# **Planning Applications Report**

Planning Committee 16<sup>th</sup> September 2021



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

The Greater Manchester Ecology Unit

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

The background documents for this Report are the respective planning application documents

www.bolton.gov.uk/planapps

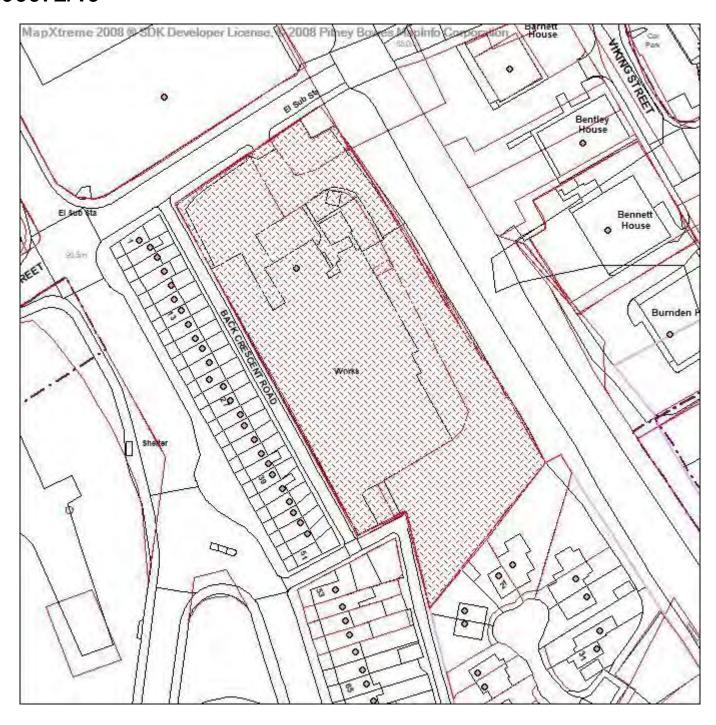
which can be found at:-

**GMEU** 

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# Application number 06672/19



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Date of Meeting: 16/09/2021

Application Reference: 06672/19

Type of Application: Full Planning Application

Registration Date: 06/08/2019
Decision Due By: 30/09/2019
Responsible Beth Bradburn

Officer:

Location: T SUTCLIFFE AND CO LTD WESTON STREET, BOLTON, BL3 2AL

Proposal: RETROSPECTIVE APPLICATION TO DEMOLISH PART

AND REPLACE WITH AN EXTENSION TO THE EXISTING BUILDING TOGETHER WITH THE INTRODUCTION OF

LOADING BAYS TO THE RETAINED SITE

Ward: Great Lever

Applicant: ADZ Food Distribution Limited

Agent:

**Officers Report** 

**Recommendation:** Approve subject to conditions

#### **Executive Summary**

- \* The lawful use of the site is use class B8.
- \* The proposed operation at the site would be for food storage and distribution with ancillary office space which is consistent with the lawful use.
- \* The proposal is for retrospective demolition of part of the existing warehouse and the erection of a cold store in its place.
- \* One petition signed by 6 residents and 3 letters of objection have been received.
- \* The application is before Planning Committee at the request of Councillors Murray and Ismail.
- \* Deliveries to and from the site are proposed to be restricted to 07:00-21:00.
- \* Due to the lawful use of the site, the proposed cold store extension (whilst resulting in a small increase in activity) is not considered to adversely impact on residential amenity or highways safety.

# **Proposal**

- 1. Planning permission is sought to demolish part of the building (retrospective) and replace with an extension to the existing building together with the introduction of loading bays to the retained site. The floor space of the demolished section of the building was approximately 698 square metres.
- 2. The proposed cold store would extend 22 metres from the original elevation of the building nearest Back Crescent Road. The proposed extension would have an eaves height of 8.81 metres and a ridge height of 10.71 metres creating a hipped roof. The new extension would be sited 2 metres away from the boundary with Back Crescent Road. The replacement extension would

measure 618 square metres creating 508 square metres of internal cold store floor space. Disregarding the demolition of the original building, the extension would be a 22% increase of the original building that currently remains on site.

- 3. The proposed rear elevation of the cold store would feature a blank gable. The proposed left hand side elevation of the cold store extension would include one loading bay. Four new loading bays will also be installed to the existing left hand side elevation of the warehouse with new roller shutters.
- 4. The hours for the loading and unloading of goods within the site is proposed be 07:00- 21:00 7 days a week. The hours for the operation of the existing warehouse are unrestricted and the applicant proposes to retain this.
- 5. The existing element of the building that was demolished ran flush with the boundary of Back Crescent Road that formed a 4.5 metre to 6 metre gable wall to this elevation. This has been demolished and the applicant proposes a replacement boundary wall which would measure 3.5 metres and would be finished with coping stone.
- 6. The service yard will be located to the south east of the site. The staff parking area will be located to the front of the existing building. Access for HGV vehicles would be off Weston Street. There is an existing historic access onto Back Crescent Road which is an adopted highway, this will not be used for HGV vehicles.
- 7. The use of the site for operations falling under use class B8 will remain unchanged.

# **Site Characteristics**

- 8. The site is that of the former Sutcliffe's Garages Co. who used the site for the storage of materials for the construction of domestic outbuildings. It is not known when the site became vacant but it is thought to have been in use up until 2015. The site contains a large but unremarkable "warehouse" style building. To the west and south lie the residential properties of Crescent Road and The Sheddings. The Bolton to Manchester railway line runs along the eastern boundary and the site is accessed from Weston Street to the north.
- 9. Consent was granted for the change of use from warehouse with ancillary office space to indoor sports training facility in 2017, however the use never commenced. Although some online evidence showed that the use was advertised, this evidence was given to the Council's Legal Team to review and it was confirmed that this did not constitute to a lawful commencement therefore the B8 use remains the lawful use of the site.
- 10. The site is located within Great Lever which is defined as Inner Bolton (Policy RA1) within Bolton Council's Allocation Plan.

#### **Policy**

The Development Plan

Core Strategy Policies

P1 Employment Sites, P5 Transport, SC1 Impact on Housing Supply, CG1 Flood Risk, CG3 Design and the Built Environment, CG4 Compatible Uses, RA1 Inner Bolton, CG4.3 Ground Contamination and CG4.2 Noise

Other Material Considerations

Supplementary Planning Documents

Accessibility, Transport and Road Safety, National Planning Policy Framework 2021

#### **Analysis**

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

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

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

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

The main impacts of the proposal are:-

- \* principle of employment development;
- \* impact on housing supply
- \* impact on the character and appearance of the area;
- \* impact on surrounding land uses/users;
- \* impact on land stability / site remediation;
- \* impact on highway safety / accessibility;

#### Principle of Employment Development

- 11. Policy RA1.3 of the Core Strategy relates to Inner Bolton and states that the Council will regenerate older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses.
- 12. The land has a long history of accommodating employment uses. The application is for the reuse of the industrial site and warehouse and proposes a new cold store for entirely employment uses. This will create a small but positive contribution to employment and would fulfill the aims of policy RA1.3.
- 13. As the premises is a long established site of B8 uses, the principle of bringing the site back into use with operations falling under the existing lawful use is considered to be acceptable. The proposal is considered to accord with Core Strategy Policy RA1.3.

# Impact on the Supply of Housing

- 14. Policy SC1 states that the Council plans for an average of 694 additional dwellings per annum between 2008 and 2026, an overall total of 12,492 dwellings. The location of new housing will reflect the overall spatial option of concentrating development in Bolton town centre, renewal areas and at Horwich Loco Works. Policies SO14, SO15 and SO16 of Bolton's Core Strategy are strategic objectives within the "Strong and Confident Bolton" theme and seek to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households, focus new housing in the existing urban area, especially in Bolton town centre, council-owned housing areas and in mixed-use developments on existing older industrial sites and to develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.
- 15. Policy RA1 relates specifically to Inner Bolton and states that the Council will develop new housing throughout the area on a combination of brownfield sites and on a limited number of

greenfield sites in existing housing areas.

16. The site is allocated for housing in Bolton's Core Strategy. Consent was granted in 2009 and renewed in 2013 for the erection of 36 dwellings; however, this has since expired unimplemented. The use of the site is not changing and the proposal seeks consent for an extension to the existing building in replacement of a demolished proportion of the building. It is therefore not considered that this would impact on the likelihood of residential development at this site. Resisting this proposal on the basis of encouraging housing is considered to be unreasonable and the impact on housing supply is considered to be neutral.

# Impact on the Character and Appearance of the Area

- 17. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area.
- 18. Core Strategy Policy RA1 notes that Inner Bolton contains a wide range of different land uses, but the area is characterised by concentrations of older private sector terrace housing, a high proportion of local authority owned housing and a large numbers of former textile mills.
- 19. It also notes that the Council will make efficient use of land in Inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach. The boundary treatment to the front of the site which consists of metal gates and the frontage of the building will remain unaltered, therefore will have minimal impact when viewed from Weston Street.
- 20. The proposed cold store would not be prominently visible from Weston street due to its location to the rear of the existing warehouse. The proposed cold store will be constructed out of brick with a metal clad roof and would only be slightly taller than the original warehouse. The scale and materials of the extension will be consistent with the original building.
- 21. The proposed boundary treatment to Back Crescent Road would be altered. The demolished section of the building previously created a 4.5 6 metre high gable elevation to the boundary with Back Crescent Road. A new 3.5 metre boundary wall constructed out of brickwork with coping stone detailing is proposed which would be an improvement to this elevation of the site. The new extension would also be moved 2 metres away from the boundary. The overall alterations to the boundary treatment and cold store would be consistent with the surrounding area and would improve the appearance of the site.
- 22. To the north and west of the building are other industrial and business uses, although there are residential properties immediately to the south and east, the area remains mixed. As the use would remain unchanged with a cold store proposed and small alterations to the existing warehouse including the introduction of four loading bays, the proposal would remain in keeping with the surrounding area.
- 23. The proposed extension would be consistent with the existing site and warehouse. The site is currently vacant, the re-use and extension to the building whilst bringing the application site back into use would improve the appearance of the site in an established mixed use area which would accord with policy CG3 and RA1 of the Core Strategy.

# Impact on the Amenity of Neighbouring Residents

24. 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. Policy CG4.2 also states that development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.
- 25. SPD General Design Principles sets out the Council's recommended interface distances between dwellings.
- 26. The established use of the site is B8 as it was used for the storage and distribution of outbuildings. The proposed use would be for food storage and distribution with associated offices which fall within the established lawful use.
- 27. The application was accompanied by a noise assessment which concluded that the proposed operations would be harmful to the nearest properties at The Sheddings and Crescent Road, however the operations are considered to be lawful and would fall within the use class B8. Due to this "fallback" position, the Council's assessment is limited to the impact of the proposed cold store and primarily its impact on residential amenity.
- 28. The existing element of the extension that was demolished was approximately 698 square metres. The new cold store would measure 618 square metres with 508 square metres of internal floor space which would be a reduction to what was previously there. However, as this element of the extension has been removed, the building as it stands now should be treated as the baseline for assessment. Taking this into consideration, the cold store would create a 22% increase of the B8 use which would lead to a small in activity in relation to the comings and goings off staff and servicing vehicles.
- 29. Taking into consideration the Council's position due to the lawful use remaining unchanged and the limitations in terms of what can be assessed, the Environmental Health department have reviewed the application and noted that the proposal would create an increase in activity and that the HGV movements associated with the operation including the loading and unloading of goods is likely to cause the most impact on residential amenity. It was therefore recommended that this could be mitigated through limiting the delivery times at the site, the applicant proposed the hours of 07:00-21:00 seven days a week. Although the operations would impact on residential amenity, other than those associated with the proposed extension, they are lawful. By restricting the servicing of the premises, this would be an improvement to a currently unrestricted site which would assist in mitigating any additional impact generated by the additional operations of the cold store. The control of delivery hours is accepted.
- 30. No external lighting scheme is currently proposed, therefore it will be conditioned that should any external lighting or flood lighting be installed on site, a scheme shall be submitted and approved by the Local Authority prior to installation.
- 31. The proposed cold store would have all the apparatus installed internally within the warehouse with the condenser unit being located in the original warehouse. In order to ensure that there will be no external noise emanating from the cold store, a condition shall be installed to ensure that there shall be no plant, mechanical ventilation measures to be located externally on the extension.
- 32. The proposed operations will involve refrigerated lorries entering the site which will be permitted to load and unload within the hours of operations imposed. To protect residential amenity outside of the permitted hours, a condition will be imposed to ensure that should any refrigerated lorries that are to be stored within the site overnight shall remain turned off.

- 33. The access off Back Crescent Road is an existing lawful use onto a adopted highway, however in order to protect residential amenity from noise over and above the existing operations, it will be conditioned that no HGVs shall access or exist the site from this point.
- 34. The original boundary treatment to Back Crescent Road consisted of a staggered gable elevation of the original building measuring between 4.5 metres to 6 metres. the proposed brick boundary wall to Back Crescent Road would be built to 3.5 metres in height and will be finished with coping stone which would be an overall improvement to amenity of the properties on Crescent Road.
- 35. The retrospective element of the building that has been demolished was approximately 698 square metres. The proposed extension would be sited on a similar footprint to the demolished section of the building. The replacement extension would measure 618 square metres therefore would be a reduction to the original building.
- 36. The height of the original structure measured 6 metres at its highest which was flush with the boundary of Back Crescent Road. The proposed extension would have an eaves height of 8.81 metres and a ridge height of 10.71 metres creating a hipped roof and would be set 2m back from the new boundary wall. The proposed gable side elevation of the extension would maintain 13.7 metres to the rear windows of Crescent Road. The General Design SPD provides guidance on interface distances and recommends that an elevation featuring a main room window (single or two storey) facing a gable elevation (single or two storey) should maintain 13.5 metres. As the proposed cold store would exceed this requirement, the extension would not create any adverse overshadowing or appear as overbearing on the residents of Crescent Road facing this extension. The proposed cold store would be sited in excess of 27 metres to the closest property at The Sheddings therefore would have minimal impact on these properties.
- 37. Taking into consideration the Council's limitations in assessment due to the existing lawful use of the site, it is considered that the increase in activity created by the cold store extension would not be considered to cause adverse harm on residential amenity when taking into account the lawful use of the site. Imposing the restriction of loading and unloading of HGV vehicles, their access and restriction to be stored within the site whilst running is considered to improve the current unrestricted site in terms of its impact on residential amenity and would accord with policy CG4 of the Core Strategy.

# Impact on Land Stability / Site Remediation

- 38. Core Strategy policy CG4.1 seeks to ensure that new development proposals affected by contamination and / or ground stability must include an assessment of the issues and potential risks. Development will only be permitted where the land is, or is made, suitable for the proposed use.
- 39. A preliminary risk assessment was submitted and reviewed by the Council's Land Contamination Officer who was in acceptance with the findings of the report. It was recommended that the following be submitted and approved in writing by the local planning authority and imposed via a condition:
- A methodology including an assessment to determine the nature and extent of any contamination
  affecting the site a scheme of remediation to remove any unacceptable risk to human health,
  buildings and the site.
- Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this shall be submitted and approved.

- Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.
- 40. Subject to the necessary condition the proposal will be in accordance with policy CG4.3 of the Core strategy.

# Impact on Drainage

- 41. Core Strategy policy CG1 which seeks to reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development.
- 42. The Council's Flood Risk team were consulted on the proposal and had no objection to the proposal however recommended that advisory notes be imposed on the decision informing the applicant that there was a mill lodge located at the south end of the site and a mill race which left the lodge at the south east corner. However, this information has not been verified. Bolton Council is not liable if the record information is inaccurate. It is provided for information purposes only.
- 43. Furthermore, the updated Flood Map for Surface Water (uFMfSW) maps produced by the EA predicts surface water flooding during a 1 in 30 year event for the site. Consequently, the owner may consider implementing flood resilience measures to protect the buildings from any future flooding and if applicable, proposed floor levels should be set no lower than the existing.
- 44. The above advisory notes will be imposed; however it should be noted that the proposed floor levels of the building would be no lower than the existing element of the building that has been removed.
- 45. Subject to the above advisory notes being imposed, the proposal would be considered to accord with policy CG2 and CG1 of the Core Strategy.

# Impact on Highway Safety/Accessibility

- 46. Core Strategy policies P5 and S1 seek to ensure that new development proposals are accessible by a range of types of transport including pedestrians, cyclists and public transport uses. It is also necessary to ensure that developments should promote road safety.
- 47. The site is a long established industrial site with a vehicular entrance off Weston Street. The applicant has submitted a swept path analysis and visibility splay drawings to show that HGV access from Weston street would be achievable. The proposal and swept path analysis were reviewed by the Council's Highways Authority who noted that the submitted tracking analysis demonstrates accessibility to the site for an HGV service vehicle. The manoeuvres indicated are onerous and not ideal but are achievable based on the submitted information. The existing and proposed uses are comparable and the service yard would be restricted via condition to between 07:00-21:00 7 days a week. Due to the extant use of the site which will not change, the Highways authority would struggle to reasonably object to the access arrangements indicated or request an highway improvement to better the current situation.
- 48. Furthermore, the visibility splay indicated on the swept path analysis drawings appears reasonably compliant with the requirements indicated in national guidance for the speed limit of the adjoining highway. The access off Back Crescent Road is an existing lawful use onto a adopted highway, however in order to ensure a safe access and exit from the site, it will be conditioned that no HGV's shall access or exist the site from this point. It will also be conditioned that there shall be no means of vehicular access on to the development hereby

permitted/approved from Back Crescent Road.

49. Further to the above assessment and subject to the necessary conditions, the proposal would accord with policies S1 and P5 of the Core Strategy.

#### Other Matters

50. Network Rail were consulted due to the railway line that runs adjacent to the site and had no objection to the proposal.

# **Conclusion**

- 51. The site has an existing lawful use of use class B8, the food storage and distribution operations proposed at this site would fall under the lawful use. The proposed cold store which would create a 22% increase of the baseline floorspace of the existing building as it stands now is considered to be small increase to an already large established industrial site in a mixed use area would not be considered to adversely impact on neighbouring amenity or highways safety over and above what is already permitted. The proposal is therefore considered to accord with the Development Plan and other material considerations.
- 52. It is therefore recommended that Members approve this application.

# **Representation and Consultation Annex**

# **Representations**

Letters/petitions: - A petition signed by 6 residents and 3 letters of objection have been received on the following grounds:

#### Impact on Residential Amenity

- Noise levels from large industrial chiller units that will run 24/7, 365 days a year.
- Noise from Articulated delivery/ distribution vehicles which will operate outside of times
- Height and proximity of new build and impact on light and privacy of residential properties

Officer's comments: The above concerns have been addressed in the main body of the report. The cold store will be internally insulated and no plant or machinery will be mounted externally to ventilate this space. The condenser unit will also be located internally in the original warehouse therefore not requiring planning permission. Delivery times have also been restricted to 07:00 - 21:00. The extension was also amended to ensure that it would comply with the interface guidance.

#### Other matters

- Exacerbation of the rat problem in area due to storage of large quantities of waste.
- Rubbish pile which has been added to the site with a couch and a chair.
- There is also a caravan on site.
- Bright lights on site

Officer's comments: The rat and litter issues would be a matter for Environmental Services. The security light was queried with the applicant and it was advised that it be turned off. Furthermore, a condition has been imposed that should any external lighting be installed on site, a scheme shall be submitted to and approved by the Local Authority. The parking of a caravan on site would not considered to be a breach of planning control.

# Principle of the Development

• The proposed use is not suitable due to the proximity to residential dwellings.

Officer's comments: The principle of the use falls within the lawful B8 use, therefore there is no change to the use class.

# Impact on the Highways

The increased traffic would create major issues, the entry to the site is next to a railway bridge
which the lorries would not be able to go under meaning all traffic would have to come down
Weston Street to turn in meaning a backlog of traffic onto a major carriageway, if the lorries do
come up Weston St and discover they cannot get under the bridge it would cause major
problems.

Officer's comments: Tracking analysis plans have been submitted and reviewed by the Highways Authority and was considered to be achievable, these tracking and swept path analysis plans shall also be conditioned within the approved plans list. It is also not considered that the proposed cold store will adversely exacerbate issues over and above the lawful use.

**Elected Members:** An objection has been received from Councillor McMulkin as a nearby resident acting in a personal capacity.

Councillor Murray and Councillor Ismail have requested that the application be heard at Committee for the following reasons:

- The proposal will create unacceptable noise levels from large industrial chiller units that will run 24/7 365 days a year approximately 20 metres from residents back gardens. There will also be noise from articulated delivery/distribution vehicles which will operate outside of the times stated on the application.
- Disparities in the noise assessment due to the unknown location of the plant associated with the chiller unit.
- Impact on traffic flow with articulated vehicles (16.5 metres long) gaining access and egress 18 metres from a major junction of Weston Street/Nelson Street/Crescent Road and also 9 metres from a low railway bridge on Weston Street/Manchester Road. Further highway and accessibility issues include the use of entrance on back Crescent Road which will remove the ability of overspill parking on Back Crescent Road between numbers 51 and 53 therefore closing off Back Crescent Road to refuse and emergency vehicles. Concerns also relating to the height and proximity of the new build and impact on light and privacy of residential properties.

The above reasons will be addressed within the representation section of the report.

#### **Consultations**

Advice was sought from the following consultees: Flood Risk/Drainage officers, Environmental Health, Highways Authority and Network Rail

# **Planning History**

Planning permission was granted under the reference 02572/17 change of use from warehouse with ancillary office space to indoor sports training facility (class D2).

Planning permission was granted under the reference 09171/16 for the variation of condition 1 on application 89533/13 to amend date development must begin.

Planning permission was granted under the reference 89533/13 for the extension of time to implement permission 82633/09: outline application for demolition of existing works and erection of 36 no dwellings and associated parking (access, appearance, layout and scale details only)

Planning permission was granted under the reference 02633/09 for outline application for demolition of existing works and erection of 36 no dwellings and associated parking (access, appearance, layout and scale details only)

Planning permission was granted under the reference 82633/03 for outline application for demolition of existing works and erection of 36 no dwellings and associated parking (access, appearance, layout and scale details only)

The following application has expired unimplemented under the reference 61176/02 with the application site being the side and rear external areas around the original Sutcliffe building. The proposal was for the erection of 3 single storey units for uses falling within class B1 (light industry) or class B8(storage) & alterations to existing access on Weston Street.

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 approved shall be carried out in full accordance with the following approved Preliminary Risk Assessment: Weston Street, Burden, Bolton, BL3 2AL, dated **April 2020** (ref: CL-602-LKC 20 1297-01) by LK Consult.

Prior to commencement and before any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified potential pollutant linkages in the Preliminary Risk Assessment should be presented and approved by the Local Planning Authority.

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

Any additional or unforeseen contamination encountered during development shall be notified to the Local Planning Authority as soon as practicably possible and a remedial scheme to deal with this approved by the Local Planning Authority.

Upon completion of any approved remediation schemes, and prior to occupation, a completion report demonstrating that the scheme has been appropriately implemented and the site is suitable for its intended end use shall be approved in writing by the Local Planning Authority.

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

#### **General Note to Applicant**

Please note: The responsibility to properly address contaminated land issues, including safe development and secure occupancy, irrespective of any involvement by this Authority, lies with the owner/developer of the site.

#### Reason

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

Reason for Pre-Commencement Condition:

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

3. Should any external lighting or flood lighting be installed on site, a scheme shall be submitted to and approved in writing with the Local Planning Authority.

#### Reason

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

4. The vehicluar access from Back Crescent Road shall not be used by HGV vehicles to access or exit the

site.

#### 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'.

5. No deliveries shall be taken or dispatched from the site outside the following hours:-

07:00 - 21:00

#### Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and in order to comply with Bolton's Core Strategy policies CG3 and CG4

 No refriderated vehicles or HGVs shall be left on within the site outside the hours the hours of 07:00-21:00.

#### Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

7. No ventilation equipment, plant or machinary shall mounted externally on the cold store.

#### Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and in order to comply with Bolton's Core Strategy policies CG3 and CG4.

8. Notwithstanding the submitted details, the external surfaces of the extension and boundary walls hereby permitted shall be of a similar material, colour and texture of those of the existing building and boundary treatment, and shall be retained thereafter.

#### Reason

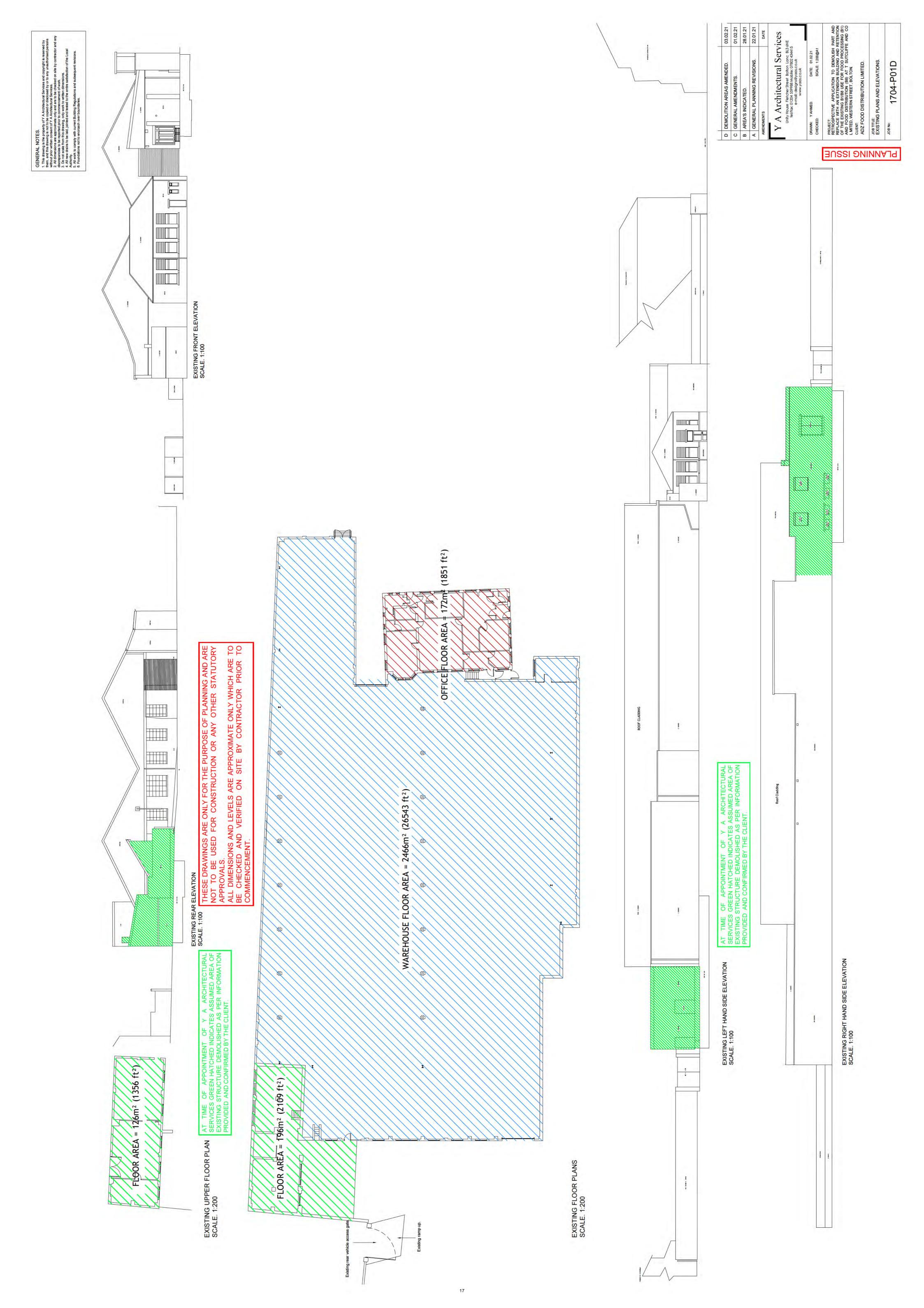
To ensure the development fits in visually with the existing building and safeguards the character and visual appearance of the locality and in order to comply with Core Strategy policy CG3.

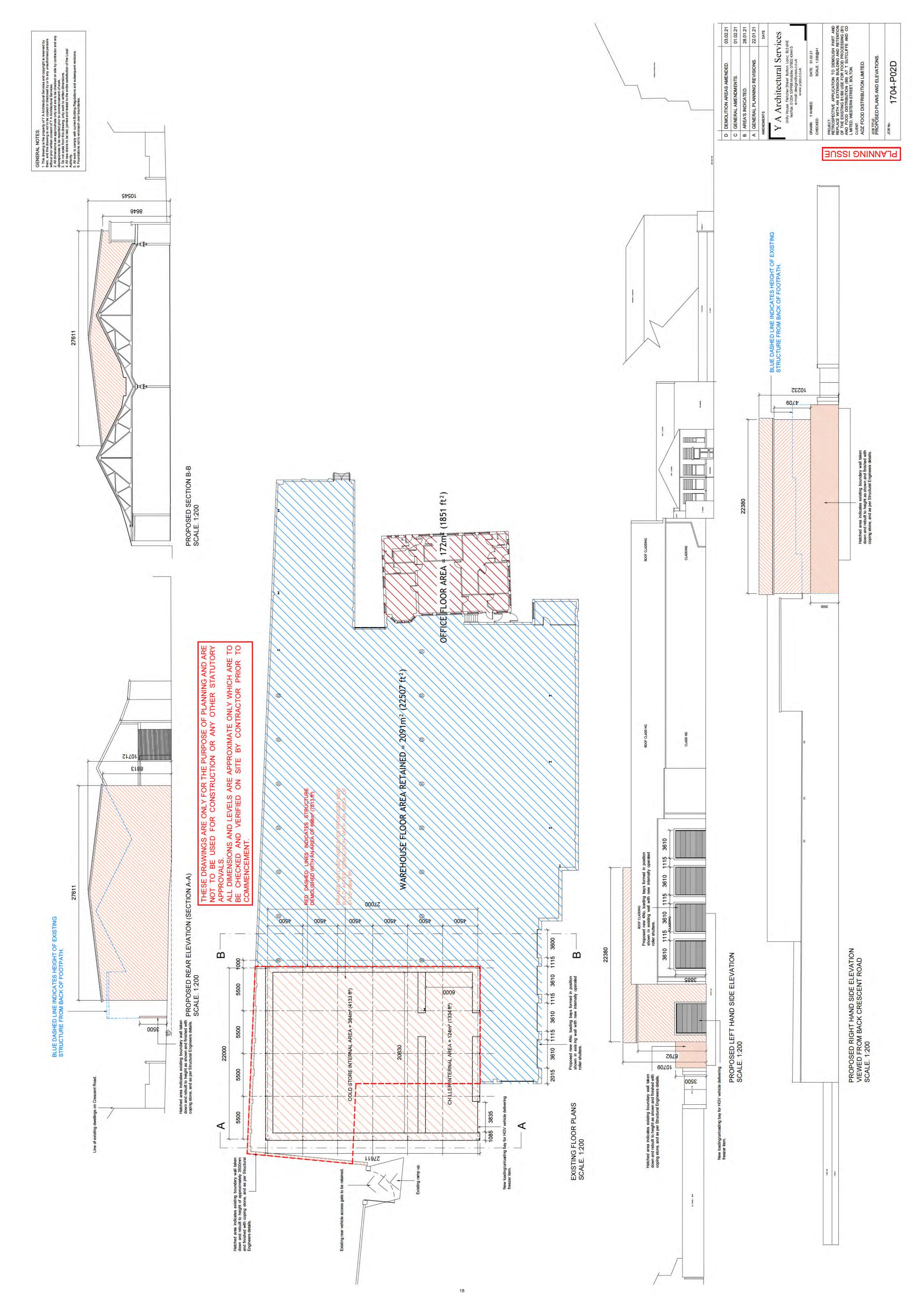
The development hereby permitted shall be carried out in complete accordance with the following approved plans:

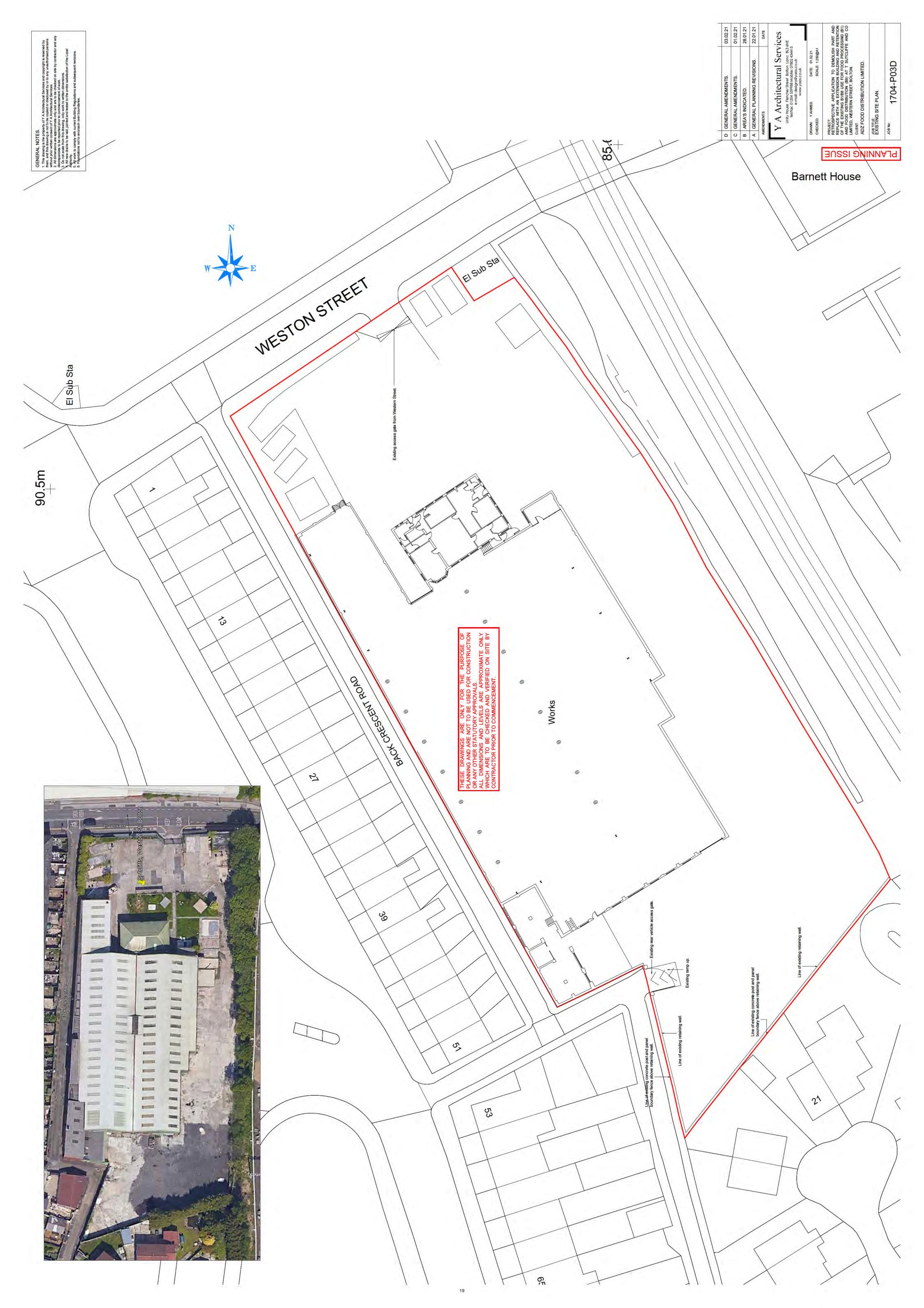
Proposed Site Plan, Drawing no. 1704-P04D, Dated 03.02.21
Proposed Plans and Elevations, Drawing no. 1704-P02D, dated 03.02.21
Visibility splays existing from the weston street access, drawing no. 02/PL/D1, dated 02.09.21
HGV (15.5m) Tracking In-bound, drawing no. 03/PL/D1, dated 14.08.21
HGV (15.5m) Tracking Out-bound, drawing no. 04/PL/D1, dated 14.08.21

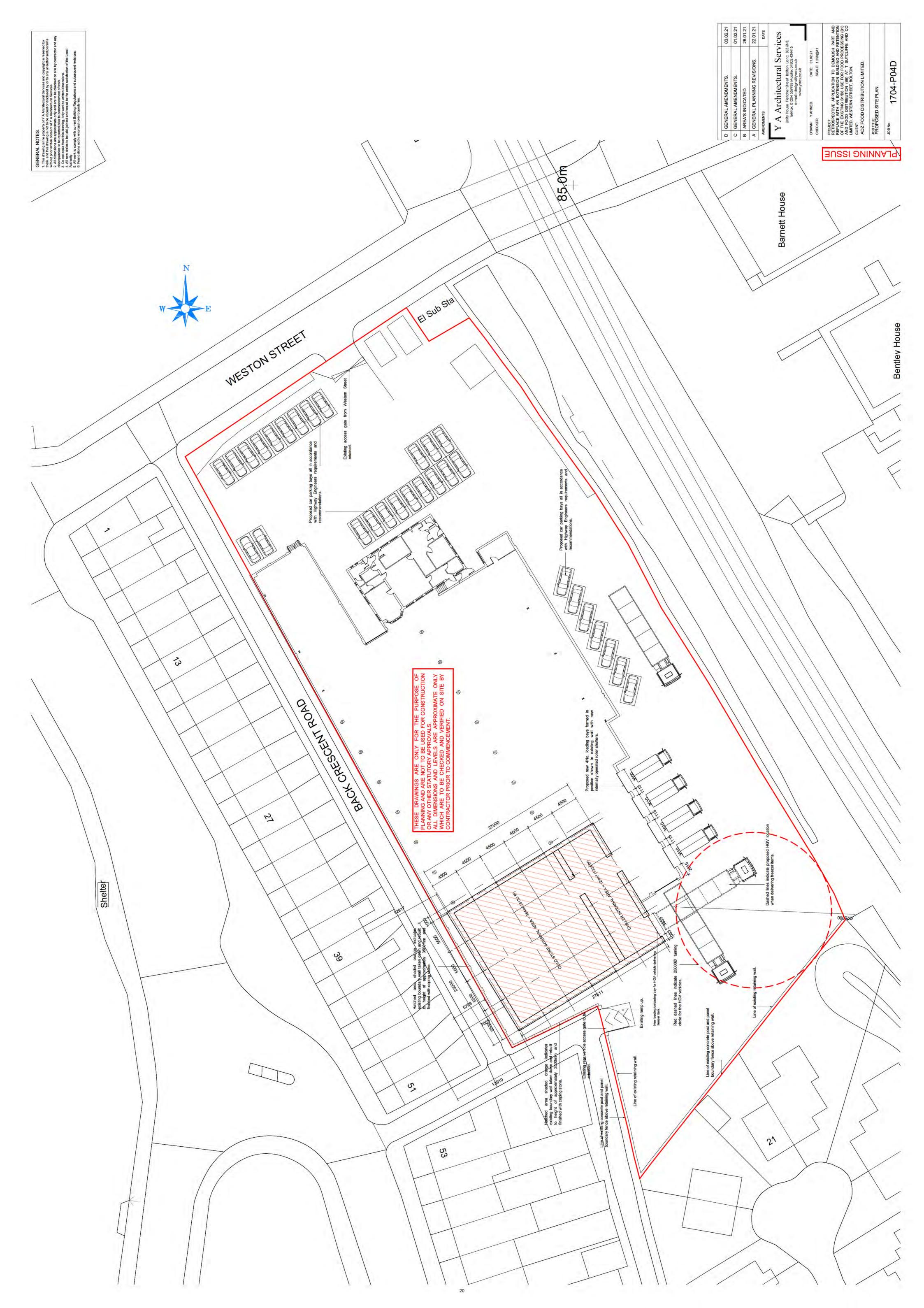
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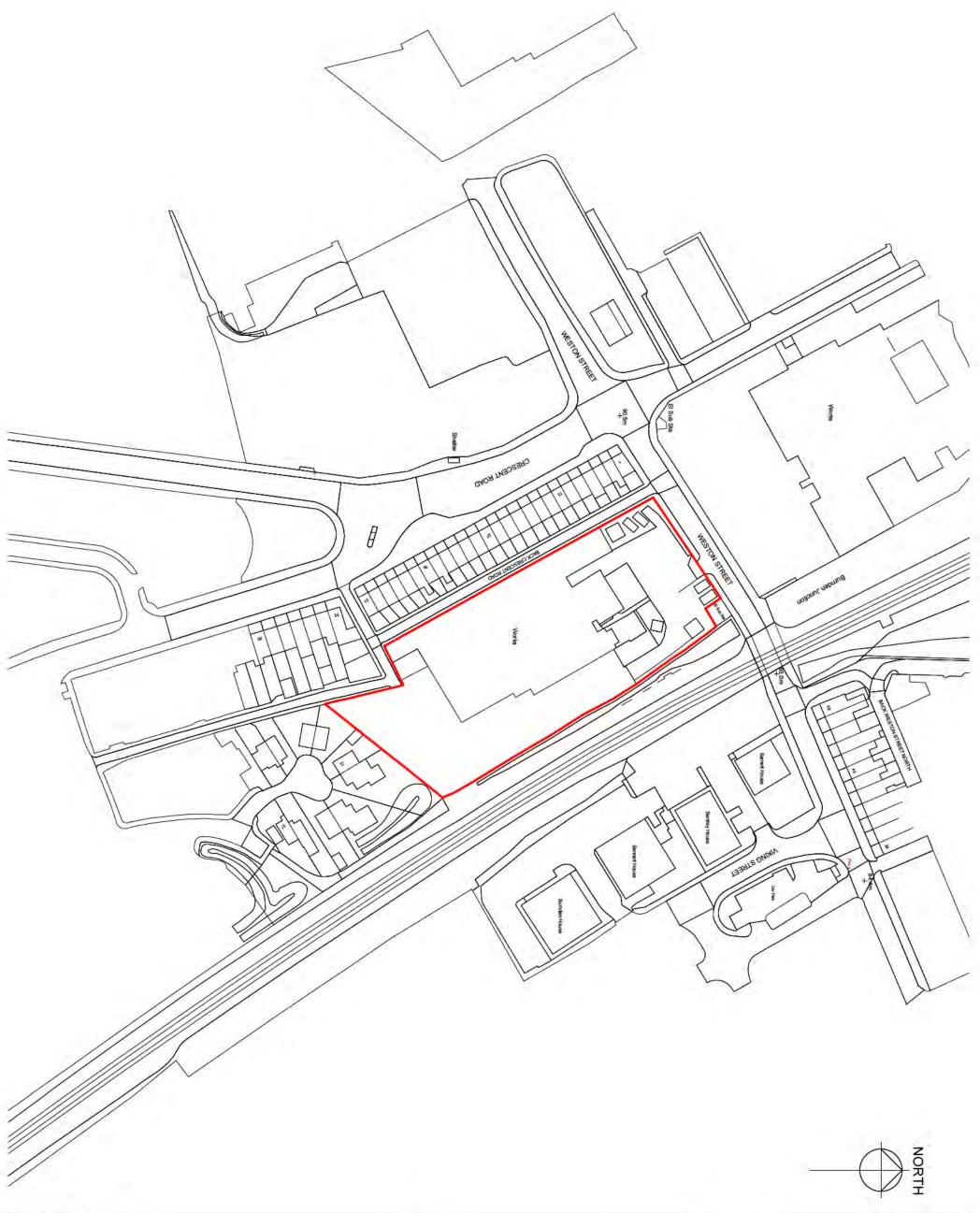
For the avoidance of doubt and in the interests of proper planning.











1704 REV A A Architectural Services

PROJECT.

RETROSPECTIVE APPLICATION TO DEMOLISH PART AND REPLACE WITH AN EXTENSION BUILDING AND RETENTION OF THE EXISTING B1/B8 USE FOR FOOD PROCESSING (B1) AND FOOD DISTRIBUTION (B8) AT T SUTCLIFFE AND CO LIMITED, WESTERN STREET, BOLTON.

JOB TITLE.

LOCATION PLAN.

CLIENT

ADZ FOOD DISTRIBUTION LIMITED.

# GENERAL NOTES.

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  All dimensions are approximate only and are to be checked on site by contractor and any discrepancies to be reported prior to commencement of work.

  3. Do not scale from this drawing only work to written dimensions.

  4. All new drains to be taid jointed and tested to the entire satisfaction of the Load Authority.

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

  6. Foundations not to encreach over boundaries.

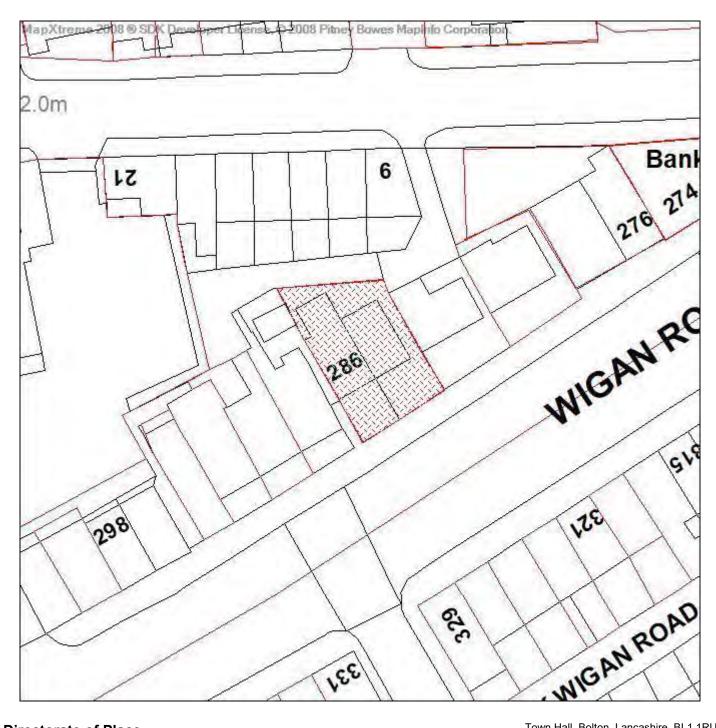
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DATE: 28.01.21

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

# **Application number** 10173/21



Directorate of Place Development Management Section Town Hall, Bolton, Lancashire, BL1 1RU Telephone (01204) 333 333



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Date of Meeting: 16/09/2021

Application Reference: 10173/21

Type of Application: Full Planning Application

Registration Date: 20/01/2021 Decision Due By: 16/03/2021 Responsible John Dupre

Officer:

Location: 284 & 286 WIGAN ROAD, BOLTON, BL3 5QT

Proposal: PARTIAL DEMOLITION OF EXISTING BUILDING AND THE

ERECTION OF A TWO STOREY FRONT EXTENSION, RAISING OF ROOF HEIGHT, ROOF LIGHTS AND REAR DORMERS TOGETHER WITH THE CHANGE OF USE FROM 1NO. RETAIL UNIT AT GROUND FLOOR WITH 2NO. FLATS AT FIRST FLOOR TO 2NO. RETAIL UNITS AT GROUND FLOOR, 2 NO. FLATS AT

FIRST FLOOR AND 2NO. FLATS AT SECOND FLOOR.

Ward: Heaton and Lostock

Applicant: Mr R Musa

Agent: RA Design & Project Management Ltd

**Officers Report** 

**Recommendation:** Refuse

### **Executive Summary**

- The proposal is for the change of use and extension of the building, from 1no. retail until and 2no. flats to 2no. retail units and 4no. flats.
- It is considered that the proposal by virtue of its height and design, in particular the high eave height, will have an undue impact on the character of the building and the street scene. As the proposal lies within the Deane Village Conservation Area it is also considered that the proposal will affect the heritage of the conservation area.
- Due to the size and location of windows it is not considered that the flats will provide an adequate outlook for future residents. In addition to this, the second-floor apartments do not meet national minimum space standards.
- Access to the flats is via a gated alleyway to the rear. This does not meet GMP Secure by Design best practice.
- A bat survey has been undertaken which shows that no bats are present in the building. There
  are no objections from GMEU or the Council's Greenspace team.
- No objection on highways grounds.
- Officers recommend refusal due to the impact on the street scene and conservation area and inadequate amenity for future residents.

# **Background**

1. The application initially proposed 2no retail units and 5no residential apartments, however due to

concerns raised by officers regarding the size and number of units this has been reduced to 2no. retail units and 4no. residential units. In addition to this, the application initially proposed a single dormer unit spanning both properties, however on the advice of the Council's conservation officer, this has been amended to show two separate dormer units with pitched roofs. Amendments have also been made to the fenestration and facia detail of the shop fronts and the access arrangements.

#### **Proposal**

- 2. The revised proposal is for the partial demolition of the existing building and the erection of a two-storey front extension, raising of roof height, roof lights and rear dormers together with the change of use from 1no. retail unit with 2no. flats at first floor to 2no. retail units, 2 no. flats at first floor and 2no. flats at second floor.
- 3. Access to the flats will be via the rear via a gated access way at the side of property. A bin storage area is proposed at the rear.

#### **Site Characteristics**

- 4. The application site lies on the edge of Deane Village Conservation Area and relates to a pair of a pair of nineteenth century buildings within a cluster of buildings set back from the footway on Wigan Road.
- 5. Both 284 and 286 are in poor condition and have been altered at the front with render. The original sills and window openings remain and the render may be hiding a traditional building.
- 6. Wigan Road is a busy arterial route with a mixture of retail and residential uses. The pavement on the opposite side of the road is quite narrow with a row of terraced properties located immediate at the back of the pavement.

#### **Policy**

#### 7. The Development Plan

Core Strategy: OA4 West Bolton; CG1 Cleaner and Greener; CG2 Sustainable Design and Construction; CG3 Built Environment, CG4 Compatible Uses, Safe Bolton; SC1 Housing, S1 Safe Bolton; P3 Retail and Leisure; P5 Transport and Accessibility.

#### 8. Other material considerations

National Planning Policy Framework (NPPF).

SPD General Design Principles SPD Accessibility, Transport and Road Safety SPD House Extensions Deane Village Conservation Area Appraisal

#### **Analysis**

9. 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.

- 10. The main impacts of the proposal are:
  - \* Principle of Development
  - \* Impact on the Character and Appearance of the Building and the Surrounding Area
  - \* Impact on the Amenity of Existing Residents and Future Occupiers
  - \* Impact on Highway Safety
  - \* Impact on Ecology and Wildlife
  - \* Other Matters

# Principle of the development

- 11. The site is unallocated however falls within the Policy Area OA4 (West Bolton) of the Core Strategy. This states that the council will concentrate sites for new housing within the existing urban area. The site is also within the Deane Village Conservation Area.
- 12. The application proposes to retain the existing use as retail and residential albeit with the addition of 1no retail until and 2no. residential units. This is in keeping with the surrounding land uses.
- 13. Given the surrounding land uses, then provided that it can be shown that any adverse impacts would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Development Plan and NPPF taken as a whole, it is considered that in principle, the proposed use of the land for housing and retail is acceptable.

# <u>Impact on the character and appearance of the surrounding area including Deane Village</u> Conservation Area

- 14. Core Strategy policy CG3.1 states that the Council expects development proposals to display innovative, sustainable designs that contribute to good urban design. Core Strategy policies CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, being compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape details, including hard/soft landscaping and boundary treatment. Policy CG3.4 of the Core Strategy state that the council should conserve and enhance the heritage significance of heritage assets and heritage areas, recognising the importance of sites, areas and buildings of archaeological, historic, cultural and architectural interest and their settings.
- 15. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 16. In terms of architectural character, the Deane Village Conservation Area Appraisal states that the conservation area contains a variety of building types, including small scale cottages dating from the early 19th Century to the early 20th Century, some of which have been converted into shops or offices. Traditional buildings are two-storeys high with pitched roofs.
- 17. The application proposes the partial demolition of the existing building to allow for a front extension which will bring the building in line with 288 Wigan Road, resulting in the loss of the existing front curtilage. An increase in eaves height and ridge height is also proposed together

with amendments to the fenestration and dormers to the rear.

- 18. No justification or assessment of the impact on the conservation has been provided by the applicant.
- 19. The Council's conservation officer has been consulted and notes that number 280 Wigan Road has been rebuilt, however was formerly a cottage and together with 282 Wigan Road was identified as a building of interest in the Conservation Area Appraisal. Given the existing set back, they consider that number 284 & 286 may also have been former cottages. Together the group of properties may represent an early cluster of cottages that relate to the rural origins of Deane Village and thereby have some heritage significance.
- 20. Following submission, several concerns relating to the appearance of the building and the impact on the conservation area were raised with the applicant. As a result of this, amendments were made to the design, including changes to the design of the shop fronts, fenestration and the design of the rear dormers.
- 21. Following a review of the revised proposals, the conservation officer has confirmed that the revised dormer design is satisfactory, however they still have significant concerns relating to the design of the proposed building and the impact it will have on the street scene. In particular, they note that the eaves will not line up with the adjacent properties and the development will project above the rooflines. For this reason, they do not consider that the design and appearance of the revised proposal will be compatible with the character of surrounding buildings. It is noted this impact will be exacerbated by the loss of the front curtilage, which will further affect the character and appearance of the building and negatively impact on the street scene.
- 22. In addition to concerns relating to height and form, the conservation officer has also noted that the windows are mock sash and not sliding sash and that the detail of the shopfronts is not clear. As a minimum, traditional shopfronts within a conservation area should have timber pilasters at the sides with a cornice and fascia framing the shop.
- 23. On balance therefore and having had due regard to the comments from the Council's conservation officer, it is considered that, notwithstanding the condition of the existing building, the proposal by virtue of its design and height will have an undue impact on character and appearance of the building and the surrounding and the street scene. For this reason, it is not considered that the revised proposal accords with policy CG3 of the Local Plan. In addition, the proposal will not preserve or enhance the character of the Conservation Area and is therefore contrary to paragraph 199 of the NPPF.

# Impact on neighbouring residential amenity

- 24. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security and should not generate unacceptable nuisance, odours, fumes, noise or light pollution.
- 25. SPD General Design States that private sitting-out areas for flats should take the form of either a minimum balcony area of 5 sq. meters for each flat or for an adequately screened communal area with a minimum provision of 18 sq. metres per flat. Internal space standards are set out in "Technical housing standards nationally described space standards".

#### Impact on future residents

26. The proposal includes 2no. flats at first floor and 2no. flats at second floor. All the flats consist of

- a shared lounge / kitchen area, with separate bathroom and bedroom. Bin storage and cycle storage units are also proposed at the rear. Other than the small area at the rear which also provides storage and access, no dedicated private or shared amenity space is proposed for the flats.
- 27. The two flats at first floor are approximately 44sqm in size. The minimum gross internal floor area for a 1 person 1 storey dwelling, within the nationally described space standards, is 37sqm. No private or amenity space has been provided. Each of the bedrooms will have two windows which should provide adequate light, however the window for the shared kitchen / lounge area is small and the outlook will be limited. Even taking into account the fact that the flats are 7sqm greater than the minimum it is not considered that the proposal will provide future occupants of the first-floor flats with an acceptable level of amenity.
- 28. According to the information provided, the two flats at second floor are smaller at 35sqm in size, although on review of the plans it appears that they may be smaller than this due to the loss of space in the dormer areas as it is noted that the layout drawings do not accurately reflect the elevational drawings. The minimum gross internal floor area for a 1 person 1 storey dwelling is 37sqm. Each of the bedrooms will have a single roof light window at around head height. It is not considered that this will provide an adequate outlook to these rooms. The window for the shared kitchen / lounge area is small and the outlook will be limited. No private or amenity space has been provided. Taking into account the size of the flats and lack of adequate outlook and amenity space, it is not considered that the proposal will provide future occupants of the second-floor flats with an acceptable level of amenity.
- 29. Access is via a side passageway at the side of the building. Consultation has been undertaken with GMP Design for Security who have raised concerns about the safety of the access arrangements due to the lack of natural surveillance at the rear of the building. As a result, amendments have been made to include a gated access gate at the front of the property together with security lighting at the side and rear. Despite these improvements, comments from GMP make clear that the revised design still falls short of best practice and may not provide residents with an adequate level of security.
- 30. The Council's housing standards officer has been consulted and has noted that the occupants of the proposed flats would have to escape through high-risk outer rooms from the bedroom areas (that is via living room/kitchen) in order to escape to common parts and safe passage out of the building. In this regard they have suggested that the layout requires reconfiguration of layout/compartmentalisation to enable occupants to escape without hindrance in the event of a fire. No reconfiguration has been undertaken by the applicant. While these matters are of concern, they would fall under the jurisdiction of building control and are not in themselves a reason for refusal.

# Impact on neighbouring residents

- 31. The nearest residential properties include the terrace houses to north on Junction Road and first floor flats in the terrace opposite on Wigan Road. The proposal meets all the relevant interface distance to these neighbouring properties.
- 32. For the reasons discussed above, it is not considered that the proposal complies with Policy CG4 of the Core Strategy or SPD General Design.

# Impact on the highway network

- 33. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility, servicing arrangements and parking. Policy S1.2 states that the Council will promote road safety in the design of new development.
- 34. The proposal does not include any parking however a cycle storage unit has been provided at the rear.
- 35. The Council's Highways Engineers have been consulted and has noted that the potential increase in on-street parking demand above the existing uses will be minimal and should be accommodated with little additional detriment/severity to road safety and residential amenity at that location. The premises can be considered reasonably accessible to sustainable modes of transportation which would provide an additional justification to the proposed change of use from a transport/highways perspective in terms of off-setting against on-street parking demand. The proposal is thus compliant with current planning policy and on that basis, the Local Highway Authority cannot reasonably object to what is being proposed under this application.
- 36. It therefore considered that the proposed development complies with Policies P5 and S1.2 of the Core Strategy.

# Impact on wildlife and trees

- 37. Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and inter connectivity of wildlife corridors and habitats.
- 38. The applicant has submitted a bat survey which has confirmed that no bats are present in the building. This has been reviewed by the Council's Greenspace officer and the Greater Manchester Ecology Unit who have confirmed that they are satisfied with the report.
- 39. There is a mature tree to the rear of the property which is outside the application site, but is within falling distance of the property and may be affected during construction works. The tree lies within the planning conservation area of Deane Village. Any works to this tree would require consent and further investigation in relation to bats and nesting birds. It is considered that this could be controlled by condition.

# Titled Balance

40. It is acknowledged that the Council is not able to demonstrate a 5-year supply of deliverable housing sites. This represents a housing shortfall. In this circumstance paragraph 11 of the NPPF indicates that the policies that are most important for determining the application should be regarded as out-of-date and that there is a 'tilted balance' in favour of granting permission. However, it is found that the identified harm to the street scene, character and appearance of the area and conservation area is substantial. These are matters which significantly and demonstrably outweigh the relatively limited, albeit positive, social and economic contribution from the provision of 2no. additional flats to the housing under supply/delivery position.

#### Conclusion

41. For the reasons outlined above Members are therefore recommended to refuse the application.

# **Representation and Consultation Annex**

# **Representations**

Letters: One letter of support has been received to the proposal.

**Elected Members:** Cllr Morgan has expressed his support for the application and has requested that it be determined by Committee.

# **Consultations**

Advice was sought from the following consultees: The Council's Highways Engineers, Design and Conservation Officer, Housing Standards, Environmental Health, Economic Strategy, Strategic Development Management, Drainage and Design for Security GM Police, Greater Manchester Ecology Unit, Greenspace Officer.

Responses have been discussed in the report.

#### **Planning History**

55406/99 - Erection of a single storey extension at rear to form physiotherapy room – Approved with conditions

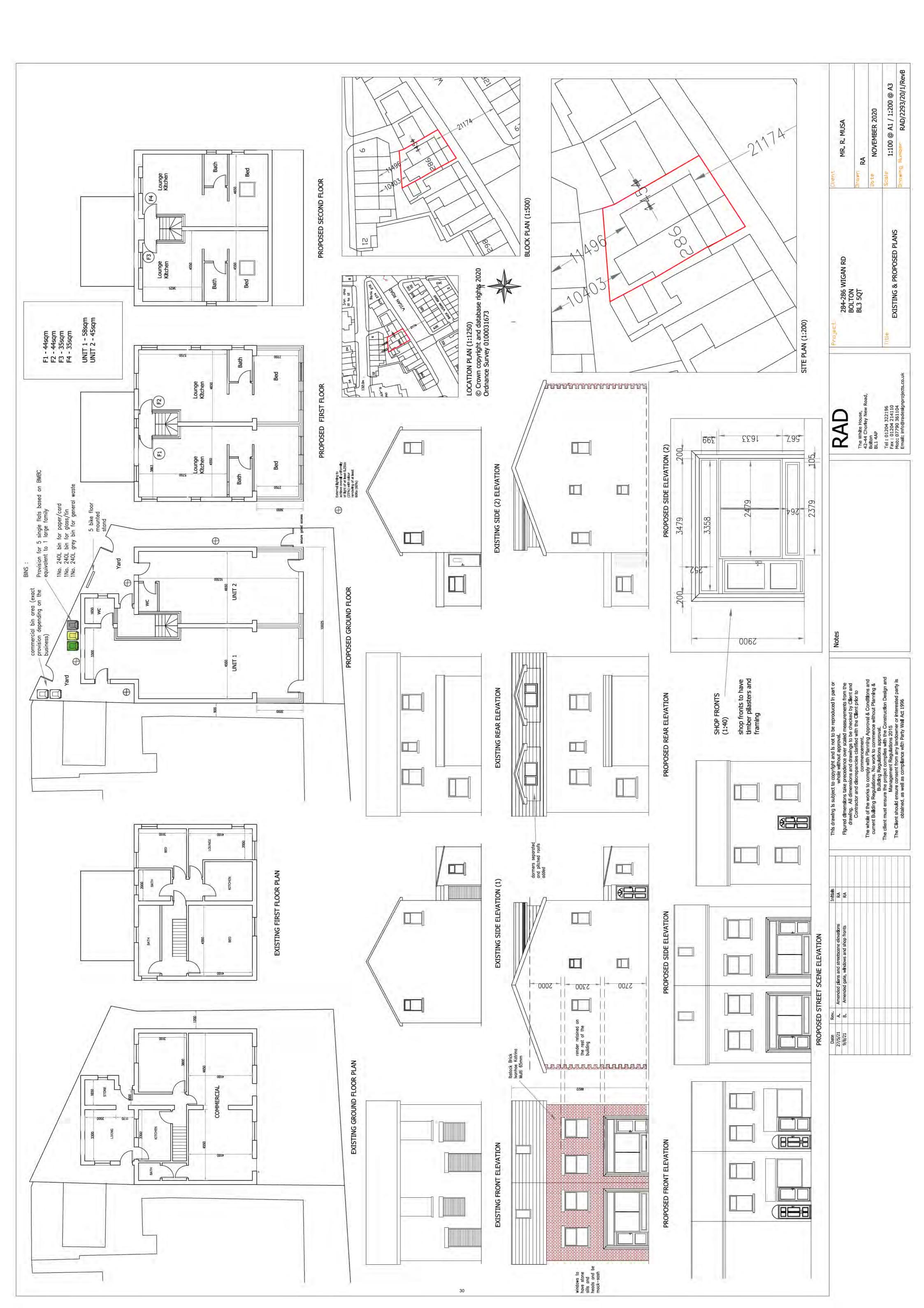
49503/96 - Change of use from dwelling house (class c3) to doctors' surgery (class d1) - Approved with conditions

46103/94 - change of use of premises from residential use (class c3) to a hot food take away on ground floor (class a3) with first floor living accommodation – Refused.

# **Recommendation:** Refuse

# **Recommended Conditions and/or Reasons**

- 1. The proposed development by virtue of its size, siting and design will have a detrimental effect on the character and appearance of the street scene and Conservation Area and is contrary to Policies CG3 and OA4 of Bolton's Core Strategy and Supplementary Planning Document 'General Design Principles'.
- 2. The proposal represents an over development of the site which would result in insufficient internal floor space, external amenity space, outlook and safety for the future occupants and is thus contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Documents 'General Design Principles'.



# **Application number** 11583/21



Directorate of Place Development Management Section Town Hall, Bolton, Lancashire, BL1 1RU Telephone (01204) 333 333



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Date of Meeting: 16/09/2021

Application Reference: 11583/21

Type of Application: Full Planning Application

Registration Date: 16/08/2021 Decision Due By: 10/10/2021 Responsible John Dupre

Officer:

Location: CHERRY TREE PRIMARY SCHOOL, HIGHFIELD ROAD,

**FARNWORTH, BOLTON, BL4 ONS** 

**Proposal:** PROVISION OF A NEW AIR SOURCE HEAT PUMP

SUPPLEMENTING EXISITNG MECHANICAL SERVICES TO

**BUILDING** 

Ward: Harper Green

Applicant: BOLTON COUNCIL

Agent: AECOM LTD

**Officers Report** 

**Recommendation:** Approve subject to conditions

# **Executive Summary**

\* Cherry Tree School is a Council-owned building and the project is Council-led.

- \* The proposal is for three air source heat pumps units together with the installation of a buffer vessel and associated pipe work. The installation of the buffer vessel will require the relocation of an existing chemical dosing drum for the swimming pool.
- \* There are no objections from Pollution Control.
- \* No objections have been received from local residents.
- \* The proposal is recommended for approval subject to planning conditions.

#### **Proposal**

- Bolton Council applied for grant funding from Public Sector Decarbonisation launched in 2020 and were extremely successful in securing funding. The grant awards are for decarbonisation of operational buildings. The purpose of the funding is to help the Council achieve a decarbonisation of heat, this can fundamentally be achieved via heat pumps, solar thermal and improvements in fabric/controls.
- The decarbonisation of the Council's building stock is a highly important element in the Council meeting its carbon reduction commitments. The buildings were selected due to their poor carbon performance.
- 3. This proposal comprises the installation of three air source heat pumps on the east elevation of the building and associated pipe work. The units will be installed at ground level and will measure 0.87m metres in height, 1.4 metres in width and 0.5 metres in depth.

4. The proposal also includes the installation of the buffer vessel approximately 1.9m in height and 0.9m in diameter. In turn this will require the relocation of the existing chemical dosing drum for the swimming pool.

# **Site Characteristics**

5. The application site relates to Cherry Tree Primary School in Farnworth. The school is bounded by Highfield Road to the north and Windermere Road to the west. To the south and east are residential properties with St Catherine's Church located to the northeast of the site. The area is predominantly residential in character.

#### **Policy**

# **The Development Plan**

6. Core Strategy Policies: RA2 Farnworth; CG3 The Built Environment; CG4 Compatible Uses.

#### Other material considerations

- 7. National Planning Policy Framework 2021
- 8. Supplementary Planning Documents: General Design Principles.

#### **Analysis**

9. 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.

# 10. The main impacts of the proposal are:

- impact on the character and appearance of the area
- impact on residential amenity

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

- 11. Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA3 of the Core Strategy aims to ensure the character of the existing environment is conserved and enhanced.
- 12. This proposal comprises of the installation of three air source heat pump units on the east elevation of the building together with a buffer tank and associated pipe work. The units would not be visible from the street scene nor would the relocated chemical dosing drum.
- 13. In view of the above it is considered that the proposed scheme is in line with Core Strategy Policies CG3 an OA3 and associated supplementary planning guidance and the NPPF.

# Impact on Residential Amenity

- 14. Policy CG4 of the Core Strategy relates to new development and seeks to ensure that future occupiers and neighbours are provided with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. The Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained with the General Design SPD.
- 15. The nearest residential property is 16 St Catherine's Drive, some 23 metres to the west of the proposed Air Source Heat Pump units.
- 16. A condition is recommended, prior to installation, for a noise report, to control the noise emissions and safeguard the neighbouring residential amenity.
- 17. Having regard to the above, it is considered that the proposal subject to the recommended condition would comply with the standards of amenity in policy CG4 of Bolton's Core Strategy and the General Design Principles SPD and the NPPF.

# **Conclusion**

18. It is considered that the proposal would not have an unacceptable impact on the street scene nor on the character of the existing building and it would not have detrimental impact on residential amenity of neighbouring occupiers (subject to planning conditions), thus Members are recommended to approve the application.

# Representation and Consultation Annex Representations

No representations have been made.

#### **Consultations**

Pollution Control - No objection

#### **Planning History**

N/A

**Recommendation:** Approve subject to conditions

# **Recommended Conditions and/or Reasons**

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

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

2. The rating level, as defined in BS4142:2014+A1:2019 shall not exceed the measured daytime and/or night-time background sound level at the closest sensitive premises at any time. A noise assessment shall be carried out and a report submitted to and approved in writing by, the Local Planning Authority prior to first operation of the unit. The report shall include all the information specified in Clause 12 of BS4142:2014+A1:2019 and details of any mitigation proposed to achieve the rating level. The approved details shall be carried out in full and retained thereafter.

Reason: To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area in accordance with Core Strategy Policy CG4 and NPPF.

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

Site Location Plan - drawing number 60654197\_CTS\_PLANNING\_001\_REV\_T0 - uploaded 17.08.21

Proposed Boiler Room Layout - drawing number 60654197\_CTS\_MECH\_002\_REV\_T0 - dated 09.06.21

Daikin Altherma 3 Monobloc Air Source Heat Pump Technical Guide - uploaded 23.06.21

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



GR MANCHESTER DECARBONISATION PROJECT - CHERRY TREE PRIMARY SCH BL& ONS

FOR INFORMATION

ROBERTSON GROUP
3 The Pates
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3 The Pate CONSULTANT

HIGHFIELD ROAD

AECOM ALDGATE TOWER, 2 LEMAN STREET, LONDON E1 8FA WWW.88COM.COM

Location of ASHP

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION BOX

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Site Location Plan - Cherry Tree Primary School, ASHP Location

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MANCHESTER DECARBONISATION

FOR INFORMATION

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Second Hall.

ROBERTSON GROUP

3 The Parks Haydook WAT2 0.10 Maneri-d-Wilose, WAT2 0.10 ffm@robertson.co.uk Emsi www.pobertson.co.uk CONSULTANT

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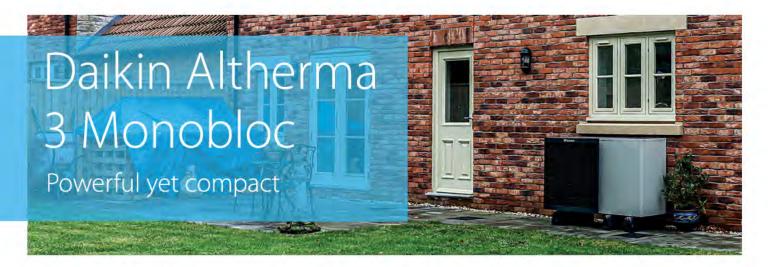
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PROPOSED BOLLER ROOM LAYOUT SHEET NUMBER 60654197\_CTS\_MECH\_002\_REV\_T0



The Daikin Altherma 3 Monobloc is the first all-in-one Monobloc unit to be added to the third generation Daikin Altherma range, featuring the latest controls and low environmental impact R32 technology.

This new addition to the Daikin Altherma 3 range offers higher capacity monobloc units, in 9, 11, 14 and 16 class, all delivered in a market leading compact single fan casing, making it ideal for new buildings and large renovations.

#### High performance in low ambient conditions

Operation range is down to -25°C, ensuring the system delivers in the harshest of conditions. The unit also has high performance of 60°C leaving water temperature down to -7°C ambient.

The capacities vary depending on the design conditions, ambient temperature and leaving water temperature selected so please check the capacity curves in the data books available on my.daikin.co.uk, or use our Heating Solutions Navigator design tool on Stand By Me to complete your selection.

At typical design conditions of -1.8°C and 45°C leaving water temperature, the 9 and 11 class units hold or even exceed their capacity. However for the 14 and 16 class units, you will need to check the design conditions more carefully depending on the requirements of your customer.

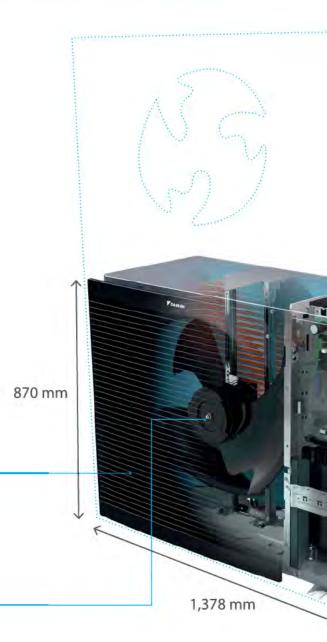
This ability to reliably deliver higher capacities - and even perform beyond the headline capacity in some cases - really makes the Daikin Altherma 3 Monobloc a stand-out solution for all kinds of properties where space saving is also a priority.

#### A redesigned outdoor unit

The new Daikin Altherma 3 Monobloc offers a modern, single fan design, with compact dimensions and a sleek black grill, providing an unobtrusive and versatile outdoor unit suitable for a wide range of house types.

#### High performance single fan

Daikin have optimised the design of the Monobloc unit, meaning that the double fan arrangement has been replaced with a larger single fan. The new 'gull wing' fan design reduces drag to improve system air flow and create a quieter outdoor unit, with a low sound level of just 62 dBA.



#### All-in-one Monobloc unit

The Daikin Altherma 3 Monobloc is an outdoor only unit including an enclosed refrigerant circuit. It is an all-in-one concept with all key hydraulics included such as the pump, flow sensor, and water pressure sensor in the outdoor unit. The system requires no indoor unit, only a wiring centre and a stand-alone domestic hot water tank.

Because there are only water connections to the indoor heating system, you don't need F-Gas qualification to install it. The Daikin Altherma 3 Monobloc is designed for a fast and easy installation, making it ideal for heating engineers just starting out into the world of renewables, as well as experienced heat pump installers looking to increase the range of space-efficient solutions they can offer.



Daikin Altherma 3 Monobloc uses R32 refrigerant, which is more energy efficient and has a lower global warming potential (GWP) than refrigerants such as R410A. Requiring 30% less refrigerant charge than an R410A equivalent unit, the Daikin Altherma 3 Monobloc achieves 75% lower  $\mathrm{CO_2}$  emissions than previous Monobloc units. This means that you can reduce your customers' environmental impact even further by installing a Daikin Altherma 3 Monobloc heat pump with R32.



#### Ideal where space is at a premium

The Daikin Altherma 3 Monobloc is the ideal solution for homes where indoor space is at a premium, as no additional indoor unit is required. With a reduced size casing of only 870mm height, the outdoor unit can fit right under a window to save outdoor space. With a total volume of less than 0.6m³, the unit meets permitted development rights requirements, leading to a quicker project completion time as there's no delay for planning approvals.



### Additional features

- Available in heating only, reversible heating and cooling, 1-phase and 3-phase models
- Integrated electric back-up heater for total reliability
- WLAN card inserts into the user Interface and allows connection to the wireless local area network for access to settings via smart phone
- Smart grid ready with the ability to connect to a PV system





# **Application number** 11585/21



Directorate of Place Development Management Section Town Hall, Bolton, Lancashire, BL1 1RU Telephone (01204) 333 333



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Date of Meeting: 16/09/2021

Application Reference: 11585/21

Type of Application: Full Planning Application

Registration Date: 23/06/2021 Decision Due By: 17/08/2021 Responsible John Dupre

Officer:

Location: HEATON AND LOSTOCK NEIGHBOURHOOD CHILDRENS

CENTRE, NEW HALL LANE, BOLTON, BL1 5LF

**Proposal:** PROVISION OF A NEW AIR SOURCE HEAT PUMP

SUPPLEMENTING EXISITNG MECHANICAL SERVICES TO

**BUILDING** 

Ward: Heaton and Lostock

Applicant: BOLTON COUNCIL

Agent: AECOM LTD

**Officers Report** 

**Recommendation:** Approve subject to conditions

#### **Executive Summary**

- Heaton and Lostock children's centre is a council-owned building, and the project is council-led.
- \* The proposal is for a single Air Source Heat Pump unit.
- \* There are no objections from Pollution Control.
- \* No objections have been received from local residents.
- The proposal is recommended for approval subject to planning conditions.

#### **Proposal**

- Bolton Council applied for grant funding from Public Sector Decarbonisation launched in 2020 and were extremely successful in securing funding. The grant awards are for decarbonisation of operational buildings. The purpose of the funding is to help the council achieve a decarbonisation of heat, this can fundamentally be achieved via Heat Pumps, solar thermal and improvements in fabric/controls.
- 2. The decarbonisation of the Council's building stock is a highly important element in the Council meeting its carbon reduction commitments. The buildings were selected due to their poor carbon performance.
- 3. This proposal comprises the installation of an Air Source Heat Pump on the south east elevation of the building. The unit will be installed at ground level and would measure 0.87m metres in height, 1.4 metres in width and 0.5 metres in depth.

#### **Site Characteristics**

- 4. The application site relates to the existing single storey children's centre on the corner of Wellbeck and New Hall Lane.
- 5. The site is bounded to the south and east by residential properties. The area is residential in character.

#### **Policy**

#### **The Development Plan**

6. Core Strategy Policies: OA4 West Bolton; CG3 The Built Environment; CG4 Compatible Uses.

#### Other material considerations

- 7. National Planning Policy Framework 2021 (NPPF)
- 8. Supplementary Planning Documents: General Design Principles.

#### **Analysis**

9. 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.

#### 10. The main impacts of the proposal are:

- Impact on the character and appearance of the area
- Impact on residential amenity

#### <u>Impact on the Character and Appearance of the Area</u>

- 11. Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA3 of the Core Strategy aims to ensure the character of the existing environment is conserved and enhanced.
- 12. This proposal comprises an installation of an Air Source Heat Pump external unit on the south-east elevation of the building. The unit would not be visible from the street scene and is a modest addition to the existing building.
- 13. In view of the above it is considered that the proposed scheme complies with Core Strategy Policies CG3 an OA3 and guidance contained within the General Design Principles SPD and also within the NPPF.

#### Impact on residential amenity

14. Policy CG4 of the Core Strategy relates to new development and seeks to ensure that future

occupiers and neighbours are provided with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. The Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained with the General Design SPD.

- 15. The nearest residential property is 75 New Hall Lane, immediately to the south south-east of the proposed Air Source Heat Pump unit.
- 16. Pollution Control officers raise no objections to the proposal and recommend that a condition is secured for the applicant to submit a noise report which would provide the necessary mitigation, if required, to ensure the operation of the pump would not have a detrimental impact on residential amenity.
- 17. Having regard to the above, it is considered that the proposal subject to the recommended condition would comply with the standards of amenity in policy CG4 of Bolton's Core Strategy and the General Design Principles SPD and the NPPF.

#### **Conclusion**

18. It is considered that the proposal would not have an unacceptable impact on the street scene nor on the character of the existing building and would not have a detrimental impact on the residential amenity of neighbouring occupiers (subject to planning conditions). Members are recommended to grant planning permission for the proposal.

## Representation and Consultation Annex Representations

No representations have been made.

#### **Consultations**

Pollution Control - No objection

#### **Planning History**

N/A

**Recommendation:** Approve subject to conditions

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

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

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

2. The rating level, as defined in BS4142:2014+A1:2019 shall not exceed the measured daytime and/or night-time background sound level at the closest sensitive premises at any time. A noise assessment shall be carried out and a report submitted to and approved in writing by, the Local Planning Authority prior to first operation of the unit. The report shall include all the information specified in Clause 12 of BS4142:2014+A1:2019 and details of any mitigation proposed to achieve the rating level. The approved details shall be carried out in full and retained thereafter.

#### Reason:

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area in accordance with Core Strategy Policy CG4 and NPPF.

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

Location Plan - uploaded 23.06.21

Proposed Boiler Room Layout - drawing number 60654197\_HL\_MECH\_002\_REV\_T0 - dated 15/06/21

Daikin Altherma 3 Monobloc Air Source Heat Pump Technical Guide - uploaded 23.06.21

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



MANCHESTER
DECARBONISATION
BOLTON BOROUGH

FOR INFORMATION

ROBERTSON GROUP

8 The Parks Haydest Hewinn-fa-Villawe, WK12 0JO Hawann-fa-Villawe, WK12 0JO HWW-robertson.co.uk COMBULTANT

AFETY, HEALTH AND ENVIRONMENTAL NEGRMATION BOX

THIS DRAWING IS TO BE UBED ONLY FOR THE PURPOSE OF ISSUE AND IS SUBJECT TO AMENDMENT.

BOILER ROOM

Proposed AGE P.

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SSUEREVISION

PROJECT NUMBI 50654197

HEATON LOSTOCK

BASEMENT PLAN

PROPOSED BOILER ROOM LAYOUT

60654197 HL MECH 002 REV TO

#### These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

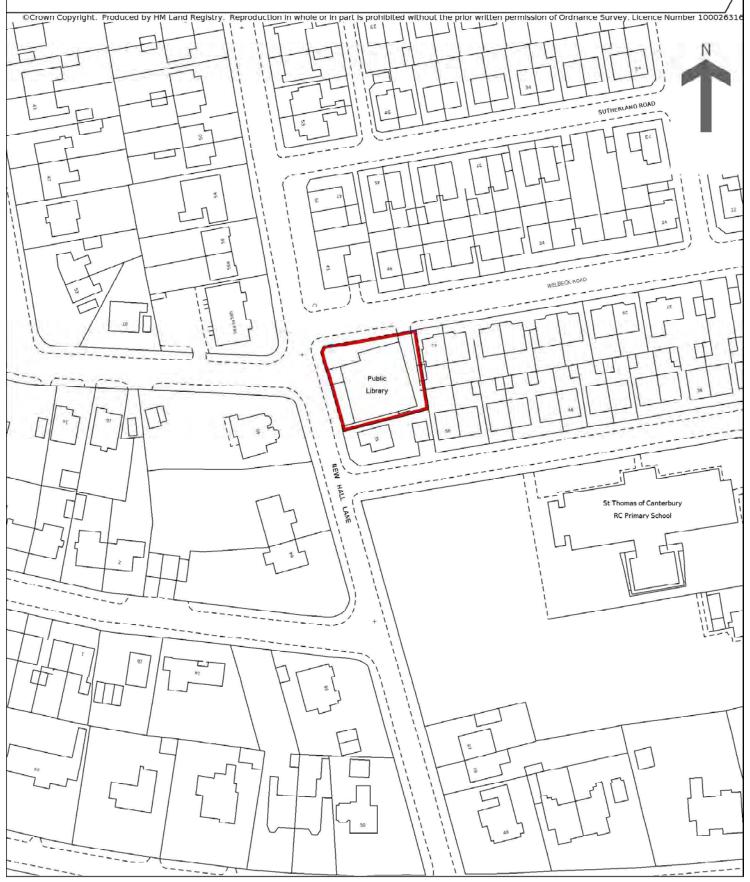
This official copy is issued on 10 June 2021 shows the state of this title plan on 10 June 2021 at 12:18:56. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Fylde Office.

### HM Land Registry Official copy of title plan

Title number MAN93590
Ordnance Survey map reference SD6909NW
Scale 1:1250
Administrative area Greater Manchester:

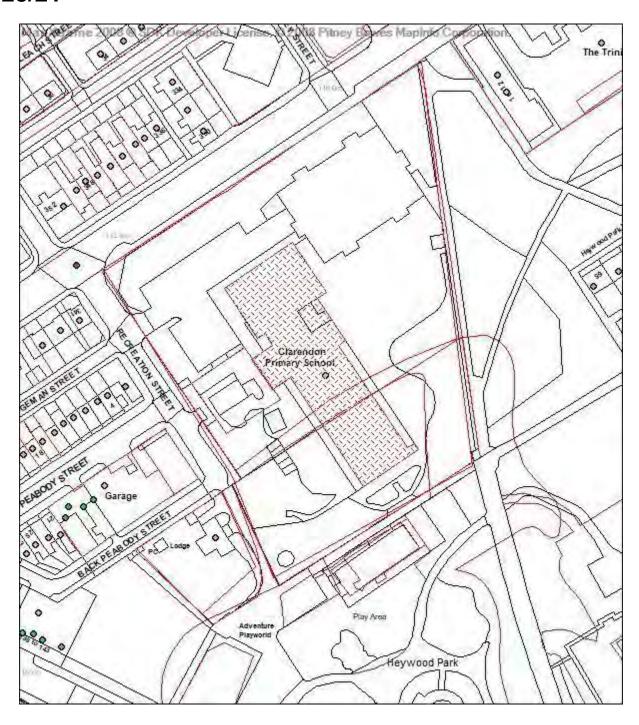
**Bolton** 







# **Application number** 11728/21



Directorate of Place Development Management Section Town Hall, Bolton, Lancashire, BL1 1RU Telephone (01204) 333 333



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Date of Meeting: 16/09/2021

Application Reference: 11728/21

Type of Application: PA -solar panels non domestic roofs

Registration Date: 08/07/2021 Decision Due By: 01/09/2021 Responsible Beth Bradburn

Officer:

Location: CLARENDON PRIMARY SCHOOL, RECREATION STREET,

**BOLTON, BL3 6SN** 

**Proposal:** PRIOR APPROVAL APPLICATION FOR THE INSTALLATION OF

SOLAR PHOTOVOLTAIC EQUIPMENT ON THE ROOF OF A

NON-DOMESTIC BUILDING

Ward: Great Lever

Applicant: Bolton MB Council

Agent: AECOM Ltd

**Officers Report** 

Recommendation: Prior Approval not Required

### **Executive Summary**

\* The building is Council-owned and this is a Council-led project.

- \* The proposal is for solar panels to be installed on the roof of the school building
- \* The proposal would have limited impact onto the character and appearance of the area or school building
- \* No objections have been received from local residents
- \* The proposal is recommended for approval subject to planning conditions

#### **Proposal**

- 1. A Prior Approval application has been submitted by the applicant to notify the LPA of their intention to install solar photovoltaic equipment on the roof of Clarendon Primary School.
- 2. The applicant considers that the proposed works are permitted development under Part 14, Class J (installation or alteration etc of solar equipment on non-domestic premises) of the Town and Country Planning (General Permitted Development) Order 2015. Under condition J.2 (2) of class 14 the applicant is required to obtain prior approval of the LPA.
- 3. The submitted plans show that the proposed solar panels will be installed onto the roof of Clarendon Primary School. According to the information submitted these will be 100kWp solar panels.

#### **Site Characteristics**

4. The application site is sited within Great Lever. The two storey flat roof building is surrounded by school grounds with residential dwellings within the immediate vicinity.

#### **Planning Policy**

- 5. National Planning Policy Framework (NPPF)
- 6. The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J.4(8) (b)states that the Local Planning Authority must have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

#### **Analysis**

- 7. The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J permits:
  - J. The installation, alteration or replacement of—
  - (a)microgeneration solar thermal equipment on a building;
  - (b)microgeneration solar PV equipment on a building; or
  - (c)other solar PV equipment on the roof of a building other than a dwellinghouse or a block of flats.
- 8. The proposal is for the installation of solar photovoltaic equipment on the flat roof of the school building. In accordance with section 82(6) of the Energy Act 2004, the proposed scheme is not considered to be microgeneration. In view that the proposal is not microgeneration, it is considered that permitted development rights are provided for this proposal by Class J(c) described above (solar PVC).
- 9. Development is not permitted by Class J (J.1) if -
  - (a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;

The school building has a flat roof therefore the above does not apply.

(b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);

The proposed panels would be installed on a flat roof and the highest part of the solar PV equipment would be 0.3 metres above the highest part of the roof and would comply with the above criteria.

(c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;

The proposed panels would not be installed within 1 metre of the external edge of the roof.

(d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;

The site/building is not sited within article 2(3) land nor a roof slope that fronts a highway.

(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

The site is not designated as a scheduled monument.

(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

The application building and curtilage is not listed.

- 10. J.2 Development is not permitted by Class J(a) or (b) if—
  - (a) the solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;

The equipment would not be installed on a wall.

(b) the solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or

The solar panels would be installed on the flat roof of the building.

(c) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway.

The solar panels would not be installed on a wall that fronts a highway and would be located on the flat roof of the building.

- 11. Development is not permitted by Class J(c) if the capacity of the solar PV equipment installed (together with any solar PV equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt. The solar equipment would not exceed 1 megawatt.
- 12. For Class J(c) development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land.
- 13. The NPPF advocates a presumption in favour of sustainable development. The importance of energy development is highlighted in chapter 10 of the NPPF which states that Local Planning Authorities should:
  - not require applicants for energy development to demonstrate the overall need for renewable or low carbon
  - energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - approve the application if its impacts are (or can be made) acceptable.
- 14. The proposed solar photovoltaic equipment is to be installed on the flat roof of the building and therefore will not be prominently visible from the street scene. The proposed solar photovoltaic equipment is not considered to have an unacceptable impact on the amenity of the area. In terms of glare, the application site relates to a 2 storey school building and given the flat roof it is

not considered that glare will be an issue for neighbouring occupiers.

#### Conclusion

15. In conclusion it is considered that the design and external appearance of the proposed solar photovoltaic equipment would not adversely impact onto the amenity of the area. Accordingly, there are no objections to the design of the proposed works and as such the proposal is permitted development under Schedule 2, Part 14, Class J(c) of The Town and Country Planning (General Permitted Development) (England) Order 2015.

**Recommendation:** Prior Approval not Required

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

1. The proposal is permitted development by virtue of Schedule 2, Part 14, Class J of the Town and Country Planning (General Permitted Development) (England) Order 2015.

GR MANCHESTER DECARBONISATION PROJECT - BOLTON

FOR INFORMATION

ROBERTSON GROUP

CONSULTANT

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Location Plan 1:1250@A1

PROJECT NUMBER 60654197

Clarendon School, Bollon, Sie Location Plan SHEET TITLE

60654197\_CS\_OSPLAN\_001\_REV\_T0



AECOM 4th Floor, Merchants Court, 2 – 12 Lord Street, Liverpool, L2 1TS. www.aecom.com +44 (0) 151 331 8900 tel +44 (0) 151 331 8999 fax

Wednesday 7th July 2021

Our Ref: 60654197/PRA/pra/CCPS

Bolton Council Planning Control Development and Regeneration 3rd floor Town Hall Bolton BL1 1RU

F.A.O - Martin Mansell

Dear Sirs,

Clarendon CP School, Recreation Street, Bolton, BL3 6SN. Proposed Photovoltaic Installation.

We enclose the following in support of an application for approval under the Town and Country Planning Act 1990.

- . Ino copy of the Pre-Application Form duly completed and signed;
- . 1no copy of our Drawing and Technical Information numbered:
  - JB1059 Clarendon Glare Diagram;
  - IB1059 Clarendon Layout R02;
  - Document showing Building PV Panels are located, and;
  - Site Location Plan (showing site area).

The fee for this application will be £ 96.00 as the applicant is the acting Local Authority for this application, the fee will have to be made using internal transfer.

Should there be any queries on this application, we should be pleased to discuss them with your representative.

Yours faithfully,

AECOM p.p

Philip R Allen, BSc (Hons) MRICS C.BuildE MCABE Associate Director Chartered Building Surveyor, Building Consulting, Liverpool D +44-(0)151-331-8973 M +44-(0)-7919-142-722 philip.allen@aecom.com

AECOM
4th Floor,
Merchants Court,
2 – 12 Lord Street, Liverpool, L2 1TS.
T +44-(0)-151-331-8900 aecon.com

Enclosures: As above.



1. Developer Name and Address

You can use the Planning Portal to find the correct email address for your local planning authority. www.planningportal.gov.uk/localauthoritysearch

2. Agent Name and Address

# Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt, subject to certain limitations\*

Town and Country Planning (General Permitted Development) (England) Order 2015 - Schedule 2, Part 14, Class J

\*The right does not apply in relation to any roof slope which fronts a highway in conservation areas, National Parks, Areas of Outstanding Natural Beauty, the Broads and World Heritage Sites. Nor do they apply to Listed Buildings or on a building within the curtilage of a Listed Building or Scheduled Monuments.

#### Publication of notifications on planning authority websites

Please note that the information provided on this notification and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

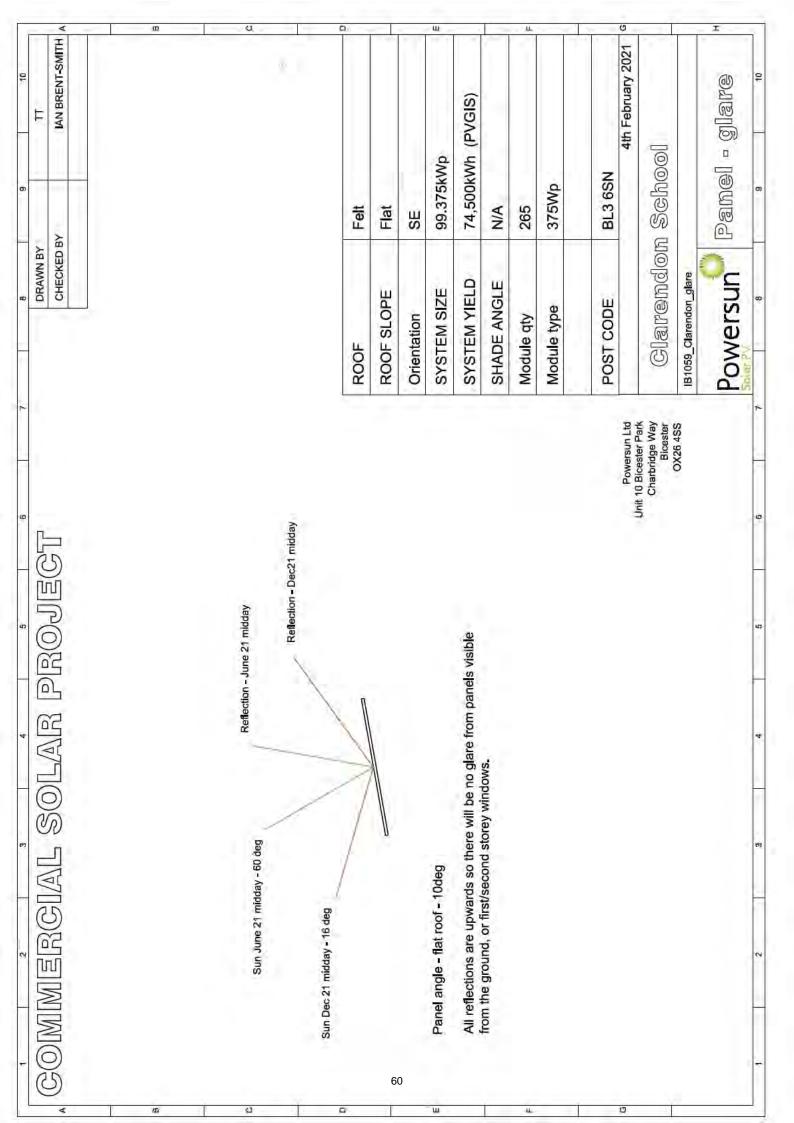
Please note: You need to download the form to complete it electronically. Please complete using block capitals and black ink if sending by post.

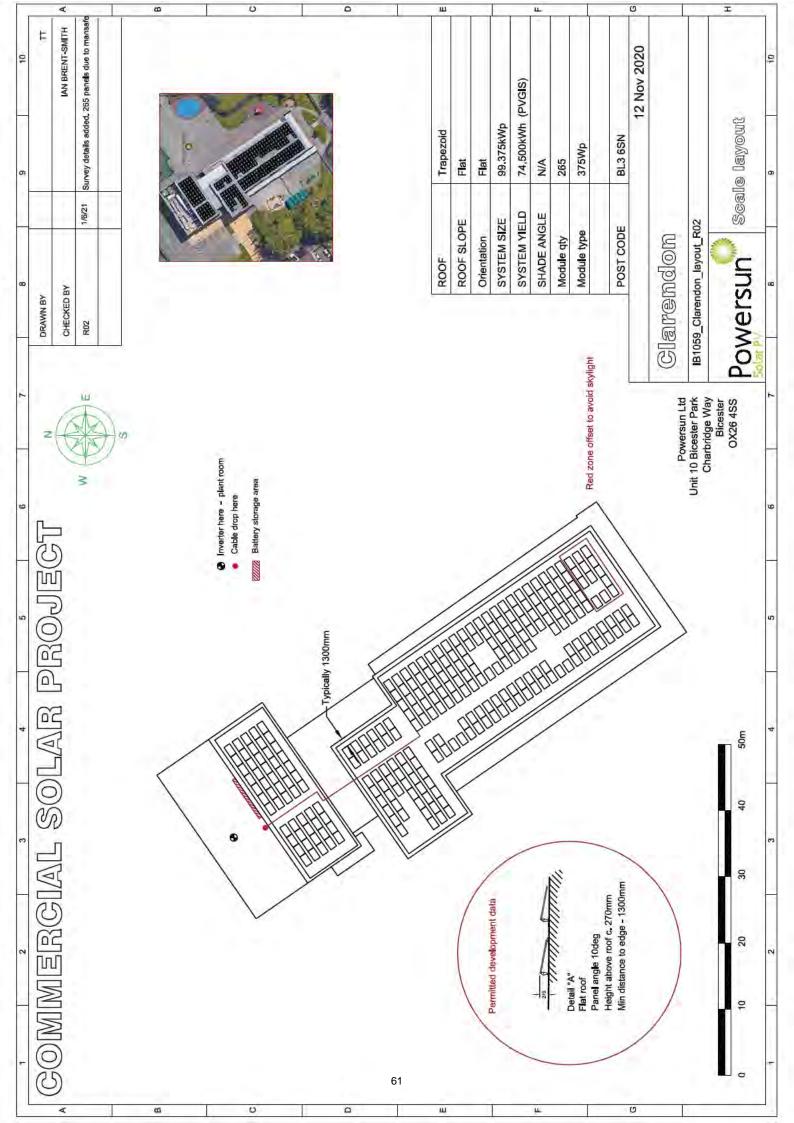
Title:	First name:	Title:	Mr	First name	Philip		
Last name:		Last name:	Allen				
Company (optional):	Bolton Council	Company (optional):	AECOM	Ltd			
U <b>ni</b> t:	House House suffix:	Unit:	4 floor	House number: 2 -	-12	House suffix:	
House name:		House name:	Mercha	nts Court			
Address 1:		Address 1:	Lord St	reet			
Address 2:	Town Hall	Address 2:					
Address 3:	Victoria Square	Address 3:					
Town:	Bolton	Town:	Liverpo	ol			
County:	Greater Manchester	County:	Mersey:	side			
Country:		Country:					
Postcode:	BL1 1RU	Postcode:	L2 1TS				
	ddress Details ride the full postal address of the application site.						
Unit:	Building number:			Bu	i <b>l</b> ding suffix	:	
Building na	ame: Clarendon Primary School						
Address 1:	Recreation St,						
Address 2:	Bolton						
Address 3:							
Address 4:							
Postcode:	BL3 6SN	<del>57</del>					J
							$\overline{}$

l. Description of the Proposed Development
Please describe the proposed development, including relevant information covering the design and external appearance, in particular the impact of the glare on occupiers of neighbouring land:
Solar photovoltaic system of 100kWp on the roofs of the school.
All arrays will meet the requirements of permitted development
1. Less than 1MWp 2. Arrays more than 1m from the edge of all roofs 3. Less than 1m from the surface of the <b>fl</b> at roof
As the panels are at 10deg to the roof, all reflections will be upwards.
A drawing showing reflections at December and June is attached to the application.
N/H Abourded DV and a month of texts Hod and
Vill the solar PV equipment be installed on:
pitched roof
low much will protrude beyond the plane of the roof? (Measured from the perpendicular with the external surface of the roof slope)
Metres
flat roof 🔀
what is the highest part of the solar PV equipment above the highest part of the roof? (excluding any chimney)
0.3 Metres

page 2 of 3 Version 2,0

What are the measurements from the solar PV equipment to the	e external edge of the roof?
All are greater than 1m	e external edge of the roof?
the Local Planning Authority has been submitted. Please note that a Planning Authority may require submission of further information at All sections of this notification completed in full, dated and signed (typed signature if sent electronically).  A plan plan didevelo	invalid. It will not be considered valid until all information required by spart of this procedure, if any objections are received the Local
6. Declaration  I/we hereby apply for prior approval as described in this notification a we confirm that, to the best of my/our knowledge, any facts stated are of the person(s) giving them.  Signed - Developer:  Or signed - Agent:  Phillip Allen	and the accompanying plans/drawings and additional information. I/ e true and accurate and any opinions given are the genuine opinions  Date (DD/MM/YYYY):  05/07/2021 (date cannot be pre-application)
7. Developer Contact Details  Telephone numbers  Country code: National number: Extension number:  +44  Country code: Mobile number (optional):  Country code: Fax number (optional):  Email address:	8. Agent Contact Details  Telephone numbers  Country code: National number: Extension number:  +44  Country code: Mobile number (optional):  +44  Country code: Fax number (optional):  Email address:



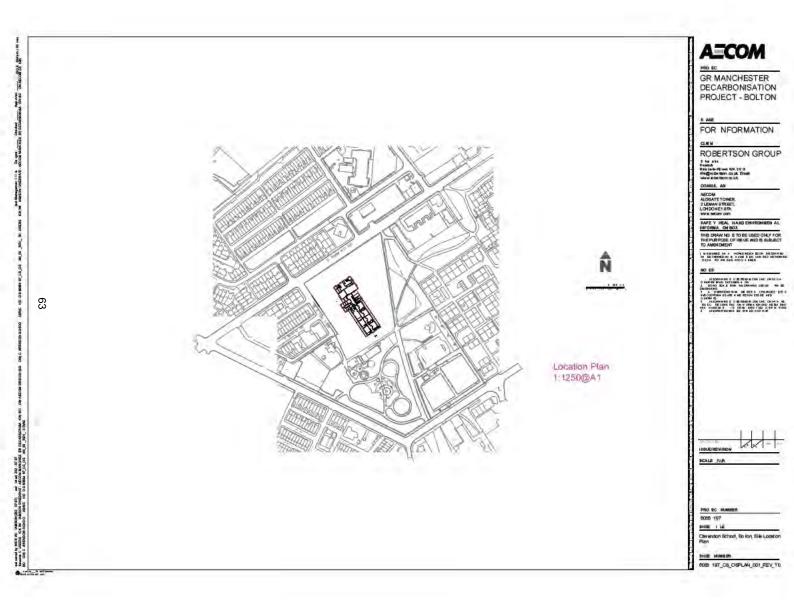


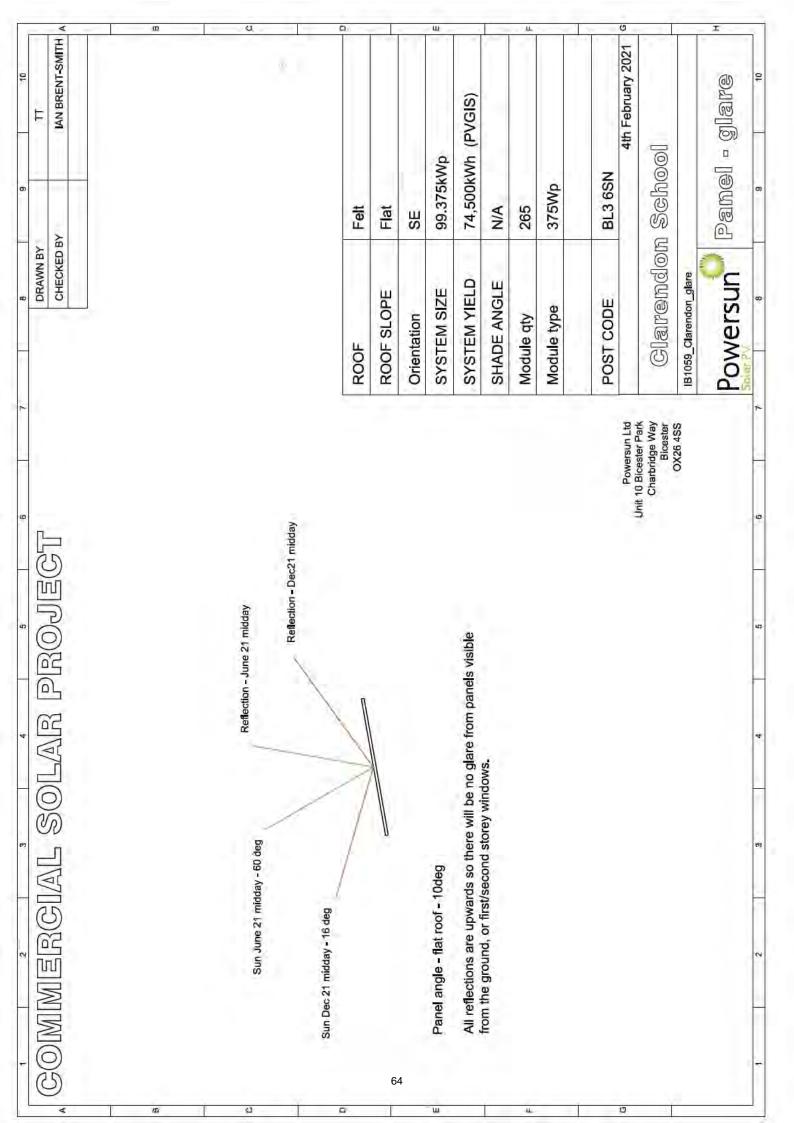


Job ref: IB1059\_Clarendon

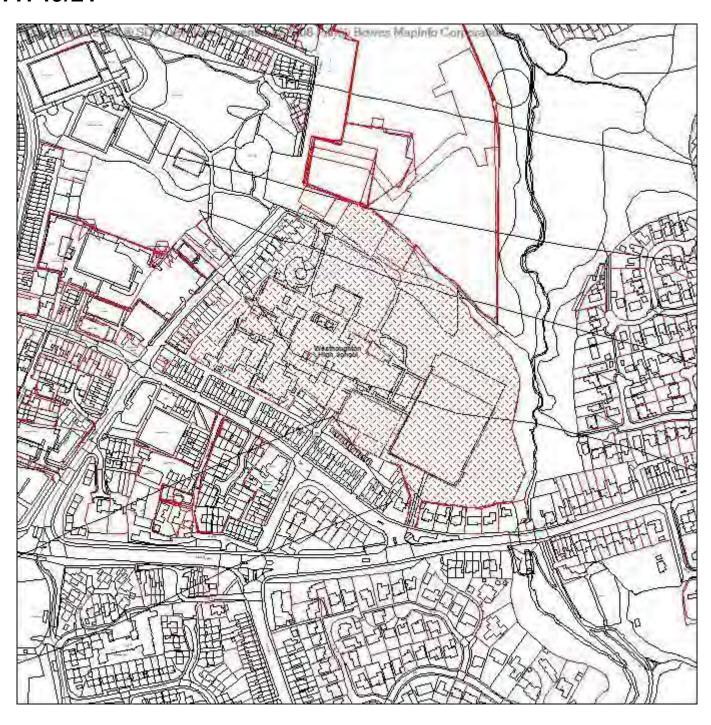
Clarendon CP School, Recreation Street, Bolton, BL3 6SN Site location: SD713079







# **Application number** 11749/21



Directorate of Place Development Management Section Town Hall, Bolton, Lancashire, BL1 1RU Telephone (01204) 333 333



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Date of Meeting: 16/09/2021

Application Reference: 11749/21

Type of Application: PA -solar panels non domestic roofs

Registration Date: 15/07/2021
Decision Due By: 08/09/2021
Responsible Monika Dubacka

Officer:

Location: WESTHOUGHTON COMMUNITY LEISURE CENTRE, BOLTON

ROAD, WESTHOUGHTON, BOLTON, BL5 3BZ

**Proposal:** PRIOR APPROVAL APPLICATION FOR THE INSTALLATION OF

SOLAR PHOTOVOLTAIC SYSTEM OF 178KWP ON THE ROOFS

OF THE SCHOOL

Ward: Westhoughton North

Applicant: BOLTON COUNCIL

Agent: AECOM LTD

**Officers Report** 

Recommendation: Prior Approval not Required

#### **Executive Summary**

\* The school is Council-owned and this is a Council-led project.

- \* The proposal is for solar panels on the roof of the existing school and the leisure centre under the prior approval application.
- \* There are no objections from consultees.
- \* No objections have been received from local residents.
- \* The works are considered to be Permitted Development under Schedule 2, part 14, Class J(c) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

#### **Proposal**

- 1. A Prior Approval application has been submitted by the applicant, to notify the LPA of their intention to undertake works to install solar panels on the school building.
- 2. The applicant considers that the proposed works are permitted development under Part 14, Class J (installation or alteration etc of solar equipment on non-domestic premises) of the Town and Country Planning (General Permitted Development) Order 2015. Under condition J.2 (2) of class 14 the applicant is required to obtain prior approval of the LPA:
  - (2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring

land.

3. The submitted plans show that the proposed solar panels will be installed across Westhoughton High School and Leisure Centre buildings. According to the information submitted these will be less than 1MWp, with arrays more than 1 metre from the edge of all roofs, less than 1 metre from the surface of the flat roof.

#### **Site Characteristics**

- 4. The site consists of an existing secondary school and leisure centre with associated car parks, outbuildings and playing fields. The main access to the site is off Bolton Road.
- 5. Residential properties are located to the south along Park Road and to the west along Bolton Road with new housing development to the north of the site.

#### **Planning Policy and Legislation**

- 6. National Planning Policy Framework (NPPF)
- 7. The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J.4(8) (b)states that the Local Planning Authority must have regard to the National Planning Policy Framework issued by the Department for Communities and Local Government in March 2012, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

#### **Analysis**

- 8. The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J permits:
  - J. The installation, alteration or replacement of –
  - (a) microgeneration solar thermal equipment on a building;
  - (b) microgeneration solar PVC equipment on a building; or
  - (c) other solar PVC equipment on the roof of a building other than a dwellinghouse or a block of flats
- 9. In accordance with section 82(6) of the Energy Act 2004, the proposed scheme is not considered to be microgeneration. In view that the proposal is not microgeneration, it is considered that permitted development rights are provided for this proposal by Class J(c) described above (solar PVC).
- 10. Development is not permitted by Class J (J.1) if -
  - (a) The solar PVC equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;

The proposed panels would be installed on the flat roof area.

(b) The solar PVC equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PVC equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);

The proposed panels would be installed on a flat roof, but the highest part of the solar PVC equipment would not be higher than 1 metre above the highest part of the roof.

(c) the solar PVC equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;

The proposed panels would be installed within 1 metre of the external edge of the roof.

(d) in the case of a building on article 2(3) land, the solar PVC equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;

The site/building is not within article 2(3) land.

- (e) the solar PVC equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or
- (f) the solar PVC equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

Neither.

- 11. (J.2) Development is not permitted by Class J(a) or (b) if -
  - (e) the solar PVC equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;

Not applicable as the proposed panels would be installed on the flat roof area.

(f) the solar PVC equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or

Not applicable as the proposed panels would be installed on the flat roof area.

(g) in the case of a building on article 2(3) land, the solar PVC equipment or solar thermal equipment would be installed on a wall which fronts a highway.

Not applicable as the proposed panels would be installed on the flat roof area and the site/building is not within article 2(3) land.

- 12. Development is not permitted by Class J(c) if the capacity of the solar PVC equipment installed (together with any solar PVC equipment installed under Class J(b)) to generate electricity exceeds 1 megawatt. The agent has confirmed that the proposed system will be generating 178.5kWp, which is less than 1 megawatt, hence this condition does not apply.
- 13. As the proposed PVC equipment meets the criteria outlined above, the next step would be to determine if a prior notification is required.

#### Prior notification assessment

14. For Class J(c) development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of

neighbouring land.

- 15. The NPPF advocates a presumption in favour of sustainable development. The importance of energy development is highlighted in paragraph 158 of the NPPF (2021) which states that Local Planning Authorities should:
  - not require applicants for energy development to demonstrate the overall need for renewable or low carbon;
  - energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
  - approve the application if its impacts are (or can be made) acceptable.
- 16. The proposed solar photovoltaic equipment is to be installed on the roof of Westhoughton High School and Leisure Centre. These sections of roof are all flat and so the solar photovoltaic equipment will not be a dominant feature and the external appearance of the unit will not be significantly altered. The proposed solar photovoltaic equipment is not considered to have an unacceptable impact on the amenity of the neighbourhood as the proposal would be installed on a flat roof and it is not considered that glare will be an issue for neighbouring occupiers.

#### Conclusion

17. In conclusion it is considered that the design and external appearance of the proposed solar photovoltaic equipment would not injure the amenity of the area. Accordingly, there are no objections to the design of the proposed works and as such the proposal is permitted development under Schedule 2, Part 14, Class J(c) of The Town and Country Planning (General Permitted Development) (England) Order 2015.

#### **Representation and Consultation Annex**

#### **Representations**

No representations have been made.

#### **Consultations**

Pollution Control, Highways, Greater Manchester Ecology Unit.

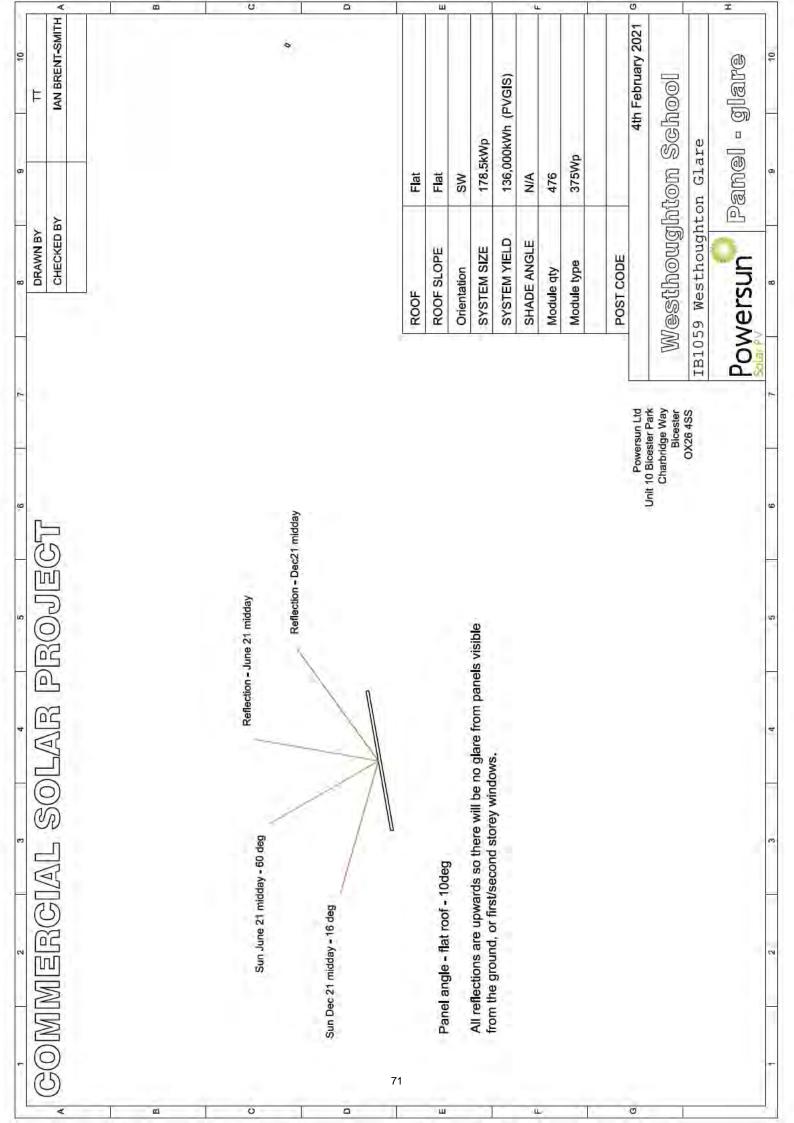
#### **Planning History**

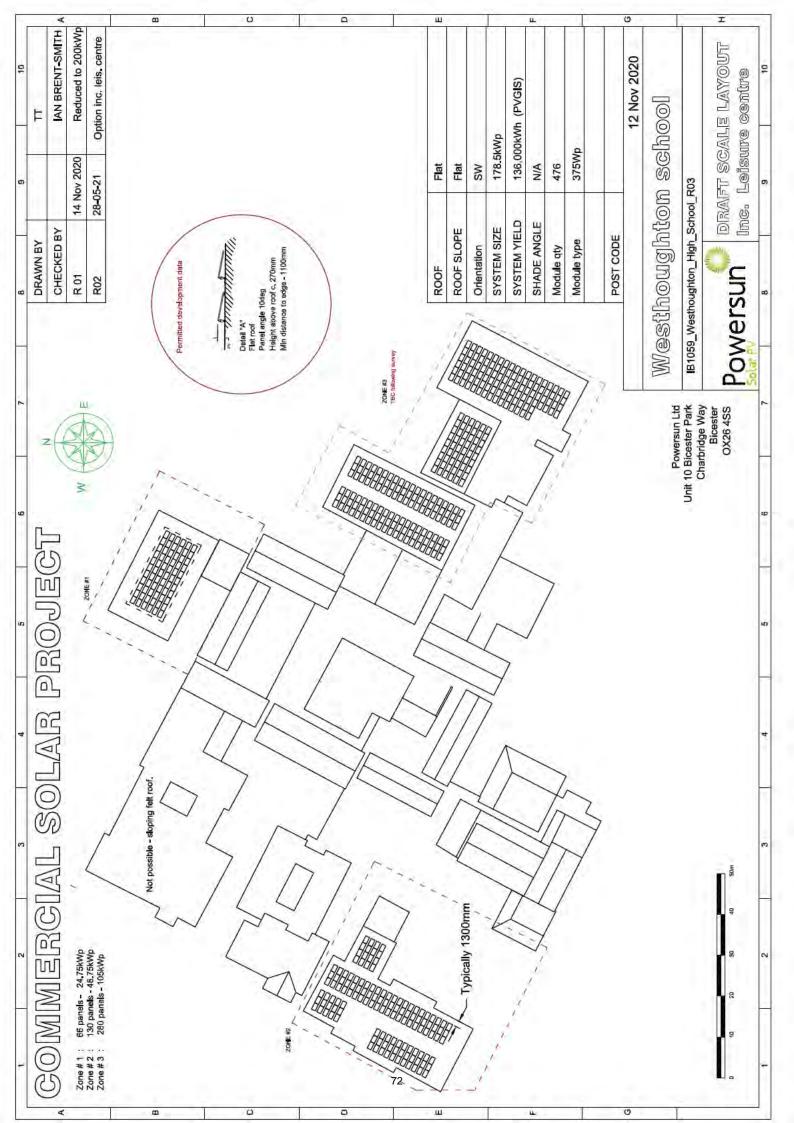
The wider school and the leisure site have been subject to a number of planning applications for a number of proposals including security fencing (Aps: 63436/02, 53070/98 and 73695/06) and new classrooms (59313/01, 86053/11 and 04648/18) and extended car park (06067/19).

Recommendation: Prior Approval not Required

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

The council has no objections to the design or external appearance of the proposed solar photovoltaic equipment. As such the works are considered to be Permitted Development under Schedule 2, part 14, Class J(c) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).



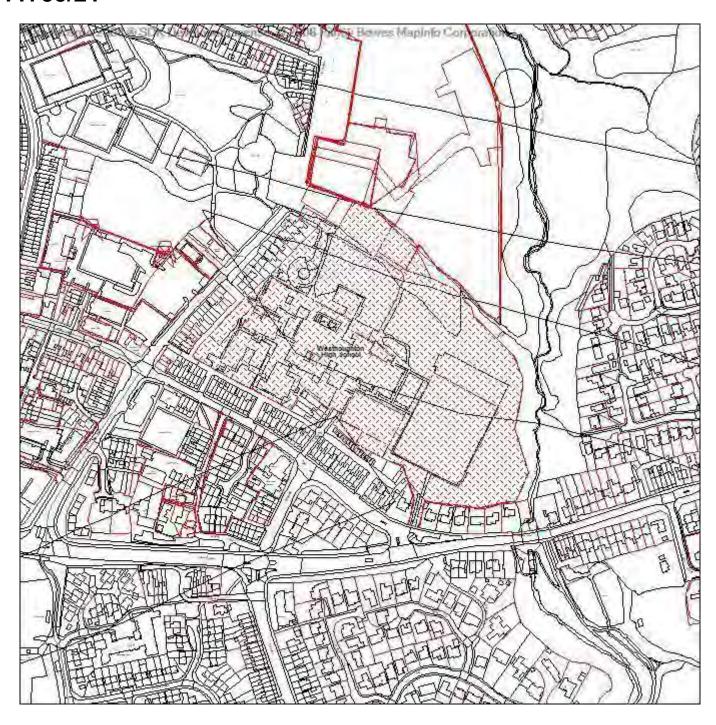


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THOUG SHEET NUMBER 60654197\_WHHS\_FABRIC\_001\_REV\_T0 GR MANCHESTER DECARBONISATION PROJECT - BOLTON FOR INFORMATION PROJECT NUMBER 60654197 ISSUE/REVISION SCALE : N/A Location of Solar PV Panels Scale= 1:500 Do Not Scale from Drawing Location of CO<sub>2</sub> Pump Westhoughton High School

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Site Location - West Houghton High School, Bolton

# **Application number** 11753/21



Directorate of Place Development Management Section Town Hall, Bolton, Lancashire, BL1 1RU Telephone (01204) 333 333



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Date of Meeting: 16/09/2021

Application Reference: 11753/21

Type of Application: Local Authority Applications\Development

Registration Date: 15/07/2021
Decision Due By: 08/09/2021
Responsible Monika Dubacka

Officer:

Location: WESTHOUGHTON HIGH SCHOOL, BOLTON ROAD,

**WESTHOUGHTON, BOLTON** 

**Proposal:** PROVISION OF TWO NEW AIR SOURCE (CO2) HEAT PUMP

UNITS SUPPLEMENTING EXISITNG MECHANICAL SERVICES TO

**BUILDING** 

Ward: Westhoughton North

Applicant: BOLTON COUNCIL

Agent: AECOM LTD

**Officers Report** 

Recommendation: Approve subject to conditions

PLANNING CONTROL SECTION

#### PLANNING OFFICERS REPORT FOR DELEGATED DETERMINATION

#### **Executive Summary**

- \* The school is Council-owned and the project is Council-led.
- \* The proposal is for modest two Air Source Heat Pump units.
- There are no objections from Pollution Control.
- \* No objections have been received from local residents.
- The proposal is recommended for approval subject to planning conditions.

#### **Background**

- 1. Bolton Council applied for grant funding from Public Sector Decarbonisation launched in 2020 and were extremely successful in securing funding. The grant awards are for decarbonisation of operational buildings. the key focus of the funding was around decarbonisation of heat, this can fundamentally be achieved via Heat Pumps, solar thermal and improvements in fabric/controls.
- 2. The decarbonisation of the Council's building stock is a highly important element in the Council meeting its carbon reduction commitments. The buildings were selected due to their poor carbon performance.

#### **Proposal**

3. This proposal comprises an installation of two Air Source Heat Pump external units on the south elevation of the main school building and would be facing a classroom building as such

this will not be visible from the street scene. These will be installed at ground floor and each unit would measure 0.71 metres in height, 0.8 metres in width and 0.36 metres in depth.

#### **Site Characteristics**

- 4. The site consists of an existing secondary school with associated car parks, outbuildings and playing fields. The area of the site to which this application relates is accessed off Alma Road.
- 5. Residential properties are located to the south along Park Road and to the west along Bolton Road with new housing development to the north of the site.

#### **Policy**

#### **The Development Plan**

6. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses and OA3 Westhoughton

#### Other material considerations

- 7. National Planning Policy Framework 2021
- 8. Supplementary Planning Documents: General Design Principles.

#### **Analysis**

- 9. 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.
- 10. The main impacts of the proposal are:-
- Impact on the character and appearance of the area
- Impact on residential amenity

#### Site Layout/ Impact on the Character and Appearance of the Area

- 11. Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA3 of the Core Strategy aims to ensure the character of the existing environment is conserved and enhanced.
- 12. This proposal comprises an installation of the Air Source Heat Pump external units on its south elevation facing of the school which would be facing a classroom building situated within the school grounds, as such this will not be visible from the street scene.
- 13. In view of the above it is considered that the proposed scheme is in line with Core Strategy Policies CG3 an OA3 and associated supplementary planning guidance and the NPPF.

#### Impact on residential amenity

- 14. Policy CG4 of the Core Strategy relates to new development and seeks to ensure that future occupiers and neighbours are provided with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. The Council's guidance on minimum interface distances between dwellings and private amenity space standards are contained with the General Design SPD.
- 15. The nearest residential properties are situated on Alma Road approximately 42 metres to the south-east of the proposed Air Source Heat Pump units.
- 16. A condition is recommended, prior to installation, for a noise report, to control the noise emissions and safeguard the neighbouring residential amenity.
- 17. Having regard to the above, it is considered that the proposal subject to the recommended condition would comply with the standards of amenity in policy CG4 of Bolton's Core Strategy and the General Design Principles SPD and the NPPF.

#### **Conclusion**

18. It is considered that the proposal would not have an unacceptable impact on the street scene nor on the character of the existing building and it would not have detrimental impact on residential amenity of neighbouring occupiers (subject to planning conditions), thus Members are requested to approve the application.

#### **Representation and Consultation Annex**

#### **Representations**

No representations have been made.

#### **Consultations**

**Pollution Control** 

#### **Planning History**

The wider School site has been subject to a number of planning applications for a number of proposals including security fencing (Aps: 63436/02, 53070/98 and 73695/06) and new classrooms (59313/01, 86053/11 and 04648/18) and extended car park (06067/19).

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

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

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

Reason

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

2. The rating level, as defined in BS4142:2014+A1:2019 shall not exceed the measured daytime and/or night-time background sound level at the closest sensitive premises at any time. A noise assessment shall be carried out and a report submitted to and approved in writing by, the Local Planning Authority prior to the construction phase of the development. The report shall include all the information specified in Clause 12 of BS4142:2014+A1:2019 and details of any mitigation proposed to achieve the rating level. The approved details shall be carried out in full and retained thereafter.

Reason

To minimise the impact of noise on the general and residential amenity from the increase and alteration of commercial and/or industrial uses in the area in accordance with Core Strategy Policy CG4 and NPPF.

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

Location Plan drawing number 60654197\_WHHS\_FABRIC\_001\_REV\_T0
Heating Product Information ref. QUHZ-W40VA Ecodan R744 Monobloc Air Source Heat
Pump

Ground Floor drawing number 01930 dated 14.08.21

Reason

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



#### QUHZ-W40VA

Ecodan R744

Monobloc Air Source Heat Pump

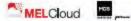


#### Key Features:

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- # Bolin uplacement mady
- Zero carbon solution
- MELCoud English

#### Key Benefits:

- W Minimal installation space required
- # Recible product placement
- 8 Suitable for both new and ociating homes III Halp to tackle the climate crisis.
- B. Flamets control, monitoring, maintenance and tachrical support

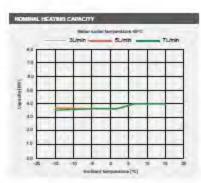






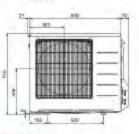


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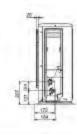
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### PLANNING AND ENFORCEMENT APPEAL STATISTICS

### 25<sup>TH</sup> AUGUST – 7<sup>TH</sup> SEPTEMBER 2021

None to report