

Planning Applications Report

Planning Committee

20th September 2018

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

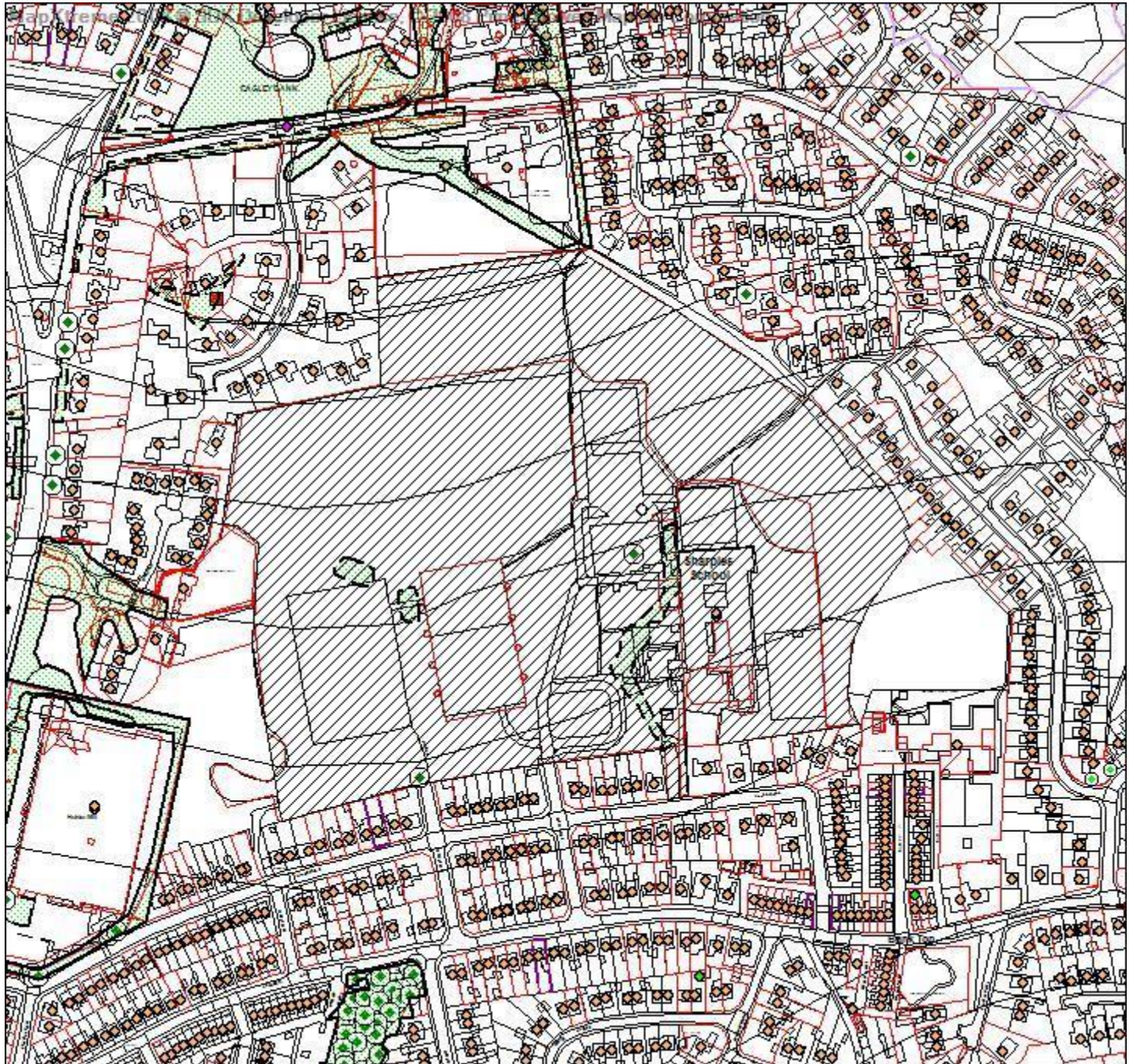
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

INDEX

Ref. No	Page No	Ward	Location
04012/18	<u>4</u>	ASBR	SHARPLES SCHOOL, HILL COT ROAD, BOLTON, BL1 8SN
04158/18	<u>14</u>	HELO	79 ALBERT ROAD WEST, BOLTON, BL1 5HW
03502/18	<u>29</u>	RUMW	21 ALBERTA STREET, BOLTON, BL3 5JD
03484/18	<u>39</u>	WESO	FORMER GREYHOUND STADIUM, WIGAN ROAD, WESTHOUGHTON, BOLTON DEED OF VARIATION AT BOLTON COMMUNITY COLLEGE, HORWICH CAMPUS SITE, VICTORIA ROAD, HORWICH

Application number
04012/18



Directorate of Place
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
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Bolton
Council

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Date of Meeting: 20/09/2018

Application Reference: 04012/18

Type of Application: Full Planning Application

Registration Date: 13/07/2018

Decision Due By: 06/09/2018

Responsible Officer: Amy Smith

Location: SHARPLES SCHOOL, HILL COT ROAD, BOLTON, BL1 8SN

**Proposal: ALTERATIONS TO FORM 3NO. VISITOR PARKING BAYS
AND THE SITING OF A CCTV POLE**

Ward: Astley Bridge

Applicant: Ms C Ingram

Agent : AHR Building Consultancy

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Planning permission is sought for the installation of a 4 metre high CCTV pole and camera together with alterations to the existing entrance and car park. The existing vehicular access barrier is to be removed and the land in this area would be resurfaced with bitumen to form three additional parking spaces within kerbed edging; each space would measure 2.4m x 4.8m. A section of the existing footpath in this area would be resurfaced. Three impact bollards would be installed on the main school car park with new hatched lining. The CCTV would cover the main school car park and improve levels of security in this area which has been subject to trespass in the past.
2. The additional parking spaces would allow visitors to access the site and park up before entering the school grounds via a new pedestrian gate. The gate does not form part of this application.
3. The proposal originally included the erection of 2 metre high perimeter weldmesh fencing and lockable vehicular and pedestrian gates. However, these elements have been removed from consideration of this application as the means of enclosure is permitted development by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 2, Class A which permits fencing at school sites to a height of 2m above ground level, provided that the fencing, where it is greater than 1m in height, does not create an obstruction to the view of persons using the highway so as to be likely to cause danger to such persons. A separate application for a Certificate of Proposed Lawful Development has been submitted for consideration for a lawful determination of the proposal to erect such fencing.

Site Characteristics

4. This application relates to Sharples School. The main access is taken from Arncot Road, off Hill

Cot Road/Ashworth Lane, which runs into the school site and to the leisure centre building to the north of the main school. The school is set in grounds of 8.2 hectares and the wider area is residential in nature.

Policy

5. Core Strategy Policies S1 Safety; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.
6. Supplementary Planning Documents: Accessibility, Transport and Road Safety and General Design Principles.
7. National Planning Policy Framework 2018 (NPPF).

Analysis

8. 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.

9. The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on trees
- * impact on highway safety
- * impact on the amenity of neighbours
- * impact on crime reduction

Impact on the Character and Appearance of the Area

10. Core Strategy Policy CG3 states development shall conserve and enhance local distinctiveness, having regard to the overall built character and landscape quality of the area. Development must be compatible with the surrounding area in terms of scale, massing and form, amongst other matters. Policy OA5 states that development should conserve and enhance the character of the existing physical environment, require special attention to the massing and materials used in new development, ensure that new development does not harm the landscape setting and protects views from public areas to the surrounding landscape.
11. The proposed additional parking spaces would be situated within the school grounds. They would be formed on land that is currently a grass verge. Whilst the loss of soft landscaping is regrettable, it is only a relatively small area in comparison with the wider school grounds. The CCTV post would be a maximum of 4m in height. The introduction of the pole and camera is a minor development. It is not considered that the resurfacing works or installation of the pole would detrimentally impact the character of the school site or wider area.

Impact on Trees

12. 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.

13. The services for the CCTV would require the excavation of land. Some of these excavations would be required in the vicinity of a number of established trees. It is not considered that this would be a constraint to the development but the LPA will want to control the method of excavation. A tree survey is being carried out at the time of writing the report and the specific detail of any proposed conditions will be reported to Committee via the late list.

Impact on Highway Safety

14. Core Strategy Policy P5 states that development shall ensure that parking is available in accordance with the Council's standards. Policy S1 seeks to ensure that development promotes road safety.
15. The amendments to the access to the school and car park-drop served from Arncot Road would be undertaken on private land which falls outside of the remit of the Local Highways Authority. There is sufficient visibility from and to the proposed parking spaces and sufficient space for vehicles to manoeuvre. Whilst the spaces are close to the access point, it is not considered that traffic flow through the site is so significant that this would cause a severe impact on the highway network.

Impact on the Amenity of Neighbours

16. Core Strategy Policy CG4 states that development shall be compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.
17. A CCTV coverage plan has been submitted which identifies how the camera would be focussed on the car park area and school access point so that the school has control over who may access the premises. It is not considered that the development would impact the amenity enjoyed by neighbouring residents by way of affecting their privacy.

Impact on Crime Reduction

18. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are therefore material considerations that a local authority should take into account when exercising its planning functions under Town and Country Planning legislation.
19. The National Planning Policy Framework (July 2018) states that planning decisions should aim to create safe, inclusive accessible places where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
20. Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, reduce crime and the fear of crime, by ensuring that neighbourhoods are attractive and well designed. Policy S1 is part of the "Safe Bolton" Sustainable Community Strategy theme and states that the Council and its partners will ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy CG4 of Bolton's Core Strategy seeks to ensure that new development protects, amongst other things, safety and security.
21. The CCTV pole and camera would cover the main school car park and improve levels of security in this area which has been subject to trespass in the past. The additional parking spaces would

allow visitors to access the site and park up before entering the school grounds. The proposal therefore has the potential to have a small but positive impact on safeguarding.

Conclusion

22. The proposed development has the potential to deliver small but positive benefits in terms of safeguarding. No harm has been identified to outweigh this benefit as it is not considered that the proposal would harm the character and appearance of the area, nor would it detrimentally impact the amenity of neighbours or the highway network. The development is considered to be in accordance with the relevant policies of Bolton's Core Strategy, the guidance contained within SPD General Design Principles and the NPPF and is recommended for approval.

Representation and Consultation Annex

Representations

Letters: 44 representations have been received; 38 objections, 2 in support and 5 general comments.

Objections

- Erecting the fencing at a 1m gap beyond the existing fencing will create a tunnel of foliage. Who will maintain the gap and how often will this be undertaken?
- It is felt that a 2m gap should be left.
- The fencing will be an eye-sore.
- The fencing will obstruct a number of public rights of way, established for over 40 years. An application has been submitted to formalise the rights of way.
- There will be a detrimental impact on wildlife.
- The field is used by the community for sports, recreation, walking dogs and as a cut through. The community were given assurances by the school that the land could continue to be used by the community.
- This is the only piece of green space in the area.
- The fencing off of the field will force people to walk around the school.
- The cost of the fencing should be spent on something else.

The objector has never witnessed anti-social behaviour/vandalism.

- The land is Green Belt.
- There has been no consideration for disabled people.
- The land was donated by Sharples Hall to be kept available for the community and is not owned by the school.
- The development will detrimentally impact the highway network.
- Questions the need for the fencing.

The majority of the objections relate to the fencing which has since been removed from consideration as it does not require planning permission. The Public Rights of Way Officer has confirmed that there are no recorded public rights of way that lead over this area of land however it is possible that a path or paths across an area of land may have become public by usage although not indicated on the Definitive Map. The Public Rights of Way team has recently been made aware of a potential claim for a number of routes leading over land at Sharples School. When in receipt of a Definitive Map Modification Order application and a certificate of service of notice which meet the requirements of schedule 14 of the Wildlife and Countryside Act 1981, we will investigate the matters in the application.

The site is not within the Green Belt, nor does the land have any formal designation as public, open or recreational land, other than a school playing field contained within the area leased to the school by the Council.

Support

- Has witnessed anti-social behaviour - stolen bins being set on fire, quad bikes riding on the field, car window smashed.
- CCTV will deter anti-social behaviour.

Elected Members: Cllr Hilary Fairclough forward concerns raised by a neighbour, but due to her interest in the school, did not make any personal representations. A request also came via David Crausby MP for the application to be determined by Members of the Committee.

Consultations

Advice was sought from the following consultees: Highways, Trees, Design for Security, Public Rights of Way

Planning History

83432/09 Erection of 2.4m high wire mesh fence with three gates and 2.0m high entrance gates - approved with conditions

65148/03 Erection of a 2.4 metre high fence within the school site - approved with conditions

49592/96 Erection of a 2.4 metre high palisade fence and 4 metre wide gates – approved with conditions

29273/87 Erection of a garage - approved with conditions

21406/83 Erection of a single storey extension to form science classrooms - approved with conditions

18776/82 Erection of an extension to the sports centre to provide 2 squash courts with ground floor office, store and lift and first floor lounge, bar, store and toilets - approved with conditions

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.

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

Existing Site Plan, drawing number 01 P02, dated 04/07/18

Block Plan, drawing number 02 P02, dated 04/07/18

Proposed Demolition Plan drawing number 04 P02, dated 04/07/18 !!!!!!!!!!!!!!!!!!!!!TO BE AMENDED!!!!!!!!!!!!!!

Proposed site Plan drawing number 05 P02, dated 04/07/18

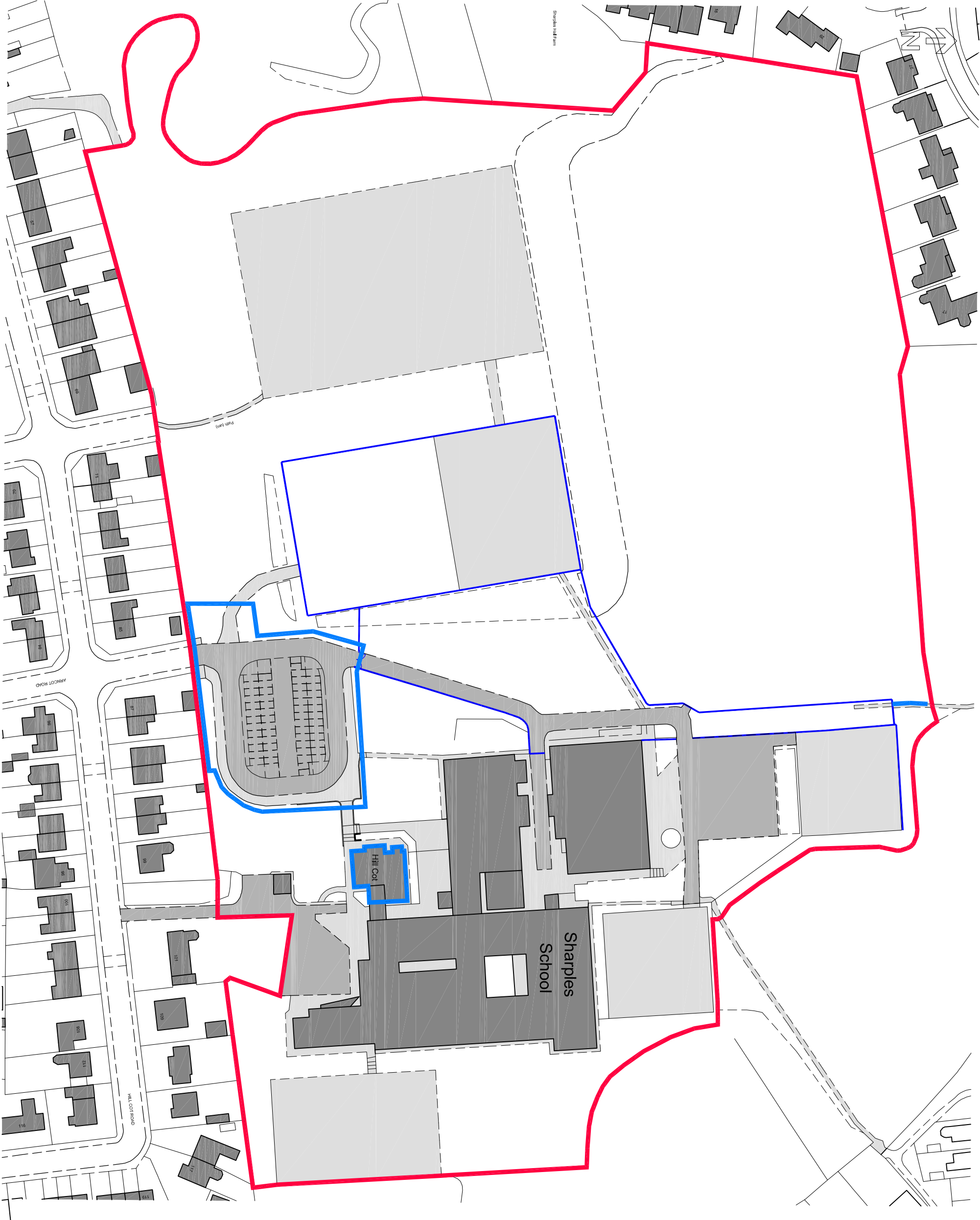
Proposed Entrance Alterations, drawing number 06 P02, dated 04/07/18

Reason

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

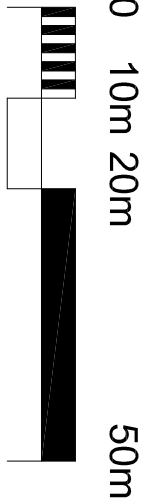
Key:

- Site Boundary
- Proposed Works Area



O.S. Plan

Scale 1:1250 @ A2



1:1250

Client			
Sharples School, A Multi Academy Trust			
Project			
CIF Bid			
Safeguarding and Associated CCTV Works			
Drawing number			
Existing Site Plan			
Oxbridge Survey			
Project number	Scale		
2017_007/19.016	1:1250	@A2	
Drawing number	Rev	Issue Status	
01	P02	Planning	

This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before construction. The originator should be notified immediately of any discrepancy. This drawing is copyright and remains the property of AHR.



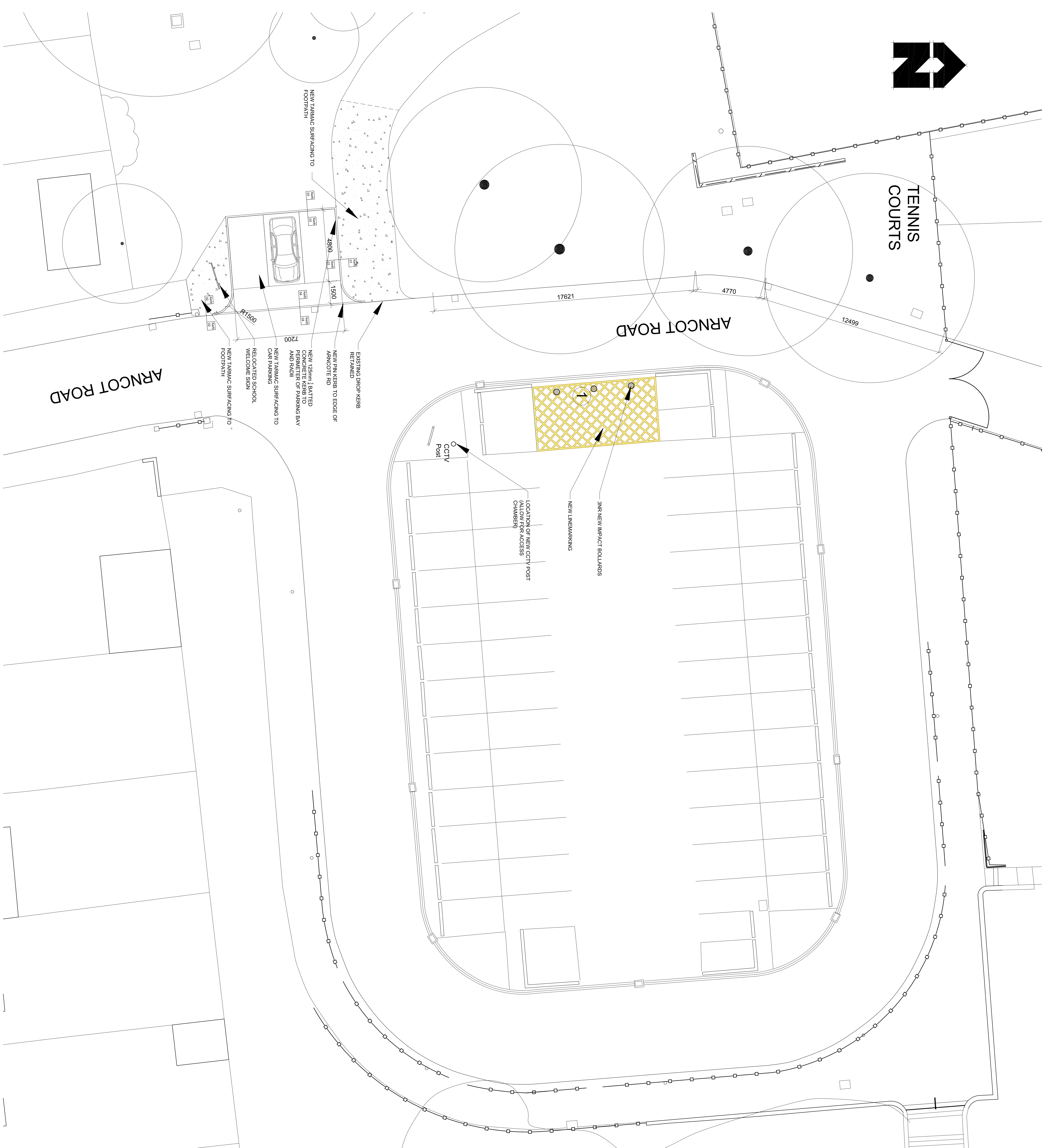
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United Kingdom

Rev	Description	Date	Drawn by	Approved by
01		04.07.18		

Key

- 1 Bollards (3no.) to be installed to prevent unauthorized vehicle access outside of school hours.



Proposed Front Car Park Alterations

Scale 1:100 @ A0

0 0.51m 2m

0 0.51m 2m

0 0.51m 2m

0 0.51m 2m

1:100

1	Drawing Created	15.08.18	SP	TM
Rev	Description	Date	Dr by	App by
original by CH		date created 04.07.18	Approved by	JW

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Sharples School, A Multi Academy Trust

<p> Product </p>

CIF Bid
Safeguarding and Associated CCTV Works

Proposed Entrance Alterations

drawing number	new	design status
2017.00719.016	1:100	@A

drawing number	rev	revision status
06	P02	Planning

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LEGEND

Extent of grassed area to be hand dug to minimum 600mm depth to take new footpath/ widening over (tarmac).

NOTE:
PROVISIONAL SUM ALLOWED
FOR CCTV AND ACCESS
CONTROL INTERNAL CABLING
AND CONTAINMENT WORKS
TO HILL COT HOUSE

scraped back mechanically to min 25mm depth to receive new tarmac top layer.

Extent of existing footpath to be removed entirely - completion works as described elsewhere

CONTRACTOR TO ALLOW FOR 200 CODE PAUL PENETRATIONS AND ASSOCIATED MAKING GOOD

600mm depth to receive new raised kerb perimeter, pin kerb to Armco road edge at to provide 3m car parking spaces with tarmac finish to top course.

CONTAINMENT TURNING CHAMBER

Extent of existing soft ground to be dug to minimum 300mm depth to receive lammac footpath upgrade.

Extent of existing hard landscaping to be dug to minimum 600mm depth to receive new below ground containment with making good to all finishes as required.

Extent of existing soft ground to be dug to minimum 600mm depth to receive new below ground containment with making good to soft landscaping as required.

General street furniture to be removed/
relocated as noted.

 Line of existing fencing/ barriers to be retained throughout works.

Remove and dispose of all redundant materials arising from demolition works from site.

Remove and dispose of all redundant materials and debris from demolition works from site

Supply and maintain at all times, throughout the contract

all necessary secure fencing and hoarding to the perimeter of the site to prevent unauthorized access.

to the close proximity/ risk arising from parked vehicles and school attendees.

The contractor is reminded of their duty to perform a 'test before you dig' GPR detection survey to identify any below ground services and notify the Principal Designer of any matters arising accordingly.

Provide all necessary temporary structures and sheeting to prevent the ingress of water to any retained structure or partially completed ducting/ chambers at all times.

Strip out all redundant mechanical and electrical fixtures and fittings. Maintain a safe, secure working environment for all site operatives and visitors in accordance with all relevant and current health and safety, codes of practice and CDM regulations 2015 and associated legislation.

1	Drawing Created	15.08.18	SP	TMA
	Rev	Date	Dr by	App
CH	originally by	date created	Approved by	JW

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Sharples School, A Multi Academy Trust

Safeguarding and Associated CCTV Works

Demolitions Plan

drawing number	fig	begin status
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1:100

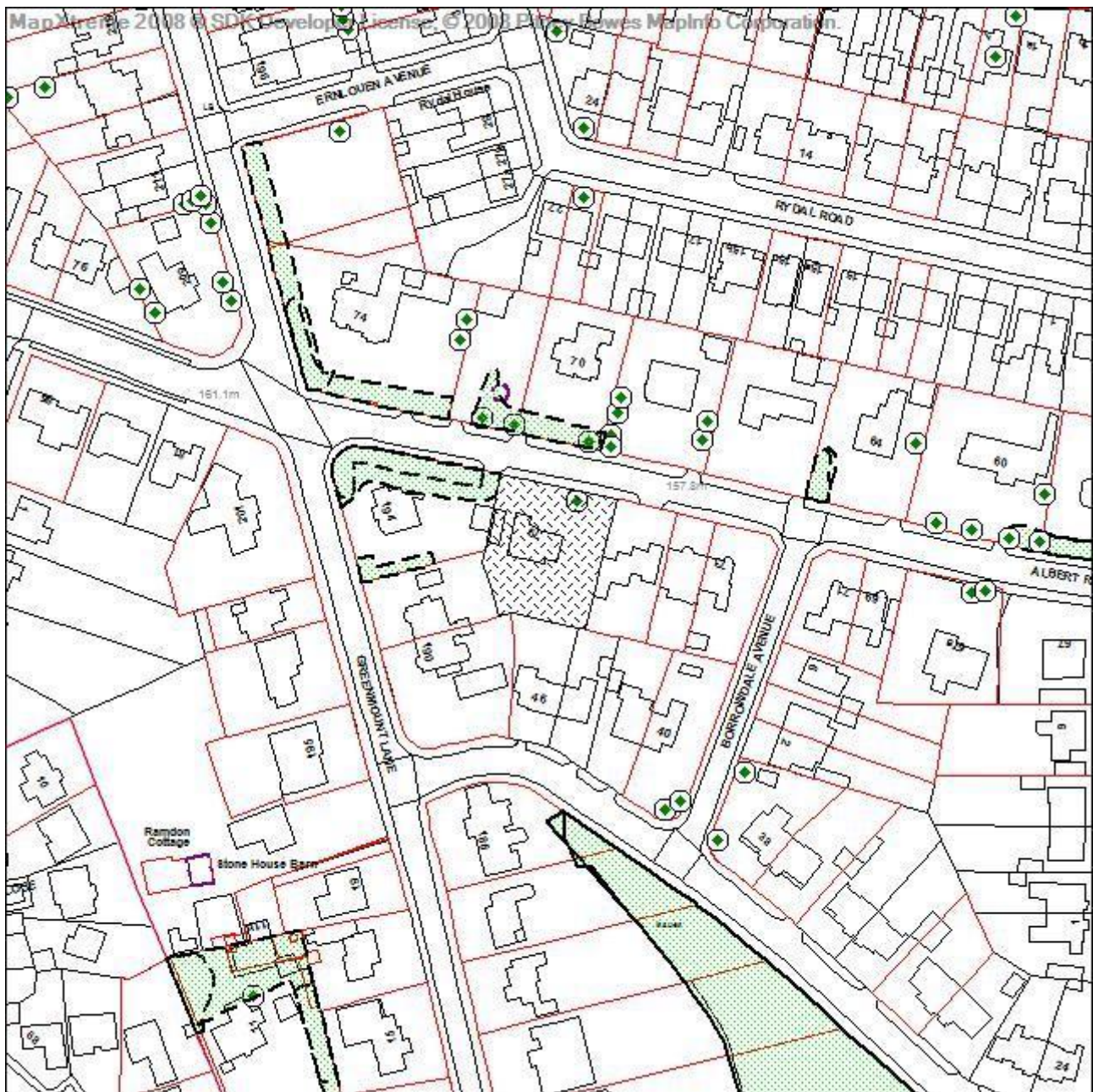
Proposed Demolitions Plan

Scale 1:100 @ A0

0 0.5 1m 2m 5m

1:100

Application number 04158/18



Directorate of Place
Development Management Section

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Bolton Council

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Date of Meeting: 20/09/2018

Application Reference: 04158/18

Type of Application: Full Planning Application
Registration Date: 23/07/2018
Decision Due By: 16/09/2018
Responsible Officer: Kara Hamer

Location: 79 ALBERT ROAD WEST, BOLTON, BL1 5HW

Proposal: DEMOLITION OF BUNGALOW AND ERECTION OF 4NO DWELLINGS TOGETHER WITH ACCESS AND LANDSCAPING.

Ward: Heaton and Lostock

Applicant: Cramant Homes
Agent : Good & Tillotson

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Permission is sought to erect four semi detached dwellings together with formation of vehicular access and landscaping. The proposed dwellings comprise three floors arranged over two storeys and incorporate two general floors and a third floor accommodated in the roof space served by a dual pitched dormer window and roof lights. The dwellings will each provide;
 - 3 levels, 4 bedrooms (2 bedrooms within the roofspace), 2 parking hardstandings
2. Proposed external materials are;
 - Facings - Wienerberger 'Kassandra Multi' brickwork and white/off white render
 - Roofs - Natural slate to Local Authority approval
 - Windows and Doors - Powder coated aluminium frames and doors - colour to Local Authority approval
 - Driveways - Permeable paving to Local Authority approval

Site Characteristics

3. This is a previously developed (residential) site within the residential area. The site is approx 0.1 hectares. The site is located on the southern frontage of Albert Road West. A modest sized detached bungalow with detached single garage would be demolished to enable the proposed development. The application site is bound by Albert Road West to the north and detached and semi detached dwellings occupying generous plots to the east, south and west. Albert Road West is characterised by large traditional detached and semi detached dwellings often occupying generous plots and having varied architectural styles with some modern additions/extensions and some new build.
4. There is 1no. TPO Sycamore tree (ref Bolton [Albert Road West] 1996) sited close to the northern boundary and a group of TPO trees (Bolton [Heaton] 1960) sited off site to the west on Albert Road West frontage.

Policy

5. Core Strategy Policies: CG1 Cleaner Greener Bolton; CG3 The Built Environment; CG4 Compatible Uses; P5 Parking; S1 Safety; SC1 Housing; OA4 West Bolton
6. SPD General Design Principles 2015
7. National Planning Policy Framework (NPPF)

Analysis

8. 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.

9. The main impacts of the proposal are:-

- * impact on urban regeneration/principle of development
- * impact on the design and character of the area
- * impact on residential amenity
- * impact on protected trees
- * impact on the highway

Impact on Urban Regeneration/Principle of Development

10. National policy on residential development is contained in the National Planning Policy Framework. In order to promote more sustainable patterns of development, NPPF makes it clear that the focus for additional housing should be on existing towns and urban areas. It is important that new housing is located where it is accessible to jobs, shops and services by modes of transport other than the car. The inefficient use of land should be avoided and to this end maximum use should be made of previously developed land. This is consistent with advice contained within Core Strategy policy SC1 - Housing.
11. Section 5 of the 2018 National Planning Policy Framework recognises the role of the planning system in providing the supply of housing required to meet the needs of present and future generations and the need to boost significantly the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development. Section 11 of the NPPF encourages the effective use of land by reusing land that has been previously developed while safeguarding and improving the environment and ensuring safe and healthy living conditions.
12. The application site currently comprises one residential property and its curtilage. The site is located within the urban area. The site is considered to be sustainably located by virtue of its close proximity to a bus route (Greenmount Lane) and public transport corridors of Chorley New Road and Chorley Old Road. Each dwelling would have a road frontage, 2 parking spaces and adequate private amenity space at the rear. The proposed dwellings have been carefully designed to incorporate a wealth of architectural features found within the immediate surrounding area.
13. Paragraph 123 of the NPPF states that where there is an existing or anticipated shortage of land

for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

14. The Council's latest Annual Monitoring (2016/17) report concludes that the Council have between 2.6 to 3.4 housing land supply which in itself is short of the required 5 years. Since there is a significant shortfall, the contribution to the supply of housing needs to be balanced against this conflict. The proposed development of 4 houses would be a small contribution to the supply of housing and therefore moderate weight can be given to this benefit.
15. Taking these factors into account and giving due weight to the fact that the siting, scale, and design of the proposed dwelling will be appropriate within the surrounding residential context, the proposal is considered to constitute a sustainable form of development in a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered to be acceptable, in accordance with the NPPF and Core Strategy policy SC1.

Impact on the Design and Character of the Area

16. The NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
17. Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.
18. Policy OA4 of the Core Strategy states that the Council will conserve and enhance the character of the existing physical environment and will ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings – these features should be retained where possible.
19. The applicant has worked with the officers to reduce the (original submitted) height, bedroom numbers (reduced to 4) and front facing elevational design of the proposed dwellings in response to objections and statutory consultee comments received during the consultation process.
20. The revised overall height is 9.92 metres (reduced from 10.88 metres). The Council's Core Strategy recommends a maximum of 3 parking spaces for 4 bedroom houses. Whilst this can be achieved on site it is considered that 2 spaces allows landscaping provision to the road frontage to soften the development. Front elevation windows are revised to provide a hierarchy of window sizes.
21. The proposed dwellings are sited centrally within the plot on the previous building line and space remains to access the rear plots via the sides. The proposed design is modern. The applicant has submitted images of architectural features from surrounding dwellings within the street scene to justify the design of the proposed dwellings. There are notable features along Albert Road West which have evidently provided design context, particularly the height and grandeur of many of the surrounding dwellings (particularly 74, 70, 68 facing the site which also hold an elevated position above the site) and the frequent use of the roof space for habitable accommodation served by some new, but many original and highly designed/feature front facing dormer

windows (70, 71, 64, 58, 52, 54, 97). Decorative gables and large bay windows are a frequent feature along Albert Road West as well as the use of part render. Semi detached dwellings to the east at 69/71, 73/75 occupy smaller plots more akin to those proposed. Also notable is the neighbouring detached dwelling to the east (77) which has a stepped front elevation (towards the rear in 4 even parts) and provides a modern addition to the character of the area.

22. The applicant has submitted a street scene illustration to demonstrate the proposed dwellings height in relation to surrounding dwellings. Notable is the variety of heights along Albert Road West but also the frequent use of height (particularly 74, 70, 68 facing the site which also hold an elevated position above the site).
23. The site was (until recently) screened to the front boundary by mature, mainly deciduous trees and thick vegetation. Part of the screening has recently been removed from the site. The proposed development has a more open frontage with driveway parking. The applicant has submitted landscape and additional tree planting proposals which would to be conditioned to soften the proposed development with carefully selected species agreed with the LPA as well as boundary treatments.
24. Given the above detail the proposal is considered to comply with Core Strategy policies CG3 and OA4.

Impact on Residential Amenity

25. Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.
26. The interface distances to nearest residential dwellings comply with guidance contained within SPD General Design Principles. Residential properties surrounding the site with direct interface and have been assessed are;
 - * 46 Carlton Road (to the rear/south) - interface in excess of 27m (23m is recommended).
 - * 77 Albert Road West (to the side/east) - no side windows are proposed, a garage at 77 is on the nearest side elevation and secondary/dual aspect windows to main rooms and non main room windows are on the side of 77 at first and ground floor level.
 - * 192 Greenmount Lane (sited at an angle on the south west corner of the plot) - interface 17m (17m is recommended due to angle) - conifer planting is proposed to screen this boundary.
 - * 194 Greenmount Lane (sited at an angle on the west side of the plot) - interface 21m (17m is recommended due to angle), no side windows are proposed.
 - * 70 Albert Road West (to the front/north) - in excess of 37m (23m is recommended).
27. It is therefore considered that the proposed dwellings will not negatively impact upon the amenity of neighbouring residents and land uses and as such the proposal complies with policy CG4 of the Core Strategy.

Impact on Protected Trees

28. 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.
29. There is one protected Sycamore tree (TPO Bolton [Albert Road West] 1996) sited close to the northern boundary and a group of TPO trees (Bolton [Heaton] 1960) sited off site to the west on Albert Road West frontage.

30. The Council's Trees and Woodland Manager has been consulted and notes that a number of trees and shrubs have recently been removed from the site and that the proposed development will result in the loss of a mature Sycamore tree (T69) of the Bolton DC23:360 (Albert Road West) TPO 1996 and adds that the Sycamore tree is generally healthy with good twig and bud definition (the tree has been categorised (Cat B) under BS5837 (2012) Trees in Relation to Design Demolition and Construction with a 20+ years life expectancy). The Council's Trees and Woodland Manager states that the Sycamore tree bifurcates at approx. 1 to 2-metres above ground level with an included union (included unions are a potential structural weakness on a tree and are bound to failure in the long term; although the main union would appear to be sound at inspection). If the application is to be approved then there will be a requirement for the tree to be felled due to the impact of the drop kerb requirements and driveways constructions upon the root system of the tree. The proposed re-landscaping and replacement tree planting in mitigation of tree losses (as per Drawing Ref: Proposed Site layout 1816-G&T-Z0-00-DR-A-1002) details five replacement trees. The Council's Trees and Woodland Manager advises that the replacement trees should be planted in tree pits, with species to be agreed with the Council's Landscape Development and Design team. Also noted is an off site Birch Tree (in 77 Albert Road West) where the north east corner of plot 4 falls within the root protection zone. The Council's Trees and Woodland Manager also advises that the hedge to the eastern boundary should be maintained and any fencing required put in place without loss or damage to the hedge and advises that if the application is approved then additional information will be required in respect to a full re-landscaping plan in mitigation of tree losses, for protective fencing detail for the retained hedges and the retained off site birch tree in 77 Albert Road West as well as Arboricultural Method Statements in order to minimise damage to this Birch.

31. It is therefore considered, subject to recommended conditions, that the proposal accords with Core Strategy Policy CG1.2.

Impact on the Highway

32. The NPPF requires that development seeks to minimise travel, and where significant traffic is to be generated these should be located within sustainable locations, maximising the use of sustainable transport modes.

33. Core Strategy policy P5 and S1 seek to ensure developments which would not have an adverse impact upon the road network and which makes appropriate provision for parking, the needs of pedestrians and vehicle manoeuvring.

34. The proposal provides for 2 parking spaces per dwelling, sited side by side at the frontage. It is acknowledged that the location is considered sustainable and that for this reason an additional (third) parking space would not be pursued in order to provide for quality planting/boundary treatments to visually soften the frontage.

35. Highways have been consulted and note that the proposal falls short of the maximum parking standard advised within appendix 3 of the Core Strategy. Officers note that this guidance is a maximum standard and each application should be assessed on its own merits. At this section of Albert Road West on street parking is available.

36. It is therefore considered, subject to conditions for 8 parking spaces, relocation of street lighting and implementation of vehicle access crossing points and associated works, that the proposal would comply with policy S1 and P5 of the Core Strategy.

Land Contamination

37. The applicant has submitted a Preliminary Risk Assessment (No. J0271 AD (GSI0983) PI Report DC CD 210618) in support of the application prepared by GeoCon Site Investigations Limited. The PRA adequately assesses the historical, environmental and geological information on site. The Report concludes that the likelihood of contamination being present at this site is considered to be very low. The report concludes that a further investigation (PRA2) with recommendations for site remediation is required to avoid unnecessary complications or delays at a later stage.

Other Matter

38. The applicant has submitted a Bat and Nesting Birds survey and assessment (dated 7th June 2018) in support of the application which concludes that "the proposed changes to the site as laid out in the planning application, are of minimal risk to roosting bats or nesting birds, and therefore, development can commence if mitigation measures are adhered to". Greater Manchester Ecology Unit have been consulted on the proposal and have raised no objections and note that a dusk emergence survey was carried out on the property on 29th June 2018, no bats were seen to emerge from the building and only a low number of bats were seen foraging during the survey. No further surveys for bats are therefore considered necessary at this time. GMEU advise biodiversity enhancements be incorporated into the development including bat bricks/boxes, bird boxes and native tree and shrub planting.

Conclusion

39. For the reasons discussed above it is considered that the proposed development would accord with all relevant policies. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- 19 letters have been received (7 of which are from 3 addresses) objecting to the proposal on the grounds of;

- Over development of the site;
- Height - resulting in overlooking/lack of privacy/loss of light/overshadowing of surrounding residential neighbours;
- Existing traffic volumes/issues at this junction with Greenmount Lane;
- Likely increase in on street parking (insufficient parking for each plot);
- Increased pressure on local services (schools, Doctors etc.) *Officer comment - this is not a material planning consideration for an application of this scale*
- Loss of mature trees (1 TPO Sycamore) and vegetation;
- Out of keeping with character and appearance of the area (low density/large houses/large plots);
- Implications for drainage/sewage; *Officer comment - this is not a material planning consideration*
- Restrictive Covenant prevents the building of more than 2 dwellings on the application site; *Officer comment - this is not a material planning consideration, this is a Civil matter*
- The site frontage would be dominated by cars and wheelie bins;
- The application site is at a higher ground level than neighbouring dwellings on Greenmount Lane (overlooking/overshadowing);
- Developer gave no notice to neighbours to erect site fencing and remove vegetation (dust/sap on cars/property); *Officer comment - this is not a material planning consideration*
- Decrease in local property values. *Officer comment - this is not a material planning consideration*

Councillor Galloway and Councillor Morgan have objected to the proposal stating that the proposal does not comply with Core Strategy policies CG3, OA4, S1 and P5 and request that the application be decided by Planning Committee.

Points without officer comments have been addressed in the main body of the report.

Consultations

Advice was sought from the following consultees: The Council's Highways Engineers, Greenspace Management, Trees and Woodland Officers, Environmental Health Team, Landscape Officers, Economic Strategy, Strategic Development Unit, Greater Manchester Ecology Unit, Design for Security GM Police.

Planning History

None relevant.

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

1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.
4. Protective fencing will be required (as detailed in BS5837 2012: Trees in Relation to Design Demolition and Construction) on the periphery of the root protection zone (RPZ) of the retained off-site Birch tree in 77 Albert Road West.

Reason

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

3. 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.

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

Reason

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

5. Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, property or the environment;
 - (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

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

(iv) 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.

6. Prior to the commencement of development full details of the highway works at Albert Road West

comprising implementation of vehicle access crossing points (VAC) to facilitate access to off-road parking provision from Albert Road West. To include the repair/reinstatement of footway surfaces arising from the demolition/construction phases and the relocation of street-lighting provision shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

7. 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.

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

Arboricultural Method Statement for the hand digging of the foundation of the NE front corner of plot 4 to minimise any potential root damage.

Arboricultural Method Statement pile and beam foundation for the NE front corner of plot 4 to minimise any potential root damage.

Arboricultural Method Statement for minor pruning of the Birch tree to BS3998 (2010) : Tree Works Recommendations. This will also require the tree owners permission.

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

Reason

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

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

Reason

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

10. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first brought

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

Reason

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

11. Before the hereby approved development is first brought into use no less than 8 car parking spaces with minimum dimensions of 2.5 metres by 5.0 metres shall be provided within the curtilage of the site, in accordance with details to be submitted to and approved by the Local Planning Authority. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

12. Prior to the development hereby approved being first occupied or brought into use, a scheme detailing how parts of the site to be used by vehicles are to be laid out, constructed, surfaced, drained and lit shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

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

13. Prior to the development hereby approved being first brought into use a visibility splay measuring 2.4 metres by 2.4 metres at the back of the footway shall be provided at the back of footway/parking provision and subsequently remain free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

To ensure traffic leaving the site has adequate visibility onto the footway and in order to comply with Bolton's Core Strategy policy S1, P5 and Supplementary Planning Document 'Accessibility, Transport and Road Safety'.

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

Proposed second floor plan, 1004 Rev A, 13.07.18
Proposed Site Layout, 1002 Rev A, 19.06.18
Proposed Streetscene Elevation, 1007, 19.06.18
Proposed Elevations, 1005 Rev A, 13.07.18
Proposed ground and first floor plan, 1003 Rev A, 13.07.18
Location Plan, 1006, 20.07.18

Reason

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

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All dimensions to be checked on site and any discrepancies to be referred to the architect before proceeding.

ALL LEVELS TO BE CHECKED ON SITE.
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect before proceeding.

All component sizes and references to be checked prior to the ordering of materials.

Positions and designation (i.e. combined, surface water or foul) of existing drain runs on site are to be checked / confirmed by the building contractor prior to commencement of any drainage works. Any existing drains to which additional connections are to be made, are also to be checked as necessary, to ensure they are suitable to accommodate additional capacity and the type of effluent being connected.

All relevant boundary positions are to be checked prior to proceeding.

Materials	
External walls	Weinberger 'Kassandra Multi' brickwork and white / off white render
Roof	Natural slate to Local Authority approval
Windows	Powder coated aluminium frames
Doors	Powder coated aluminium frames & doors

A Overall height reduced / updated to match plans JLC 13.08.18

SIDE (EAST) ELEVATION

FRONT (NORTH) ELEVATION TO ALBERT ROAD WEST

Proposed Residential Development

Location:

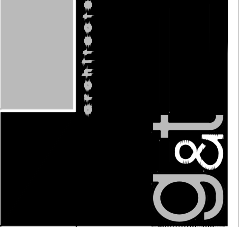
On land at:
79 Albert Road West
Bolton

Rev	Revision	Ini.	Date
Project:			

Client:
Cramant Homes

Good & Tiltolson Chartered Architects

2 The Studios
318 Chorley Old Road,
Bolton,
BL1 4JU
Tel: 01204 497700
Email : info@goodandtiltolson.co.uk
Web : www.goodandtiltolson.co.uk



Drawing Title:

Proposed Elevations

G&T Job No:	Scale:	Drawn:	Checked:	Date:
1816	1:100	JLC	RPW	13.07.18
Drawing Purpose:		Status:	Revision:	

Planning Drawing

BIM Project:	Zone:	Level:	Type:	Role:	Dwg No:
1816-G&T-Z0-00-DR-A-1005				S4	A

SIDE (WEST) ELEVATION

REAR (SOUTH) ELEVATION

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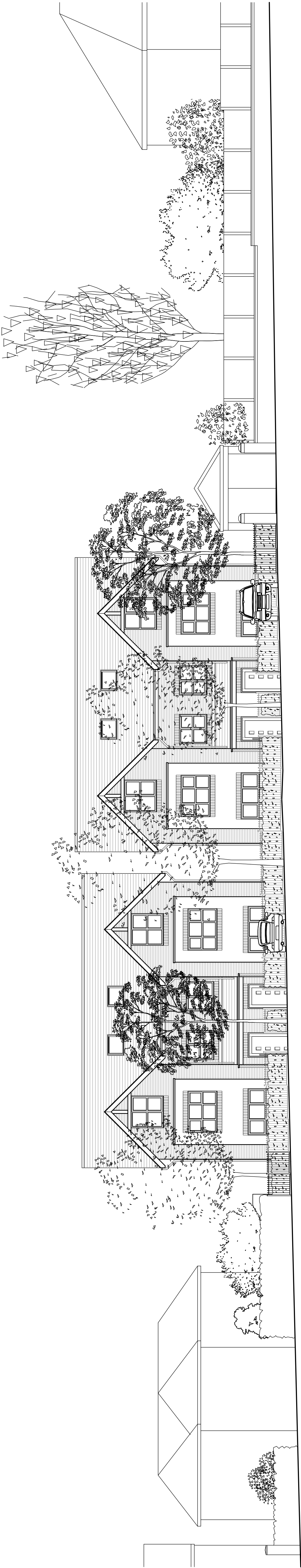
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ALL LEVELS TO BE CHECKED ON SITE.
All dimensions and levels shall be checked and any discrepancies to be referred to the architect before proceeding.

All component sizes and references to be checked prior to the ordering of materials.

Positions and designation (i.e. combined, surface water or foul) of drains, gullies, manholes, etc. shall be checked and any discrepancies to be referred to the architect before proceeding. Any existing drains, to which additional connections are to be made, are also to be checked as necessary to ensure they are suitable to accommodate additional capacity and the type of effluent being connected.

All relevant boundary positions are to be checked prior to proceeding.



Rev	Revision	Int.	Date
Project			

Proposed Residential Development

Location:

On land at:
79 Albert Road West
Bolton

Client:
Cramant Homes

Good & Tillison Chartered Architects

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318 Chorley Old Road,
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Drawing Title:

Proposed Streetscene Elevation

G&T Job No	Scale	Drawn	Checked	Date
1816	1:100	-	-	19.06.18
Drawing Purpose:				
Planning Drawing			Status:	Revision:
S4			S4	-
BIM Project:	Origin	Zone	Level	Type
1816-G&T-Z0-00-DR-A-1007				

**Application number
03502/18**



**Directorate of Place
Development Management Section**

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

**Bolton
Council**

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Date of Meeting: 20/09/2018

Application Reference: 03502/18

Type of Application: Full Planning Application
Registration Date: 30/04/2018
Decision Due By: 24/06/2018
Responsible Officer: Beth Bradburn

Location: 21 ALBERTA STREET, BOLTON, BL3 5JD

Proposal: ERECTION OF PART SINGLE, PART TWO STOREY EXTENSION TO REAR AND SINGLE STOREY EXTENSION TO FRONT, ALONG WITH BOX DORMER TO REAR TO ALLOW FOR ATTIC CONVERSION.

Ward: Rumworth

Applicant: Mr Patel
Agent : Mr Patel

Officers Report

Recommendation: Refuse

Proposal

1. Permission is sought for the erection of a part two storey/part single storey extension at rear, together with the installation of a box dormer on the rear roof slope and single storey front extension. The proposed plans also show the demolition of an existing small, single storey rear outrigger to accommodate the proposed rear extension.
2. The ground floor element would extend the full length of the yard, measuring 5.95 metres. It would incorporate a lean-to roof with an eaves height of 2.37 metres and an overall height of 3.42 metres. The first floor element would extend 4 metres from the rear wall of the property. This element would incorporate a hip roof with an eaves height to match the existing dwelling measuring 5.36 metres and an overall height measuring 6.22 metres; which results in the extension being set below the main ridge.
3. The rear box dormer would measure 4.47 metres in width; 1.91 metres in height and 3.42 metres in depth. This would result in an additional volume increase of 14.6 cubic metres to the existing roof. The dormer cheeks and front would be clad in tiles similar to the existing roof.
4. The front extension would project 1.2m and would be the full width of the property measuring 4.53m. It would also incorporate a lean two roof with an eaves height of 2.54 metres with an overall height of 3.27 metres. The front extension would have a front door and large window within the front elevation and would be used to extend the existing lounge and hallway.
5. The proposed extensions would provide a kitchen and bathroom at ground floor, an additional bedroom at first floor and an attic room and bathroom on the second floor.

6. The application is brought before Planning Committee at the request of Councillor Ibrahim.

Site Characteristics

7. The application property is a two storey mid-terrace house located on Alberta Street within the Inner Bolton area. The main character of the area is one of similar rows of traditional terraced houses. The land to the North forms allotment gardens.
8. The property next door at no. 19 Alberta has a large part two storey/part single storey rear extension, with part of the ground floor extension extending the full length of the rear yard. Part of the ground floor extension at this property is also full width and the first floor extension is handed away from the boundary with the application site. This extension was approved in 2006, prior to the current SPD. There are windows serving the kitchen and bathroom at ground floor and a bathroom window at first floor. The window closest to the application site is the kitchen window, a bathroom window also faces the application site, both rooms are not classed as a habitable according to the SPD House Extension 2012.
9. On the opposite side, the property at no. 23 has a small existing outrigger used for storage similar to the application property. There is also a door and two kitchen/dining room windows at ground floor and a bedroom and bathroom window at first floor.
10. There are no apparent full width front extensions or porches located on Alberta Street.
11. Opposite the application site there is also a rear extension that projects the full length of rear yard at 16 Northfield Street. However this was approved in 2011, again, prior to the publication of the SPD in 2012.

Policy

12. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses and RA1 Inner Bolton.
13. SPD House Extensions and SPD General Design Principles
14. National Planning Policy Framework (NPPF)

Analysis

15. 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.
16. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.
17. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.
18. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
19. 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

20. 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.
21. Policy RA1 refers specifically to developments in Inner Bolton and ensuring new development proposals are compatible with the area, in terms of massing, materials, streetscaping, good urban design (RA1.12 and RA1.13).
22. Guidance contained within the House Extensions SPD provides general advice on house extensions, in particular 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.
23. The application proposal results in significant extensions to the rear of the property particularly with regard to the added massing from the rear dormer and therefore would not appear subservient.
24. There are no dormers present on the rear of the houses in the row and whilst it is considered that this structure would introduce a greater massing to the rear roof plane, it is worthy to note that there is a potential fall-back option to the applicant for a rear dormer to be built using permitted development rights.
25. It was noted on site that the property next door at no. 19 Alberta Street and 16 Northfield Street have a similar sized part two storey/part single storey rear extensions and rear extension and therefore whilst the extensions would dominate the host property, it is considered that proposed extension would not be out of character and would not cause any significantly greater harm to the street scene of the area.
26. There are no full width single storey extensions on Alberta. There are other properties with porch type extensions on Alberta Street, however they are smaller in scale and incorporate glazing with small amounts of brick work to the frontage as to ensure which ensures that the structure does not appear as dominant feature to the front of the property. The proposed full width front extension would add bulk to the front of the dwelling and would appear as out of character with within the surrounding street scene which would be of detriment to the character and appearance of the area.
27. It is therefore considered that the proposed front extension would appear as a dominant feature to the front of the property which would harm the local distinctiveness of the overall built character of the area, contrary to Policies CG3 and RA1 of the Core Strategy, as well as the advice contained within the House Extension SPD.

Impact on the Amenity of Neighbouring Residents

28. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security.
29. 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.

30. SPD House Extensions contains specific guidance on extensions related to terraced dwellings.
31. Rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening – for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.
32. The two storey element of the rear extension would project 4 metres in length and therefore complies with House Extensions SPD and is considered to be acceptable.
33. Part of the single storey element of the rear extension would project the full length of the yard at 5.95 metres. The extension would partly abut an existing single storey extension at no. 19, however would project a further 2 metres beyond this extension. The proposed extension would not be screened or abut existing extensions at no. 23.

Recent appeal decision: 11 Broomfield Road (APP/N4205/D/18/3192657)

34. Members' attention is drawn to a recent appeal that was dismissed by the Planning Inspectorate in February this year. This application sought, amongst other things, a longer single storey extension, similar to that proposed as part of this application. The Inspector in her assessment found this element to not comply with Policy CG4 of the Core Strategy and the guidance contained within House Extensions SPD. She concluded that the *"proposal would not cause harm to the character and appearance of the area. Whilst this weighs in favour of the scheme it does not outweigh the harm I have found to the living conditions of the occupants of the neighbouring dwelling"*.
35. As the windows within the rear extension at no. 19 would serve a kitchen and bathroom which are not considered to be habitable rooms, the proposed rear extension would not adversely impact onto the windows of this extension. Furthermore the remaining yard space left at no. 19 would already be overshadowed by the existing extensions and the 2 metre high boundary wall between the application property and no. 19.
36. However the single storey element would cause harm to the living conditions of the occupants at no. 23 as it would project beyond a 45 degree line taken from the kitchen dining room windows. The rear extension would therefore fail to comply with Policy CG4 of the Core Strategy and the guidance contained within the House Extensions SPD.
37. The rear dormer extension would have limited impact with regard to overlooking and privacy given the siting of the two storey element.
38. No windows are located within the rear elevation of the single storey rear extension. A kitchen window is proposed to be located within the side elevation of the rear extension facing no. 23, however there is a 1.8 metre high wall on the common boundary which would prohibit any unacceptable overlooking into the rear yard of the property.
39. At first floor there would be a bedroom window within the rear elevation of this extension serving the third largest bedroom. According to the SPD House Extension, the only the two largest bedrooms within a property are considered to be main rooms, therefore as the window within the first floor element of the rear extension served the third largest bedroom it is not considered to be a main room and therefore would result in adverse impact onto the amenity of the properties

located to the rear of the application site.

40. Further to the above and by virtue of the longer projecting single storey extension's impact onto the amenity of no. 23, it is considered that the proposed application fails to comply with Policy CG4 of the Core Strategy and the guidance contained within the House Extensions SPD.

Other matters

41. Amended plans were requested to reduce the single storey extension back to 4 metres in length. The applicant has not been forthcoming with this request.

Local finance considerations

42. 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

43. The proposed application would cause harm to the living conditions of the occupants of no. 23 Alberta Street and the single storey front extension would appear as an dominant feature to the front of the property and would appear as out of keeping within the street scene. The proposal would therefore fail to comply with Policy CG4 of the Core Strategy and the guidance contained within the House Extensions SPD.

44. Members are therefore recommended to refuse planning permission.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received on the following grounds:

Concerns over the structural integrity of the dormer, insurance matters and building contractors.

Officer's Comments: The above concerns are noted, however this not a planning consideration and is matter for the Council's Building Control Department.

Petitions:- None received

Town Council:- N/A

Elected Members:- Councillor Ibrahim has requested that the application be brought before Committee.

Consultations

None.

Planning History

None applicable.

Recommendation: **Refuse**

Recommended Conditions and/or Reasons

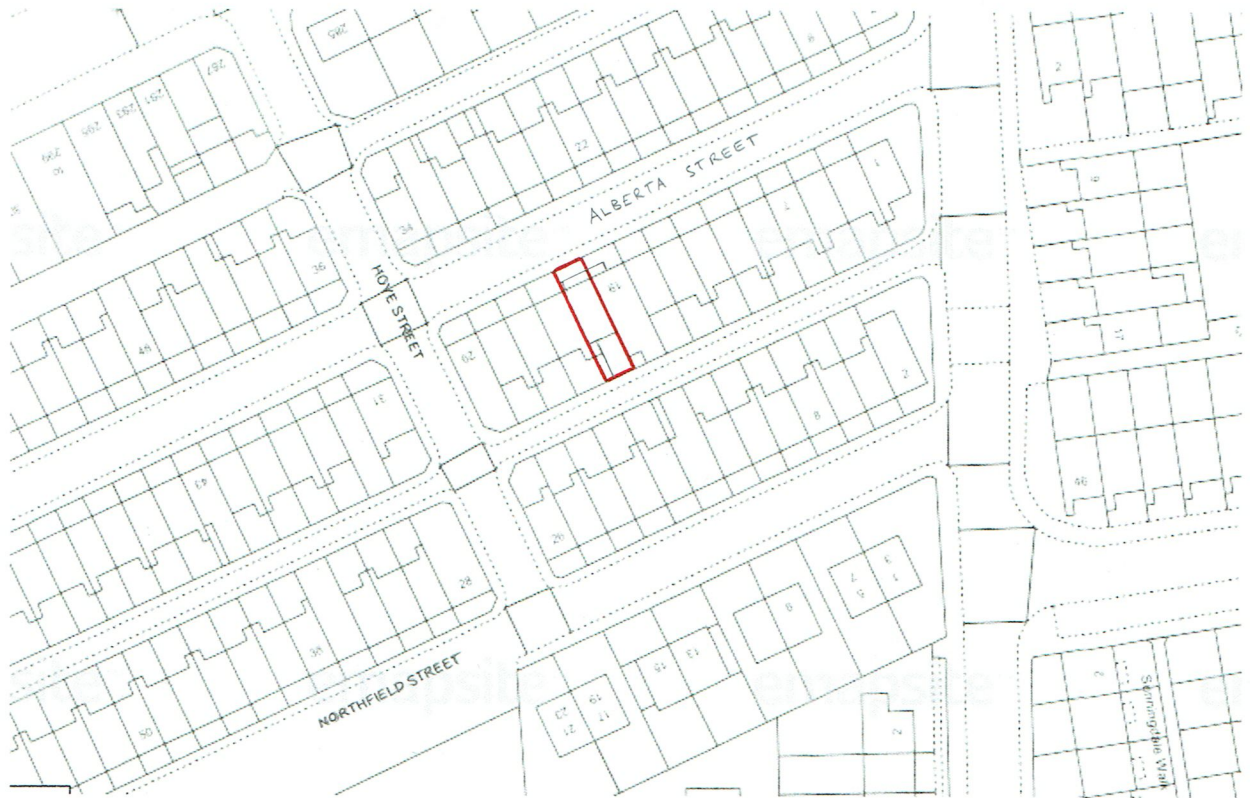
1. The proposed front extension would, by virtue of its design, scale and siting, appear incongruous within the streetscene and would be detrimental to the character and appearance of the area, contrary to Policies CG3 and RA1 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".
2. The proposed rear extension would, by virtue of its scale and siting, impact detrimentally on the outlook and living conditions of neighbouring residents at 23 Alberta Street and is contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

Alberta St



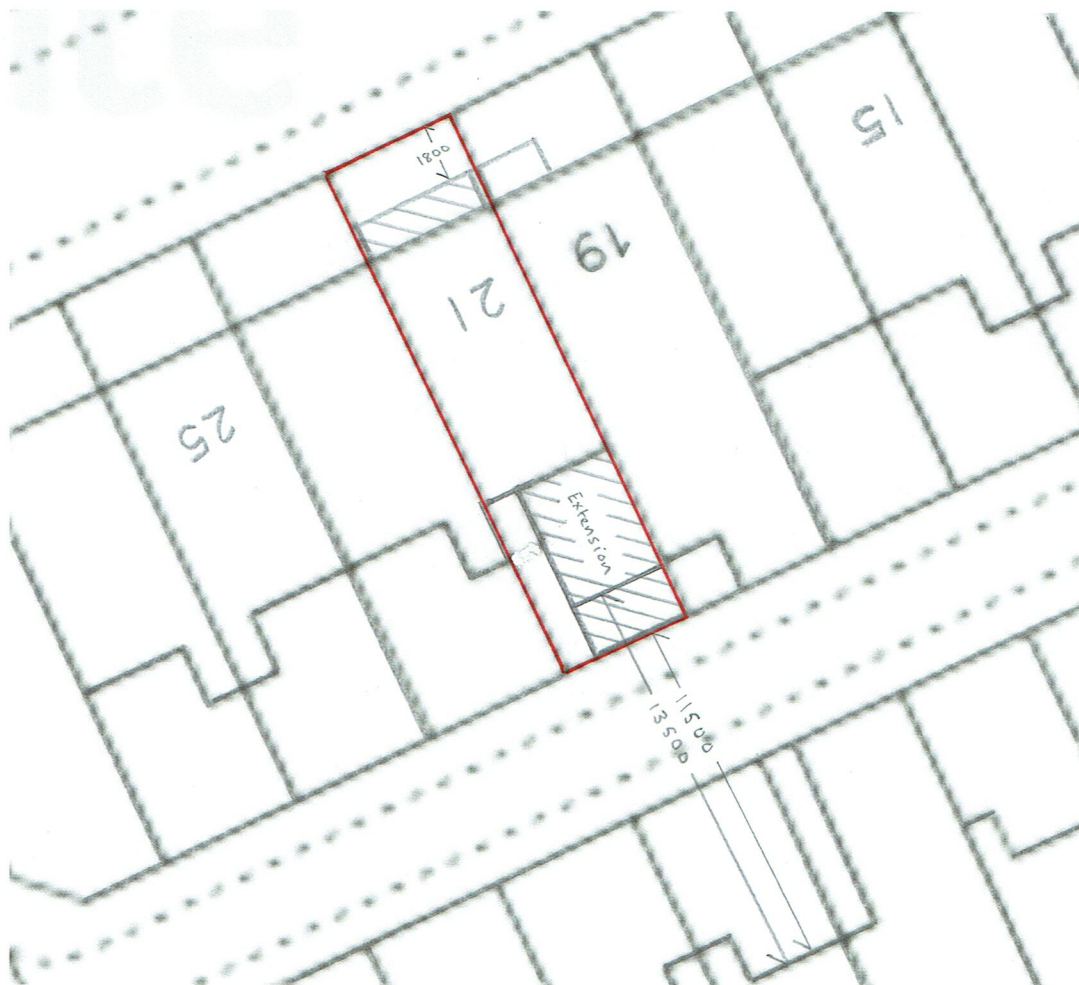
21 Alberta Street

Alberta St



Location Plan

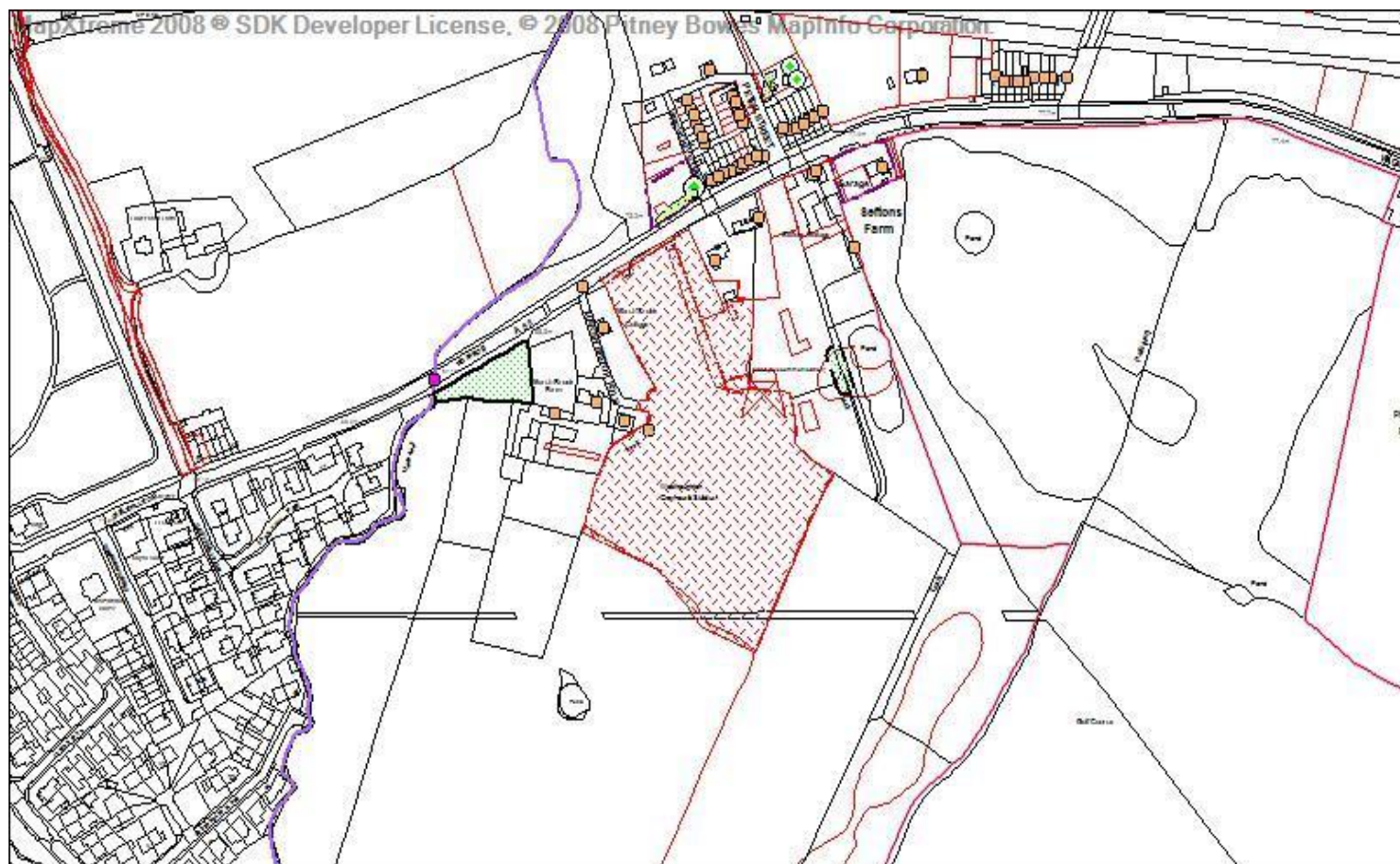
Scale 1:1250



Site Plan

Scale 1:500

Application number 03484/18



**Directorate of Place
Development Management Section**

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

Bolton Council

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Date of Meeting: 20/09/2018

Application Reference: 03484/18

Type of Application: Full Planning Application

Registration Date: 26/04/2018

Decision Due By: 25/07/2018

Responsible Officer: Alex Allen

Location: FORMER GREYHOUND STADIUM, WIGAN ROAD, WESTHOUGHTON, BOLTON

Proposal: ERECTION OF 50 No DWELLINGS TOGETHER WITH ASSOCIATED ACCESS AND LANDSCAPING.

Ward: Westhoughton South

Applicant: Sparkle Developments Ltd

Agent : Indigo Planning Ltd

Officers Report

Recommendation: Approve subject to conditions

Background

1. The site currently has a valid planning permission for the erection of 50 dwellings (see planning history section). The original submission made provision for the erection of 34 dwellings. At the request of Planning Committee members, the proposal was changed to providing 50 new dwellings which enabled the applicant to provide an enhanced level of off site contributions. Further detail is contained within the planning history of the end of this report.

Proposal

2. The applicant seeks permission to redevelop of the former Greyhound Stadium and curtilage with 50 dwellings comprising of 30 detached properties (mix of 3 and 4 bed), 10 semi detached properties (3 bed) and 3 mews / terraced properties (3 bed). Six new units would front Wigan Road with their vehicular and pedestrian access to these units located off the main new residential spine road. The main road which would service the development would run in a north south direction down the centre of the site. The road would then provide two culs de sac with 8 detached properties facing due south. The detached properties along the southern edge of the site would still have relatively large rear gardens.
3. Amended plans have been received which seek to address minor design improvements and additional detail regarding proposed levels for the development.

Site Characteristics

4. The site is split into three main areas:

- (a) The former Greyhound stadium car park occupies the front portion of the site, with the land gradually rising up from Wigan Road with a level difference of c. 2 metres between

Wigan Road and the former Greyhound Stadium buildings. A number of existing residential properties adjoin the front part of the site, off Marsh Brook Fold and adjacent to Wigan Road (No. 765);

- (b) The Greyhound stadium buildings were comprised of a two storey cafe, garage and ancillary living accommodation; clubhouse building with associated covered viewing area, kennels and shed. Adjacent to the kennels was a telecommunications mast which has been subsequently been removed. The area taken up with the existing buildings and northern part of the dog track is relatively flat /forms a plateau to the agricultural / fields to the south;
 - (c) The dog track area - this area consisted of an oval shaped track area which slopes from north to south by c. 1.9 metres with associated structures including numerous pole mounted lights, a white metal barrier around the inside of the track and a taller metal barrier on the outside of the track. The centre of the track is covered with grass and has a 'working' pond located in this area which is used to water the track and associated areas.
5. After the track the land drops away significantly to the south by c .2.2 metres to the fields which run down to Marsh Brook to the south. The fields to the south of the application site are used for the grazing of horses and are overlooked by properties in a elevated position in Wigan on Sandy Park, Sandy Way and Greenfields Close c. 260-290 metres away to the south.
6. The buildings that were previously sited on the land have now been demolished.

Policy

7. Core Strategy Policies: P5 Accessibility, S1 Safe, CG1 Cleaner and Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, OA3 Westhoughton, IPC1 Infrastructure and Planning Contributions.
8. Allocations Plan Policies: CG7AP - Green Belts.
9. Supplementary Planning Documents - (i) Accessibility, Transport and Road Safety, (ii) Affordable Housing, (iii) Infrastructure and Planning Contributions, (iv) General Design Principles and (v) Sustainable Design and Construction.
10. National Planning Policy Framework.
11. Ministry of Housing, Communities and Local Government - Flexible options for Planning Permissions.

Analysis

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

16. The main impacts of the proposal are:-

- * principle of redevelopment/impact on the openness of the Green Belt;
- * impact on the character and appearance of the area;
- * impact on the living conditions of adjoining residents / other uses;
- * impact on highway safety;
- * impact on ecology;
- * impact on infrastructure.

Principle of redevelopment/impact on the openness of the Green Belt

17. Guidance contained at paragraph 133 states that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The construction of new buildings in the Green Belt is considered to be inappropriate (Para. 145). There are a number of exceptions including part (g) of paragraph 145 which explains that:

'limiting infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or

- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified housing need within the area of the local planning authority.

18. Annex 2 of the definition of previously developed land clearly states that: *'...it should not be assumed that the whole curtilage should be developed'*

19. In addition, Local Planning Authorities should set targets for the provision of affordable housing. Core Strategy Strategic Objectives 14, 15 and 16 and policy SC1 seeks to provide housing which meets the needs of everybody and the growth in the number of households. Core Strategy policy SC1 seeks to ensure a total of 694 dwellings are completed per annum in the Borough with a concentration of new build on previously developed sites (80%). Given the under delivery of new housing within Bolton the revised gross annual requirement (taking into account any backlog/under-delivery, clearance allowance) plus 20% works out as follows:

- 1314 using the Core Strategy;
- 1006 using the DCLG standard methodology;
- 1231 using the draft GMSF.

20. The site is allocated within the current Allocations Plan as Green Belt land with policy CG7AP effectively reflecting green belt guidance contained within the NPPF. Therefore, this policy designation is of primary importance in the determination of this application. It is therefore a matter for the decision maker to accurately assess the potential impact individual development proposals would have on the openness of the Green Belt.

21. A key material consideration in the determination of this application is that the site currently has a permission for the same quantity of development as now proposed. The Officers assessment of the previous scheme concluded that the proposal represented inappropriate development. However, there were very special circumstances which justified the approval of the proposal which were as follows:

- the proposal would facilitate redevelopment / regeneration of the site to the benefit of the character of the area improving the overall landscape setting for the wider area, remove the dog track and other ancillary structures e.g. pole mounted lighting, which are harmful to the overall character of the area.
 - the proposal would assist in facilitating the removal of potentially non conforming use adjacent to existing residential properties,
 - furthermore, the proposed addition of 13 more dwellings would provide a positive contribution to the Borough's housing land supply whilst meeting Members aspirations for additional s.106 contributions.
22. It is important to assess the key changes to the proposed from that originally proposed and whether or not the changes to the layout have a significant impact on the openness of the Green belt in this location which would be sufficient to justify a refusal of permission. The main changes can be summarised as follows:
- Smaller house type / accommodation provided;
 - Two storey dwellings rather than the previously approved mix of 2 and 2 1/2 storey properties;
 - Reduction in the overall development site;
 - Some units on the new plan in the south eastern part of the site are located closer to the boundary;
 - Additional detail provided regarding the change in levels - broadly the levels in the centre and northern most part of the site are close to the existing levels. The levels within the southern part of the site are proposed to be raised by c. 1.5 metres. The reason for this is to ensure positive drainage of surface water to Wigan Road;
 - Stepped gardens for the eight dwellings (plots 30 - 37) located along the southern boundary of the site;
 - Retaining wall within the garden of plots 30 to 37 which will assist in providing a lower retaining wall with less potential impact on the character of the area; and
 - Landscaped buffer along the southern boundary to soften the impact of the development from views to the south.
23. It is noted that a number of the units along the southern edge of the site would be closer than under the current permission and therefore be more prominent in the landscape, especially from the south. To some extent the change in siting would be off set by the change in house type (from 2 1/2 storey to 2 storey) together with a fewer number of units located along the southern boundary (8 rather than the approved 10). In conclusion Officers do not consider that the changes in siting are significant.
24. The applicant has provided additional clarity on the boundary treatment and levels. In addition, the applicant will provide a landscape scheme prior to determination of the application which will seek to soften views of the development from the south. This is consistent with the previously approved development.
24. Whilst part of the proposal is considered to represent inappropriate development it is considered that there are very special circumstances which justify the approval of the scheme. The proposal is consistent with the extant permission for the site. Officers consider that the proposed changes would not have any significant impact on the openness of the Green Belt in this location over and above previously considered under 89893/13.
25. It is considered that the proposal would not comply with the Green Belt policy as part of the scheme would reduce the openness of the Green Belt in this location. However, it is considered

that the reduction in openness would be limited in this instance whilst the combined benefits of redeveloping the site outlined above represent very special circumstances would outweigh the limited harm.

Impact on the character and appearance of the area

26. Guidance contained within NPPF and Core Strategy policies CG3 and OA3 seek to ensure that new development proposals are compatible with the surrounding area in terms of scale, massing, grain, form, architecture, landscape treatment.
27. The proposal would remove a number of structures located within the site which are utilitarian in character. The proposed new dwellings are all two storey properties of simple design all with either integral garage parking or with driveways. The applicant has sought to retain the open feel of the site by providing large, elongated rear gardens. The site provides the potential to provide a high quality residential location.
28. In the light of the extant permission for the site, Officers consider that the current proposal provides additional detail including boundary treatment, landscaping and level information which would assist in mitigating the impact of the development. Whilst the proposal in itself would be prominent and have an impact on the wider landscape the new residential use would, over time, be screened and also represents an improvement over the last use of the site.

Impact on the living conditions of adjoining residents / other uses

29. 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. Planning Control Policy Note No. 2 provides guidance for conventional housing layouts where houses face each other to provide for 21 metres between principal room elevations overlook each other. Where principal/main room elevations overlook at blank gable this distance can be reduced to 13.5 metres.
30. No. 765 Wigan Road has no main windows in the side elevation which overlooks the site and properties at both Marsh Brook Cottage and No. 5 Marsh Brook Fold would have oblique views of the site. The proposal would comply with all the required interface guidelines to all adjoining properties. The proposed amendments to the scheme would not impact on existing dwellings as the changes are sited away from any existing occupants.
31. Since the existing permission was granted for this site, the adjoining land owner to the east has erected an agricultural building under the prior notification process. This building is in relative close proximity to Plots 11 and 12. Officers consider that the location of the agricultural building and its use for agricultural related activities would not be incompatible with the proposed residential development of the site.
32. The proposal complies with policy.

Impact on highway safety

33. Core Strategy policies P5 and S1 and the maximum car parking standards provided in Appendix 3 of the Core Strategy seek to provide adequate off road car parking and to promote road safety in the design of new development. Each new property would have the ability to park a minimum of two cars off road which is in accordance with the maximum car parking standards outlined in Appendix 3 of the Core Strategy.
34. The applicant has submitted a Transport Assessment which has been assessed by the Council's Highways Engineers. Following on from detailed discussions the applicant has agreed to provide

the required visibility splay at the junction of the site access with Wigan Road. In addition, the applicant has agreed to fund a reduction in the speed limit along Wigan Road to facilitate safe access/egress from/to the site.

35. Subject to conditions the Council's Highways Engineers has no objections to the proposal. The proposal would comply with policy.

Impact on ecology

36. Core Strategy policy CG1 seeks to safeguard the rural areas of the Borough from development that would adversely affect its biodiversity. The applicant has submitted a bat and bird survey of the site.
37. The Council's Greenspace Management section have confirmed that based on the submitted information the proposal would not cause any further impact upon diversity than the existing approved scheme. The submission provides details of mitigation in the form of bat and bird (sparrow and swallow) boxes located on total of nine properties within the development together. In addition the applicant has submitted a landscaping scheme which provides benefits to pollinator's and associated wildlife.
38. The Council's Greenspace management section has confirmed that the proposal would be in accordance with Core Strategy policy CG1 and guidance contained within NPPF.

Impact on Drainage

39. Core Strategy policy CG1 seeks to ensure that new development proposals reduce the risk of flooding in Bolton. In addition, Core Strategy policy CG2 (iii) seeks to reduce surface water run off from previously developed sites by 50%.
40. The applicant has submitted a Flood Risk Assessment which has been reviewed by the Council's Flood Risk team. The Council's Flood Risk team requested changes to the proposed drainage scheme to ensure that surface water run-off within the site did not result in flooding along the site frontage. The applicant provided an updated drainage strategy for the site which secures additional on - site attenuation of surface water run-off to resolve this issue.
41. The Council's Flood Risk team concluded that the revised information submitted addresses their earlier concerns and the redesigned drainage scheme has eliminated flooding from the development site. The approved scheme would be secured through an appropriately worded planning condition.

Impact on Sustainability

42. Core Strategy policy CG2 seeks to ensure that new development proposals which consist of 5 or more dwellings.
43. The applicant has submitted a Sustainability Strategy with the application which provides the LPA with a general vision of how the site would be sustainable. The key aspects which would be secured through the planning process would be the drainage and CO2 emissions from the site. The above section confirms that the applicant has submitted a detailed drainage strategy for the site which has been approved by the Council's Drainage team.
44. The only outstanding matter would be the provision of a scheme which reduces CO2 emissions from the proposed houses. The broad principle of this is contained within the submitted report. Officers consider that the one of the best approaches to reduce CO2 emissions from new dwellings element would be a 'fabric first approach' i.e. to provide enhanced insulation within

new homes to reduce the level of heating required.

45. It is considered appropriate to condition this approach.

Impact on Infrastructure

46. Core Strategy policy IPC1 seeks to ensure that new residential development provides specific contributions for affordable housing, open space provision, health and well being, education provision and public art provision.

47. As detailed above previously the applicant sought to increase the s.106 contribution levels by increasing the number of units provided within the site. However, this has resulted in the requirement to increase the number of units. A final figure of £140,000 was been agreed between the applicants and the Council's surveyors.

48. As part of the current application the site's viability has been assessed by the Council's Viability Consultant. Assuming a profit margin of 15% the development would make a loss of over £2m. However, the developer remains committed to provide the contributions as previously approved in 2017. The split previously agreed is detailed below.

49. The £140,000 would be split as follows:

- Affordable housing (off site contribution) = £82,781.41
- Education - £12,584.69
- Public Open Space - £12,092.84
- Public Health - no contribution required
- Public Art - £2,541.08
- Off site Highway improvements - £30,000

50. It is noted that the monies for off-site highway works would be ring fenced in order to provide the necessary highway improvements to facilitate a safe development.

51. Subject to the signing of a s.106 agreement with the applicant to secure the above amounts it is considered that the proposal complies with policy.

Local finance considerations

52. 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

53. The proposal would result in the redevelopment of the Greyhound track site, albeit located within the Green Belt is a previously developed site. The applicant has sought to provide a scheme which provides a range of dwellings types from semi detached properties to large detached properties whilst also maintaining the level of s.106 contributions as previously agreed. Officers would also recommend the imposition of a claw back mechanism within the s.106 agreement should the development exceed the applicants expectations.

54. It is considered that on balance the benefits of the scheme outweigh any relatively minor impacts on the openness of the Green Belt in this location.

55. Members are therefore recommended to delegate the decision to the Director subject to the signing of a s.106 agreement and the National Casework Planning Unit not wishing to call the

application in for determination by the Secretary of State.

Representation and Consultation Annex

Representations

Letters:- two letters raising concerns with the proposed development have been received which raise the following concerns:

- The land has not had buildings on it, 50 houses in a rural setting would be incompatible/out of character;
- Proposal will destroy wildlife;
- Noise, light and air pollution;
- Proposed access is sited on a blind bend with the speed limit on Wigan Road being 40 mph. This will cause a highway safety concern;
- Sparkle Developments track record in Bolton (i.e. Grundy Fold Farm) is a concern given the applicant has not complied with planning permission. The Council should not have accepted to consider this application - ***Officer comment -the current application must be treated on it's merits. The current application provides additional detail on levels and boundary treatment which is capable of being enforced against as required.***
- Loss of the Greyhound stadium - a tragic loss of heritage - the Greyhound stadium was demolished a number of years ago;
- Better to redevelop the site as a wildlife haven;
- Flooding - on both Wigan Road and the Marsh Brook area to the south of the site - the development would reduce the absorption capacity of the land resulting in greater run-off and greater flooding/drainage concerns;
- Concern over the fact that previous permissions on the site have not been implemented;
- If the developer goes into administration the site may remain partially developed.

Petitions:- no petitions have been received.

Town Council:- no comments received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: Westhoughton Town Council, the Coal Authority, Highways Engineers, Economic Strategy, Landscape Design and Development, Drainage and flood risk team, Primary Healthcare Trust, Greater Manchester Police (Design for Security), Strategic Housing Services, Trees and Woodland officer, Environment Agency.

Planning History

A planning application (Ref: 89893/13) for the erection of 50 dwellings on the current application site was considered by Planning Committee in October 2015 where members granted planning permission subject to the matter being referred to the National Planning Casework Unit (NPCU) and completion of the s.106 agreement. The NPCU considered that the Council should be allowed to determine the planning application without calling the application in. Planning permission was subsequently granted for the proposal in June 2017.

The above permission still remains capable of being implemented.

The original submission for 89893/13 made provision for 34 new dwellings on the site. However, in May 2015 members requested that the applicant reassess the level of contributions being made to the Council. To this end the applicant entered into discussions with the LPA looking at a number of options which would have resulted in further s.106 contributions. Given the relatively low viability of

the scheme (8.6%) the only option available to the applicant was to increase the number of units provided within the scheme to 50.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be implemented in full thereafter.

Reason

To ensure the development reflects local distinctiveness.

3. Prior to the commencement of the development:-

- 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.

4. Within 3 months of the commencement of development a scheme shall be submitted and approved by the Local Planning Authority which provides details of the the following highway works:

- An extension to the 30 mph speed limit on Wigan Road;
- Provision of a speed limit gateway feature on Wigan Road;
- Provision of a central refuge to the east of the site;
- Provision of a wider footway along Wigan Road (minimum 2 metres at the back of the proposed visibility splay);
- Measures to prohibit waiting on both sides of Wigan Road along the site frontage.
- Prior to the first use / occupation of the development hereby approved, the approved scheme shall be implemented in full and retained thereafter.

Reason

In the interests of highway safety.

5. 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.

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

Reason

To ensure adequate standards of privacy and amenity are obtained and the development reflects the landscape and townscape character of the area.

7. The approved drainage strategy (Scott Hughes Drainage Strategy report v5 dated 15/08/18) shall be implemented in full prior to completion of the development hereby approved and retained thereafter.

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

8. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Wigan Road shall be constructed to a minimum width of 5.5 metres with 6 metre radii and 2 x 2 metre wide footway(s).

Reason

In the interests of highway safety

9. Prior to the development hereby approved/permitted being first occupied or brought into use the existing vehicular access onto Wigan Road shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Wigan Road, other than as shown on drawing no: **1612SHW/WRW/SL01 Rev. H - Site Layout and Landscape Context Drawing, dated 22/03/18.**

Reason

In the interests of highway safety.

10. Prior to the occupation of the dwelling house(s) hereby permitted provision shall be made for the parking and / or garaging of (a) motor vehicle(s) adjacent to (the (each of the) dwelling house(s)) in the area identified for that purpose on the approved plan. The (those) area(s) shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or replacing that

Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

To ensure that adequate provision is made for vehicles to be left clear of the highway.

11. Prior to the development hereby approved being first occupied or brought into use, a scheme detailing how parts of the site to be used by vehicles including driveways and private drives are to be laid out, constructed, surfaced and drained shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter made available for the use of vehicles at all times the development is in use.

Reason

To encourage drivers to make use of the parking and circulation area(s) provided.

12. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 99 metres to the west when measured to the centreline and measuring 2.4 metres by 63 metres to the east, shall be provided at the junction of Wigan Road with the new residential access road, and subsequently remain free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

To ensure traffic leaving the site has adequate visibility onto the highway.

13. Before the first occupation / use of Plots 1 to 5 (inclusive) hereby approved, the habitable room windows in the northern elevation facing the A58 Wigan Road shall be acoustically double glazed and ventilated in accordance with the 'good' standard laid down in BS8233:1999 of LAeq/T living rooms 30dB and bedrooms 30 dB.

Reason

To minimise the impact of noise on residential amenity.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, wind turbines, dormers or any other alterations to the roof (other than those expressly authorised by this permission) shall be constructed within the rear garden areas of Plots 14, 19 and 30 to 48 (inclusive).

Reason

To safeguard the character and appearance of the dwelling/land and to protect the living conditions of existing/future residents.

15. No dwelling shall be occupied until the access road(s), footway(s) and footpath(s) leading thereto have been constructed in accordance with Drawing No. 1612SHW/WRW/SL01 Rev. H.

Reason

In the interests of highway safety.

16. Prior to completion of the development hereby approved bat and bird boxes shall be provided in accordance with the box type and locations as detailed within the Envirotech letter dated 12 April

2018. Once implemented the boxes shall be retained in the approved locations thereafter.

Reason

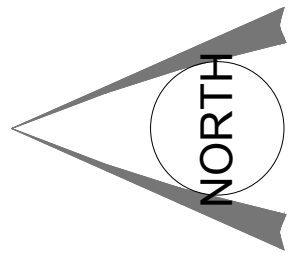
To ensure the favourable status of protected species.

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

**Drawing No. 1612SHW/WRW/SL01 Rev. H - Site Layout and Landscape Context
Drawing, dated 22/03/18**
**Drawing No. 612SHW/WRW/SS01 - Illustrative Sectional Street Scenes, dated
23/08/18;**
Drawing No. 3369-SHD-00-ZZ-DR-C-0001 Rev P5 - Proposed Levels GA dated 21.08.18;
**Drawing No. 2324-HTA-01 - House Type A - Plans and Elevations Overview. dated
27/03/18;**
**Drawing No. 2324-HTA1-01 - House Type A1 - Plans and Elevations Overview. dated
27/03/18;**
Drawing No. 2324-HTB-01 House Type B - Plans Overview, dated 03/04/18;
Drawing No. 2324-HTC-01 - House Type C - Plans Overview. dated 14/11/17;
Drawing No. 2324-CAR1-01 - House Type C1 - Plans Overview, dated 27/03/17;
**Drawing No. 2324-HTD-01 - House Type D - Plans and Elevations Overview. dated
27/03/18;**
Drawing No. 2324-HTE-01 - House Type E - Plans Overview. dated 14/11/17;
**Drawing No. 2324-HTF-01 - House Type F - Plans and Elevations Overview. dated
27/03/18;**
**Drawing No. 2324-HTF1-01 - House Type F1 - Plans and Elevations Overview. dated
03/04/18;**
**Drawing No. 2324-HTG-01 - House Type G - Plans and Elevations Overview. dated
27/03/18;**
Drawing No. 01 - Double Garage_FB v2 dated 03/05/18
Drawing No. Double Garage_P v2 - dated 03/05/18
Drawing No. - 01 Single Garage 1 - dated 11/06/15;
Greyhound A2 Elevations received 21/08/18
Greyhound A2 Elevations 2 - received 21/08/18
Greyhound A2 Plans - received 21/08/18

Reason

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



- LEGEND
- Existing (Off-site) Trees
 - Indicative New Tree Planting
 - Private Shared Driveways
 - Private Drives with Plot Specific Allocation noted
 - Blue Dot denotes House Type is 'HANDED' to the Planning Drawings
 - 'Hardstanding' Areas for Bin Storage within rear gardens
 - Bin Collection Point for Plot 15
 - Gated (Lockable) access into rear garden areas
 - Arrows denotes door entry positions into dwellings
 - Vehicle Tracking illustrations as carried out by DTPC

- Plot Divisional Fencing
Close Boarded Timber Fencing at 1.8m in height
- Rear Boundary Fencing and inbetween properties - 1.8m High Close Boarded Timber Fencing
- Rear Boundary Fencing to plots 29 to 37 - 1.2m High 'Hit and Miss' Timber Fencing (A to B)
- 'Robust' Screening Detail to publicly exposed garden boundaries - See detail LS.16 488mm High Brick Dwarf Wall and 1312mm High Timber Hit and Miss (Staggered) Fence with Brick Piers
- FFL = Proposed Finished Floor Levels

Mix Schedule	
House Type	No.
Type - A	7
Type - A1	4
Type - A2	4
Type - B	8
Type - C	6
Type - C1	1
Type - D	5
Type - E	6
Type - F	2
Type - F1	2
Type - G	5
Total	50

PLANNING
SUBMISSION

Rev.	Date	Revision Description	Drawn
HV2	23-10-16	Amendments following Planning Officer Comments - FFLs included	DOCL
G	14-10-18	Construction with make-up amended to shared surface roads (6.5m road / 1.1m foot way)	DOCL
A1-Z	24-1-16	Type F updated. Plot 1 added as C1	DOCL
E	17-1-18	Garage and Carport G10 Block Footprints amended	DOCL
D	10-1-18	Proposed Finished Floor Levels added	DOCL
C	27-3-18	Type F1 updated	DOCL
B	20-3-18	Changes from Preliminary to Formal House Plans - Type F1 Footprints Clarified	DOCL

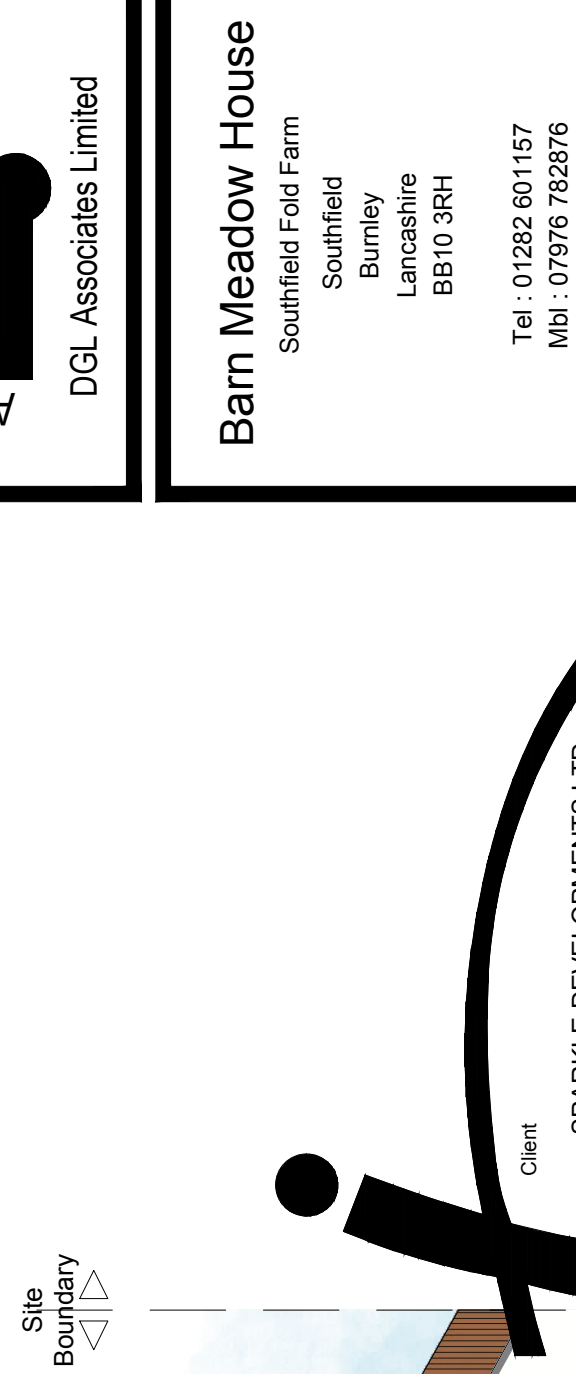
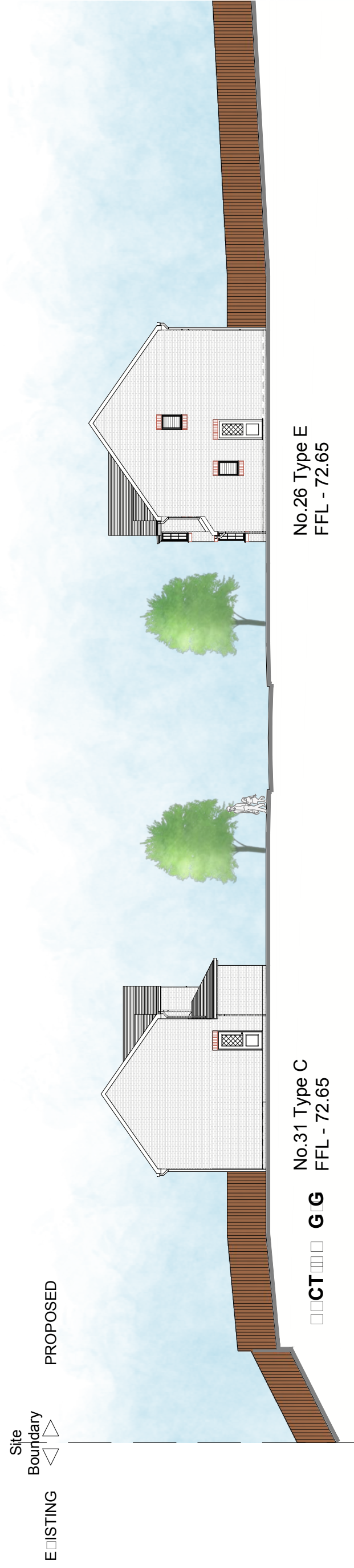
Wigan Road, Westhoughton

Client		SPARKLE DEVELOPMENTS LTD	
Project		Wigan Road, Westhoughton	
Drawing Title		Site Layout and Landscape Context Drawing	
Drawing No.		1612SHWWRWSL01	



Barn Meadow House
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Revision.	HV3	Checked		Approved	A1
		Drawn	D.G.Lever		
		Scale	1:500 @ A1		
		Drawn	22nd Mar 2018		
E-mail :		darren.dglas@gmail.com			



Wigan Road, Westhoughton



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Revision	Drawn	Checked
A	D.G.Lever	Approved
	Scale	1:200 @ A1
	Drawn	23rd Aug 2018
E-mail: darren.dgl@gmail.com		
Drawing No. 1612SHW/WRW/SS01		
A1		

Client
SPARKLE DEVELOPMENTS LTD
Project
Wigan Road, Westhoughton
Drawing Title
Illustrative Sectional Streetscenes

Proposed modification (deed of variation) to the Section 106 Agreement accompanying outline permission 91358/14 and subsequent reserved matters permission 96670/16: 129 dwellings at the former Bolton Community College Horwich Campus site, Victoria Road, Horwich, BL6 6ED

Ward: Horwich North East

Applicant: Jones Homes (North West) Ltd.

Responsible Officer: Helen Williams

1. Outline planning permission (all matters reserved) was granted in June 2015 for the erection of up to 140 dwelling on the site (application ref. 91358/14). This planning approval was accompanied by a Section 106 Agreement. The applicant for this outline permission (the then landowner) agreed to the full required contributions at that time, which were:
 - 13% of the dwellings on site to be affordable, with 70% for rent and 30% as intermediate housing (the percentage was reduced from 15% to 13% to take into account the vacant building credit clause);
 - £362,000 towards primary education;
 - £440,000 towards secondary education;
 - £138,460 towards public open space;
 - £31,360 towards health provision;
 - £25,000 to fund a traffic management scheme on Victoria Road.
2. When the reserved matters application (96670/16) for 129 dwellings on the site was approved in December 2016 no amendments were sought to the Section 106 Agreement, despite there being 11 fewer dwellings proposed (the original off-site contributions were calculated for 140 dwellings).
3. If the applicant had asked for the Section 106 to be amended to reflect the 129 proposed dwellings (11 fewer dwellings), the following contributions would have been sought:
 - 17 dwellings to be affordable (13% of 129);
 - £347,665.92 towards primary education;
 - £362,877.24 towards secondary education;
 - £127,581 towards public open space;
 - £28,896 towards health provision;
 - £25,000 to fund a traffic management scheme on Victoria Road.
4. Development has commenced on site and the applicant has been in discussions with Council officers for over a year regarding the viability of the development should the Section 106 be required in full. Various (and updated) viability reports have been submitted to officers for their consideration.
5. The applicant has stated that abnormal costs associated with the development have been significantly more than they originally anticipated. These abnormal costs include:
 - the 8 metre easement that was required by the Environment Agency on either side of the culverted watercourse that runs through the site (the EA had originally only recommended a 6 metre easement). This has resulted in the loss of 1 dwelling (130 dwellings were originally proposed within the reserved matters application) and the

- change in a number of the house types originally proposed to accommodate the easement;
 - the discovery of more bedrock on site, which has led to the need for more extraction and more intricate retaining walls;
 - additional earthwork and remodelling works;
 - remediation of Japanese knotweed and Himalayan balsam, which has increased since the college site became vacant;
 - requirement for surface water storage within the site.
6. The viability assessments have concluded that the taking into account all the costs associated with the development, the development would produce a profit of 9.12% if the full Section 106 contributions are required.
 7. The applicant is therefore proposing to amend the Section 106 Agreement by only providing the **17 affordable dwellings on site and the £25,000 towards the traffic management scheme on Victoria Road**. No other off-site contributions are therefore being proposed (which were first due to be paid at 40% occupation). With these two contributions the development would still only return a 13.8% profit (according to the applicant's most up-to-date viability assessment). The draft NPPG identifies a 20% profit as a generally accepted profit level.
 8. With regards to the 17 proposed affordable units on site (9x 1 bed apartments for social rent, 3x 2 bed houses for social rent, 3x 2 bed houses for shared equity and 2x 3 bed houses for shared equity), Bolton at Home has confirmed to officers that they have formally agreed to take these properties (as per the Section 106 requirements) and that funding has been lined up to purchase these properties. Bolton at Home would also like Members to be aware that they are keen to take these units, as they consider that the affordable housing to be provided at Rivington Chase would take some time to be built (as there are none included within the first phase of development).
 9. The applicant has already submitted a cheque for the traffic management scheme to the Council (as this was a pre-occupation contribution).
 10. Paragraph 57 of the NPPF states that, where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker (in this case Planning Committee), having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any changes in site circumstances since the plan was brought into force.
 11. The Council's viability consultant and Corporate Property surveyors have both examined the various viability reports that have been submitted by the applicant. It is agreed that the abnormal costs provided by the applicant (to demonstrate a change in circumstances since the outline approval was granted) appear correct and that the development would not now be viable if all the originally required contributions were sought (9.12% profit). The viability assessment has also been able to be assessed against the prices the first constructed houses are currently being sold for, and these first sale prices have been reflected in the estimated prices for the other house types within the development.

12. Officers therefore consider that the applicant has sufficiently justified their proposed modification to the Section 106 Agreement for the development, and that even without the off-site contributions towards primary and secondary education, public open space and health facilities they would only be returning a profit of 13.8%.
13. As with all new Section 106 Agreements Officers are recommending that a "clawback" clause be added to the proposed Deed of Variation.
14. Members are therefore recommended to approve the proposed Deed of Variation to the Section 106 Agreement accompanying outline consent 91358/14, as outlined above.

Representations received

Councillors McKeon and Silvester have raised an objection to the proposed Deed of Variation as they believe that the contributions towards education, health and open space should be met in full.

