and/or Reasons

1. The proposed development by virtue of its proposed residential use and scale of domestic curtilage represents inappropriate development within the Green Belt and the Applicant has provided no very special circumstances to outweigh the harm caused to the purposes and openness of the Green Belt, and the proposal is contrary to national guidance contained within section 9 of the National Planning Policy Framework and Policy CG7AP of Bolton's Allocations Plan.

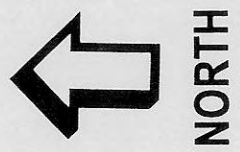
Hillcroft, Dark Lane, Blackrod, Bolton, BL6 5JL



Site Plan shows area bounded by: 360599.41, 411233.14 360740.83, 411374.56 (at a scale of 1:1250), OSGridRef: SD60671130. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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HILL CROFT

existing barn to be converted into dwelling

bin storage area

hard surfaced parking area

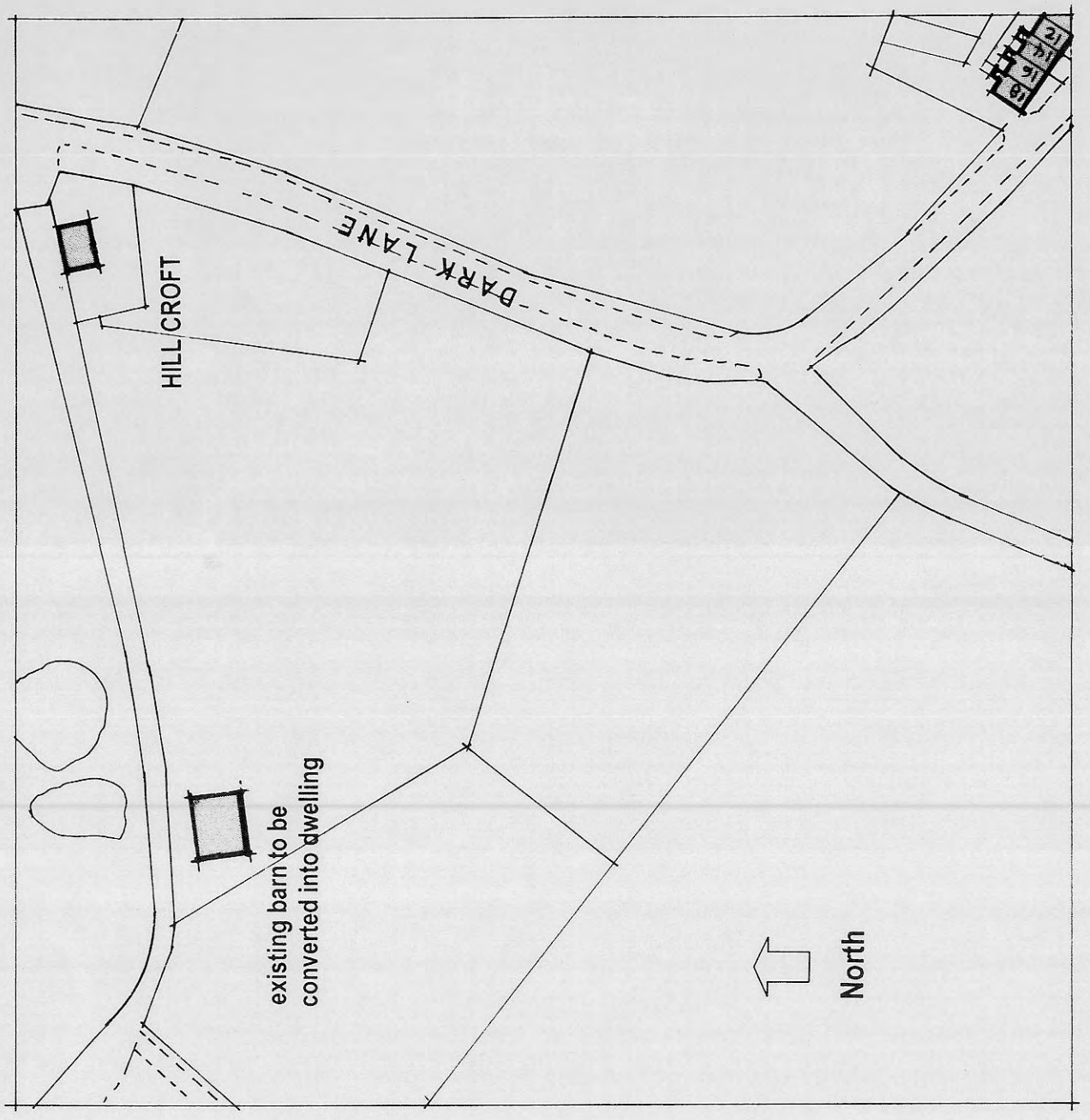
sand paddock

proposed package treatment plant

proposed site of soakaway

DARK LANE

SITE PLAN 1:500



LOCATION PLAN 1:1250

BOLTON COUNCIL
DEVELOPMENT & REGISTRATION
19 JAN 2017

scale: as indicated
date: Nov. 2015

project address

PROPOSED CONVERSION OF
BARN INTO DWELLING HOUSE,
HILL CROFT,
DARK LANE,
BLACKROD.
BL6 5JL.

drawing number

PB/11/16

Application number
00155/17



Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 27/04/2017

Application Reference: 00155/17

Type of Application: Full Planning Application

Registration Date: 07/02/2017

Decision Due By: 03/04/2017

Responsible Officer: Helen Williams

Location: NEVY FOLD FARM, OLD LANE, HORWICH, BOLTON, BL6 6QL

Proposal: DEMOLITION OF FARM BUILDING AND ERECTION OF 4No STABLES.

Ward: Horwich North East

Applicant: Miss Claire Wilkinson

Agent :

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the demolition of a brick built storage building at the farm and its replacement with a stable block containing four stables. The stables would be attached to an existing open barn (metal cladded roof supported by steel posts), which would be converted into a storage area (board cladding would be erected to create an enclosed space). The space between the proposed stables and storage area would however remain open at the front and rear, but would be gated with low gates.

The resultant stable building would have a mono-pitched roof (as existing) and would measure 2.7 metres to the eaves (at the eastern front elevation) and 3.8 metres to the ridge (at the western rear elevation): the same height as the former storage building and open barn. The stables would be constructed of treated timber board cladding (above a base wall of random stone), would have a fibre cement sheeted roof, and would be 21.7 metres long and 6.2 metres deep.

A yard area (measuring 3.7 metres by 21.7 metres) is proposed immediately to the east of the proposed stables.

Site Characteristics

The stable building is proposed to the rear (south) of the farmhouse and former piggery building at Nevy Fold Farm. It would replace a brick built storage building (which is already partially demolished/fallen down) and would be attached to an existing open barn (metal cladded roof supported by steel posts).

The farm is located within Green Belt and occupies approximately 5 hectares of land (the majority being open fields to the south and east).

Neighbouring the farmhouse to the west is the dwelling "The Barn", which was formerly part of Navy Fold Farm. This property has a stable building comprising five stables to its south (to the south west of the proposed stable building).

To the north of the farmhouse runs Old Lane, which also contains public right of way HOR072. On the opposite side of the lane is the dwelling "Navy Fold House". To the north east on Old Lane (over 80 metres away from the proposed building) are the cottages at 7 to 11 Old Lane, and to the west (approximately 90 metres away) is the dwelling at Bolton Fold Farm.

Policy

National Planning Policy Framework (NPPF)

Core Strategy Policies: P5 Transport and Accessibility; S1 Safe Bolton; CG1 Green Bolton; CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

Allocations Plan Policies: CG7AP Green Belt.

Planning Control Policy Note (PCPN) 28: Equestrian Developments.

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.

Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.

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

The main impacts of the proposal are:-

- * impact on the purposes and openness of the Green Belt
- * impact on the character and appearance of the area
- * impact on the amenity of neighbouring residents
- * impact on flood risk and drainage

Impact on the Purposes and Openness of the Green Belt

Section 9 of the National Planning Policy Framework (NPPF) concerns the protection of Green Belt land. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to protect urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, however exceptions to this include [amongst other things] the provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Allocations Plan Policy CG7AP reflects national planning guidance on Green Belt development. PCPN28 provides local policy guidance on equestrian developments.

The proposed four stables would constitute a facility for outdoor sport/recreation. The applicant has proven that the four stables are "appropriate facilities" (genuinely required) by providing copies of horse passports for two horses that they already own and one for a horse that they have on permanent loan. The applicant has confirmed that the fourth stable would be for a foal of one their own horses.

The size of each stable (3.6 metres by 6.2 metres), although larger in depth than the recommended standard within the PCPN, is considered to be acceptable in this instance given that the proposed depth of the new building is the same as the former building it is to replace. The proposed storage area in the converted attached barn would be of the same scale as the stables.

The proposed yard area (the width of the proposed building and 3.7 metres deep) is considered to be appropriate in scale and there is ample grazing land within the farm for the horses.

It is considered that the stable building would be sited in the most suitable location for it at the farm, within a group of existing buildings, close to the farmhouse and replacing a former building. It is therefore considered that the proposed siting and scale of the building (low in height at a maximum of 3.8 metres) would not harm the openness or purposes of the Green Belt in this location (it would be viewed with other existing buildings at the farm).

It is therefore considered that the proposed development would not be inappropriate development in the Green Belt, compliant with Section 9 of the NPPF and Policy CG7AP of Bolton's Allocations Plan.

Impact on the Character and Appearance of the Area

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 OA1 specifically concerns development 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.

As discussed above, it is considered that the scale of the proposed stable building is appropriate and that the building would be sited in the most suitable location for it at the farm (on the site of a former building and close to the other existing buildings).

The stable building would only be visible to the public along Old Lane, to the north east of the site. From this viewpoint the building would be viewed in context with the other farm buildings and also with the existing two timber built stable buildings on adjoining land (in the field adjoining the farm to the north east and in the field to the rear of "The Barn").

It is proposed to construct the building (and erect the walls within the open barn) in treated timber board cladding, on top of a low wall of random stone. The stone to be used as the base of the building (and also as the base for the yard area) is recycled stone which is already on site (this will be shown in the site photos to be displayed at the Committee meeting).

It is considered that the proposed materials would be compatible with the area, with the two neighbouring stable buildings also being constructed from timber cladding. Indeed, timber cladding is

the most common material used in the construction of small scale stables (and less easy to be converted into an alternative use).

The use of a cement sheeted roof is not objected to given that it would match the existing roof over the open barn and would not be visible from public viewpoints (owing to the proposed mono-pitch of the roof). The design of the roof would also be similar to the corrugated sheet roofing of the neighbouring stable to the south west.

It is therefore considered that the proposed development would not harm the character and appearance of this rural-fringe area, compliant with Policies CG3 and OA1 of Bolton's Core Strategy.

Impact on the Amenity of Neighbouring Residents

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.

The proposed stables would be approximately 25 metres away from the nearest neighbouring dwelling "The Barn". This dwelling would not have direct views of the stable building, owing to the location of the former stone piggery building. A tall wooden fence and high hedging also forms the boundary between "The Barn" and the application site.

Details of how and where manure would be stored on site is suggested by condition, which would ensure that this is sited away from the neighbouring dwelling.

It is considered that the proposed development would not unduly harm the amenity of neighbouring residents, compliant with Policy CG4 of Bolton's Core Strategy.

Impact on Flood Risk and Drainage

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, concentrating new development in areas of lowest flood risk.

The Council's Drainage Officers have raised no objection to the proposed development and therefore it is considered that the proposal complies with Policy CG1.5 of the Core Strategy.

Local finance considerations

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. There are not considered to be any local financial considerations in this case.

Conclusion

For the reasons discussed above it is considered that the proposed stable building would not prejudice the purposes and openness of the Green Belt in this location, would be compatible with the character and appearance of the area, would not unduly harm the amenity of neighbouring residents, and would not increase the risk of flooding in the area. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Horwich Town Council:- raised an objection at their meeting of 23rd February as they considered that the proposed materials to be used are not in keeping with the existing buildings.

Consultations

Advice was sought from the following consultees: Drainage Officers, Public Rights of Way Officer, Ramblers Association, Peak and Northern Footpath Society, Open Space Society, and the Coal Authority.

Planning History

Prior approval for the erection of an agricultural building was given in September 2008 (79744/08).

Permission was granted for a single storey extension to the dwelling in March 1989 (32995/89).

Permission was granted in February 1987 for the change of use of a barn to a dwelling (28577/87).

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. Prior to the commencement of development the details (samples if required) of the type and colour of materials to be used for the external walls and roof to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

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

3. Before the development is first brought into use a detailed scheme shall be submitted to and approved by the Local Planning Authority showing the design, location and size of a facility to store waste materials/manure. The approved scheme shall be implemented in full prior to the development first being brought into use and retained thereafter.

Reason

To ensure satisfactory provision is made for the storage of waste materials and to comply with policies CG3 and CG4 of Bolton's Core Strategy.

4. The stable block and manege hereby approved shall be used solely for the private/personal use of the applicant and their family and shall not be used for any business or commercial purposes.

Reason

For the avoidance of doubt as to what is permitted and to safeguard the purposes of the Green Belt, and to comply with Policy CG7AP of Bolton's Core Strategy.

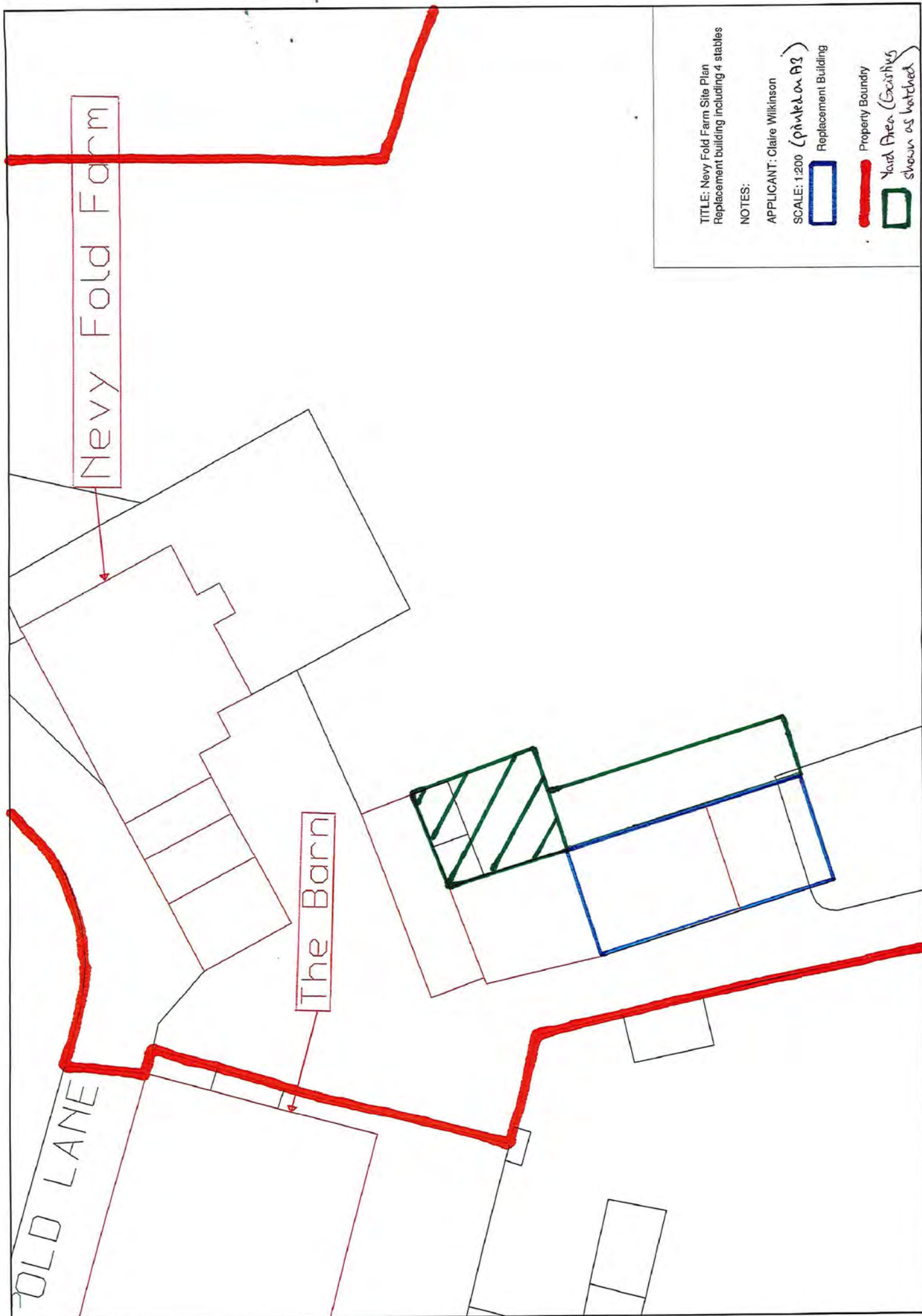
5. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

"Replacement building including 4 stables [elevations & plan]"; Rev No. 1; dated 29-11-16

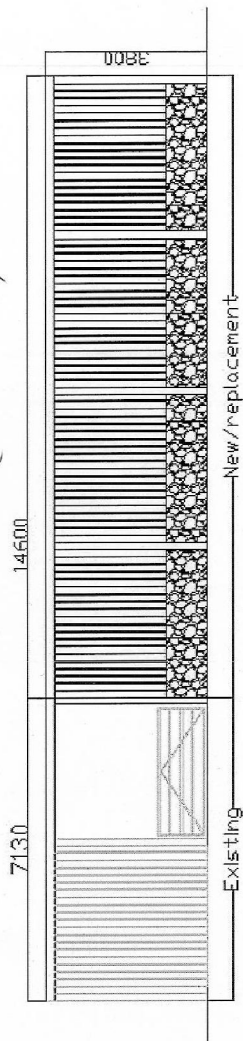
"Nevy Fold Farm Site Plan"; received 20 Mar 2017

Reason

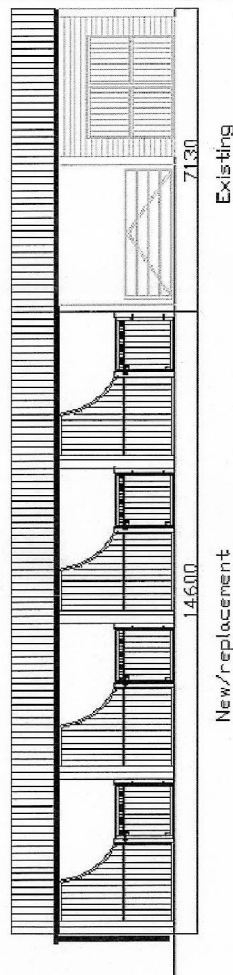
For the avoidance of doubt and in the interests of proper planning.



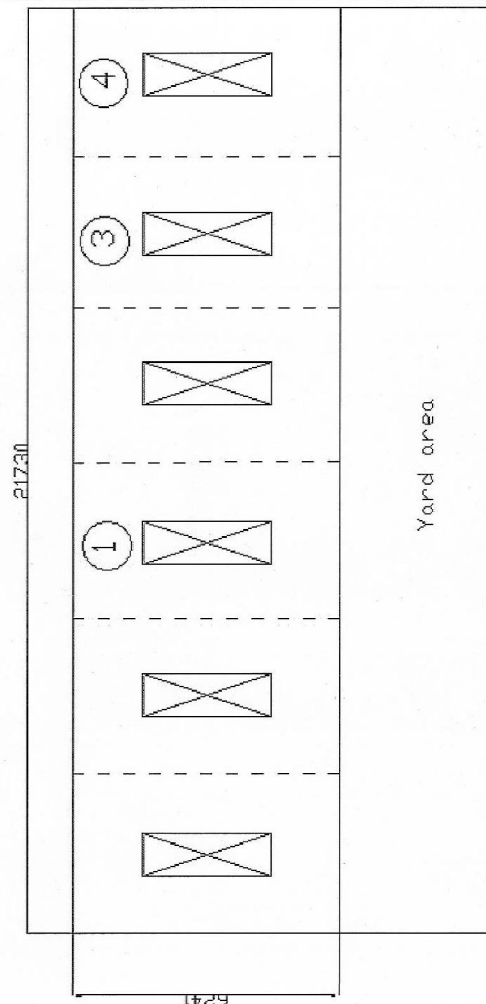
West View (Elevation)



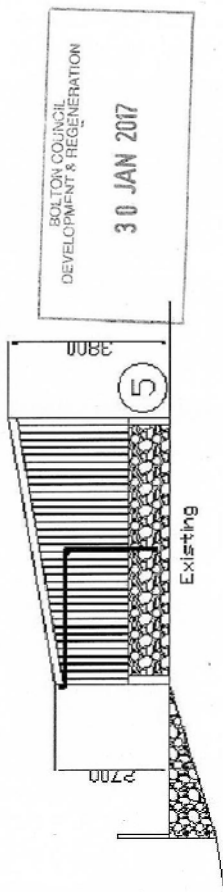
East View (Elevation)



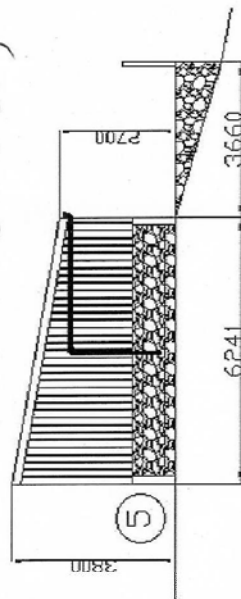
(Plan)



North View (Elevation)



South View (Elevation)



NOTES

1. Roof to be clad in profile GR single skin natural grey fibre cement sheets with GRP roof lights set on steel portal frames and wooden purlins set at 10 deg pitch.
2. Treated Yorkshire board cladding
3. Existing
4. Existing
5. Traditional random stone wall to approximately 1 metre

Applicant:
Claire Wilkinson

Replacement building including 4 stables [Elevations & Plan]

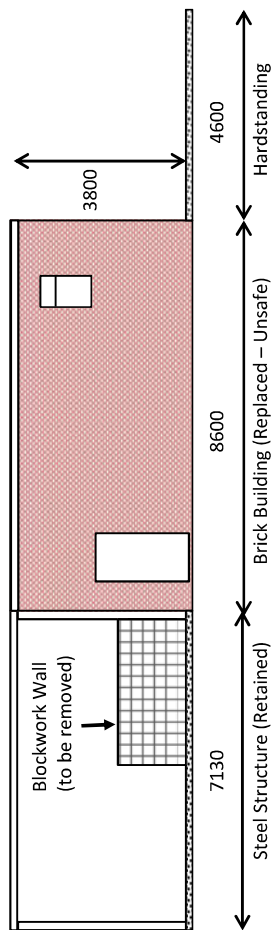
Drawn By: J Pawson

Scale: ~~1:125~~ 1:125 (printed on A3)

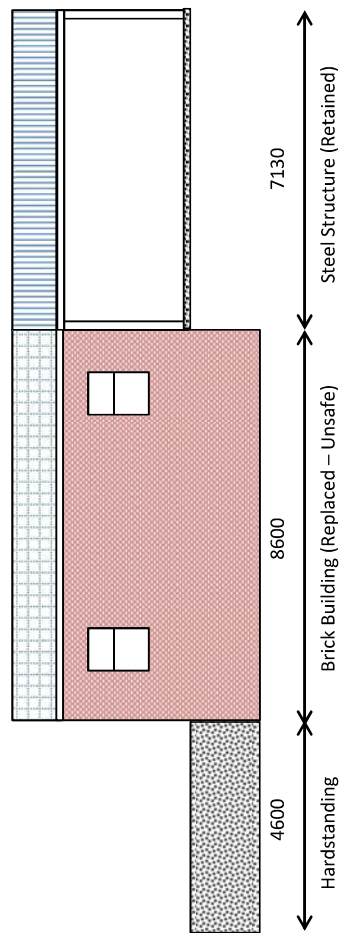
Rev No: 1

Date: 29-11-16

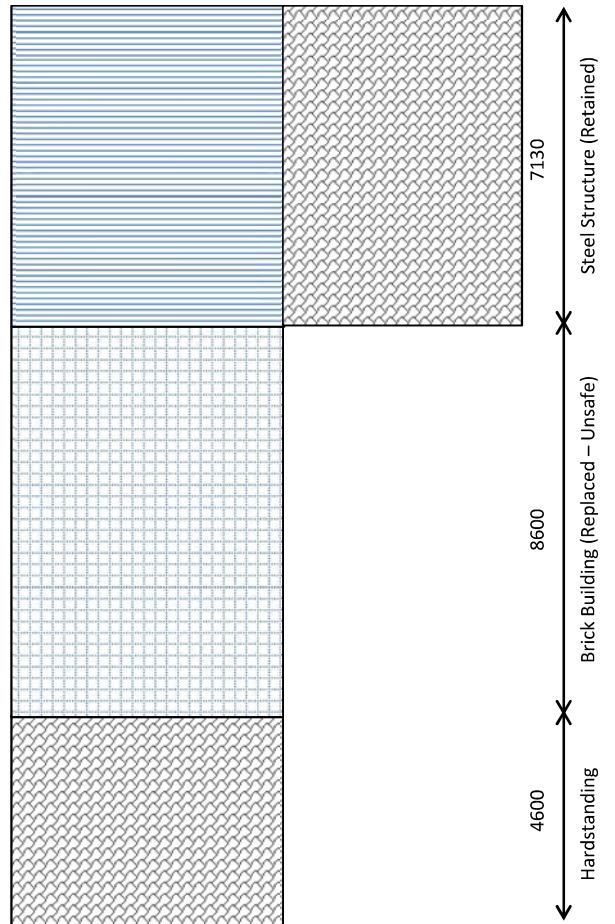
WEST VIEW



EAST VIEW



PLAN



North Elevation (brick / blockwork to be removed
existing steel structure to be retained)

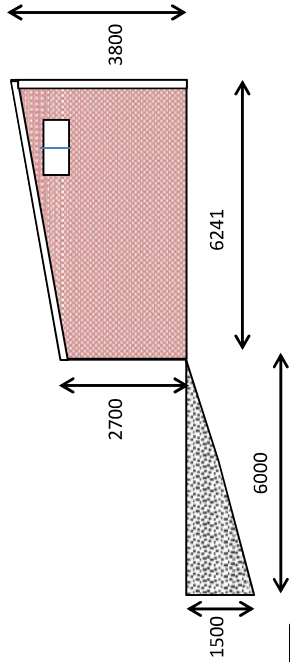


View from South West (showing South & West Elevations)

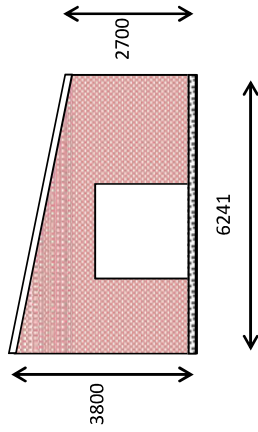


East Elevation

NORTH VIEW



SOUTH VIEW



Demolition of Farm building and Erection of 4No Stables (Application No. 00155/17)

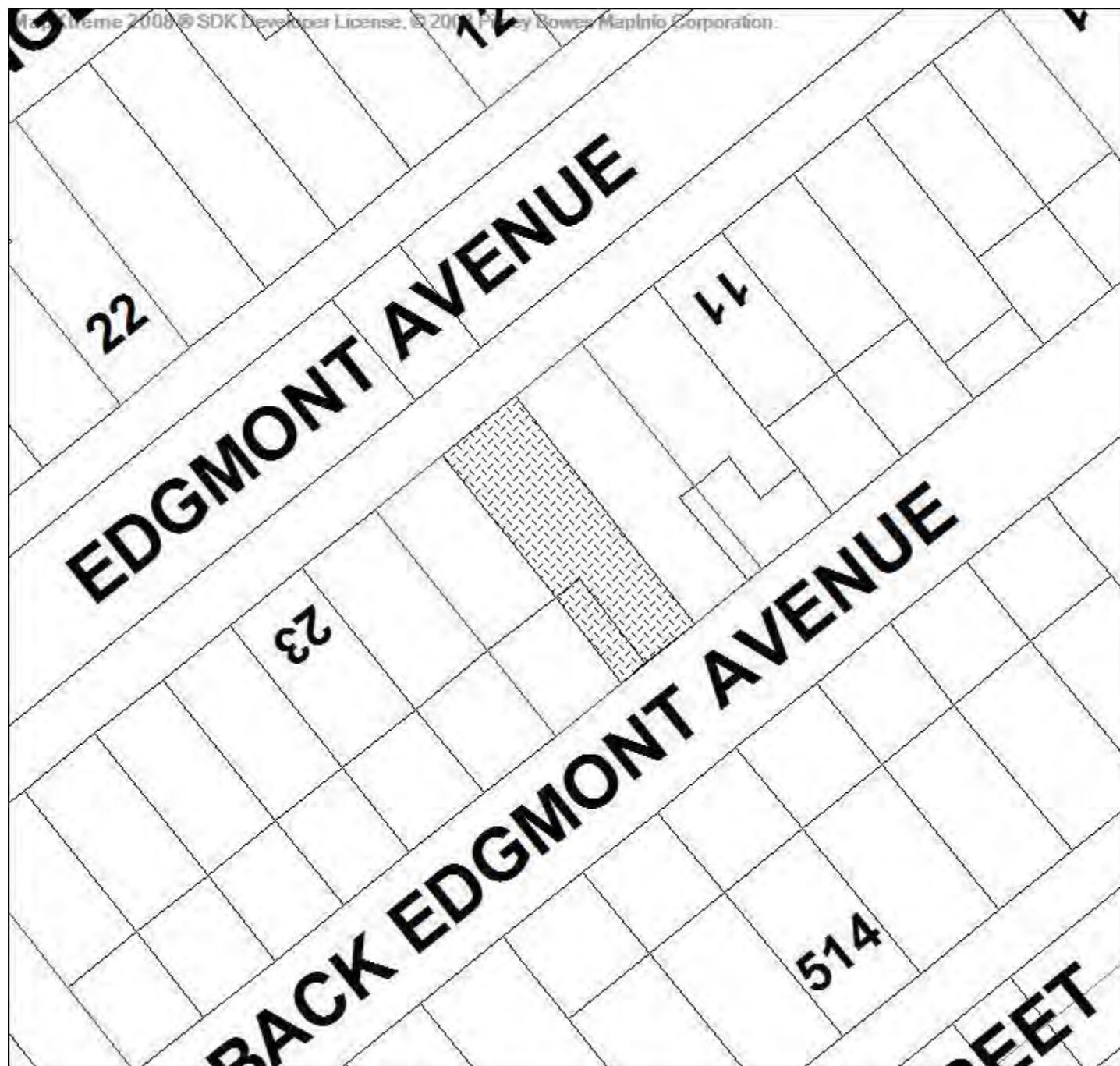
TITLE: Existing Building (Elevations & Plans)

Scale: 1:125 (printed on A3)

NOTES

1. Existing Buildings constructed of Materials as indicated
2. Roof to Brick Building consists of a combination of Natural Slate and Man-made Roof tiles
3. Roof to Steel Structure Currently Metal Cladding
4. Retaining Structures currently a combination of Rubble, Stonework, Sloped Ground and brickwork beneath the Brick Building
5. Current "Hardstandings" are a combination of pavings, concrete, hardcore and road planings

Application number
00072/17



Development & Regeneration Dept
Development Management Section

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

**Bolton
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Date of Meeting: 27/04/2017

Application Reference: 00072/17

Type of Application: Full Planning Application

Registration Date: 16/01/2017

Decision Due By: 12/03/2017

Responsible Officer: Melissa Pagan

Location: 17 EDMONT AVENUE, BOLTON, BL3 6TY

Proposal: ERECTION OF FIRST FLOOR EXTENSION AT REAR

Ward: Rumworth

Applicant: Mrs ROKAD

Agent : Y A ARCHITECTURAL SERVICES

Officers Report

Recommendation: Refuse

Proposal

Planning permission is sought for the erection of a first floor extension to the rear of the dwelling. The proposed first floor rear extension would project 4.87m from the rear elevation of the original dwelling and would measure 2.9m in width. A window would be included on the rear elevation that would serve a bedroom and a window would be included in the inward facing side elevation that would serve a bathroom. The proposed extension would host a hipped roof structure that would sit below the existing ridge and would have an eaves height of 6.2m.

This application is a resubmission of application 97530/16 which was refused on the grounds that the proposed development would have a detrimental impact on the outlook and living conditions of neighbouring residents at No.19 Edgmont Avenue and 521 and 514 Bridgeman Street, by way of the first floor element projecting beyond the 4 metres permitted by the Council's policy. No amendments have been made to the original proposal and no extenuating special circumstances or special considerations have been highlighted.

Site Characteristics

The property is a mid-terrace property on a row of 17 dwellings. The application dwelling benefits from an existing single storey rear extension that projects 4.87m from the rear elevation of the original dwelling and abuts the rear site boundary. The adjoining neighbour No.15 Edgmont Avenue has a two storey rear extension, the ground floor element is built up to the rear site boundary and the first floor element projects 4m from the rear elevation of the original dwelling. The other adjoining neighbour No.19 Edgmont Avenue had been granted planning permission for a two storey rear extension in 2013, but it has not been implemented. The immediate surrounding area is predominantly residential in nature with industrial units also located to the south-west of the site.

Policy

National Planning Policy Framework (NPPF)
Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; RA1 Inner Bolton
SPD House Extensions
SPD General Design Principles

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.

Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the dwelling and the surrounding area
- * impact on the amenity of neighbouring residents

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

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 RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will conserve and enhance the character of the existing physical and natural environment, and will require special attention to be given to the massing and materials used due to the predominance of red-brick, slate-roofed, two-storied terraced housing. The Council will also strengthen the traditional grid-iron pattern and street-scaping of existing housing and mills and will make efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to conform to the overall spatial approach.

SPD House Extensions provides general advice on house extensions and offers guidance relating to the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area.

The Council's policy on extensions set out in the House Extensions SPD (2012) specifically relating to terrace houses, allows for extensions up to 4m to the rear from the original rear elevation of the dwelling. Unlike the single storey rear extension policy for terrace dwellings, there are no exceptions to the policy for first floor rear extensions. The proposed first floor rear extension would project 4.87m from the rear elevation of the original dwelling, and would therefore not be in accordance with the council's House Extensions SPD or Policy RA1 of the Core Strategy which states that special attention should be given to the massing of the development.

As the proposed extension is sited to the rear of the dwelling, it would not be visible from the street scene, however as the projection of the proposed first floor rear extension is not in accordance with the policies set out in the House Extensions SPD, it is considered that the

proposed extension is unacceptable.

Impact on the Amenity of Neighbouring Residents

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. SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking.

The Council's House Extensions SPD was adopted in 2012 and states that rear single or two storey extension on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. The purpose of the above is to ensure that neighbouring properties are not unduly affected in terms of their living conditions by reason of being overshadowed by any development to a degree where reasonable outlook would be lost.

Adjoining neighbour No. 15 Edgemont Avenue was granted planning permission for a two storey rear extension that would project 4.8m at both ground and first floor. This permission was approved in 2006, prior to the adoption of the current SPD for House Extensions. Although permission was granted for a projection of 4.8m at first floor level, the occupant has built the first floor element to a 4m projection. Adjoining neighbour No.19 Edgemont was also granted planning permission for a two storey rear extension. Originally a projection of 4.7m was proposed, however as the application was validated in 2013, when the 2012 House Extensions SPD had been adopted, amended plans were requested asking for a 4m first floor projection in order to comply with the council's policy. Planning permission was approved for a 4m first floor projection at No.19 Edgemont Avenue, however the planning permission has not been implemented. As adjoining neighbour No.19 Edgemont Avenue does not have any extensions, any development that occurs at the adjoining neighbouring properties would have a significant impact on the outlook and provision of light to the windows on the rear elevation of No.19.

In addition to the above, as the proposed extension would project fully up to and onto the rear boundary wall, it would reduce the privacy interface to the main room rear windows to the facing houses at 512 and 514 Bridgeman Street to approximately 10.3m. Notwithstanding the sympathetic approach for extensions to terraced houses provided for by the SPD - House Extensions (paras.4.19 - 4.24) this shortfall is considered to be so significant in respect of the normal requirement for 21m between facing main room windows (SPD - House Extensions, para.4.7) as to justify a further reason for refusal in this case. The proposed first floor rear bedroom window would unduly intrude upon the privacy which the facing neighbours at 512 and 514 Bridgeman Street might reasonably expect to retain and enjoy.

The proposed first floor rear extension would project 4.87m from the rear elevation of the original dwelling, which is not in accordance with the council's policies and would result in a significant detrimental impact on the amenity of the neighbouring dwelling No.19 Edgemont Avenue. As No.15 Edgemont Avenue has a two storey extension along the shared boundary, the impact caused by the proposed extension would be reduced. However the proposed development is not in compliance with the policies set out in the House Extensions SPD and are therefore considered to be unacceptable.

Conclusion

This application is a resubmission of application 97530/16 which was refused on the grounds that the proposed development would have a detrimental impact on the outlook and living conditions of neighbouring residents at No.19 Edgemont Avenue and 521 and 514 Bridgeman Street. No amendments have been made to the original proposal and no extenuating special circumstances or

special considerations have been highlighted. Amended plans were requested, reducing the projection to the permitted 4 metres but none were received. Officers note that the proposed 4.87 metre extension is in excess of the 4 metres permitted by the adopted House Extensions policy. It is therefore considered that the proposed first floor rear extension would be contrary to Core Strategy Policies CG3 and RA1 by virtue of the scale and sitting of the extension, presenting an over-dominant feature and having a detrimental impact on the amenity of the neighbouring dwellings.

Officers understand that the justification offered for exceeding the Council's adopted policy is that the Applicant's son is getting married and wishes to stay at home to look after his mother. However, the "Determining Planning Applications" section of the National Planning Policy Framework states that the Courts have found that planning is concerned with the use of land in the public interest, so that the protection or promotion of purely private interests cannot be a material consideration of significant weight. The Council's House Extensions SPD sets out one sole exception to this - a more flexible approach is taken where the extension would be clearly and solely for the benefit for the day-to-day living of a disabled person, for example a ground floor bedroom and bathroom. This is on the basis that the protection of the living conditions of disabled people is in the public interest. However, in this instance, the justification proposed by the Applicant is considered instead to be a fairly typical and common reason why a homeowner would wish to seek to extend their home, rather than the rare and exceptional circumstances envisaged by national and local planning policies. Nor has any reason been articulated as to why an extension of 4.87 metres would achieve this aim but an extension of 4 metres would not.

For the reasons given above, the proposed extension is in excess of the size of extension permitted by the Council's adopted policy and the justification given by the Applicant is not a material consideration of sufficient weight to override this.

Local finance considerations

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. There are not considered to be any local financial considerations in this case.

Representation and Consultation Annex

Representations

Letters:- None received

Petitions:- None received

Town Council:- None

Elected Members:- Councillor Ibrahim has requested that this application be brought to committee.

Consultations

N/A

Planning History

97530/16 - Erection of a first floor rear extension - refused 2016

Recommendation: **Refuse**

Recommended Conditions and/or Reasons

1. The proposed extension would, by virtue of its design, height and siting be detrimental to the character and appearance of the area and in particular would impact detrimentally on the outlook and living conditions of neighbouring residents at Number 19 Edgmont Avenue and is contrary to Policy CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".



<div>Y A Architectural Services</div> <div>JOB NO. 1478</div>	<div>PROJECT.</div> <div>PROPOSED ERECTION OF A FIRST FLOOR REAR EXTENSION AT 17 EDMONT AVENUE, BOLTON.</div>	<div>JOB TITLE.</div> <div>LOCATION PLAN.</div> <div>CLIENT</div> <div>MRS ZAIBUNNISHA ROKAD.</div>	<div>GENERAL NOTES.</div> <div>1. This drawing is the property of Y A Architectural Services and copyright is reserved by them, and this drawing is not to be copied or disclosed by or to any unauthorised persons without prior written consent of Y A Architectural Services.</div> <div>2. All dimensions are approximate only and are to be checked on site by contractor and any discrepancies to be reported prior to commencement of work.</div> <div>3. Do not scale from this drawing, only work to written dimensions.</div> <div>4. All new drains to be laid, jointed and tested to the entire satisfaction of the Local Authority.</div> <div>5. All work to comply with current Building Regulations and subsequent revisions.</div> <div>6. Foundations not to encroach over boundaries.</div>
	<div>DRAWN: Y AHMED.</div> <div>SCALE: 1:500</div> <div>DATE: 24.09.16</div>		

Unity House, Fletcher Street, Bolton, Lanc, BL3 6NE. tel/fax: 01204 559988 e-mail: designs@yaas.co.uk, www.yaas.co.uk



<p>JOB NO. 1478-P02</p> <p>Y A Architectural Services</p>	<p>PROJECT.</p> <p>PROPOSED ERECTION OF A FIRST FLOOR REAR EXTENSION AT 17 EDGMONT AVENUE, BOLTON.</p>	<p>JOB TITLE.</p> <p>PROPOSED SITE PLAN.</p> <p>CLIENT</p> <p>MRS ZAIBUNNISHA ROKAD.</p>	<p>GENERAL NOTES.</p> <p>1. This drawing is the property of Y A Architectural Services and copyright is reserved by them, and this drawing is not to be copied or disclosed by or to any unauthorised persons without prior written consent of Y A Architectural Services.</p> <p>2. All dimensions are approximate only and are to be checked on site by contractor and any discrepancies to be reported prior to commencement of work.</p> <p>3. Do not scale from this drawing, only work to written dimensions.</p> <p>4. All new drains to be laid, jointed and tested to the entire satisfaction of the Local Authority.</p> <p>5. All work to comply with current Building Regulations and subsequent revisions.</p> <p>6. Foundations not to encroach over boundaries.</p>
	<p>DRAWN: Y AHMED. SCALE: 1:200 DATE: 24.09.16</p>		

GENERAL NOTES.

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All work shall be completed in accordance with the specifications and drawings. Do not work until you have this drawing, and work to within dimensions.

All new drains to be fed, cleaned, and sealed to the extent satisfaction of the Local Authority.

All work to comply with current Building Regulations and subsequent revisions.

KEYWORDS: *compliance, incentives, risk, social norms, social capital, social networks, social structure, social support, social trust, social values, social norms, social capital, social networks, social structure, social support, social trust, social values*

ABSTRACT: *Compliance with the law is a complex phenomenon that is influenced by many factors. This paper explores the role of social norms, social capital, social networks, social structure, social support, social trust, and social values in explaining compliance with the law. The paper argues that compliance with the law is not simply a matter of following rules, but rather a social process that is shaped by the social context in which the law is applied. The paper discusses the importance of social norms, social capital, social networks, social structure, social support, social trust, and social values in promoting compliance with the law. The paper concludes that compliance with the law is a complex phenomenon that requires a multifaceted approach that takes into account the social context in which the law is applied.*

[illegible][illegible][illegible][illegible]

Foundations may be adjusted on site as required to suit future settlement extension. All to Local Authority Building Control Surveyor's approval.

Glazing:

All new windows are to be UPVC double glazed in Pilkington 'N' glass, with frame of 140 mm x 1500 mm (config. of double glazing with 12mm air gap, 1600 mm x 1500 mm) and a 'soft' finish, with toughened glass in critical locations, between finished floor level and 1000mm above that level in internal and external walls, and between finished floor level and 1500mm above that level in a door or a side panel to either edge of door. All to comply to BS 6206: 1995 and Part N of the current Building Regulations.

[illegible]

Details: Products remained shut 1 week to BS 5087 with Duxco corrosion protection applied to galv. steel. Inside (Ref. Cans C170-500) on a motor and blowing a mix. 50mm end bearing at each end. Flange inner and outer faces of manway together with 24in. wedge bars near 00000000.

All new work to be covered in 12.5mm lead on board or similar approved to achieve 1.27% the protection of in accordance with Part 6 of the current Building Regulations.

ALLIES: are to be in **residual** **and** **conform** with manufacturing standards and specifications.

[illegible]

Bidding Regulations and subsequent revisions.

ADVERTISEMENTS	DATE
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Y A Architectural Services

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 Tel: 604.273.1111 Fax: 604.273.1112
 Email: ya@yaarchitectural.com

	DRAWN Y.ALMERD CHECKED	DATE 20/02/16 SCALE 1:100, 1:50
	PROJECT: PROPOSED ERECTION OF A FIRST FLOOR REAR	

CLIENT: MRS ZAIBUNNISHA ROKAD,
EXTENSION AT 17 EDMONT AVENUE, BOLTON.

SKETCH
ELEVATIONS
JOB No. 1478-SK01

SKETCH ISSUE

PROPOSED SIDE ELEVATION
FROM NEIGHBOURS SIDE

[illegible]

PROPOSED SIDE ELEVATION
SCALE: 1:100

Architectural drawings of a building facade and interior. The top drawing is a section view of a building facade with a sloped roof and a large window. The bottom drawing is a plan view of a room with a sloped roof and a large window. Both drawings include dimension lines and labels.

EXISTING SIDE ELEVATION
SCALE: 1:100

ALL DIMENSIONS AND LEVELS ARE APPROXIMATE ONLY AND ARE TO BE CHECKED ON SITE BY CONTRACTOR PRIOR TO COMMENCEMENT ON SITE.

EXISTING FOUNDATIONS, LINTELS AND STEELS ARE TO BE EXPOSED AND CHECKED BY LOCAL AUTHORITY BUILDING CONTROL SURVEYOR FOR SUITABILITY OF ADDITIONAL LOADINGS. IF FOUND IN ADEQUATE THEN ALL MEASURES DEEMED NECESSARY TO BE ALL IN ACCORDANCE WITH STRUCTURAL ENGINEERS DETAILS AND CALCULATIONS AND TO THE ENTIRE SATISFACTION OF THE LOCAL AUTHORITY BUILDING CONTROL SURVEYOR.

EXISTING ADJOINING NEIGHBOURING PART
DOUBLE AND PART SINGLE STOREY EXTENSION.

EXISTING ADJOINING NEIGHBOURING PART
DOUBLE AND PART SINGLE STOREY EXTENSION.

APPLICANT TO TAKE ALL MEASURES DEEMED NECESSARY TO PREPARE AGREEMENT WITH ADJOINING NEIGHBOUR FOR USAGE OF PARTY WALL, ALL IN ACCORDANCE WITH THE PARTY WALL ACT OF 1996.

ALL WORK TO BE IN COMPLIANCE WITH ROBUST CONSTRUCTION DETAILS TO LIMIT THERMAL BRIDGING AND AIR LEAKAGE.

IF SOLER IS TO BE REPLACED, THIS SHALL COMPLY TO SEDBED RATING OF 96% MINIMUM WITH DETAILS AND

COMMISSIONING CERTIFICATES TO BE SUBMITTED BY SPECIALIST ON COMPLETION.

ALL NEW RADIATORS ARE TO BE PROVIDED WITH THERMOSTATIC VALVES.

ALL CAVITIES AT THE TOP ARE TO BE CLOSED WITH NON-COMBUSTIBLE MATERIAL AND ALL NEW WINDOW AND DOOR REVEALS ARE TO BE CLOSED WITH THE APPROPRIATE CAVITY CLOSURES OR SIMILAR APPROVED. INSTALLED ALL IN ACCORDANCE WITH MANUFACTURERS REQUIREMENTS & RECOMMENDATIONS.

ALL ELECTRICAL WORK REQUIRED TO MEET THE REQUIREMENTS OF PART 4 (ELECTRICAL SAFETY) OF THE

PERSON COMPETENT TO DO SO.
PRIOR TO COMPLETION THE LOCAL AUTHORITY BUILDING
CONTROL MUST BE SATISFIED THAT EITHER:
A. AN ELECTRICAL INSTALLATION CERTIFICATE ISSUED
UNDER THE COMPETENT PERSON SELF-CERTIFICATION
SCHEME HAS BEEN ISSUED; OR
B. APPROPRIATE CERTIFICATES AND FORMS DEFINED IN
BS 7671 HAVE BEEN OBTAINED THAT CORRESPOND TO THE

WORK HAS BEEN INSPECTED AND TESTED BY A COMPETENT PERSON.

IN THE CASE OPTION B ONLY, THE COMPETENT PERSON MUST BE A MEMBER OF NICEIC OR ECA. IN ADDITION, IN THE CASE OF MINOR WORKS (SEE PART F FOR DEFINITION), AN ELECTRICIAN QUALIFIED TO AT LEAST CITY AND GUILDS 23915 IS CONSIDERED TO BE A COMPETENT PERSON. THE PERSON CARRYING OUT THE WORK MUST ARRANGE FOR A COMPETENT PERSON TO INSPECT THE ELECTRICAL INSTALLATION AT FIRST FIX STAGE AND INSPECT AND TEST PRIOR TO THE INSTALLATION BEING LIVE.

ENERGY EFFICIENT LIGHTING TO BE PROVIDED TO ALL ROOMS, ALL IN ACCORDANCE WITH APPROVED DOCUMENT

Floor plan of the existing building showing three bedrooms, a bathroom, and a landing. The plan includes dimensions for each room and overall building measurements. The layout shows Bedroom 1 at the top, Bedroom 2 in the middle, and Bedroom 3 at the bottom. A bathroom with a shower is located between Bedroom 2 and Bedroom 3. A landing is situated between Bedroom 1 and Bedroom 2. The plan also shows a double and part single storey extension on the left side.

PROPOSED FIRST FLOOR PLAN
SCALE: 1:50

Floor plan of the existing ground floor. The plan shows a large lounge area on the right, a dining area in the center, and a kitchen and bathroom on the left. A staircase labeled 'UP' is located between the dining and lounge areas. A door labeled 'dn' is shown near the kitchen. The plan is oriented with a north arrow pointing towards the top right.

PROPOSED GROUND FLOOR PLAN
SCALE: 1:50

Floor plan of the first floor showing the layout of the property. The plan includes the following rooms and dimensions:

- BEDROOM 1: 11'0" x 11'0"
- BEDROOM 2: 11'0" x 11'0"
- BATH: 5'0" x 6'0"
- LANDING: 5'0" x 6'0"

The plan also shows a KITCHEN and PART SINGLE STOREY EXTENSION. A note indicates: "Kitchen Area not used over rear garden." The plan includes a staircase leading up from the landing.

EXISTING FIRST FLOOR PLAN
SCALE 1:100

FIRST FLOOR

PLAN

LOUNGE

DINING

KITCHEN/BREAKFAST ROOM

BEDROOM

BATHROOM

HALL

STAIRS

DOOR TO ADJOINING PART

DOOR TO REAR GARDEN

DOOR TO FRONT GARDEN

EXISTING GROUND FLOOR PLAN

Application number 00050/17



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 27/04/2017

Application Reference: 00050/17

Type of Application: Outline Planning Permission

Registration Date: 12/01/2017

Decision Due By: 12/04/2017

Responsible Officer: Alex Allen

Location: TONGE FOLD MILL, CLEGG STREET, BOLTON, BL2 6BL

Proposal: OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING INDUSTRIAL BUILDINGS AND ERECTION OF 24 NO. RESIDENTIAL DWELLINGS WITH ASSOCIATED HIGHWAY IMPROVEMENTS (ACCESS & LAYOUT DETAILS ONLY)

Ward: Tonge with the Haulgh

Applicant: G M Properties

Agent : Northern Design Partnership

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the demolition of all existing buildings on site and the erection of 24 dwellings in 6 blocks ranging from two storey 3 bedroomed terraced properties, a block of 6 one bedroomed apartments over 2 stories and two blocks of 3/4 bedroomed properties over 2.5 stories. The development would also make provision for enhancements to the existing road network, including off road parking for proposed new residents (c. 200%) and a car parking area for existing residents off Back Clegg Street.

The development site would be accessed from Clegg Street, which is itself accessed from Edditch Grove.

Site Characteristics

The area is made up of a mix of industrial and residential uses. Surrounding the application site to the north and east are traditional terraced houses. Edditch Farm and High Bank House adjoin the site to the south east. Leverhulme Park adjoins the site to the south and west. Other industrial uses are present in the immediate vicinity on Romer Street. A 15 metre telecommunications mast is adjacent to the site on the south west boundary.

Clegg Street is an unadopted road and is in a poor condition.

The application site itself is in industrial use as Haslams Sheet Metal Works. Two large brick buildings are present on the site, one of which fronts directly onto Clegg Street.

Policy

National Planning Policy Framework (2012)

Core Strategy (2011) P1 Employment, P5 Accessibility, S1 Safe, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, RA1 Inner Bolton and IPC1 Infrastructure and Planning Contributions.

Infrastructure and Planning Contributions SPD, Sustainable Design and Construction SPD, General Design Principles SPD and the Accessibility, Transport and Safety SPD.

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.

Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.

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

The main impacts of the proposal are:-

- * principle of residential development
- * impact on the character and appearance of the area
- * impact on the living conditions of existing/future residents
- * impact on existing trees
- * impact on highway safety
- * impact on existing infrastructure

Principle of Residential Development

The proposal would regenerate an existing mill site which is surrounded on two sides by residential uses. The mill's close proximity to existing residential uses and the poor quality access routes which current users of the mill use ensure the current use is incompatible with the surrounding area. The proposed residential redevelopment would be on previously developed land within the urban area and would assist the Local Planning Authority meeting the housing requirements outlined within CS policy SC1.

The loss of the existing site to residential development was established in February 2005 when outline planning permission was granted for the demolition of the buildings and the erection of dwellings and again in 2012 by Planning Committee.

The proposal would remove a non-conforming use in an otherwise residential area and therefore complies with policy.

Impact on the Character and Appearance of the Area

Guidance contained within the NPPF and Core Strategy policies CG3 and RA1 seeks to ensure that new development proposals should be compatible with the surrounding area in terms of scale, massing, grain, form and architecture.

The proposal would remove a number of large utilitarian mill buildings and replace them with residential development. Whilst the external appearance / design and scale of the proposed properties would be assessed at a reserved matters stage, it is considered that residential scale development would be in character with the wider area providing an opportunity to regenerate the site and the wider area.

The proposal would comply with guidance contained within the NPPF and Core Strategy policies listed above.

Impact on the living conditions of existing/future residents

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 is considered that the proposal would enhance the overall living conditions of existing/future residents as it would result in the regeneration of the site which is currently harmful to visual amenity and would also result in a more compatible land use given the predominant residential character of the wider area. The proposal would remove a complex of large two storey mill buildings from the site and would replace it with development which would have less impact on existing/future residents living conditions.

The proposed interface distances for properties would be as follows:

- between existing properties on Hengist Street and Block A would be between 27 and 28 metres (back to back relationship);
- between existing properties on Edditch Grove and Blocks E and F would be c. 21.8 metres (back to back relationship);
- between existing flats located within High Bank and Block B would be just over 17 metres (oblique back to back relationship); and
- between the southern gable of Block B with the 2nd bedroom of Edditch Farm would be c. 10.5 metres.

The overall scale of the proposal of the development would be assessed at the reserved matters stage. It is noted that the full permission which was granted in 2013 allowed for the development of both 3 storey properties (Blocks C and D) and also two storey development in the other approved Blocks. The proposed layout also is a duplication of the siting / layout of the 2013 permission which was considered to be acceptable.

The proposal is considered to comply with policy.

Impact on Existing Trees

Core Strategy Policy CG1 seeks to ensure that the Council and its partners will safeguard and enhance biodiversity including trees, woodland and hedgerows from adverse development.

There are no trees located within the curtilage of the site. There are however some trees located on the adjoining public open space which partially overhang the application site. The applicant has amended the overall proposed layout to revert back to the layout which was approved in 2013. Subject to a method statement for construction of the dwellings the Council's Trees and Woodland officer has found the layout to be acceptable

It is considered that the proposal would comply with policy.

Impact on Highway Safety

Core Strategy policies P5 and S1 seek to ensure that new development proposals provides adequate accessibility by a range of modes of transport including providing adequate servicing requirements and parking. In addition, new development should promote road safety through its design and layout.

A number of local residents have objected to the current proposal due to the potential loss of car parking outside the houses together with the remote location for communal car parking at the rear of properties on Hengist Street.

The proposed access to the site has previously been approved under the earlier planning permissions for the site. The current industrial use of the site has to use the existing poor quality roads which lead up to the mill buildings and is not adequate to meet the modern industrial requirements.

The proposal would remove industrial use from the adjoining roads. In addition, the proposed access road from Clegg Street and the internal access road would all be brought up to adoptable standards i.e. 5.5 metre wide roads with 2 x 2 metre footpaths. Furthermore, Back Edditch Road will also be upgraded to full adoptable standards to allow for bin lorry access. The proposal would also create a parking area for local residents in the south east corner of the site (8 spaces). Whilst there are some existing properties on Clegg Street, they will benefit from the enhanced road network.

In addition, the proposed car parking for the proposed housing would benefit from 200% car parking spaces with the six flats having 5 car parking spaces. Given that the apartments are only 1 bedroom units it is considered this level of parking is appropriate.

The Council's Highways Engineers raise no objections to the proposal. They have previously confirmed that the proposed residents car parking area would not prevent access to any of the rear yards which exist off Back Clegg Street.

The proposal complies with policy.

Impact on Sustainability

Core Strategy Policy CG2 seeks to ensure that new development proposals over 5 units makes provision for incorporating a number of sustainability measures within residential proposals. Whilst the applicant has not provided detailed specification of how they will meet these requirements, they have made a clear statement that they would be willing to incorporate such measures within any future proposed development.

It is considered that this clear commitment is sufficient at the outline planning stage to enable the Council to consider that the proposal is capable of complying with Core Strategy Policy CG2, subject to the imposition of relevant planning conditions.

Impact on Existing Infrastructure

Core Strategy Policy IPC1 seeks to ensure that new development proposals make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure. The threshold for this requirement is the provision of 15 dwellings. New residential developments would potentially require the following contributions: affordable housing, open space provision, health and well being, education and community facilities in addition to potential off site highway improvements.

The development has been assessed to have the following requirements:

- Public open space: £21,528

- Public health: nil provision
- Affordable housing: 3 units at 60% discount for affordable rent
- Education: £52,199.84 for primary provision and £54,523.23
- Public art: nil as scheme is under threshold of 2500 square metres

The Council's Surveyors have confirmed that the scheme would not be viable and therefore there is no requirement for on/off site contributions. This is consistent with the view taken when Members considered the full application for the site in 2013.

The proposal complies with policy.

Conclusion

The proposed development would remove a non-conforming use located in a predominantly residential area with a residential development which would improve the overall character of the area, including the local road network. The proposal would make a valuable contribution to housing provision in the Borough which has the potential to enhance the living conditions of existing and future residents. The proposal complies with policy and is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- three objection letters and one comment letter have been received from occupants of Edditch Grove (two from the same address). The objections letters raise concern over the following issues:

- loss of parking outside people's homes
- property values being reduced (not a material planning consideration)
- the 8 spaces shown on the proposed site plan for local residents are not in a convenient location for residents on Edditch Grove
- the proposal would increase in road traffic, have a detrimental impact on local road infrastructure and potentially on child safety

The comment letter raises queries over whether the proposed housing would be for the private or social housing market and if they would be providing rented accommodation.

The issue of whether the houses would be either private or social housing is not a material planning consideration in itself. It is noted however that due to the site viability the applicant is proposing that the proposed development would not provide for affordable housing. The issue of whether the proposed development would be for the rental market or private sale is again not a material planning consideration and is outside the control of the planning system.

Consultations

Advice was sought from the following consultees: Greater Manchester Archaeological Unit, Primary health Care Trust, Greater Manchester Police and the Council's Trees and Woodland Officer, Landscape Design and Development Officers, Strategic Housing Unit, Corporate Property Services, Asset Management Unit, Regeneration and Economic Development section, Pollution Control officers and Highways Engineers.

Planning History

Outline planning permission for demolition of buildings and the erection of dwellings was granted in February 2005 (means of access only). The proposed access from Clegg Street was agreed at this outline stage.

Full planning permission was granted in March 2013 (Ref: 87809/12) for the demolition of the existing industrial building and the erection of 24 dwellings with associated highway improvements.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

1. The development hereby permitted shall be begun before the expiration of 3 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. No development shall be commenced until full details of the type and colour of facing materials to be used for the external walls and roof(s) have been submitted to and approved in writing by the Local

Planning Authority.

Reason

To ensure the development safeguards the character and visual appearance of the locality.

3. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted to and approved by the Local Planning Authority before development is started. Such scheme shall be carried out within 6 months of the occupation of any of the buildings or the completion of the new 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 planting season with others of similar size and species.

Reason

To soften the development proposed and to enhance and improve the setting of the development within the landscape of the surrounding locality.

4. Before development commences details of the treatment to all boundaries to the site shall be submitted to and approved by the Local Planning Authority. Such details as are approved shall be implemented in full before the development is first occupied or brought into use and retained thereafter.

Reason

To ensure adequate standards of privacy are obtained and to enhance the setting of the development within the landscape character of the locality.

5. No development shall be commenced until full details of existing and proposed ground levels within the site and on land adjoining the site by means of spot heights and cross-sections; proposed siting and finished floor levels of all buildings and structures, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

Reason

To ensure the development safeguards the character and visual appearance of the locality and to safeguard the living conditions of nearby residents particularly with regard to privacy and outlook.

9. No development shall be commenced unless and until full details of the highway works

- Back Edditch Grove at the rear of No's 2 to 18 Edditch Grove comprising widening to 9 metres overall and the making up to adoptable standards.
- Junction of Back Edditch Grove at the side of No. 2 Edditch Grove comprising of the making up to adoptable standards;
- Junction of Edditch Grove with Back Edditch Grove comprising of the making up to adoptable standards;
- Back Clegg Street comprising the widening of the back street and provision of 8 public parking spaces (As shown on Drawing No. 1403 020 Rev J);
- Clegg Street at the side of No. 11 Clegg Street comprising of the widening to 9.5 metres overall and making up to adoptable standards.

have been submitted to and approved by the Local Planning Authority, and none of the development shall be brought into use until such details as approved are implemented in full. Such works to be retained thereafter.

Reason

In the interests of highway safety.

10. Prior to the commencement of development, an energy assessment of the approved development shall be submitted to the Local Planning Authority. The submission shall include a scheme which

details how either (i) renewable energy technology or (ii) an alternative scheme e.g. enhanced insulation shall reduce CO2 emissions of predicted energy use of the development by at least 10%. The approved scheme shall be installed, retained and maintained in perpetuity thereafter unless agreed by the Local Planning Authority.

Reason

To enhance the sustainability of the development and to reduce the reliance on fossil fuels in order to comply with Core Strategy policy CG2.

11. The dwellings hereby approved shall achieve a Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). Within four months (unless otherwise agreed in writing with the LPA) of first occupation of the development hereby approved a Final Code Certificate will be submitted to the Local Planning Authority certifying that Code Level 3 has been achieved.

Reason

To reduce the impact on climate change and to improve the sustainability of the site.

12. No building hereby permitted shall be occupied until surface water drainage works have been implemented on site which reduce the existing surface water run off by at least 50% in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme 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.

Reason:

To reduce the risk of contaminating surface water run off and reduce the risk of localised flooding and down stream flooding by ensuring the provision of a satisfactory means of surface water dispersion

13. **Phase 2 Report**

Should the approved Phase 1 Report recommend that a Phase 2 Report is required, then prior to commencement of any site investigation works, design of the Phase 2 site investigation shall be submitted to, and approved in writing by, the Local Planning Authority. Site investigations shall be carried out in accordance with the approved design and a Phase 2 Report shall then be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The Phase 2 Report shall include the site investigation data, generic quantitative risk assessment, detailed quantitative risk assessment (if required) and recommendations regarding the need or otherwise for remediation.

Should the Phase 1 Report recommend that a Phase 2 Report is not required, but during construction and prior to completion of the development hereby approved, contamination or gas migration is found or suspected, the developer shall contact the Local Planning Authority immediately and submit proposals for investigation and remediation of the contamination or gas migration within seven days from the date that it is found or suspected to the Local Planning Authority for approval in writing.

Options Appraisal

Should the Phase 2 Report recommend that remediation of the site is required then unless otherwise agreed in writing with the Local Planning Authority, no development shall commence unless or until an Options Appraisal has been submitted to, and approved in writing by, the Local Planning Authority. The Options Appraisal shall include identification of feasible remediation options, evaluation of options and identification of an appropriate Remediation Strategy.

Implementation of Remediation Strategy

No development shall commence, unless otherwise agreed in writing with the Local Planning Authority, until the following information relating to the approved Remediation Strategy has been submitted and approved by the Local Planning Authority:

Detailed remediation design, drawings and specification;

Phasing and timescales of remediation;

Verification Plan which should include sampling and testing criteria, and other records to be retained that will demonstrate that remediation objectives will be met; and

Monitoring and Maintenance Plan (if appropriate). This should include a protocol for long term monitoring, and response mechanisms in the event of non compliant monitoring results.

The approved Remediation Strategy shall be fully implemented in accordance with the approved phasing and timescales and the following reports shall then be submitted to the Local Planning Authority for approval in writing:

- vii) A Verification Report which should include a record of all remediation activities, and data collected to demonstrate that the remediation objectives have been met; and
- viii) A Monitoring and Maintenance Report (if appropriate). This should include monitoring data and reports, and maintenance records and reports to demonstrate that long term monitoring and maintenance objectives have been met.

Reason

To ensure that the development is safe for use.

14. The dormer front(s) and cheeks shall be clad in tiles to match those of the existing roof.

Reason

To ensure the development fits in visually with the existing building and safeguards the character and visual appearance of the locality.

15. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 1995 (or any order amending or replacing that order) no extensions, porches, garages, outbuildings, sheds, greenhouses, oil tanks, or hardstandings shall be erected within the curtilage of (any of) the approved dwellinghouse(s), other than those expressly authorised by this permission.

Reason

The private garden space of the dwellings is limited and any extension would result in an unsatisfactory scheme in terms of open space and privacy requirements.

16. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning General Permitted Development Order 1995 (or any Order amending or replacing that Order) no dormers shall be constructed or other alterations to the roof carried out on the approved dwelling(s) other than those expressly authorised by this permission.

Reason

To safeguard the architectural character and appearance of the dwelling.

17. Notwithstanding the provisions of Class A to Schedule 2 Part 2 of the Town and Country Planning General Permitted Development Order 1995 (or any Order amending or replacing that Order) no fences, gates, walls shall be erected within the curtilage of (any of) the approved dwelling house(s) other than those expressly authorised by this permission.

Reason

The development has been designed with specific regard to the design of boundaries and new fences and walls in these positions would spoil the appearance of the site.

18. No demolition, development or stripping of soil shall be started until the trees within or overhanging the site which are identified on the following approved Drawings:

- Drawing No. 12/AIA/BLTN/03 02 Tree Protection During Demolition Plan dated May 2012
- Drawing No. 12/AIA/BLTN/03 04 Tree Protection Plan dated May 2012

have been surrounded by the approved fencing. The approved fencing shall extend to protect the Tree Root Protection Zone (in accordance with BS 5839) or as may otherwise be agreed in writing with the Local Planning Authority; such fences shall remain until all development is completed.

Reason

In order to avoid damage to tree(s) within the site which are of important amenity value to the area.

19. No work, including the storage of materials, or placing of site cabins, shall take place within the extreme circumference of the branches of any tree which are identified on Drawing No's 12/AIA/BLTN/03 02 Tree Protection During Demolition Plan dated May 2012; and Drawing No. 12/AIA/BLTN/03 04 Tree Protection Plan dated May 2012.

Reason

In order to avoid damage to tree(s) within the site which are of important amenity value to the area.

20. No development shall be started until a minimum of 14 days notice in writing has been given to the Local Planning Authority that the protective fencing referred to in Condition 18 has been erected.

Reason

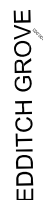
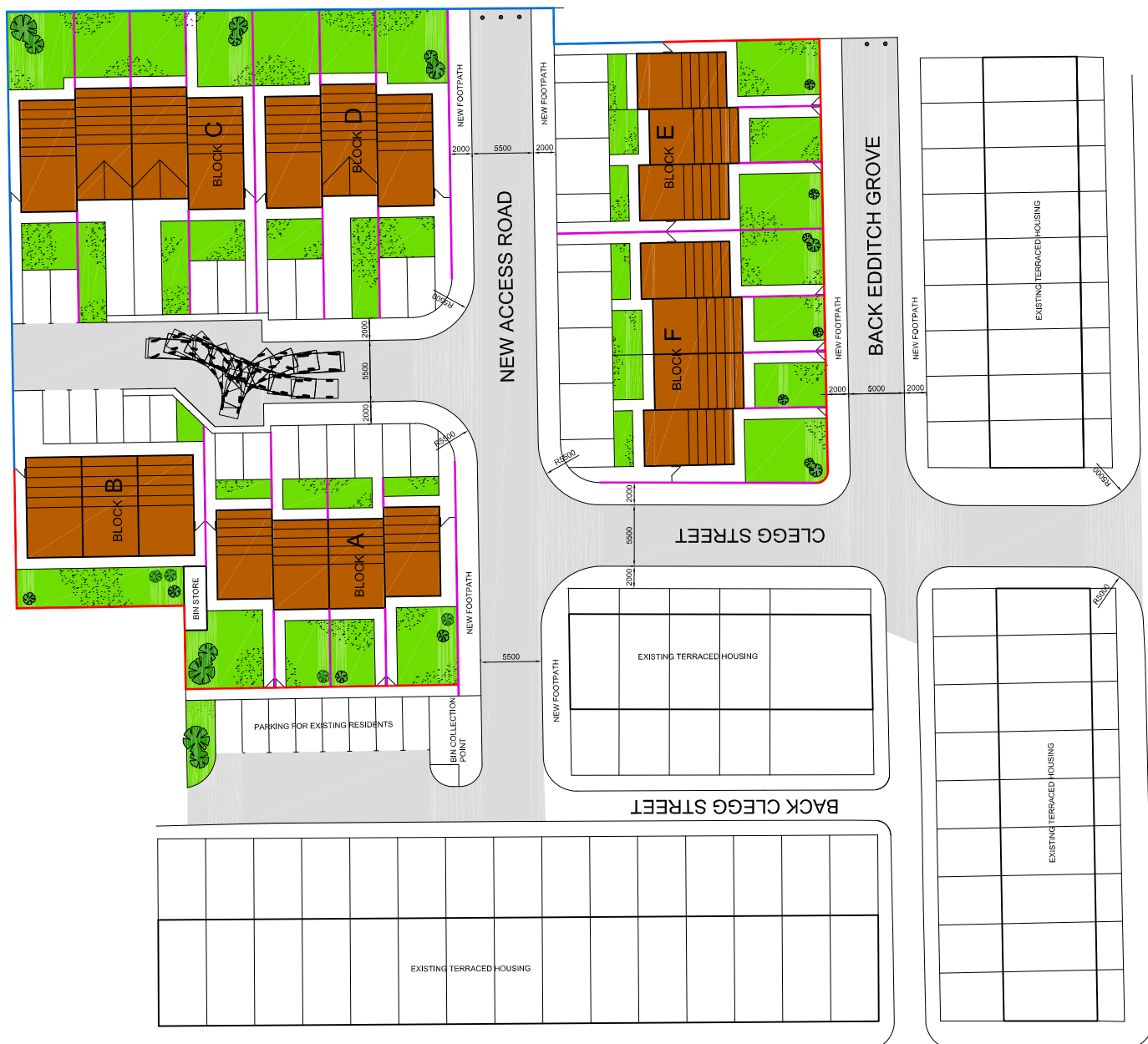
In order that the Local Planning Authority can inspect the protective fencing with a view to avoiding damage to tree(s)/shrub(s)/hedgerow(s) within the site which are of important amenity value to the area.

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

Drawing No. 1403 02 Rev J - Proposed Site Layout received 11/03/13;
Drawing No. 1403 03 Proposed Elevations received 30/03/12;
Drawing No. 1403 04 Proposed Elevations Block AF and B Rev. A received 04/04/12;
Drawing No. 1403 05 Proposed floor plans Block A and F Rev. A received 04/04/13;
Drawing No. 1403 06 Proposed floor plans Block B Rev A - received 04/04/13;
Drawing No. 1403 07 Rev B - Proposed Plans and Elevations Block C received 11/03/13;
Drawing No. 1403 08 Rev A - Proposed first floor plans Block C received 04/04/12;
Drawing No. 1403 09 Rev A - Proposed 2nd floor plan Block C received 04/04/12;
Drawing No. 1403 10 Rev B - Proposed Plans and Elevations Block D received 11/03/13;
Drawing No. 1403 11 Rev A - Proposed First Floor plan Block D received 04/04/12;
Drawing No. 1403 12 Rev A - Proposed 2nd floor plan Block D received 04/04/12;
Drawing No. 1403 13 Rev A - Proposed Floor Plans Block E received 04/04/12.

Reason

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



LEGEND

- Boundary Protection 1.2m High
End-fencing (Black Wall Construction)
- Boundary Protection 1.2m High
End-fencing (Close Boarded Timber)
- Boundary Protection 600mm High
End-fencing (Timber Post & Rail)
- Outcrop of Proposed Buildings
- Areas of Proposed Road development,
Tarmacadam surfaces.
- New Driveways to be Concrete Block
Paving.
- New Footpaths to be Tarmac.

[illegible]

Application number
00091/17



p

Development & Regeneration Dept
Development Management Section

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

Bolton
Council

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Date of Meeting: 27/04/2017

Application Reference: 00091/17

Type of Application: Full Planning Application
Registration Date: 23/01/2017
Decision Due By: 23/04/2017
Responsible Officer: Alex Allen

Location: UNIT 33, GREAT BANK ROAD, WESTHOUGHTON, BOLTON, BL5 3XA

Proposal: ERECTION OF TWO STOREY EXTENSION TO BE USED FOR CHILLING AND PACKING, NEW PLANT ROOM AND BIN STORE TOGETHER WITH ENCLOSED CONVEYOR BELT FOR TRANSPORTING PRODUCT FROM EXTENSION TO COLD STORE UNIT 30

Ward: Westhoughton North

Applicant: Stateside Foods limited
Agent : Warburton Associates

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant proposes the erection of a two storey extension to Unit 33 to provide chilling and packaging facilities (Deep Chill Extension). A total of 1,484 square metres of floor space would be provided over two floors together with a new plant room (63 square metres) and a bin store outrigger of 22 square metres. The proposed extension would be c. 37 metres in length, 19.5 metres in width/depth and have a shallow dual pitched roof 8.65 metres to the eaves and 9.63 metres to the apex of the roof.

An enclosed conveyor belt will take product from the 'Deep Chill' Extension to the cold store in Unit 30. The finished floor level of the building would match the existing floor level of Unit 33 and would be of a similar height as Unit 33. The proposed enclosed conveyor belt would exit from the eastern elevation of the proposed extension at a height of c. 70 cm above proposed ground level rising to a height of c. 2.3 metres where it enters the northern elevation of Unit 30. The conveyor belt would be supported by slim metal columns.

The elevations of the building would be broken up by patterned colour cladding panels which would reduce the visual impact of the extension. The colours chosen would match the existing Unit 33 (grey and terracotta).

An integral part of the development would be to remove the existing pond which is located within the site, reduce ground levels and relocate the existing boundary fence. The applicant has confirmed

that the new fence would be green powder coated weldmesh fencing i.e. the same as existing and would also be located wholly within land within their ownership. As part of the proposal the applicant would need to remove a 8 metre section of existing hedgerow.

Amended plans have been submitted which show a new fenceline together with a new section of hawthorn hedge measuring 81 metres in length. This would be conditional upon any approval.

Site Characteristics

The application relates to a rectangular shaped site which forms part of the Stateside Foods operations located within Wingates Industrial Estate in Westhoughton. Stateside Foods as a company occupy both sides of Great Barn Road within the southern part of Wingates Industrial estate.

The application site itself is characterised by a pond which occupies the majority of the site which has rushes around the edge of it. The remainder of the application site is characterised by existing paths around the existing industrial buildings, small areas of grass and a length of existing hedgerow which forms part of a longer hedgerow which runs along part of the northern boundary of the site.

The northern edge of this part of the Industrial Estate is characterised by a number of relatively large industrial buildings, some of which are set back from the shared boundary with Long Lane by a few metres and a number of other industrial structures including sprinkler tanks and other external plant and machinery.

Weldmesh security fencing provides the boundary of the site with Long Lane to the north, west and east. Long Lane immediately to the north of the Stateside Foods site area forms vehicular and pedestrian access to a group of residential properties at Willow Bank together with access to farms to the west. To the north, east and south of the site lies the remainder Wingates Industrial Estate.

Policy

National Planning Policy Framework

Core Strategy P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, OA3 Westhoughton.

General Design Principles SPD and the Accessibility, Transport and Safety SPD.

Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.

Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.

Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.

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

The main impacts of the proposal are:-

- * principal of development;
- * impact on the character and appearance of the site/area;
- * impact on surrounding land uses;
- * impact on ecology/biodiversity;
- * impact on highway safety including public rights of way;
- * impact on drainage/surface water run-off;
- * impact on sustainability.

Principal of Development

Core Strategy policy P1 seeks to ensure the Council safeguards existing employment sites where they are compatible with residential amenity. In addition, Core Strategy policy M6 states that the Council and its partners will refurbish and redevelop Wingates for B2 and B8 employment uses as opportunities arise.

The proposal would be entirely consistent with this approach involving the erection of an extension which would be used for B2/B8 manufacturing and storage purposes.

The proposal would be compliant with Core Strategy policies P1 and M6.

Impact on the Character and Appearance of the Site/Area

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 OA3 of the Core Strategy relates specifically to developments in Westhoughton and states that the Council will conserve and enhance the character of the existing physical environment.

Whilst the proposal would result in the loss of an 8 metre long section of existing hedgerow this would be replaced by new 81 metre long hedge which would be planted along the length of the northern boundary of the site. Whilst the proposal would remove an existing pond the extension would complement the scale and design of the adjoining buildings located within the Stateside Foods site.

Whilst the extension would project towards Long Lane it is considered sufficient distance from the road/lane with adequate new landscaping to soften the development and complement the character of the wider area.

The proposal complies with policy.

Impact on Surrounding Uses

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.

The proposed extension would provide a processing unit and a link to the storage area within Unit 30. The applicant notes that the proposal would reduce the level of fork lift truck movements within the site.

The Council's Environmental Health officers have assessed the proposal and have commented that they have no objections to the proposal subject to conditions regarding noise emissions from the site

and details of extraction and filtration scheme and the provision of a Phase I study. Appropriate schemes would have the ability to ensure that the closest residential properties at Willow Bank would not have their living conditions compromised.

Subject to conditions it is considered that the proposal complies with policy.

Impact on Ecology/Biodiversity

Guidance contained within the National Planning Policy Framework (paragraph 118) states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. Guidance advises that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Core Strategy policy CG1 seeks to ensure that the Council and its partners will safeguard and enhance biodiversity in the urban and rural areas by protecting sites of biodiversity from adverse development.

The proposal would result in the loss of a pond which is located within the application site. The pond is described as 16 metres by 12 metres and in excess of 1.5 metres deep. The pond has a mature margin of tall aquatic vegetation dominated by bulrush. The pond also supports dense submerged and floating aquatic plants such as water mint, watercress, Canadian pond weed and floating sweet-grass.

As part of the applicants submission they have provided a Great Crested Newt Presence and Absence Survey which did not identify any protected species on the proposed development site. The survey concludes that the pond did not support any protected species (Great Crested Newts or water voles). A number of smooth (22 adults) and palmate newts (4 adults) were counted within the pond.

Officers from the Greater Manchester Ecology Unit regard the loss of the established pond as being contrary to Core Strategy policy CG1 and paragraph 109 of the NPPF. They suggest that to make the application more acceptable the applicant should submit proposals for compensating and / or mitigating for the loss of the pond. However, GMEU officers state that if permission is granted a condition should be placed on the decision notice which requires a method statement to provide measures for when the pond is drained to avoid the unnecessary harm to wildlife. The method statement would need to be implemented in full (which would be a requirement of the condition).

Greenspace Management officers comment that the loss of the pond would be difficult to mitigate for on site or within land in the ownership of Stateside Foods. They suggest the removal of the newt population and relocation elsewhere would be an acceptable biodiversity contribution.

As stated by Greenspace Management officers the opportunity for the applicant to mitigate against the loss of the pond are limited within land owned by Stateside Foods. This matter has been discussed with the applicant who have agreed to secure removal / translocation of the newts / other wildlife to suitable alternative habitat in due course.

It is considered that the loss of the pond would need to be balanced against the benefits which would potentially accrue from the proposed development.

Impact on Highway Safety Including Public Rights of Way

Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.

The Council's Highways Engineers have confirmed that based on the Council's maximum car parking standards the proposal would require an additional 19 spaces.

The applicant has confirmed that the proposal would not result in an increase in the number of people employed. The applicant has also confirmed that they have recently purchased Direct House to the north of the application site. This would give the company the use of an additional 51 car parking spaces with a further 66 spaces available in the next 18 months. Furthermore, the applicant has recently provided additional car parking on the eastern part of their curtilage.

It is considered that in the light of the above there would be no requirement for additional car parking.

Policy P8AP of the Allocations Plan states that the Council will permit development proposals affecting public rights of way, provided that the integrity of the right of way is retained.

The Council's Public Rights of Way Officer has confirmed that the proposal would not impinge on the public footpath which runs along Long Lane.

The proposal is considered to comply with policy.

Impact on Drainage/Surface Water Run-off

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, concentrating new development in areas of lowest flood risk. Policy CG2.2 states that the Council will ensure that all non-residential units of over 500 sq. metres demonstrate sustainable management of surface water run-off.

The applicant has committed to provide a drainage strategy for the site which states surface water run off from the site would be limited by attenuation measures. A detailed scheme, including an appropriate long term management/maintenance regime will be secured by planning condition.

It is therefore considered that the proposed development will not increase the risk of flooding and will provide sustainable management of surface water run-off, compliant with Policies CG1.5 and CG2.2 of the Core Strategy.

Impact on Sustainability

Core Strategy policy CG2 seeks to ensure that new development proposals which create over 500 sq.metres of new floorspace ensure that the development achieves a build standard of BREEAM Very Good, reduce CO2 emissions by 10% and reduce surface water run-off from developments by at least 50%.

The applicant has submitted a sustainability assessment and energy statement. In summary, this document states that the applicant proposes a fabric first approach to assist in the reduction in energy demand and CO2 emissions from the use of the building. It is proposed to use a heat pump cooling system when combined with the fabric first approach would result in a reduction in CO2 emissions by 11.1%.

The Statement also refers to the fact the building cannot achieve a BREEAM rating due to the limited building facilities located. However, the development will aspire to achieve the required Energy Credit requirements equivalent to BREEAM Very Good.

Subject to conditions it is considered that the proposal would comply with CS policy CG2.

Conclusion

It is considered that the proposal complements the overall character and appearance of the Wingates Industrial Estate whilst providing adequate landscape buffers/treatment to offset any visual impact the proposed new building would have. The applicant is committed to providing sufficient off road parking elsewhere within the site. Whilst the proposal would result in the loss of an existing pond which is home to a number of newt species and other wildlife. Subject to a satisfactory method statement, it is considered that the newts and other wildlife can be translocated elsewhere within the vicinity of the site. It is considered that the proposal would enable the expansion of Stateside Foods within Wingates Industrial Estate with all the consequential economic benefits this would bring about.

The proposal is on balance recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- four objection letters have been received by local residents. The key issues raised are as follows (Officers comments are shown in bold):

- Loss of existing hawthorn hedge along the site boundary – loss of habitats and green buffer - **see report above;**
- Removal of pond – impact on ecology/biodiversity - **see report above;**
- Encroachment of proposed fence on Long Lane - **the applicant has provided evidence (Land Registry detail) which clearly shows that the proposed extension and relocation of the fence would be within land in their ownership;**
- Any replacement planting for the vegetation lost? **see report above;**
- Purpose of pond was to allow fire engines to use the water in the event of a fire – what are the health and safety implications of this? - **the existing pond water is not suitable for use in the event of a fire. Stateside Foods have a large water tank located close to the application site which would be used in the event of a fire.**
- Has development already commenced? - **the applicant has not commenced work on the proposed development although some minor works have been undertaken e.g. installation of gates, formation of a new path and installation of a gabion wall structure;**
- Removal of a private road sign - **not a material planning consideration;**
- Other issues raised by the objectors at No. 4 with regard to noise issues from the wider site – potential of the development to result in further noise issues - **existing noise complaints from the site have been sent to the Council's Pollution Control team for them to investigate.**

Petitions:- no petitions have been received.

Town Council:- raise no objections.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Westhoughton Town Council, Pollution Control officers, Highways Engineers, Landscape Design officers and Drainage / Flood Risk team.

Planning History

Planning permission was granted in October 2011 (Ref: 86443/11) for the erection of 2.4 metre high weldmesh security fencing around the site perimeter. This was subsequently implemented in full.

Planning permission was granted in April 2016 (Ref: 95752/16) for the conversion of a warehouse to a chill store and the erection of a cold store with a new parking area. This extension at the corner of Long Lane and Great Bank Road has just been completed.

Planning permission was granted in September 2016 (Ref: 97058/16) for the change of use of a store to a bakery, the erection of an extension to provide an additional bakery and warehouse storage facility including new loading bays, 2 new flour silos and the erection of an outbuilding to house pumps for the sprinkler system. This permission remains unimplemented at present.

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. Prior to the commencement of development the details (samples if required) of the type and colour of materials to be used for the external walls and roof to be agreed with the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

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

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

Reason

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

4. Prior to the commencement of the development:-

- A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property and/or the wider environment; and
- The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial works shall be incorporated into the development during the course of construction and completed prior to occupation of the development or the development being first brought into use; and

Prior to first use/occupation of the development hereby approved:

- A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason

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

5. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter retained, managed and maintained in accordance with the approved details. Those details shall include:

- 1) A timetable for its implementation, and

2) A management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

To ensure the site provides satisfactory means of surface water drainage and in order to comply with Core Strategy policies CG1.5 and CG2.

6. The development hereby approved shall be constructed in accordance with the approved Sustainability Assessment and Energy Statement dated 10/01/17 in order to ensure that the approved development will result in a reduction in CO2 emissions from the development by at least 10% and the achievement of ensuring the development meets the Energy credit requirements equivalent to BREEAM Very Good (Industrial) Standard as outlined within Section 1 of the approved report.

Within 6 months of the completion of the development verification of the reduction in CO2 emissions and achievement of the Energy Credits equivalent to BREEAM Very Good (Industrial) standard shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be installed, retained and maintained in perpetuity.

Reason

In the interests of tackling climate change and in order to comply with Core Strategy policy CG2.

7. Prior to the commencement of any groundworks including the draining of the existing pond a scheme shall be submitted to and approved in writing by the Local Planning Authority which provides details of measures to be taken during any drain-down of the ponds to avoid unnecessary harm to wildlife. The proposal shall include measures to translocate the smooth and palmate newts from the pond to an alternative habitat. The approved drain down and translocation scheme shall be implemented in full. A validation report which verifies the implementation of the approved scheme shall be submitted to the Local Planning Authority prior to first use of the extension hereby approved.

Reason

In the interests of the protection of wildlife and in order to comply with Core Strategy policy CG1.

8. 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.

9. The rating level, as defined in BS4142:2014, shall not exceed the measured daytime and/or night time background sound level at the closest residential properties 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 construction phase of the development. 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 retained thereafter.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area and in order to comply with Core Strategy policy CG4.

10. 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 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.

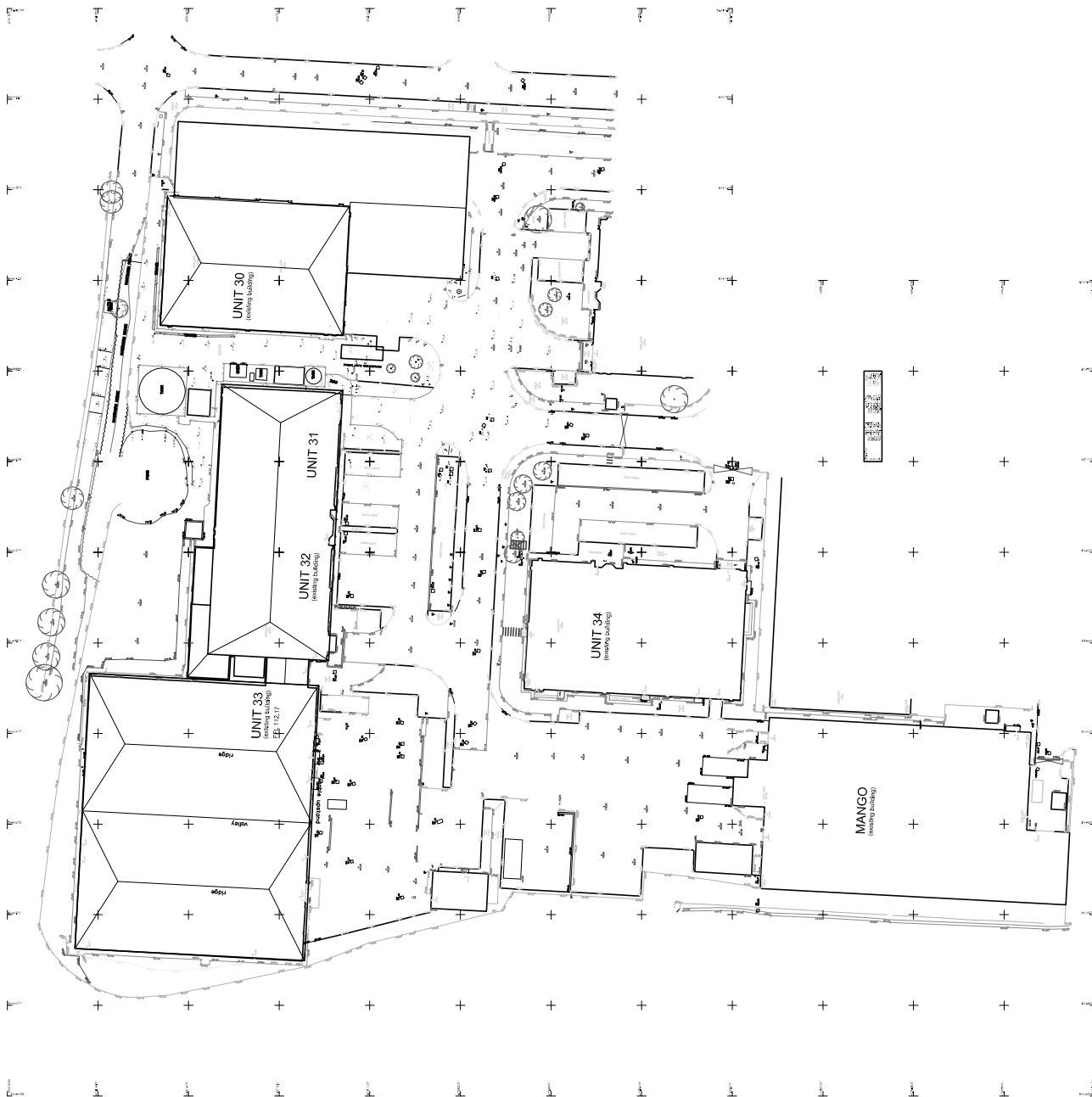
11. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Drawing No. 4300 005 - Proposed Ground Floor Roof Plan, dated December 2016;
Drawing No. 4300 006 - Proposed first floor plan, dated December 2016;
Drawing No. 4300 007 - Elevations As Proposed in Context, dated December 2016;
Drawing No. 4300 08 - Roof plan as proposed, dated Dec 2016;
Drawing No. 4300 113 - Proposed Route of conveyor belt, dated April 2017;
Drawing No. 210416JC-01 - Site Survey, dated April 2016.

Reason

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


DIRECT HOUSE
(MANGO BUILDING)



rev	date	by	description
contract			
Unit 33 Deep Chill Great Bank Road Wingates Industrial Park Westthroughton, Bolton			
client			
Stateside Foods			
dwg no.	date	rev.	date
4300 02			Dec 2016
scales	drawn	checked	
1:500 @ A1			
subject			
Site plan as existing (Shows Stateside Western site)			
<div><div>Warburton</div><div>associates</div><div>Chartered Architects</div><div><small>The Chartered Institute of Architectural Technicians The Chartered Institute of Building The Chartered Institute of Environmental Health The Chartered Institute of Planning The Chartered Institute of Surveyors The Chartered Institute of Taxation The Chartered Institute of Town and Country Planners The Chartered Institute of Transport Engineers The Chartered Institute of Water and Environmental Engineers The Chartered Institute of Waste Management The Chartered Institute of Building Services Engineers The Chartered Institute of Refrigeration Engineers The Chartered Institute of Air Conditioning Engineers The Chartered Institute of Heating Engineers The Chartered Institute of Mechanical Engineers The Chartered Institute of Electrical and Electronic Engineers The Chartered Institute of Civil Engineering The Chartered Institute of Structural Engineers The Chartered Institute of Building Services Engineers The Chartered Institute of Refrigeration Engineers The Chartered Institute of Air Conditioning Engineers The Chartered Institute of Heating Engineers The Chartered Institute of Mechanical Engineers The Chartered Institute of Electrical and Electronic Engineers The Chartered Institute of Civil Engineering The Chartered Institute of Structural Engineers</small></div></div>			



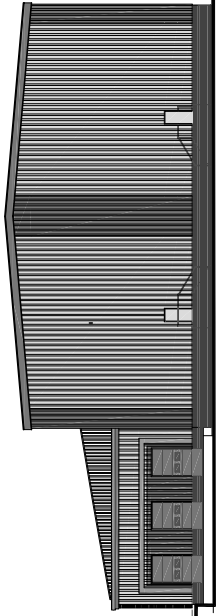
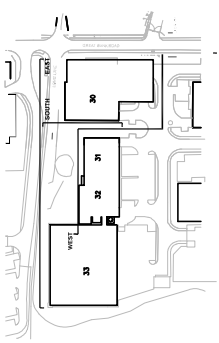
py date	by	description	contract	client	rev.	date	checked	scales	subject	Proposed site plan
		Unit 33 'Deep Chill' extension Great Bank Road Wingates Industrial Park Westhoughton, Bolton		Stateside Foods Ltd.	C	Jan 2017		1:200 @ A1		
					4300 104					



Warburton
a s s o c i a t e s

Chartered Architects

The Old Police Station, 62 Chapel Street, MANCHESTER M3 7AA
 0161 653 3545 Fax: 0161 657 7594 - info@warburton.co.uk



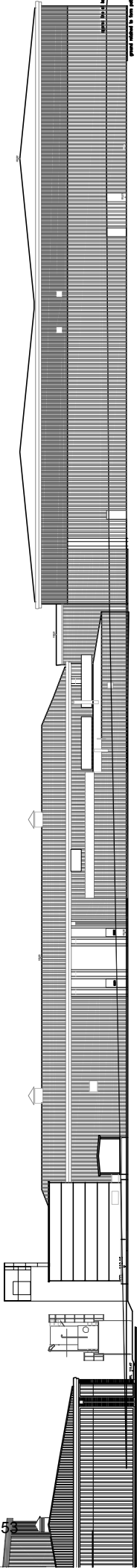
plant room

Fence, Long Lane, Lancaster way and open ground beyond

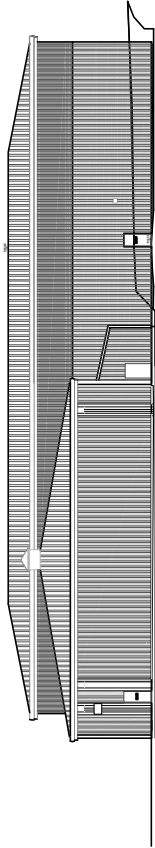
approximate line of Long Lane

WEST ELEVATION AS EXISTING viewed from section line through unit 33 (see Key)


153

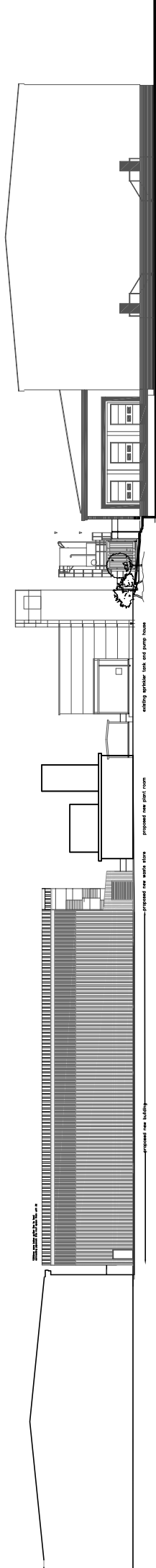
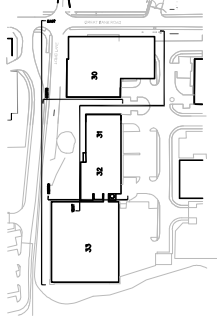


EAST ELEVATION AS EXISTING viewed from LONG LANE

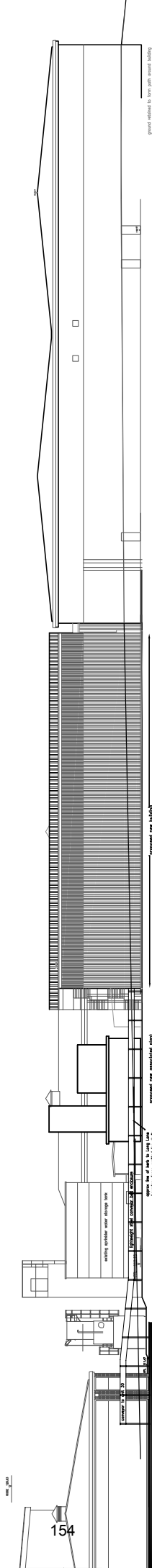


Units 32 and 33 SOUTH ELEVATION as existing

rev	date	by	description
contract			
Unit 33 Deep Chill Great Bank Road Wingates Industrial Park Westroughn, Bolton			
client			
Stateside Foods			
dwg no.	rev.	date	
4300 03		dec 2016	
scales	drawn	checked	
1:200 @A1	NS		
subject			
Elevations As Existing			
 Warburton associates Chartered Architects			
The Old Bank, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000			



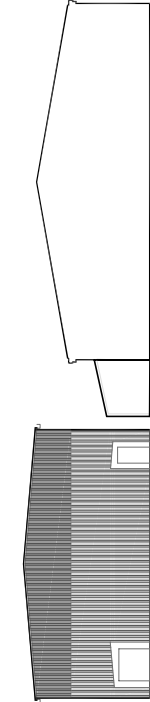
WEST ELEVATION As proposed viewed from section line (see Key)



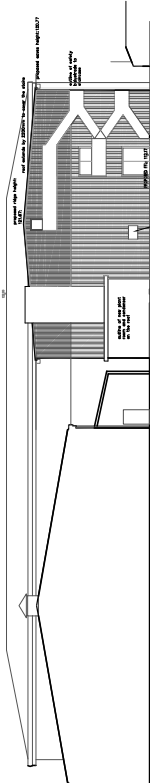
EAST ELEVATION As proposed viewed from LONG LANE

Rev B NS 13.1.17 conveyor belt added, roof extended over stairs
Rev A NS 12.1.17 adjustments and rooms added

rev	date	by	description
contract			
Unit 33 Deep Chill Great Bank Road Wingates Industrial Park Westhoughton, Bolton			
client			
Stateside Foods			
dwg no.	rev.	date	
4300 07	B	dec 2016	
scales	drawn	checked	
1:200 @A1	NS		
subject			
Elevations As Proposed In Context			
Warburton associates Chartered Architects			
The Old Rectory, Churchfields, Churchfields, Bolton, Lancashire, M20 9JN Tel: 0161 954 5451 Fax: 0161 954 5452 Email: info@warburtonassociates.co.uk			



North elevation (viewed from unit 33)



SOUTH ELEVATION As proposed (viewed from unit 30) section through unit 31