

**Planning Applications Report**

**Planning Committee  
18th August 2022**

**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](http://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](http://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](http://www.bolton.gov.uk/planapps)

Date of Meeting: 18 August 2022

Application Reference: 13931/22

**Type Of Application**  
**Registration Date**  
**Decision Due Date**  
**Responsible Officer**  
**Authorising Officer**

**Full Planning Permission**  
**6 June 2022**  
**25 July 2022**  
**Martin Mansell**

**Location**

**ASHBURNER STREET MARKET ASHBURNER STREET  
BOLTON BL1 1TQ**

**Proposal**

ERECTION OF A SINGLE STOREY FOOD HALL EXTENSION (WITH PARTIALLY COVERED EXTERNAL SEATING AREA) TO THE SOUTHERN ELEVATION OF THE EXISTING MARKET HALL TOGETHER WITH THE SITING OF NEW OUTDOOR MARKET STRUCTURES TO THE NORTH OF THE SITE AND ASSOCIATED HARD LANDSCAPING WORKS.

**Ward**

Halliwell

**Applicant:** C Hansell

**Agent:** Mr D Jennings

## **OFFICERS REPORT**

**Recommendation:** Approve subject to conditions

### **Executive Summary**

- Extensions and alterations are proposed to Bolton Market.
- The new outdoor market would create a degree of conflict with a very limited number of dwellings at the approved Moor Lane development but is considered to be entirely justifiable for the reasons set out in detail in the relevant section of the report.
- Officers are seeking to resolve an outstanding matter with the Environment Agency via a condition.
- The development has the potential to make a substantial and positive contribution to the ongoing regeneration of this part of Bolton town centre and the wider area.

### **Proposal**

1. An extension and other alterations are proposed to Bolton Market. The proposal consists of a number of elements including:
  - New Food Hall Extension to New Street (Southern Side)
  - New Outdoor Market to Ashburner Street (Northern Side)
  - Service Road and Loading Bays (Northern Side)
  - Alterations To Entrances and other Minor Works
  - Hard and Soft Landscaping

#### *New Food Hall*

2. A new food hall extension would be constructed on the New Street (Southern) side, partially reusing the existing structure and construction from buff brick with a substantial glazed area. The new food hall would contain nine food and beverage stalls together with a large indoor seating area. Seating would also be installed within a covered colonnade which can be closed off

during evenings using scissor gates. This external colonnade would face onto an external area that could be used for pop-up market stalls and additional seating whilst still functioning as an access road and loading area when required. This area would be protected when used by the public by a combination of removable bollards and trees within planters.

#### *Outdoor Market*

3. The new outdoor market will provide 46 pitches for traders in two rows, constructed from steel with a metal canopy and aligned with the east-west link through the site.

#### *Service Road and Loading Bays*

4. A new service road and loading bays would be provided, dedicated to use by the new outdoor market and replacing the provision that would be partially lost to the Moor Lane residential development. A 2.5 metre footpath zone would be provided to the north of the service road / loading bays, consisting of the standard 2 metre pavement width plus a space for knee rail barriers which will prevent vehicles being able to mount the pavement

#### *Alterations to Entrance and Other Works*

5. From the south-east, the market would be accessed from the new food hall extension. The existing north-east entrance would receive a new canopy and signage. The existing western entrance from the main parking area would also be altered to include a new composite timber clad surround and signage.
6. Minor works will be carried out internally of the existing Market Halls to facilitate the new Food Hall, and externally the fresh Food Hall curtain walling and external metalwork will be redecorated to complement the new signage proposals. Externally, the existing cabin units along New Street will receive improved cladding which will visually link with any new fencing and signage to the rest of the market site.

#### *Landscaping*

7. The proposals for the south-east corner have been co-ordinated with the Council's Highway Engineers and include extending the town centre style sandstone paving slab pavement finish to the east entrance of the new Food Hall. New Road to the south would remain with a tarmac finish with the Food Hall external area providing a multifunctional surface for when potential pop-up markets can occupy the space.

#### **Site Characteristics**

8. Bolton Market is a large traditional general market operated by Bolton Council. It is a key part of the town's heritage, with a Market Charter dating back to 1251. Built in 1932 as Ashburner Street Market, it has been extended and adapted over the years into the modern market that exists today.
9. The site covers 12,750 square metres and consists of 6,300 square metres of ground floor internal market area along with storage and plant areas within the basement and offices on the first floor which wrap around the perimeter of the East Hall.
10. The market is open four days a week and retails meat & fish, fruit & vegetables and non-food goods & services. There are currently approximately 200 local businesses operating from the market employing around 500 people.
11. The market building is split into three main halls, with an additional covered external market space to the south. Externally there are a number of container cabins used as trading units along with storage and chiller units to both the north and south of the site. Waste is dealt with to the north of the site with a large waste compound including a waste compactor and cardboard bailer.
12. The site is bounded by a railway line to the south, Moor Lane to the west, Ashburner Street and

the former Moor Lane bus station to the north and Blackhorse Street to the east. Uses in the area are mixed but typically include residential to the west (in the form of Paderborn Court / Jubilee House) and office uses such as the Blackhorse Street Job Centre. Planning permission was granted in November 2021 for the erection of 208 dwellings on the site of the former Moor Lane bus station and other related land.

## **Policy**

### *The Development Plan*

13. Committee should have regard to the requirements of the development plan as a whole. The following policies are considered to be particularly relevant.
14. Bolton's Core Strategy Development Plan Document (2011) - Strategic Objectives - SO3 – To take advantage of the economic opportunities presented by Bolton town centre and ensure that these opportunities benefit everybody in Bolton, including those people living in the most deprived areas, SO4 - To create a transformed and vibrant Bolton town centre, SO5 - Ensuring Bolton takes full advantage of its location in the Greater Manchester City Region, SO6 Ensuring that transport infrastructure supports all aspects of the spatial vision, SO9 – To reduce crime and the fear of crime, and improve road safety by ensuring that neighbourhoods are attractive and well designed, SO10 To minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects, SO11 Conserving and enhancing the best of Bolton's built heritage and landscapes, SO12 To protect and enhance Bolton's biodiversity, SO13 To reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream, SO16 To develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.
15. Bolton's Core Strategy Development Plan Document (2011) - H1 Healthy, P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, TC5 Cultural Quarter, TC11 Design in Bolton Town centre and Appendix 3 - Car parking standards.
16. Bolton's Allocations Plan (2014) - P7AP Strategic Route Network

### *Other Material Considerations*

17. Supplementary Planning Documents - Accessibility, Transport and Road Safety (October 2013), General Design Principles (June 2015), Sustainable Design and Construction (October 2016), Building Bolton (2006), Public Realm Implementation Framework (2007)
18. National Planning Policy Framework (July 2021) - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment, conserving and enhancing the historic environment.
19. Relevant National Planning Practice Guidance - Climate Change, Conserving and Enhancing the Historic Environment, Design, Ensuring the Vitality of Town centres, Flood Risk and Coastal Change, Health and Wellbeing, Land Affected By Contamination, Land Stability, Light Pollution, Natural Environment, Noise, Use of Planning Conditions
20. The Bolton Town Centre Framework was approved by Members of Bolton Council's Cabinet in September 2017 and is a material consideration in the determination of planning applications in Bolton Town centre, particularly within the identified intervention areas.
21. The Bolton Economy, Our Strategy For Growth 2016-2030

## **Analysis**

22. 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.

23. The main impacts of the proposal are:-

- \* the principle of the development
- \* impact on the character and appearance of the area
- \* impact on nearby uses
- \* impact on the road network
- \* impact on Bolton Market and Bolton Town Centre
- \* other matters

#### The Principle of the Development

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

25. Policy TC5 of Bolton's Core Strategy states that the council and its partners will take opportunities to improve Bolton Market as a destination.

26. Paragraph 86 of the National Planning Policy Framework states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

27. The application proposes a new extension to Bolton Market on its southern side together with the provision of a new open market area on its northern side. All new development would be contained within the area already occupied by the Bolton Market site. It would therefore take opportunities to improve Bolton Market as a destination, entirely consistent with Policy TC5 of Bolton's Core Strategy.

#### Impact on the Character and Appearance of the Area

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

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

- conserve and enhance local distinctiveness ensuring development has regard to the overall built character and landscape quality of the area
- compatibility with surrounding area i scale, massing, grain, form, architecture, local materials and landscape treatment
- conserve and enhance the heritage significance of heritage assets and area

- maintain and respect the landscape character of the surrounding countryside and its distinctiveness, being compatible with the nearby landscape character
30. Core Strategy Policy TC11 relates specifically to development in Bolton Town centre and states that the Council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should conserve and enhance the special nature of the conservation areas and listed buildings; ensure that development along the gateways to the town centre enhances the townscape through the use of high quality design and improved street frontages and pedestrian permeability; ensure streets are designed in accordance with the Public Realm Implementation Framework to achieve a high standard of design which exhibits safety, consistency and accessibility, particularly for pedestrians, cyclists and users of public transport; require development to respect and enhance existing vistas - new architectural 'set pieces' will be supported where the design is of exemplary quality; have regard to the existing hierarchy of built forms as indicated in the Building Bolton SPD; make efficient and effective use of land in the town centre due to the existing levels of high density development, ensuring that development provides adequate amenity space and privacy, or attractive public areas, where appropriate for the site.
  31. Core Strategy Policy TC5 relates specifically to development within the area immediately west of Le Mans Crescent; however, it refers primarily to the allocation of uses rather than seeking to promote or discourage particular forms of design or architecture.
  32. The National Planning Policy Framework (July 2021) sets out the Government's planning policy requirements. Section 12, "Achieving Well-designed Places" identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 further states that planning policies and decisions should ensure that developments are in accordance with the following:-
    - will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
    - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
    - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)
    - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
    - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks
    - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience
  33. The Government published its National Design Guide on 1st October 2019 as part of the National Planning Practice Guidance.

34. Officers consider that Core Strategy policies CG3 and TC11 are consistent with the NPPF and can be given substantial weight in the consideration of design matters.
35. The Building Bolton SPD contains a detailed analysis of the existing built form of Bolton town centre and highlights its local distinctiveness. Development proposals are very much welcome but are encouraged to work with rather than against this distinctiveness. It contains design guidance for a series of areas within the town centre, including the application site, and draws attention to matters such as urban form, scale, massing and detail. The application site falls entirely within the Cultural, University and Transport area and the Building Bolton SPD notes the absence of a clear urban focus and public amenity space, with Le Mans Crescent isolating the area from the Civic Core, and the dominance of out-of-town style developments and highway infrastructure. The SPD expects new developments to take their townscape design cues from the adjacent Civic Core.
36. Officers consider the proposed extension, the proposed outdoor market and other works such as the new public realm areas are well-designed and entirely consistent with the character of the existing Market site and with this part of Bolton Town Centre. The surrounding area of the site both within the nearby Town Hall Conservation Area and the surrounding streets is characterised by the use of a mix of sandstone and brick, repetitive and rhythmic architectural detail and numerous ground floor colonnades such as those at the Wellsprings and Paderborn House. The proposed development is considered to take its design cues from this existing character and is successful in doing so.
37. The creation of the new food hall and moving the outdoor market would also open up and improve pedestrian links across the site and would improve two of the other key entrances to Bolton Market to assist in wayfinding.
38. The impact on the character and appearance of the area is considered to be beneficial

#### Impact on Nearby Uses

##### *Proposed Extension to Southern Side*

39. The extension proposed to the southern side would consist of a new food hall and would essentially replace the existing outdoor market structure. Whilst this element may have the potential to operate into the evenings, due to the significant barriers created by Blackhorse Street, Moor Lane and the railway line, there are no sensitive uses in the immediate vicinity of the proposed site that are capable of being affected by the proposed structure and any associated activities.

##### *Proposed Open Market Area on Northern Side*

40. The proposed open market and its dedicated service road and loading bays would be directly opposite the fronts of seven of the new dwellings approved (though yet to be commenced or constructed) at the former Moor Lane bus station. The closest market pitches would be approximately 11 metres from the front elevation of these dwellings (if constructed), separated by the small front amenity / defensible space area of these dwellings, the 2.5 metre footway zone and the service road / loading bays.
41. Officers are of the view the relationship between these approved dwellings and the proposed new outdoor market is one of the most important considerations of this planning application, in terms of any impact on outlook and more significantly, in terms of the impact of noise.
42. Members will be aware of the distinction that planning makes between "outlook" and "views". The outlook from a dwelling is an objective consideration that considers the mathematical interface between the principal windows of typically an existing dwelling and any new structures proposed nearby. A view is a more subjective concept, based on what particular elements could



be viewed from a window. In general, planning seeks to protect outlook but does not seek to protect views.

43. With this distinction in mind, Officers consider that the 11 metre interface between the principal windows of the approved dwellings and the new canopied pitches would be an acceptable one. The structures can be considered to be single storey in nature and the recommended interface would be 9 metres. Future occupants may or may not find the views out of these windows to be a pleasant one, but that is not for the planning process to determine. The outlook, however, as assessed via the interface between the windows and any new structures, is considered to be entirely acceptable.
44. The proposed outdoor market has the potential to affect the living conditions of future occupants by way of noise. Market traders typically set up their stalls around 6am, trade all day and pack up their pitches by around 6pm. As things stand, this would take place on four days per week – Tuesdays, Thursdays, Fridays and Saturdays. The hour between 6am and 7am is generally considered to be part of the night-time hours.
45. The Applicant and the management of Bolton Market have been asked to justify why they consider this relationship to be an acceptable one and have responded as follows:-
  - the residential development, by agreement with Bolton Council, benefited from an additional 5 metres of land to ensure the deliverability of the housing scheme. The new outdoor market has been carefully planned within the remaining land, to ensure a secure cohesive operation for both the residents and market businesses. Seeing a reduction of the area usage from 6 full days per week to only 3.5 days usage when the outdoor market operates
  - the access road that fronts on to the residential development and new outdoor market site, will see an 80% reduction in vehicle use in this area due to the relocation of all current services, the 14 permanent cabin traders and 10 storage cabins all being relocated from this site
  - during the times of 9am and 5pm traders will be restricted in using the access road to load and unload on operational and non-operational market days, which directly fronts on to the residential development, which will be managed by market management. This is in line with the current operational procedures of the market. Traders will only be permitted to use the loading bay areas during these times on non-market days, they will not be permitted to use the access road
  - outdoor market traders who require access to set up before 9am and after 5pm on the new outdoor market will use the loading bay area on the market, the actual new outdoor market space (between stalls) and new loading bay area that is part of the public realm work to Blackhorse Street. This will further reduce noise /air / light pollution for adjoining residents and the access road would not be required for this function
  - the developers of the Moor Lane site submitted a professional Noise Impact Survey that took sound measurements from the market in operation (whilst all services and deliveries and permanent traders were located in this area) and this demonstrated that the relationship would be an acceptable one if sound insulation and ventilation measures were implemented on their residential development. Given the 80% reduction in noise / air / light pollution from vehicles no longer needing to use the access road and the new outdoor market area, this supports their findings.
46. Bearing in mind these comments, Officers consider the relationship to be an acceptable one, for the following reasons:

- Bolton Market has been in operation since 1932 and it is considered that significant weight should be attributed to its ability to operate, compete in a challenging retail environment and to continue to attract visitors from inside and outside of the Borough
- this is a town centre site and a greater level of activity must be expected relative to other areas
- the development of the new dwellings, whilst consented, has yet to commence and this is considered to limit the weight that can be given to the protection of living conditions by way of seeking to control nearby development. Furthermore, future occupants will be aware of the environment in which they may be choosing to live and can make an informed decision accordingly. This is a different situation than typically found in planning decision-making – there are currently no dwellings and therefore no occupants whose living conditions require protection. That does not mean that this issue should be entirely disregarded; however it does again limit the weight that can be attributed to this issue in the planning balance
- a service road already exists at the site, in a similar location to that which is now proposed
- outdoor market pitches already exist in this location, albeit that they do not directly face the site of the proposed dwellings
- Bolton Market is operated by Bolton Council and therefore the Council will retain a degree of control over its operation in a way that would not be the case if the dwellings fronted a private sector commercial use
- the application for the Moor Lane development was accompanied by a professional noise impact survey which took measurements of the noise environment at Bolton Market over a reasonable period and considered the relationship to be an acceptable one. It should be noted that this assessment assumed that the waste compactor would remain in place – however, this will be removed as part of the current proposals. It remains the case though that the survey assumed that the waste compactor would remain and still found the relationship to be acceptable
- a condition on the approval for the Moor Lane development requires all dwellings to provide an acceptable level of noise protection by way of window insulation and ventilation. As is standard, the condition is worded in such a way as to require sound levels to not be exceeded i.e. it is not worded in a way that is relative to the findings of the noise survey but is instead absolute – a specified degree of noise protection must be provided at the point of construction, irrespective of whether or not the noise environment changes between the grant of planning permission for the dwellings and their construction

47. Officers are of the view that the relationship between the approved dwellings and the proposed new outdoor market is not an ideal one but is entirely capable of being justified on town planning grounds.

48. The impact on nearby uses is considered to be acceptable.

#### Impact on the Road Network

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

50. Core Strategy policy P5 and S1 seek to ensure that new development proposals take account of accessibility of transport prioritising pedestrians, cyclists, public transport users over other

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

51. Appendix 3 of the Core Strategy provides car, cycle, motorcycle and disabled parking standards for a range of new development proposals. In addition, guidance contained within the Accessibility, Transport and Safety SPD covers a range of highways related matters including provision of facilities for people with disabilities, provision for pedestrians, cyclists, public transport and car parking. In addition, the SPD provides guidance on highway design, Transport Assessments/Statements, Travel Plans, Infrastructure provision and the means for securing such provision.
52. The Council's Highway Engineer consider that sufficient parking provision is available to support the increased uses associated with the proposal. This together with the site's town centre location and accessibility to sustainable modes of transportation provides additional justification to support the development from a transport and highways perspective. Accessibility to this site from the public highway has been established from its existing level of use and through planning consent. The servicing proposals appear workable subject to retro-fitting access points under proposed highway improvement schemes and the promotion of additional traffic management measures to support. The proposed works according to the submitted information will not impact on existing highway assets according to the Council's Highway Asset Register.
53. Subject to conditions requiring the provision of the highway access and the traffic management arrangements, the Council's Highway Engineers raise no objection.

#### Impact on Bolton Market and Bolton Town Centre

54. The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years.
55. Policies SO3, SO4 and SO5 of Bolton's Core Strategy are strategic objectives within the "Prosperous Bolton" theme and seek to take advantage of the economic opportunities presented by Bolton town centre and ensure that these opportunities benefit everybody in Bolton, including those people living in the most deprived areas, together with creating a transformed and vibrant Bolton town centre and ensuring that Bolton takes full economic advantage of its location in the Greater Manchester City Region.
56. Policy TC5 of Bolton's Core Strategy states that the council and its partners will take opportunities to improve Bolton Market as a destination.
57. The NPPF states at paragraph 86 that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
58. It is considered that the Core Strategy is consistent with the NPPF and can be given significant weight.
59. The Applicant and their team consider that Bolton Market is currently under-performing in four fundamental ways:

- Its perception in the eyes of Bolton's residents as a culturally & historically significant community space for shopping, eating, drinking, socialising and working
  - Its potential to beneficially impact its surrounding environment and that of the wider town centre
  - Footfall numbers and its ability to drive revenue for its resident market traders, and the Council as asset owner
  - As a connecting point between the town centre and the town's two key educational assets: The University of Bolton and Bolton Sixth Form College
60. A key driver for the project is therefore to address these points and improve its perception and connection to the wider town centre creating further links both physically and culturally. The design has considered how each part of the market can operate independently, with the new Food Hall potentially operating independently in the evenings to boost the night time economy of the town centre.
61. Bolton Council has been working with HM Treasury and DLUHC to secure capital from the Towns Fund which is a J3.6 billion fund investing in towns as part of the government's plan to level up our regions. The Council was awarded J27m to invest in Bolton Town Centre across four key projects, the refurbishment and upgrade of Bolton Market being one of them, receiving J5.9 million for this specific project.
62. The Council's strategic vision for the Bolton Market project is to expand and diversify the current offer whilst improving the market's role as a community meeting place by adding an extension to the existing structure to create a new food hall.
63. The strategic objectives of the project are aligned to the Town Centre Fund which specifically requires funded projects to stimulate and support place-based economic investment. This is expected to be achieved by operating on two additional days in the week and approximately six more hours per day above the current operational hours of the market.
64. The Applicant and their team consider that the reconfigured market will be a key anchor of the retail, leisure, and cultural offer, integral to the wider town centre.
65. For the reasons set out above, Officers consider that the proposals will have a substantially beneficial impact on Bolton Market and Bolton Town Centre in terms of visitor numbers, reputation, job and economic development.

#### Other Matters

##### *Heritage Significance*

66. The Bolton Market building is considered to possess a degree of heritage significance but does not benefit from any statutory designation. It sits outside of the Town Hall Conservation Area boundary, but does in its north-east corner border the area and in its built form echoes two of the predominant characteristics of the area in material and composition. Brick and stone and common building materials and a number of buildings in the area date from the same inter-war period.
67. None of the works proposed are considered to in any way challenge the dominance of nearby Listed Buildings such as Le Mans Crescent or Bolton Town Hall or their setting. The impact on views out from the Town Hall Conservation Area will be negligible.
68. The impact on heritage significance is considered to be acceptable.

##### *Crime Reduction*

69. The application is supported by Crime Impact Statement, carried out by Greater Manchester Police. The application is supported as GM Police note that whilst the proposed covered stalls at the north of the site have potential to encourage loitering and/or gathering out of hours, the scheme has been altered to partially secure the canopy area (via grilles) and to provide monitored CCTV coverage to any remaining area that cannot be securely enclosed in order to address this risk. They therefore support the application, subject to this and other recommendations being implemented within the scheme.
70. A condition has been imposed requiring evidence that the recommendations have been implemented be submitted before the development is brought into use.
71. The impact on crime reduction is considered to be acceptable.

#### *Flood Risk*

72. Given the distance to the nearest main river, the site is not at risk of flooding from fluvial sources. Information submitted with the application demonstrates that it is not at risk from surface water (pluvial) sources. Consistent with the Council's policies, flows from the new development will be slowed to 50% of the pre-existing rates. A condition will be imposed to this effect.

#### *Land Contamination and Controlled Waters*

73. The application is not at this stage supported by information relating to the impact of any former industrial uses on the contamination of the land. Given the relatively small scale of the proposed extension and the fact that the proposal does not intend to introduce a more sensitive use than the present use, a condition will be imposed requiring this information at a later stage.
74. It is noted that the Environment Agency raise objection on the basis that the previous use of the development site as former steel works and railway presents a high risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the site is located close to a secondary aquifer.
75. Officers accept that this is an important issue that requires addressing but consider it to be entirely acceptable to deal with this via a pre-commencement condition. Contact has been made with the Environment Agency to seek their confirmation that such a condition would remove their objection and progress will be reported at the meeting.
76. For the avoidance of doubt, Members are advised that whilst an objection from the Environment Agency can, in some circumstances, require Local Planning Authorities to notify the Secretary of State of any intention to issue a decision that would go against an Environment Agency decision, the Direction only applies to objections made on the grounds of flood risk, not on the basis of pollution risk. The Council would therefore still have the power to issue an approval on this application, even if the objection were not withdrawn. Officers remain of the view that this matter can be adequately dealt with via a condition.
77. Subject to the standard condition, the impact of land contamination on the development and on controlled waters is considered to be acceptable.

#### *Coal Mining*

78. The Coal Authority notes that the application is supported by a Coal Mining Risk Assessment and are satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated. They consider that the content and conclusions of the submitted information are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development.

#### *Sustainable Development*

79. The application is supported by a brief energy statement by DBD Solutions. Whilst the statement

does not make it clear that the target of 10% betterment over present Building Regulations will be achieved, Officers are satisfied that improved sustainability and energy performance is one of the drivers of the project as a whole (including internal works to the existing market building that do not require planning permission) and are therefore satisfied that the project, overall, will result in sustainable development

#### *Ecology and Biodiversity*

80. Officers note that the application is not supported by any information on these issues but are satisfied that the present ecological value of the site is negligible, that the proposed development will not result in any harm to such matters and that the limited amount of landscaping proposed would still result in a small but positive improvement

#### *Railway Infrastructure*

81. Network Rail raise no objection subject to an asset protection agreement. It is understood that the Applicant has already begun to engage with Network Rail. An informative will be added to highlight this.

#### **Value Added to the Development**

82. The application was subject to pre-application discussions with Council officers.

#### **Conclusion**

83. The proposed extension to the south of the site is considered to be entirely beneficial and to cause no harm to any relevant planning considerations.
84. The new outdoor market would create a degree of conflict with a very limited number of dwellings at the approved Moor Lane development but is considered to be entirely justifiable for the reasons set out in the relevant section above, not least the fact that Bolton Market has been in operation at this site for approximately 90 years.
85. Considered as a whole and including the internal works at the market that are not subject to the need for planning permission, the development has the potential to make a substantial and positive contribution to the ongoing regeneration of this part of Bolton town centre and the wider area.

## **Representation and Consultation Annex**

### **Representations**

None.

### **Consultations**

Advice was sought from the following consultees: Highways, Pollution Control, Flood Risk, GM Police, Environment Agency, Network Rail, Coal Mining Authority.

### **Planning History**

The relocation of the waste compactor and the Moor Lane access road were approved in January 2022 under references 12715/21 and 12778/21

Planning permission was granted in November 2021 for the erection of 208 dwellings on the site of the former Moor Lane bus station and other related land.

## **Recommendation: Approve subject to conditions**

### **Recommended Conditions and/or Reasons**

Subject to the following conditions, which have been imposed for the reasons stated:-

- 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 Construction Environmental Management Plan - Pre-commencement  
No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water.

It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason

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

Reason For Pre-commencement Condition

It would not be possible to properly mitigate the impacts of demolition or construction once development had commenced.

3 Contaminated Land - Pre-commencement

Prior to the commencement of the development, a Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health, property, the wider environment and controlled waters.

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 users of the development and to comply with Core Strategy policy CG4 and to prevent the pollution of controlled waters in accordance with paragraph 174 of the NPPF.

Reason for Pre-Commencement Condition:

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

4 Materials and Other Details - Prior To Construction Phase

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

- a) Details of all external materials
- b) Detailed specification of window framing, external doors and new shopfronts and signage
- c) Details of any boundary treatments to include elevations and sections
- d) Details of any external lighting and its siting
- e) Details of any incidental landscaping and hard surfacing materials

Reason

To ensure the development reflects local distinctiveness and to comply with policies CG3 and RA1 of Bolton's Core Strategy.

5 Highways Access - Prior To First Use

Prior to any part of the development hereby approved being first brought into use the means of vehicular access to the site from Blackhorse Street shall be carried out in accordance with drawing ref: S1504-JMA-ZZ ZZ-DR-A-PL0002.

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'.

6 Surface Water - As Approved, Prior To First Use

Prior to any part of the development hereby approved being first brought into use, surface water drainage provision shall be implemented at the site in complete accordance with the Drainage Strategy 1/21385 rev 02 by Clancy Consulting, dated 14/06/22. Such provision as is made at the site shall be retained in full and maintained in accordance with the recommendations of that report.

Reason

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

7 Secured By Design - Prior To First Use

No part of the development hereby approved shall be brought into use unless and until evidence that the development has been built in accordance with the recommendations contained within section 4 of the submitted Crime Impact Statement ref: 2006/0710/CIS/01 by GM Police has been submitted to and approved by the Local Planning Authority. Such measures as are incorporated within the development in the interests of crime reduction shall be retained in full thereafter.

Reason

In the interests of crime reduction and Policies CG3 and S1 of Bolton's Core Strategy.

8 Traffic Management Measures - Prior to First Use

Prior to any part of the development hereby approved being first brought into use all developer obligations shall be fulfilled to enable the Local Highway Authority to carry out a review of Traffic Regulation Orders in the locality where necessary and to enable the Local Highway Authority to consult upon, advertise, promote and implement Traffic Regulation Orders and/or other traffic management measures to mitigate the likely impact of the development. Such measures as are approved shall be implemented in full prior to any part of the approved development being brought into use and shall be retained in full thereafter.

Reason

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

9 Sustainability - Compliance

The development shall be carried out in complete accordance with the recommendations of the submitted Energy Statement by DBD Solutions dated 22/04/20, Such measures as are implemented in the interests of sustainability shall be retained in full thereafter.

Reason

In the interests of tackling climate change and in order to comply with policies CG2.2 and CG4 of Bolton's Core Strategy and the Sustainable Design and Construction SPD.

10 Service / Loading - Compliance

No loading or unloading shall take place in the areas north of Ashburner Street shown for that purpose on the approved site plan ref: S1504-JMA-ZZ ZZ-DR-A-PL0002 except that which is

solely related to the 46 new market pitches approved by this application.

Reason

To minimise the impact on the living conditions of future occupants of the approved residential development to the north.

11 Approved Plans - Compliance

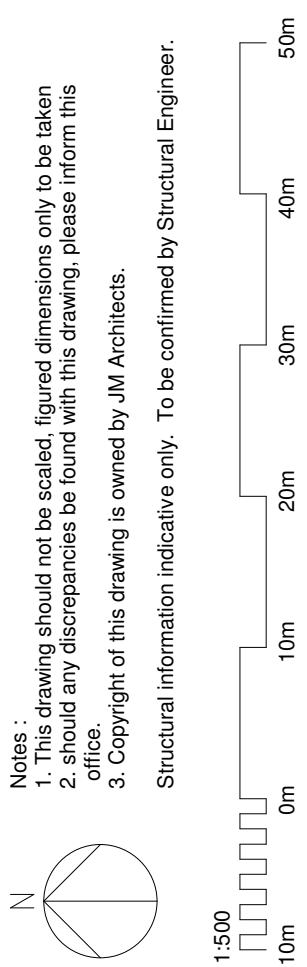
The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Proposed GA Plan L00 - Market S1504-JMA-01-00-DR-A-PL0002-S4-P01  
Proposed GA Plan L00 - Food Hall S1504-JMA-01-00-DR-A-PL0003-S4-P01  
Proposed GA Plan L00 - Outdoor Market S1504-JMA-01-00-DR-A-PL0004-S4-P02  
Proposed GA Plan L01 - Market S1504-JMA-01-01-DR-A-PL0002-S4-P01  
Proposed Food Hall Elevations - S1504-JMA-01-ZZ-DR-A-PL0002-S4-P01  
Proposed Food Hall Sections - S1504-JMA-01-ZZ-DR-A-PL0003-S4-P01  
Proposed Outdoor Market Elevations - S1504-JMA-01 ZZ-DR-A-PL0004-S4-P02  
Proposed Signage Elevations - S1504-JMA-01-ZZ-DR-A-PL0005-S4-P01  
Proposed Site Plan - S1504-JMA-01-ZZ-DR-A-PL0005-S4-P01

Reason

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

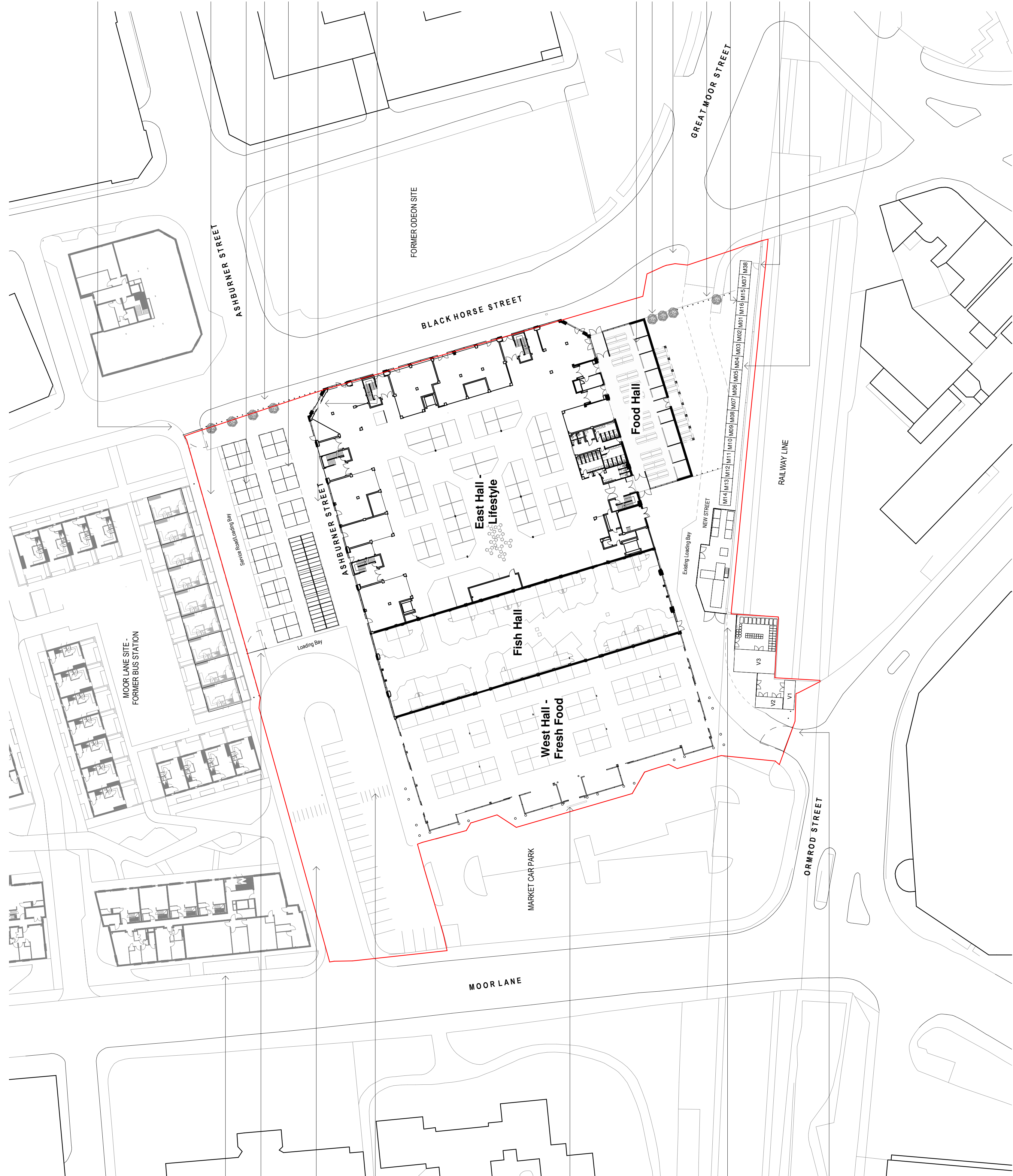
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2. Show any discrepancies as found with this drawing, please inform this  
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Structural information indicative only. To be confirmed by Structural Engineer.



No entry from Black Horse Street bus lane  
New road layout By Bolton Highways

New service road and loading area to Black Horse Street  
15 new overflow parking spaces on shared surface to allow  
for outdoor market to be multifunctional. Market  
management team to manage parking area  
New planted trees by Bolton Highways  
48 new open market pitches to replace existing provision of  
44 pitches  
12 Double Cabin units removed (M17-M22), V4  
New canopy signage to north east entrance

New Food Hall  
New trees in planters to form vehicle barrier  
New road layout currently under construction with new  
loading bay to be considered within new road layout by  
Bolton Highways  
New Bollards to replace existing vehicle gate  
Existing Double Cabin units M15 and M16 relocated  
Existing gate retained from rear of M01 and moved to  
rear of Cabin M36  
7x Double Cabin units retained and reclad



Proposed layout from Planning Application  
Number PC/1207/21

Existing vehicle gates to be relocated to both  
sides of overflow car park

New road layout to Bolton Highways Design from  
Planning Application Number PC/12778/21

New pedestrian crossing to Bolton Highways Design  
from Planning Application Number PC/12778/21

New more contemporary entrance signage using  
existing structure and based on new branding strategy  
All existing steel to 1990s extension to be repainted

New fascia signage throughout  
New curtain wall infill decals throughout

Relocated waste compound, storage units and  
compacted area for loading spaces  
PC/12715/21 and subsequent amendment

Existing vehicle gate retained. Access onto New  
street controlled by market management for  
services access and deliveries only.

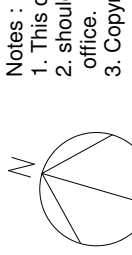
DT1 - Final Stage for Planning  
Rev Description Date  
1/1 01/11/21  
2/1 01/11/21

jmarchitects

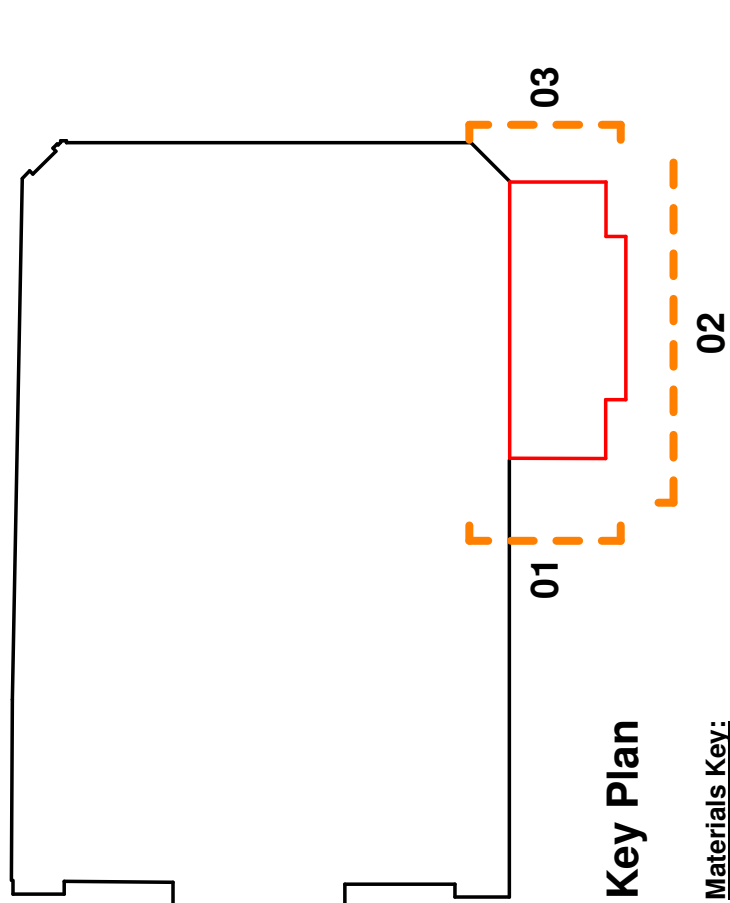
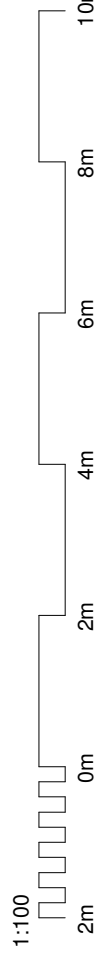
Project	Bolton Market
Address	3a-54 Princess Street Manchester M1 6HS
Phone	T : 0161 200 6300
Email	mae@jmarchitects.net www.jmarchitects.net
Client	Bolton Council
Purpose	For Planning Approval
Scale	1 : 500 @ A1
Drawing Number	

Status	Revision	JMA Project Number
S4 P01		6794
Project	Designer	Volume
ST1504-JMA	ZZ-ZZ	DRA-PL0002





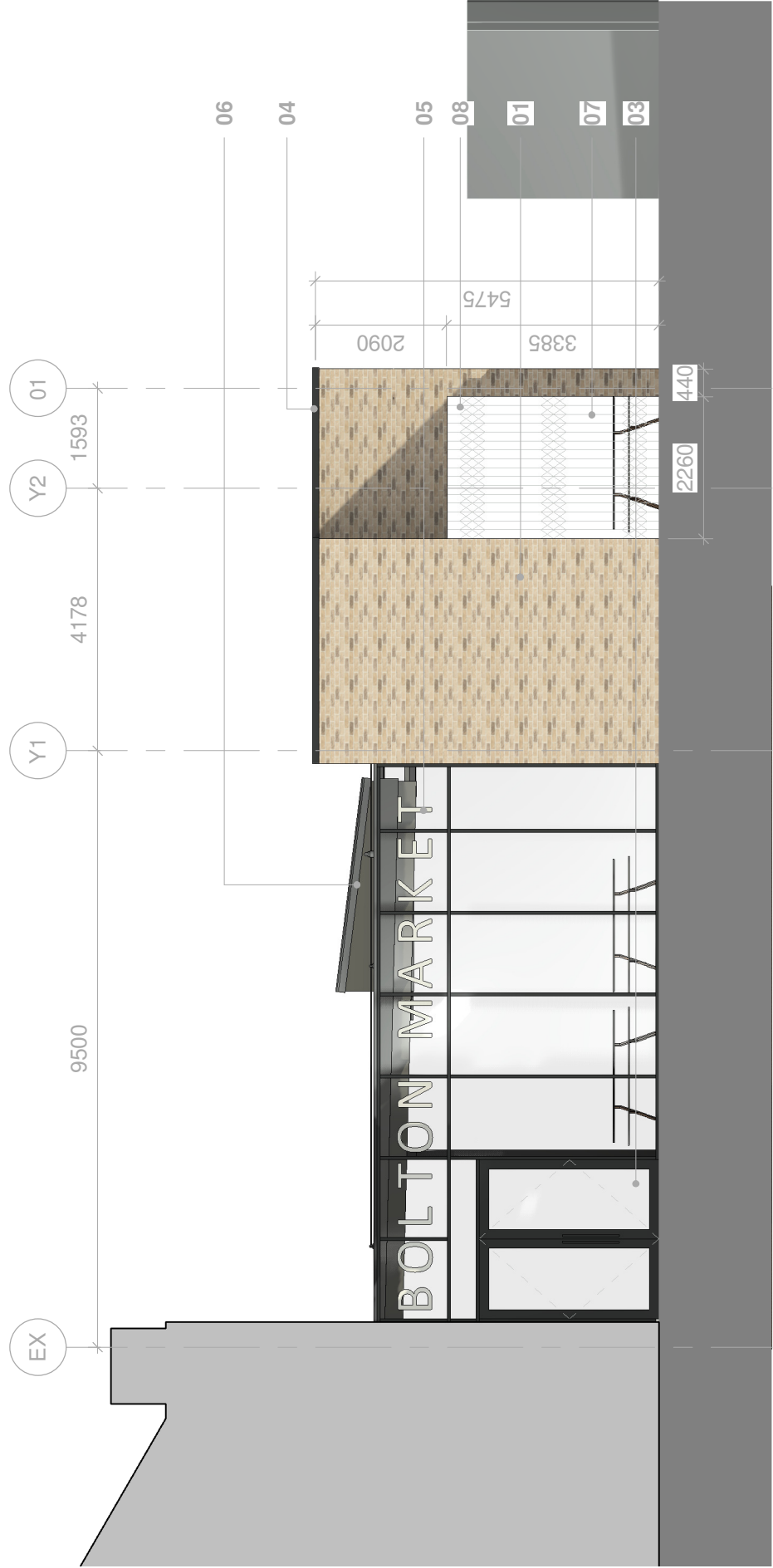
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Structural information indicative only. To be confirmed by Structural Engineer.



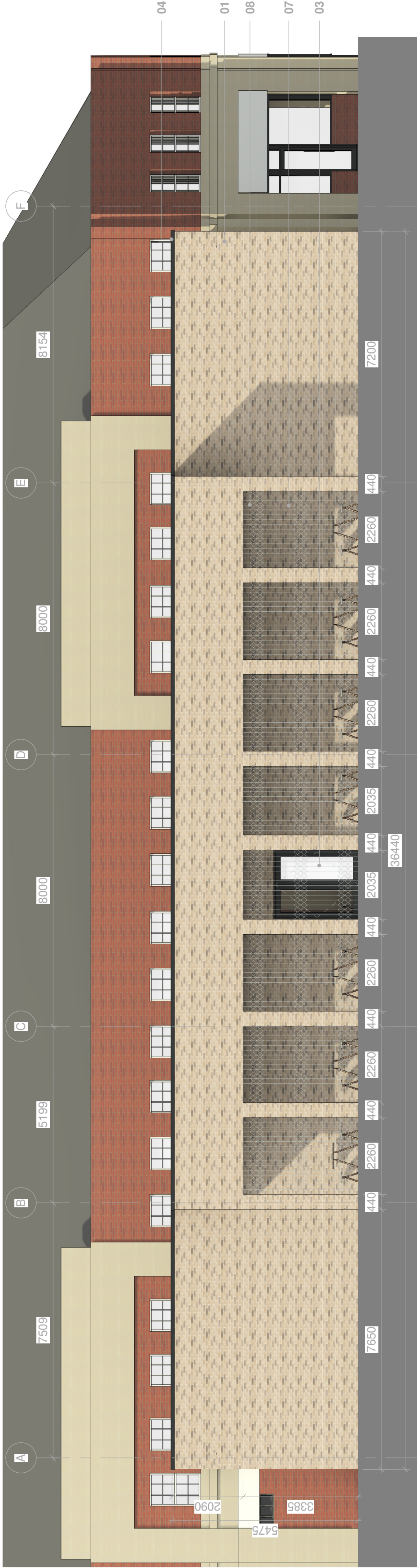
### Key Plan

#### Materials Key:

- 01 - Buff brickwork with coloured mortar
- 02 - PPC aluminium curtain walling (thermally broken) - RAL TBC
- 03 - PPC aluminium door (thermally broken) - RAL TBC
- 04 - PPC aluminium parapet capping - RAL TBC
- 05 - Signage zone within curtain walling. Obscure glass spandrel panel, outer pane with vinyl print lettering
- 06 - PPC aluminium glazed sloped roof light (thermally broken) - RAL TBC
- 07 - Galvanised steel scissor gates within colonnade
- 08 - PPC aluminium fascia (above scissor gates) - RAL TBC



1 West Elevation  
1 : 100



2 South Elevation  
1 : 100



3 East Elevation  
1 : 100

Rev	Description	Date	By	Check By
01	Final Issue for Planning	2024-05-31	JM	JM

jmarcitects

Project	Bolton Market
Site	3a-54 Princess Street Manchester M1 6HS
Client	Proposed Food Hall Elevations
Owner	Bolton Council
Purpose	For Planning Approval
Scale	1:100 @ A1
Drawing Number	
Project - Originator - Volume - Level - Type - Revision - Chart Number	

Status	Revision	JMA Project Number
S4	P01	6794



