

Planning Applications Report

Planning Committee

09 April 2015

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

UDP	The adopted Unitary Development Plan 2005
RSS	Regional Spatial Strategy for the North West of England 2008
PCPN	A Bolton Council Planning Control Policy Note
PPG	Department of Communities and Local Government Planning Policy Guidance Note
MPG	Department of Communities and Local Government Minerals Planning Guidance Note
SPG	Bolton Council Supplementary Planning Guidance
SPD	Bolton Council Supplementary Planning Document
PPS	Department of Communities and Local Government Planning Policy Statement
TPO	Tree Preservation Order
EA	Environment Agency
SBI	Site of Biological Importance
SSSI	Site of Special Scientific Interest
GMEU	The Greater Manchester Ecology Unit

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

www.bolton.gov.uk/planapps

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Application No.

93369/14



Development and Regeneration Department
Planning Control Section

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

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Date of Meeting: 09/04/2015

Application Reference: 93369/14

Type of Application: Full Planning Application
Registration Date: 13/01/2015
Decision Due By: 09/03/2015
Responsible Officer: Helen Williams

Location: 20 OLD QUARRY LANE, EGERTON, BOLTON, BL7 9EU

Proposal: ERECTION OF SINGLE STOREY EXTENSION AT REAR

Ward: Bromley Cross

Applicant: Ms Scowcroft
Agent : Carolyn Jepps Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Permission is sought for the erection of a single storey extension to the rear of the dwelling, which would provide a bedroom and en suite for a disabled resident (the applicant's son). The extension will extend a total of 6.507 metres from the original rear elevation of the dwelling, adjacent the party boundary with 18 Old Quarry Lane. The extension will be set in 0.2 metres from the party boundary for a length of 4.407 metres, then set in 1.1 metres for the next 2.1 metres (the en suite will be set in further from the boundary with no. 18 than the bedroom part of the extension). The extension will have a flat roof. A high level window to the en suite is proposed on the rear elevation and a window and glazed door to the bedroom are proposed in the side elevation.

The existing rear conservatory (which projects 2.575 metres from the rear along the boundary with no. 18) will be demolished to accommodate the proposal.

The design of the extension has been amended during the application process in the following ways:

- * The overall length of the extension has been reduced from 7.3 metres to 6.507 metres (a reduction of 0.793 metres). This has been achieved by re-orientating the position of the bed;
- * The en suite proposed at the end of the extension has been set in an extra 0.9 metres from the boundary with 18 Old Quarry Lane (so it is now set in 1.1 metres from the party boundary);
- * The originally proposed hipped roof has been replaced with a flat roof, resulting in the extension being 0.916 metres less in total height.

The applicant has submitted information off an NHS Specialist Occupational Therapist and a Residential Support Worker from Bolton Children's Services to support their application. This information confirms the disabilities of the resident, and that he is severely disabled.

The Occupational Therapist has also explained why the proposed extension is required and why the resident's existing bedroom is no longer suitable for his needs (as he grows older, bigger and stronger). To summarise this, the resident's existing specialist bed (full size cot bed with high sides) is positioned against a wall in his current bedroom, which only allows access for a carer on one side. As he is now bigger and stronger there needs to be access on both sides of the bed (so that he can be held down on one side and assisted on the other) and room for the doors to the bed to be opened. There also needs to be moving and handling space for carers and safe transfers out of his bed to his wheelchair, showerchair and feeding chair. Also paid carers need to be able to work in a safe environment (the family care themselves for their son but they will need increasing additional care support to help keep their son at home as he grows older). There is no room for this in his current bedroom and his bedroom cannot be feasibly widened to accommodate this.

The Occupational Therapist has also explained that the proposed extension is the most limited it can be, only allowing for a bed, safe transfer space (in and out of his chairs), and an en suite (with transfer space). They have confirmed that the proposed extension could not be any smaller for the needs of the resident. The resident's wheelchair is a "tilt in space" wheelchair, which takes up more space than a standard wheelchair, therefore turning circles of a minimum 1.8 metres are required (the extension provides for these minimum turning circles). The bedroom also does not accommodate for the storage of most of the disabled resident's things (for example clothes and toys, which would need to be stored elsewhere in the house).

The applicant has stated that the new bedroom for their son would allow him to continue to be cared for at home.

Site Characteristics

The application property is a two storey semi-detached dwelling in a row of similarly designed dwellings. The former integral garage to the front of the dwelling has been converted to a bedroom and en suite for the disabled resident (he was a child when the garage was converted). To the rear is a conservatory, which projects 2.575 metres to the rear of the lounge and adjoins the boundary with 18 Old Quarry Lane (the other half of the semi pair). The kitchen at the rear of the dwelling has also been extended by approximately 1.5 metres.

There is timber and concrete post fencing (at approximately 1.8 metres in height) around all boundaries to the rear garden. The garden is at a lower ground level than the house and contains a shed in the south eastern corner. The garden and rear of the house is south facing.

The neighbouring property at 18 Old Quarry Lane (the other half of the semi-detached pair) has a rear lounge window adjacent the party boundary and there is a raised decked area in front of this. The kitchen has been extended (the extension projects approximately 2.7 metres from the rear elevation) and there are patio doors in the side elevation, which lead on to the decked area. The residents at no. 18 have also converted their integral garage and have adapted their ground floor for a disabled resident.

22 Old Quarry Lane is sited on a higher ground level than the application site and has not been extended at the rear with a raised decked area.

To the rear of the application site are the two storey semi-detached properties of 37 and

39 Fairfields, which are on a slightly lower ground level than the application property. 37 Fairfields has a large rear conservatory.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

SPD House Extensions and PCPN2 Space Around Dwellings.

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

The SPD states that single storey rear extensions of up to 3 metres in length on semi-detached houses will normally be acceptable and that longer extension may also be acceptable where they do not cause significant overshadowing of main room windows in neighbouring properties. The proposed extension will project 4.407 metres along the boundary with 18 Old Quarry Lane, then another 2.1 metres set in 1.1 metres from the boundary. No. 18 has not been extended along the party boundary and the proposed extension would infringe upon a line drawn at a 45 degree angle from the centre of the rear window of their lounge (in fact the existing conservatory already infringes upon this line). The extension is therefore longer than normally permitted under policy guidance.

Paragraph 1.11 of the SPD however states that the Council is sympathetic to the additional needs of people with disabilities which may make a departure from the guidance necessary. However, detailed evidence of disability will be required, as may

evidence of a needs assessment conducted by an appropriate professional advisor, to demonstrate why an extension which would not normally be considered acceptable in planning terms should be granted permission on the basis of such individual circumstances.

The proposed extension is for a severely disabled resident and evidence of his disabilities has been submitted with the planning application. As explained above within the proposal section of this report, an Occupational Therapist has confirmed that the extension is required as the current bedroom for the disabled resident is no longer suitable to his needs, and that the proposed extension would enable the resident to continue to be cared for at home.

When the application was first submitted a rectangular extension projecting 7.3 metres in length from the original rear elevation of the dwelling was proposed, with a hipped roof. Following discussions with officers the extension has been amended in the following ways:

- * The overall length of the extension has been reduced from 7.3 metres to 6.507 metres (a reduction of 0.793 metres). This has been achieved by re-orientating the position of the bed;
- * The en suite proposed at the end of the extension has been set in an extra 0.9 metres from the boundary with 18 Old Quarry Lane (so it is now set in 1.1 metres from the party boundary);
- * The originally proposed hipped roof has been replaced with a flat roof, resulting in the extension being 0.916 metres less in total height.

The Occupational Therapist has confirmed that the proposed extension is as limited in size as it can be for the equipment and turning spaces the resident requires, and that the size of the bedroom leaves no space for storage (of clothes, toys, etc.), which would need to be accommodated elsewhere in the house.

Impact on 18 Old Quarry Lane

18 Old Quarry Lane is the other half of the semi-detached pair. There is a lounge window in the rear elevation of the property, adjacent the party boundary with the application property, and in front of this is a raised decked area. The proposed extension would significantly infringe upon a line drawn at a 45 degree angle from the centre of this window, and due to the siting and orientation of the extension (to the south east of the window) it is likely that the extension would reduce natural light and sunlight reaching this window. It should be noted that the lounge at no. 18 has windows to the front and the rear, but it is appreciated that it is the rear window (the south facing window) that receives the most sunlight. The extension will also take light away from raised decked area which currently adjoins the applicant's conservatory.

The residents of no. 18 have also raised concern that the proposed extension will take light away from their kitchen/diner. There are patio doors in the side elevation of the kitchen/diner extension, which already face the applicant's conservatory. It is considered that the principal windows to this room are the two windows in the rear elevation (south facing) that face the garden, not the patio doors in the side. The proposed extension would not infringe upon a line drawn at a 45 degree angle from the nearest window in the rear elevation of the kitchen/diner, and therefore it is not considered that the proposal would unduly harm the living conditions of the residents in this room.

It is not considered that the privacy of the residents at no. 18 would be impacted upon as no windows are proposed in the western side elevations of the extension.

The main impact of the proposed extension on 18 Old Quarry Lane is therefore considered to be on the outlook from the rear of the lounge and the reduction of natural light and sunlight to the rear window of the lounge and to the raised decked area and rear garden. The applicant has however sought to reduce this impact by reducing the overall length of the extension by 0.793 metres, by setting in the last 2.1 metres of the extension further in from the boundary, and by reducing the height of the extension by replacing the originally proposed hipped roof with a flat roof. Despite these amendments it is acknowledged that the extension will still create overshadowing, particularly in the morning (as the extension is sited to the south east of the lounge window and decked area).

The residents at 18 Old Quarry Lane have raised the fact that one of them is also disabled and spends the majority of their time at home. They have stated that, in warmer months, the disabled residents spends a lot of his time on the decked area, as the warmth of the sun on his skin helps with his symptoms. This circumstance is acknowledged and is given consideration within this analysis.

Impact on 37 Fairfields

37 Fairfields is a two storey semi-detached dwelling immediately to the rear of the application site. It is at a lower level than the application property and has been extended to the rear with a large L-shaped conservatory (no planning history). Conservatories are not classed as main rooms within the SPD and therefore are not afforded protection in terms of loss of natural light and outlook. The proposed extension will only have high level en suite windows in the rear elevation, so there will be no potential overlooking between the two rear extensions, or into no. 37's rear garden.

The rear of no. 37 also faces north, therefore it is not considered that the proposed extension would cause undue loss of light from the rear of the dwelling or the rear garden.

Impact on 22 Old Quarry Lane and 39 Fairfields

The proposed extension is sited away from the boundary with 22 Old Quarry Lane and would not infringe upon a line drawn at a 45 degree angle from the nearest rear window. It is therefore considered that the proposed extension would not unduly impact on the living conditions of the residents at 22 Old Quarry Lane. 39 Fairfields does not immediately overlook where the proposed extension is to be sited and therefore it is not considered that the amenity of these neighbours would be unduly affected either.

Alternative options considered by the applicant

Prior to the submission of the amended plans (the plans that are to be determined by Members) the applicant also considered three alternatives to providing the accommodation. These alternatives were as follows:

1. Having the extension the full width of the house, projecting 3.7 metres along the boundary with no. 18 and 4.03 metres along the boundary with no. 22. This extension would still infringe upon a 45 degree angle line from the lounge of no. 18 (though obviously less than the final proposal), but the applicant confirmed that there would be insufficient circulation space (their son would have to "shuffle on his bottom" to gain access into the kitchen as there would be no wheelchair access into the house) and there would be no windows to their kitchen (which they state is the most important room in their house as this is where they can all sit together as a family).

2. Having the extension project 5.25 metres along the boundary with no. 18 and extend almost the full width of the house, stopping part way across the easternmost kitchen window. Again this extension would infringe upon a 45 degree angle line from the lounge of no. 18 and would have a greater projection along the party boundary than the amended plan (which projects 4.407 metres along the party boundary, then is set in 1.1 metres for the further 2.1 metres).

3. Siting the extension adjacent the party boundary with no. 22, at a projection of 7.3 metres from the original rear elevation and a projection of 2.575 metres along the party boundary with no. 18 (to allow access from the kitchen and lounge to the bedroom). This extension would infringe upon a 45 degree line taken from the centre of the lounge/diner window of no. 22 and the applicant has confirmed that there would be insufficient for carers (only one side of the bed would be available).

The applicant therefore discounted these alternatives as not being suitable and submitted the plans as amended as the best option.

Existing bedroom

The disabled resident's existing bedroom and en suite is within the house's former integral garage (it was converted to provide ground floor accommodation for the resident when he was a child). As explained above, as the resident is now bigger and stronger there needs to be access on both sides of the bed (so that he can be held down on one side and assisted on the other) and room for the doors to the bed to be opened. There also needs to be moving and handling space for carers and safe transfers out of his bed to his wheelchair, showerchair and feeding chair. The current bedroom is not large enough to accommodate the needs of an adult and due to the position of the room within the house, it cannot be widened and/or lengthened sufficiently to accommodate the required space.

The applicant has stated that their son's current bedroom will be converted into a private living space for the parents, where they can have some "time out" and store their personal items (away from their son's reach), which the conservatory (which is to be demolished) currently provides.

Conclusion

It is considered that the proposed extension would have a detrimental impact on the amenity of the residents at 18 Old Quarry Lane as it would overshadow (particularly in the morning) the rear lounge window, the raised decked area and their rear garden. The applicant has however demonstrated the need for the extension, the minimum space that is required within the extension, explored alternative options for providing the accommodation, and has reduced the scale of the extension as far as achievable (by reducing the projection and the height of the extension).

It is therefore considered that the proposal, whilst having a harmful impact on the neighbours at 18 Old Quarry Lane, would comply with paragraph 1.11 of SPD House Extensions.

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 of the Core Strategy relates

specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.

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

The proposed extension is to be sited at the rear of the dwelling and therefore will not be visible within the street scene.

Although lengthy, the design and height of the proposal will give the extension the appearance of being subservient to the main dwelling. The materials to be used for the walls will also be similar to those of the main dwelling.

An adequate size of rear garden will be retained following the proposal.

It is therefore considered that the proposed extension would be compatible with the character and appearance of the dwelling and the surrounding area, compliant with Policies CG3 and OA5 of the Core Strategy.

Conclusion

As discussed above, it is considered that the proposed extension would have a harmful impact on the living conditions of the residents at 18 Old Quarry Lane, due to the proposed extension's impact on their rear lounge window, their raised decked area and their rear garden. However, it has been proven by the applicant that the extension, which would not normally be considered acceptable in planning terms, should be granted permission in this instance due to the very special circumstances of the disabled resident (in line with paragraph 1.11 of SPD House Extensions).

The applicant has also demonstrated that the accommodation cannot be provided in any alternative way and they have reduced their initial proposal as a response to third party objections and officer advice. Members are therefore recommended, on balance, to approve this application.

Representation and Consultation Annex

Representations

Letters:- two letters of objection have been received from residents at 18 Old Quarry Lane and 37 Fairfields. These letters raise the following concerns:

18 Old Quarry Lane

- * My husband is suffering from a terminal illness. Our home has been adapted to care for him, with small impact to our neighbours and to the overall size and appearance of the house. The adaptations to our neighbours' property should also be proportionate;
- * The proposed extension will affect our current enjoyment of our home due to its considerable size and its position. Our home is the place my husband spends the majority of his time;
- * Concerned that this large extension may be approved even though it would normally not, as the proposal is for a person with disabilities;
- * If approved the extension will have a negative effect on a disabled person, my husband;
- * We have patio doors in the side of our dining kitchen room, which allow slightly more light into the room. We spend the majority of our family time in this room. This is part of the reason why the proposed extension will have such an impact on us;
- * The extension built so close to our boundary will result in a significant loss of daylight in an already dark room (dining kitchen);
- * Our view from the rear lounge window will be of a brick wall;
- * The extension will reduce the amount of light coming into the lounge;
- * We have a decked area outside our patio doors which is a place where we entertain friends in summer and more importantly is a place where my husband spends much of his time in the warmer months. The warmth of the sun on his skin helps with his symptoms. The proposed brick wall will hinder this, reducing the amount of sunlight to the decked area and garden;
- * It will be visibly overbearing as it will run the entire length of our garden. It will be visually unattractive;
- * Our garden will feel claustrophobic if there is a brick wall running the entire length of the boundary;
- * Our view of all other neighbours to the left will be blocked;
- * The extension is not in proportion with the other houses in the street and would be uncharacteristic of the area. There would only be a small garden left at no. 20;
- * **Regarding the amended plans** - there is no fundamental change to the basis for my objection.

37 Fairfields

- * The extension will overshadow their garden and restrict the way they use the space;
- * There is a ground level difference of some 1 metre between no. 20 and their property, which will create a wall some 3.6 metres in height, less than 1.3 metres from the boundary;
- * If they had known the applicants' intention they would not have agreed to the former trees along the boundary being removed;
- * Loss of privacy to garden;
- * Loss of privacy to conservatory;
- * There are no other similar extensions in the vicinity;
- * There has been no consideration to neighbours;
- * **Regarding the amended plans** - the amended extension is just as bad, if not worse.

A letter of comment has been received from 22 Old Quarry Lane, who states that the proposal will result in very little garden area and will result in unacceptable adverse impacts on adjoining properties. It will be overbearing to other properties.

Elected Members:- Cllr. Critchley has requested that the application be heard before Committee and that an advance site visit is undertaken.

Consultations

Advice was sought from the following consultees: None.

Planning History

None.

The integral garage has been converted to a habitable room. It is presumed this was undertaken using permitted development rights.

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. Before the first occupation of the extension hereby permitted the en suite window on the rear elevation shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers.
3. The external surfaces of the extension hereby permitted shall be of a similar colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

To ensure the development visually reflects the existing building.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no windows or doors shall be formed in the western side elevation of the development hereby approved other than those shown on the approved drawings.

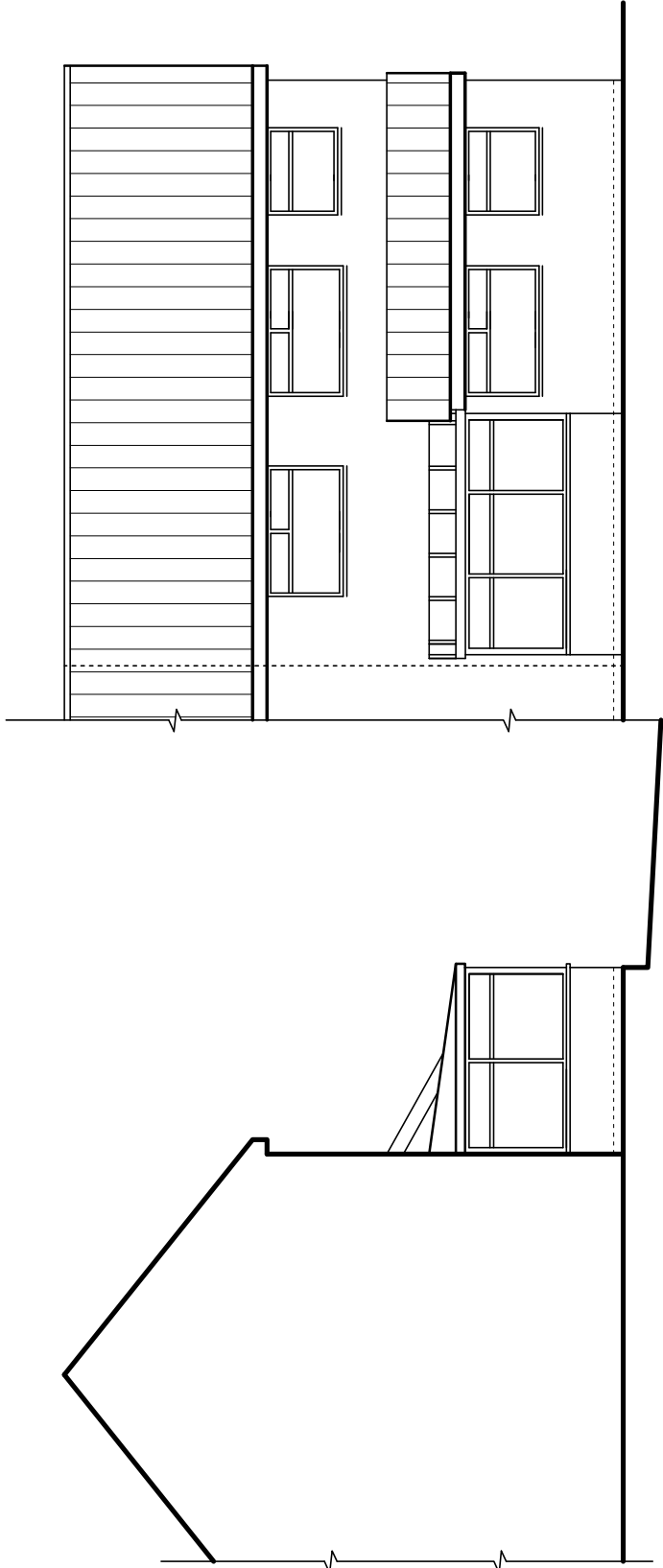
Reason

To safeguard the outlook, privacy and living conditions of neighbouring residents.
5. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

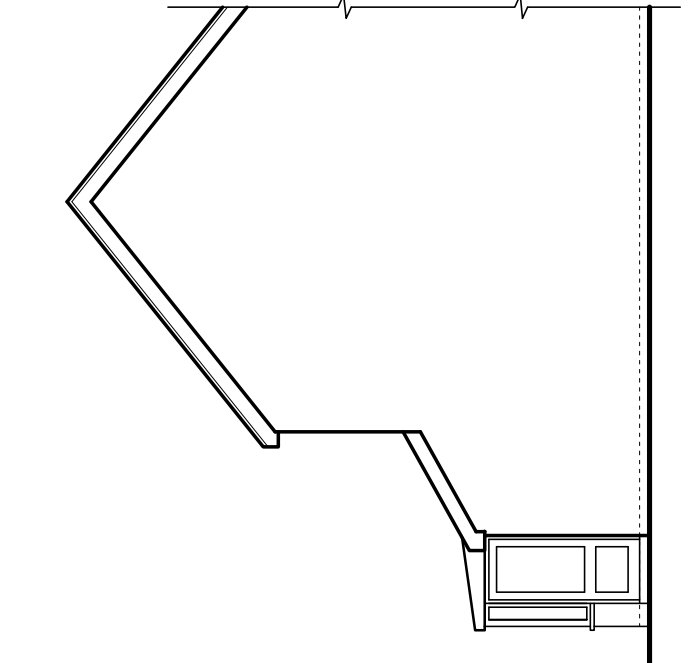
4927/01 Rev. D; "Existing & Proposed Plans & Elevations and Site Plan"; dated 07.02.15

Reason

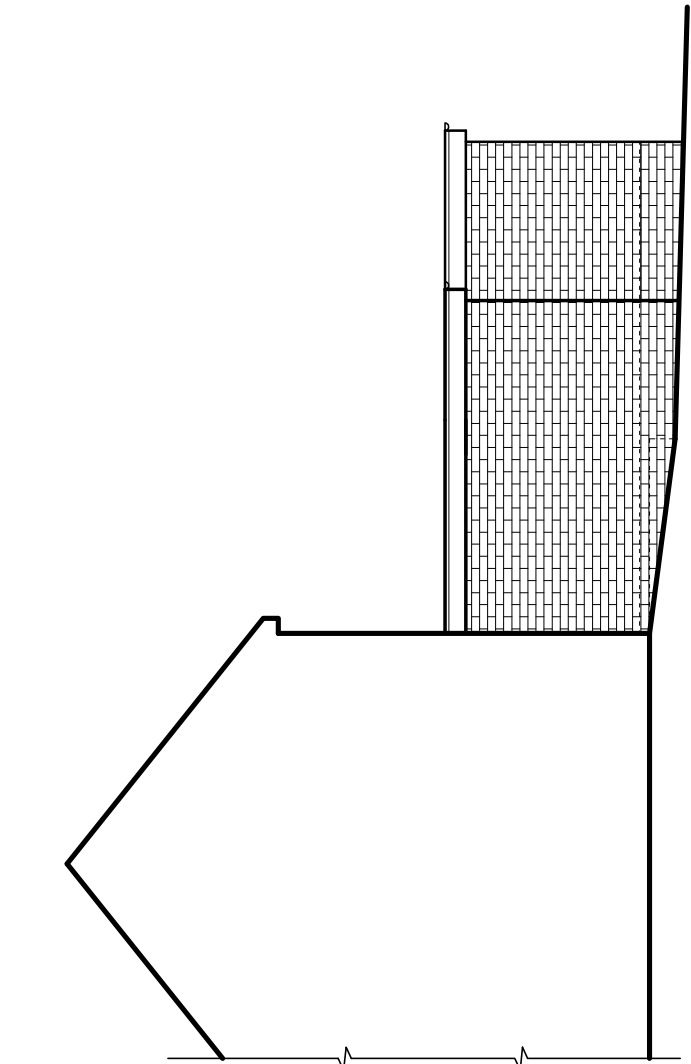
For the avoidance of doubt and in the interests of proper planning.



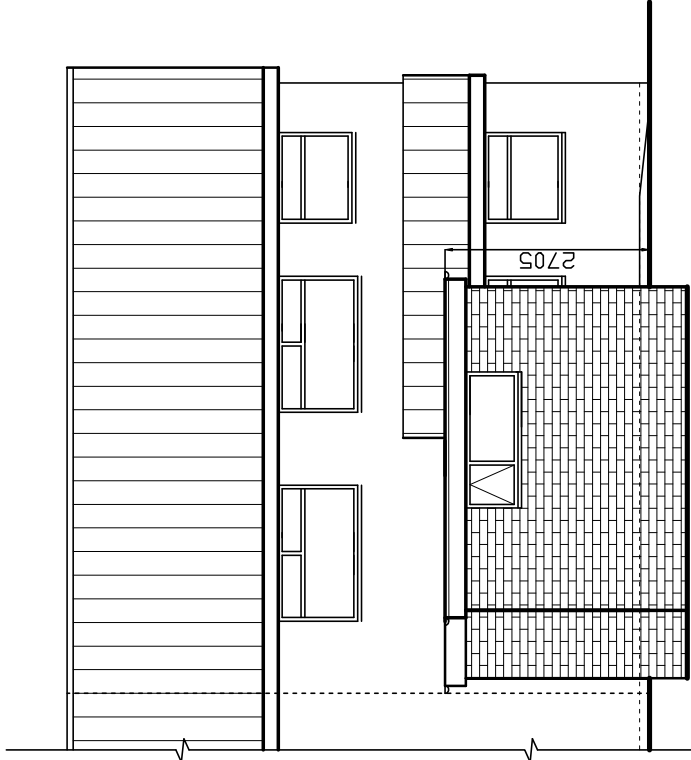
EXISTING SIDE ELEVATION



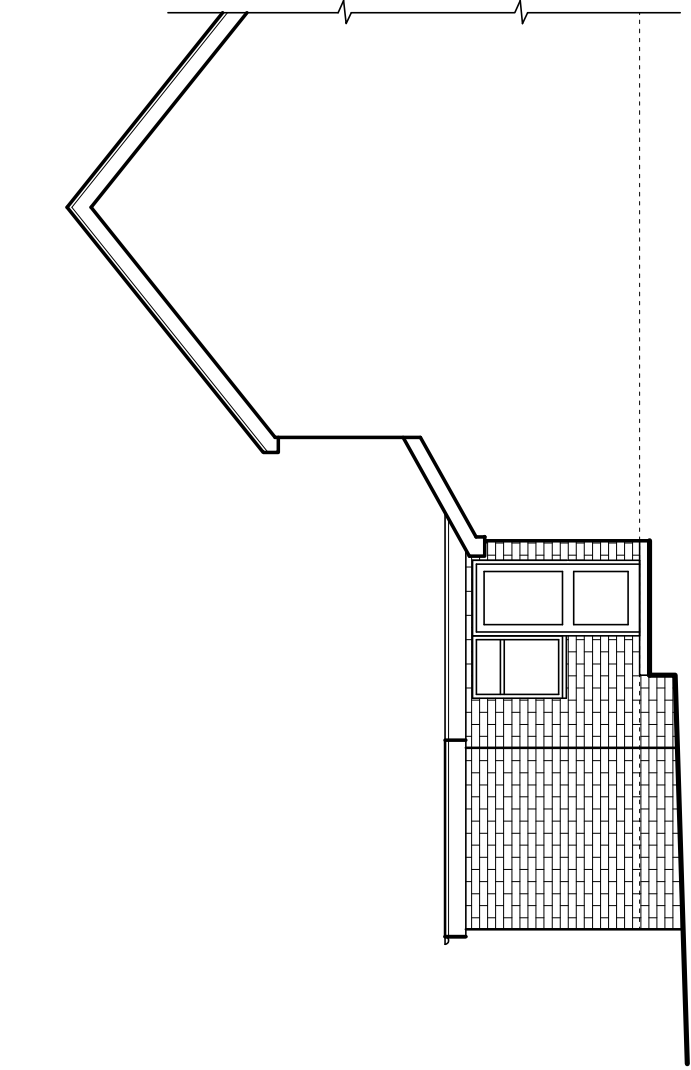
EXISTING SIDE ELEVATION



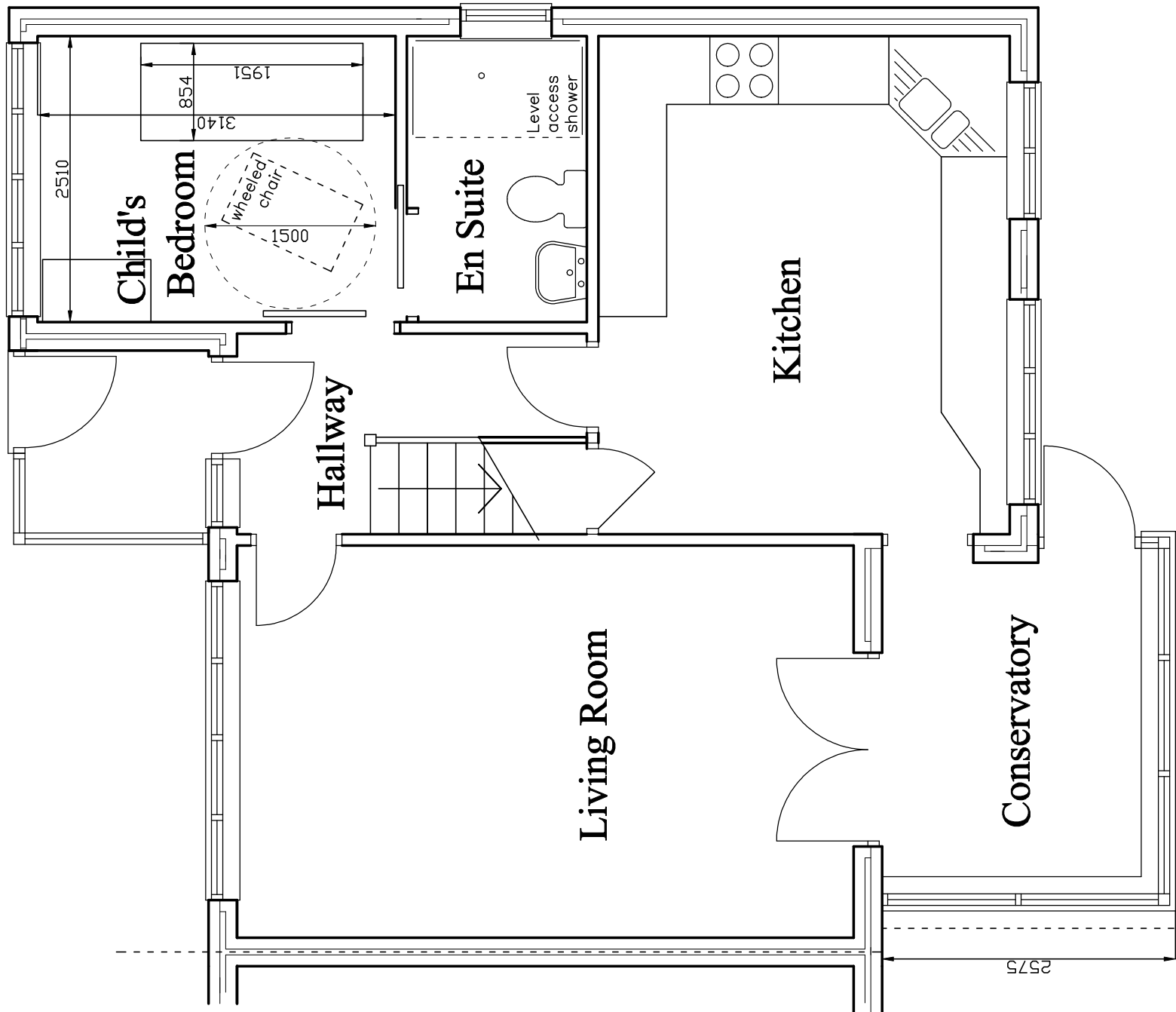
PROPOSED SIDE ELEVATION



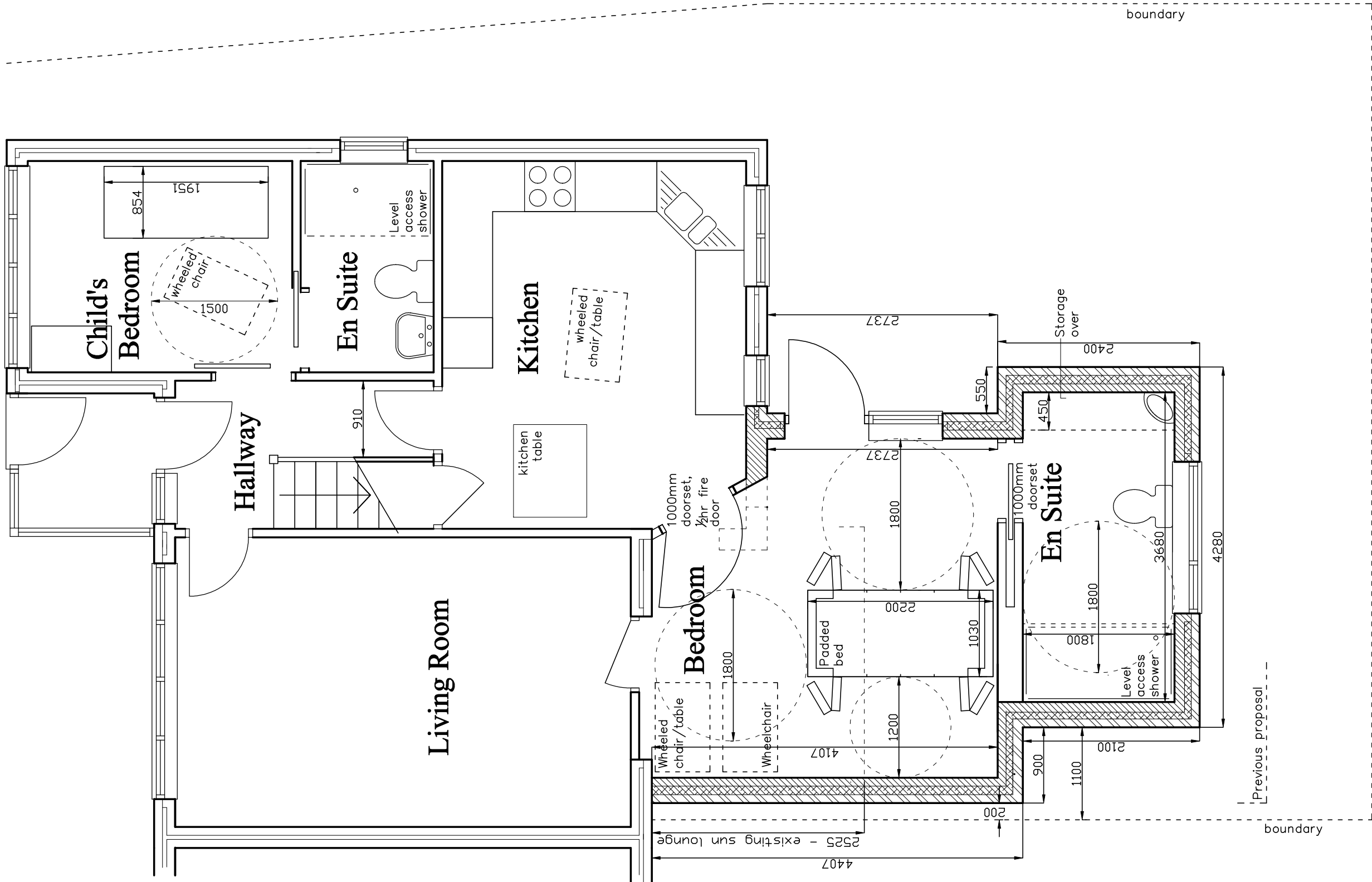
PROPOSED REAR ELEVATION



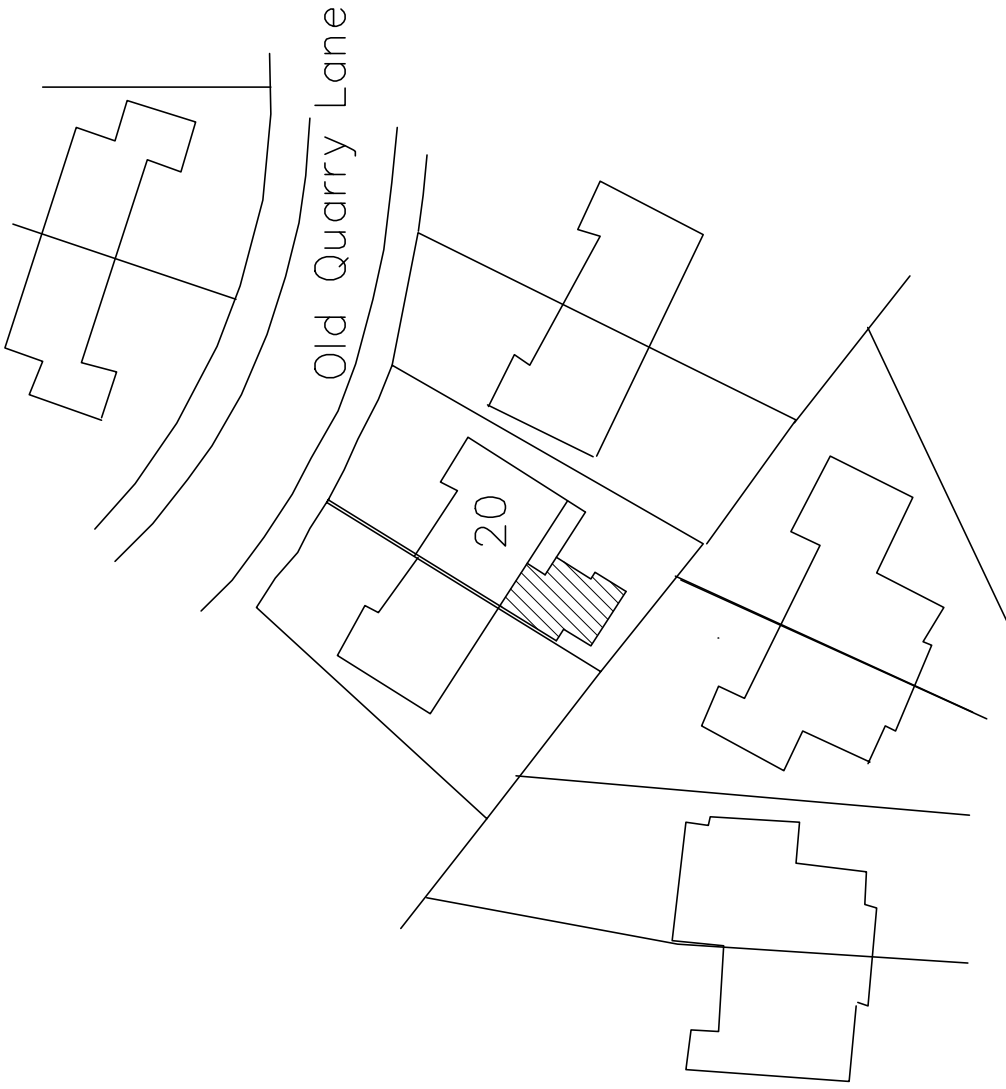
PROPOSED SIDE ELEVATION



EXISTING GROUND FLOOR & SITE PLAN



PROPOSED GROUND FLOOR & SITE PLAN



SITE PLAN

D	Flat roof & shower room moved. 07.02.15
C	Extension added to site plan. 07.01.15
B	Amendments & elevations added. 09.12.14
A	General amendments. 02.12.14

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Client:	L. SCOVICROFT
Contract:	20 OLD QUARRY LANE, BROMLEY CROSS, BOLTON BL7 9EU
Title:	EXISTING & PROPOSED PLANS & ELEVATIONS AND SITE PLAN

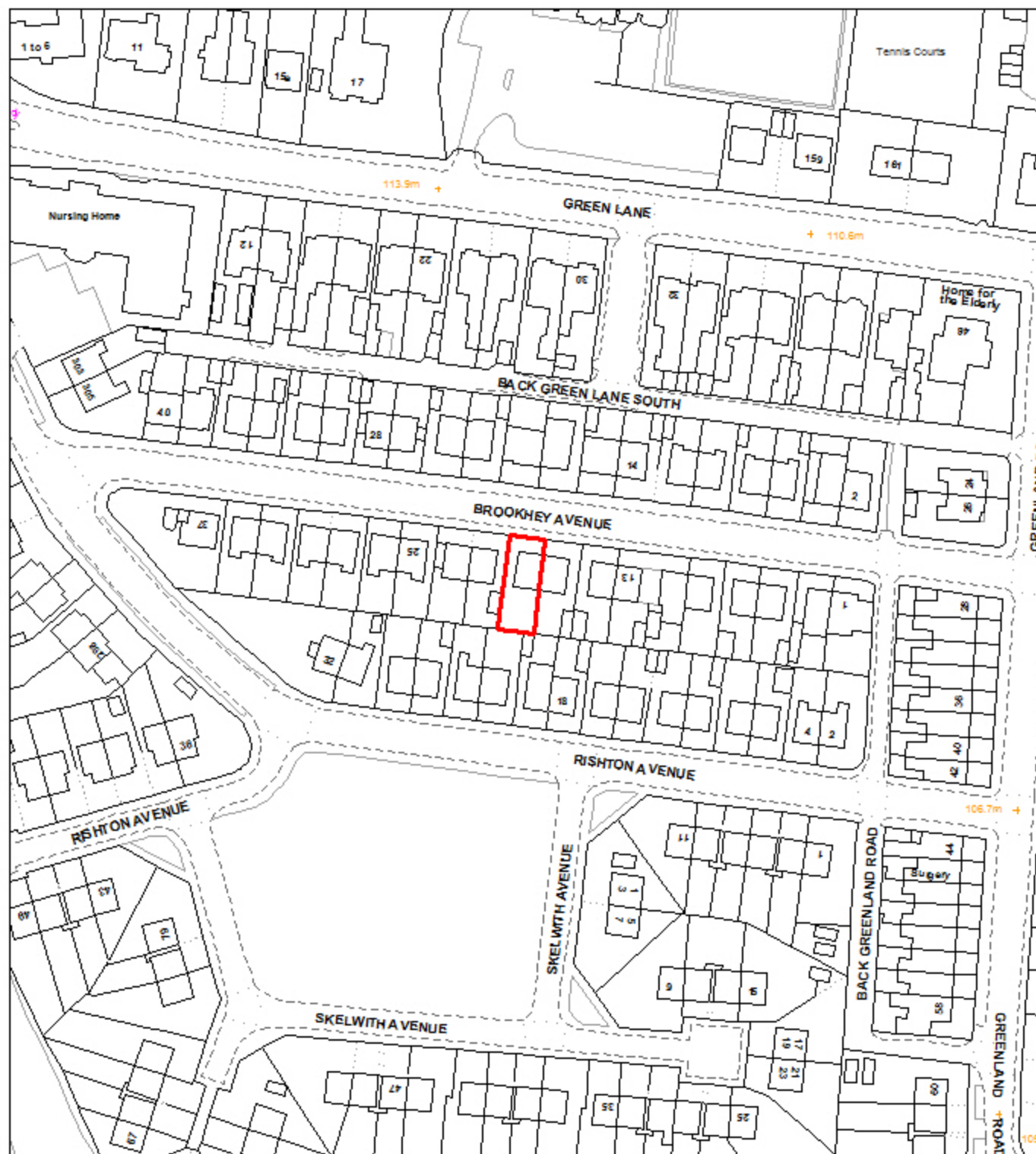
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1:50 @A1	Oct '14	4927/01	D
1:100 @A1	Risks Assessed by:	Drawn By:	
1:200 @A1		C.J.	

DO NOT SCALE OFF DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO WORKS. ANY DISCREPANCIES TO BE REPORTED TO THE CONTRACTOR.
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BUILDING NOTES
This drawing has been prepared for the purposes of obtaining Planning Approval. It is not intended as a full construction service. The contractor shall be responsible for obtaining all necessary Building Regulations approval. This drawing is not to be used for any other purpose. This drawing must be read in conjunction with any structural or any other specialist information provided. The contractor shall be responsible for obtaining all necessary Building Regulations approval. Regs 2007, a CDV coordinator should be appointed to comply with the regulations. All workmanship and materials are to comply with the Building Regulations. All materials and materials shall be in accordance with the manufacturer's instructions or specifications. All materials shall be suitable for their purpose. The contractor shall take into account the existing ground level and the proposed level of the works whether or not indicated on the drawings.
WALLS
Brick: to match existing.
Roof: Tile to match existing roof.
WINDOWS & DOORS
Brown Upvc.

Application No.

93414/15



**Development and Regeneration Department
Planning Control Section**

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Date of Meeting: 09/04/2015

Application Reference: 93414/15

Type of Application: Full Planning Application
Registration Date: 06/01/2015
Decision Due By: 02/03/2015
Responsible Officer: Simon Coles

Location: 19 BROOK HEY AVENUE, BOLTON, BL3 2EQ

Proposal: ERECTION OF TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION.

Ward: Harper Green

Applicant: Mrs N Yasin
Agent : RA Design & Project Management

Officers Report

Recommendation: Approve subject to conditions

Background

The application was deferred at the Planning Committee meeting in March 2015 so that supporting medical information could be put forward.

An assessment of needs report produced by Pediatric Occupational Therapist at Bolton NHS Foundation Trust has been submitted supporting the adoption of the property for a disabled child. The report outlines that a downstairs toilet and a bedroom with an attached toilet upstairs are necessary for the child. The report also states that the child would also benefit from a playroom downstairs.

With regard to the bedroom the Occupational Therapist states the child would benefit from his own bedroom, as currently he shares with his siblings. This will allow for any potential night time care needs and for specialist equipment needs as the he gets older. A bathroom connecting to the bedroom would be required so that the child has direct access during the night.

A GP letter has also been submitted that confirms the child's medical conditions and the current and future treatment planned.

Proposal

This application is a resubmission of application 92843/14, which was refused by planning committee members in December 2014. The application was refused for the following two reasons:

1. The proposed extension, by virtue of its scale and siting, would be detrimental to the character and appearance of the area (due to a lack of bin storage) and would impact detrimentally on the outlook and living conditions of neighbouring residents at 22 Rishton Avenue, contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

2. The proposed extension will result in the loss of the existing off-street car parking provision and will lead to an increase in demand for on-street parking to the detriment of highway safety and is contrary to Policy P5 and Appendix 3 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

The applicant has amended their application by removing the first floor rear element of the proposal.

The side two storey extension is still proposed to abut the party boundary with 21 Brook Hey Avenue. A single storey extension at rear is to project by 3 metres. The extension would provide an extended kitchen and playroom and a WC/bathroom at ground floor level and an additional bedroom at first floor level.

The extensions proposed are to provide additional living accommodation to benefit a disabled child.

Site Characteristics

The application property is a two storey semi-detached dwelling sited in an area characterised by semi-detached dwellings. There is a driveway down the side of the property long enough for the parking of two vehicles. A flat roof detached garage/outbuilding at the rear/side of the dwelling is to be demolished to accommodate the proposed extensions.

21 Brook Hey Avenue has a kitchen and landing window at the side and a dining room window at the rear. This neighbour is set on a slightly higher level than the application property.

17 Brook Hey Avenue (the other half of the semi-detached pair) has a dining room window closest the party boundary with the application property.

The rears of the houses on Rishton Avenue are to the rear (south) of the application site.

Policy

National Planning Policy Framework (NPPF)

Core Strategies Policies: P5 Transport and Accessibility, S1.2 Road Safety, CG3 The Built Environment, CG4 Compatible Uses and RA2 Farnworth.

SPD House Extensions and PCPN2 Space Around Dwellings

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA2 of the Core Strategy relates specifically to developments in Farnworth and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment, will respect and strengthen the traditional grid-iron pattern and the street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

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

The SPD states in paragraph 5.6 that the storage of waste bins is considered to be part of the essential consideration of any application submitted and applicants will be expected to demonstrate how waste bins are to be securely stored within the curtilage without appearing visually intrusive in the street scene. As such, proposals for extensions should ensure that access and space is available to enable bins to be stored at the rear of the dwelling. If access is to be blocked or removed as a result of a proposed extension, a purpose built bin store compound/screen should be provided.

The application shows a proposed purpose built bin store to the front of the dwelling.

The proposed side extension is set back (at both ground and first floor levels) 2 metres from the front elevation of the existing dwelling. This set back along with the extension having a lower roof ridge than the main dwellings ensures that the extension would appear subservient to the main dwelling and would reduce any terracing effect.

It is therefore considered that the proposed extensions would appear subservient to the main dwelling and would not be to the detriment of the character and appearance of the street scene, compliant with Policies CG3 and RA2 of the Core Strategy.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the Council's minimum interface standards between dwellings.

Impact on 17 Brook Hey Avenue

No. 17 has patio doors serving a dining room in the rear elevation (a main window). The proposed rear extension would impinge on a 45 degree line from the centre point of these doors, however the SPD allows for 3 metre single storey rear extensions. The first floor rear element has been omitted from this resubmission.

Impact on 21 Brook Hey Avenue

No. 21 has a kitchen and landing windows in its side elevation. These are not classed as a main rooms/windows and therefore are not afforded protection within the SPD. The proposed rear element would not impact on a 45 degree angle from the centre of any main window in the rear elevation of no. 21.

Impact on 22 Rishton Avenue

The previous application for the proposed extensions (92843/14) was refused in part due to its detrimental impact on the outlook and living conditions of the residents at 22 Rishton Lane.

The rear of 22 Rishton Avenue is sited to the rear of the application site. There is currently only an interface distance of approximately 18.6 metres between the original rear elevation of no. 22 and the original rear elevation of the application property, which already falls short of the minimum interface standard of 21 metres for new builds set out within PCPN2 and the SPD. The two storey rear element has been omitted from this resubmission and provides just a single storey extension that projects 3 metres to the rear. The extension proposes an enlarged kitchen area and a playroom and therefore no main room windows are proposed in the rear of the extension. The extension reduces the interface distance to approximately 15.6 metres. SPD House Extensions (2012) states that between a neighbouring elevation which contains a main room window and a facing wall of a single storey extension which does not a minimum distance of 9 metres should be met. This amended proposal is therefore now in-line with this guidance and is considered acceptable with regard to the impact on the living conditions of the residents at number 22 Rishton Avenue.

It is therefore considered that the proposed extensions are compliant with Policy CG4 of the Core Strategy and the guidance contained within SPD House Extensions.

Impact on Parking

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on highway safety.

There is an existing driveway to the side of the dwelling, which currently allows for off-street parking for two vehicles. The SPD states that side extensions which do not provide a garage or car port should maintain adequate provision within the curtilage of the dwelling for the parking of two vehicles.

The previous application for the development (92843/14) was refused (second reason) as the side extension would have resulted in the loss of the side driveway. This resubmission has not been amended and shows a car being parked at a 45 degree angle to the front of the dwelling, as per the refused application. The Council's Highways Engineers commented that this diagonal space would be impractical and only the space in front of the side extension would be accessible. As the proposed extensions would increase the dwelling from a three bedroom dwelling to a four bedroom dwelling Engineers consider the provision of only one off-street parking space to be insufficient.

As explained above, the proposal is to benefit a disabled child. SPD House Extensions (2012) the Council is sympathetic to the additional needs of people with disabilities which may make a departure from the guidance necessary. However, detailed evidence of disability will be required (for example, registration as disabled), as may evidence of a needs assessment conducted by an appropriate professional advisor, to demonstrate why an extension which would not normally be considered acceptable in planning terms should be granted permission on the basis of such individual circumstances. Applicants for such proposals are encouraged to contact the Council's Occupational Therapist for further advice on preparing an Assessment of Need report prior to submitting the planning application.

The applicant has submitted an Assessment of Needs report compiled by a Pediatric Occupational Therapist and a letter from their GP. It is considered that the evidence submitted in this case provides significant weight to the proposal and on balance, it is officer's view that any impact on parking and highway safety is outweighed by the need to provide additional living facilities for this disabled child.

Conclusion

Although it is noted that the proposal would result in inadequate off road parking provisions, the applicant has demonstrated why the extension as proposed is necessary for the needs of a disabled person and this should be given sufficient weight. It is therefore recommended on balance, that Members approve this application.

Representation and Consultation Annex

Representations

Letters:- four letters of objection have been received from neighbouring residents at 21 Brook Hey Avenue and 20 and 22 Rishton Avenue. These letters raise the following concerns:

- * The distance between the proposed extension and the houses on Rishton Avenue will leave little privacy for neighbours and the residents of 19 Brook Hey Avenue; We can see into the back rooms of other properties now;
- * car parking arrangement is insufficient and would lead to cars obstructing on the pavement;
- * The extension will be imposing to those houses at the rear due to the close proximity;
- * Loss of light;
- * The kitchen and landing windows at the side of 21 Brook Hey Avenue will be blocked of natural light (*officer's comment: these windows are not classed as main windows within the SPD*);
- * The rear view of 21 Brook Hey Avenue will be spoilt by a high brick wall (*officer's comment: views are not a material planning consideration*);
- * Impact on the amenity of neighbouring residents;
- * The proposal will create a terracing effect;
- * It will be detrimental to the character and appearance of the area;
- * The owner of 19 Brook Hey Avenue have removed branches from a large tree in their back garden to get more light into their property (*officer's comment: this tree is not protected or in a conservation area and therefore this is not a planning concern*);
- * The side extension leaves no appropriate access for the fire brigade if a fire was to occur (*officer's comment: this would be a matter for building regulations rather than planning*);
- * The proposal is causing extreme stress and anxiety (*officer's comment: whilst officers have sympathy for those directly affected by proposals, this is not a material planning consideration*);
- * Devaluation of property (*officer's comment: this is not a material planning consideration*).

Elected Members:- Cllr. Mistry has requested that this application be heard before Committee.

Consultations

Advice was sought from the following consultees: Highways Engineers.

Planning History

Applications 92843/14 for the erection of a two storey extension at the side and a part single, part two storey extension to the rear was refused at planning committee in December 2014 for the following two reasons:

1. The proposed extension, by virtue of its scale and siting, would be detrimental to the character and appearance of the area (due to a lack of bin storage) and would impact detrimentally on the outlook and living conditions of neighbouring residents at 22 Rishton Avenue, contrary to Policies CG3 and CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

2. The proposed extension will result in the loss of the existing off-street car parking

provision and will lead to an increase in demand for on-street parking to the detriment of highway safety and is contrary to Policy P5 and Appendix 3 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".

This application was a resubmission of similar proposal (application 92483/14) that was refused under delegated powers in September 2014 for the same reasons.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Drg No. RAD/1072/14/1/RevC - Existing and Proposed Plans and Elevations (Scanned to file 07 Jan 2015)

Reason

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

3. The external surfaces of the extension hereby permitted shall be of a similar colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

To ensure the development visually reflects the existing building.

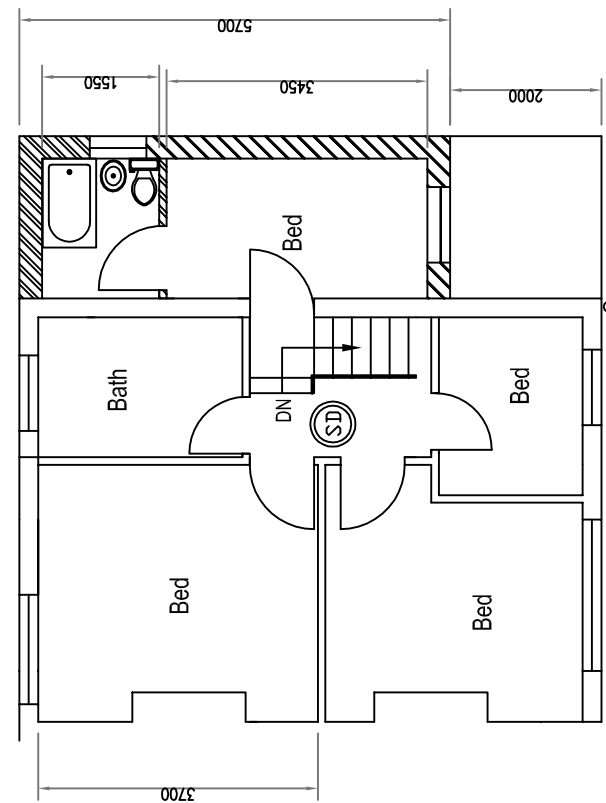


LOCATION PLAN (Scale 1:1250)

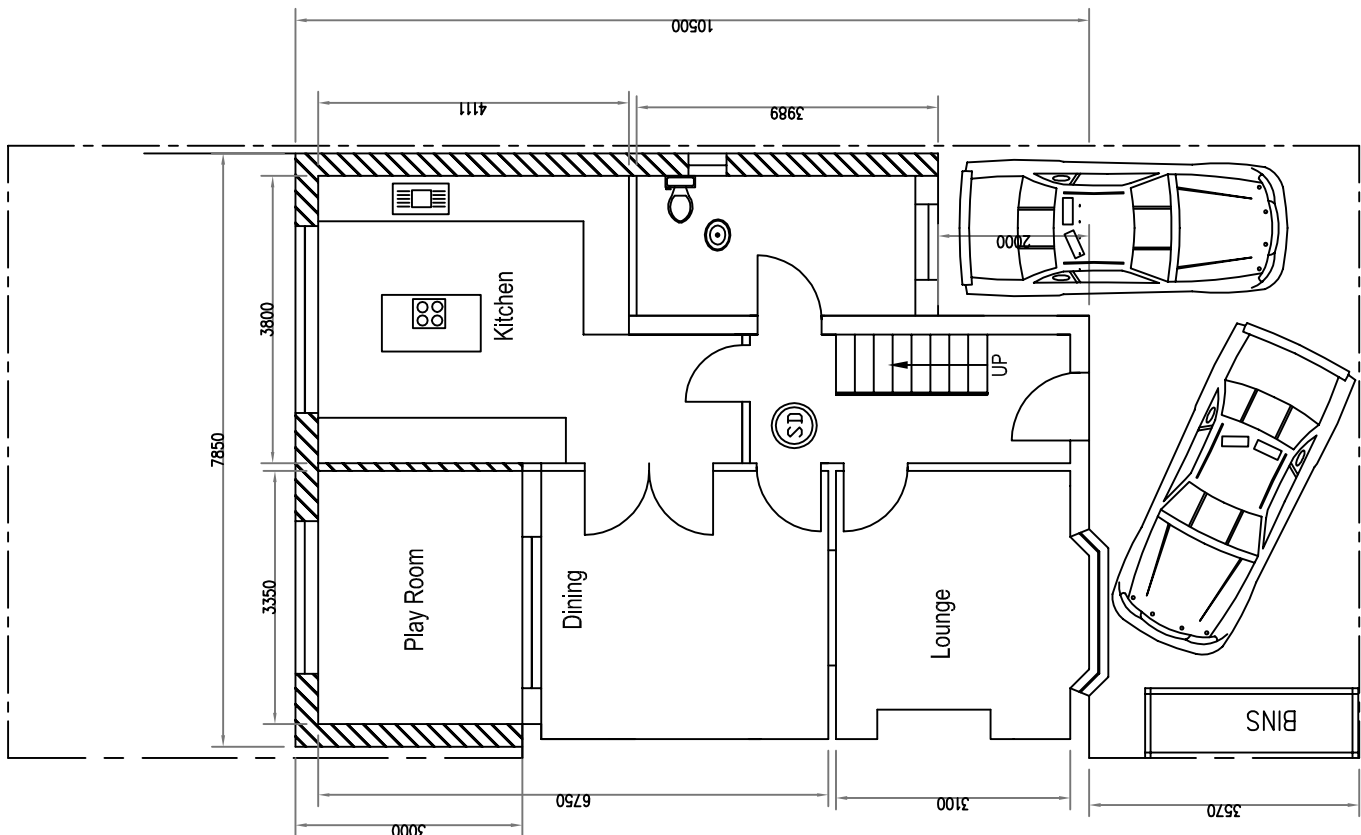
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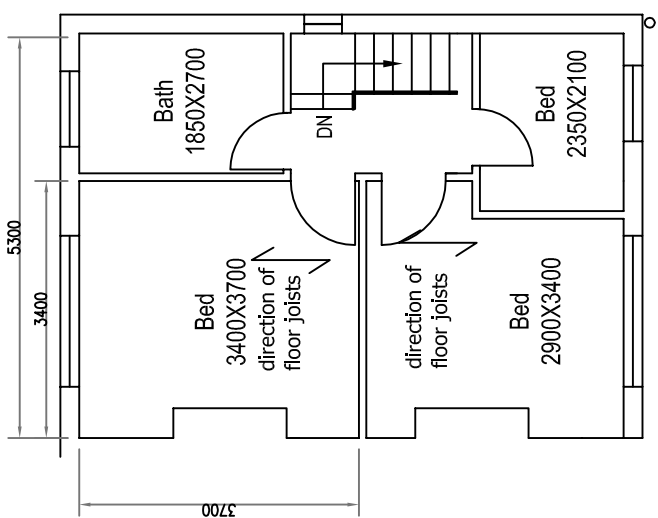
BLOCK PLAN (Scale 1:500)



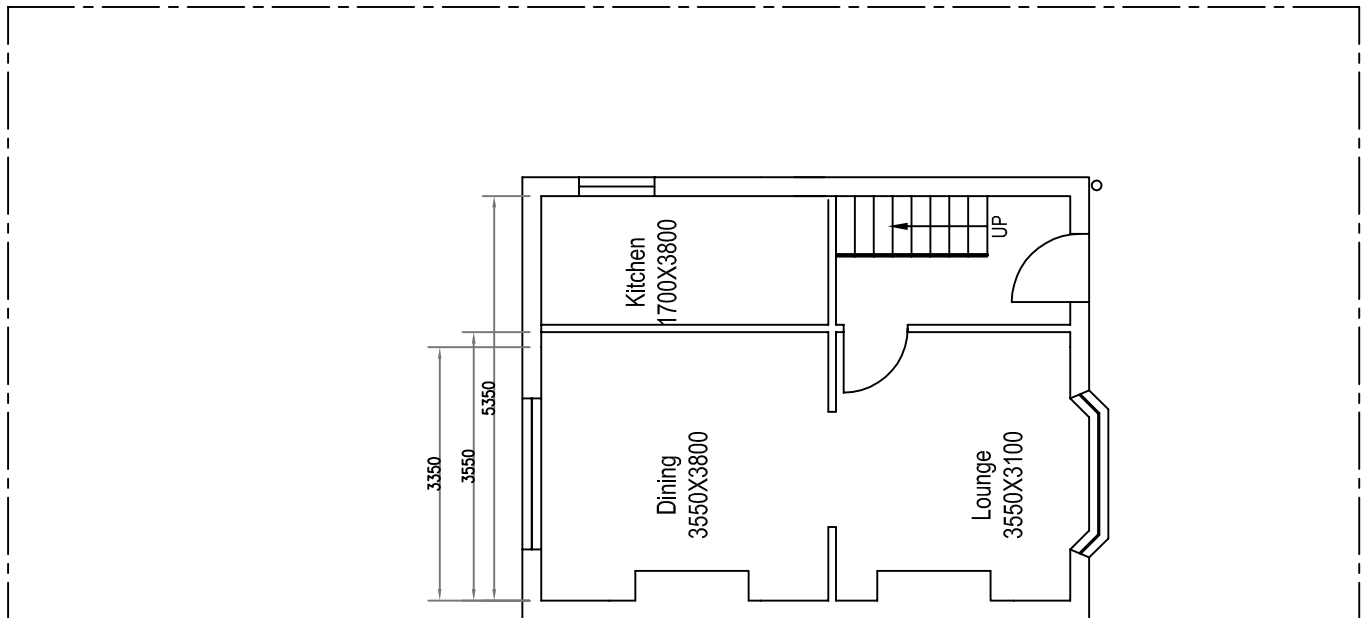
FIRST FLOOR PLAN
(PROPOSED)



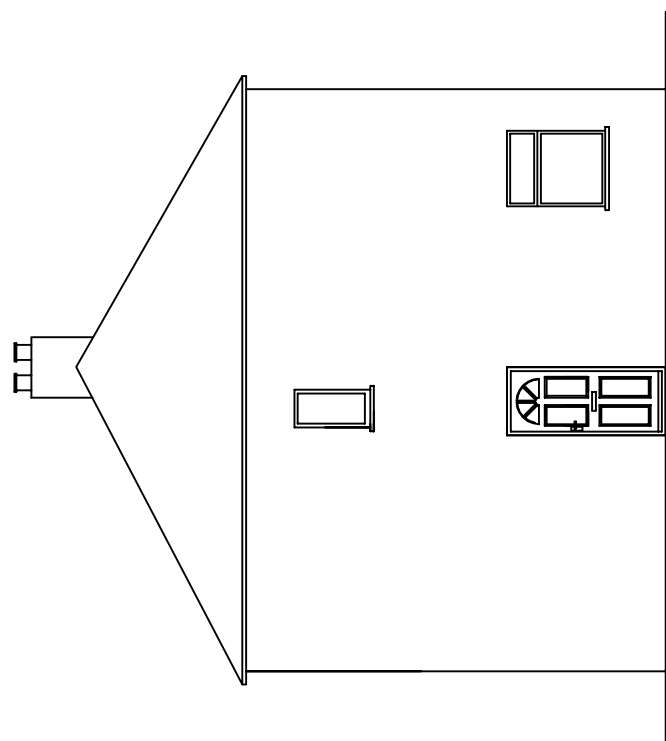
GROUND FLOOR PLAN
(PROPOSED)



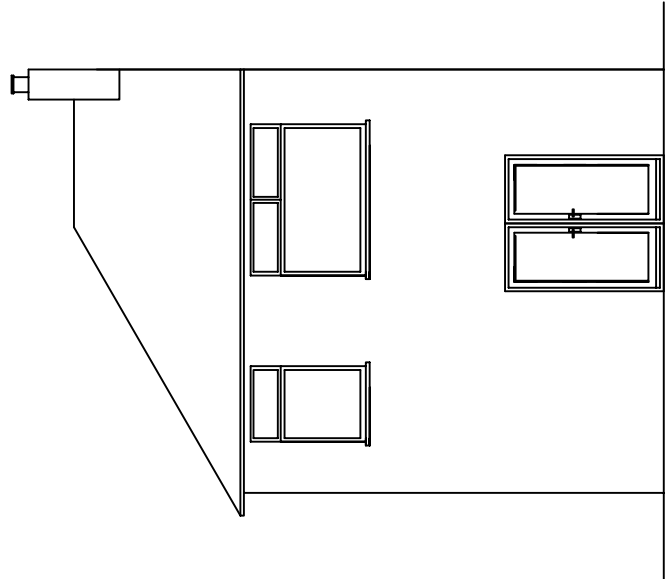
FIRST FLOOR PLAN
(EXISTING)



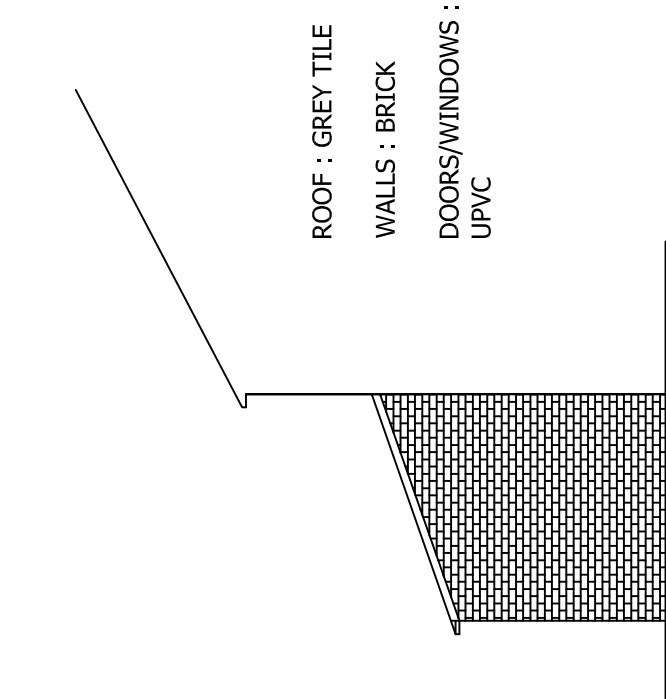
GROUND FLOOR PLAN
(EXISTING)



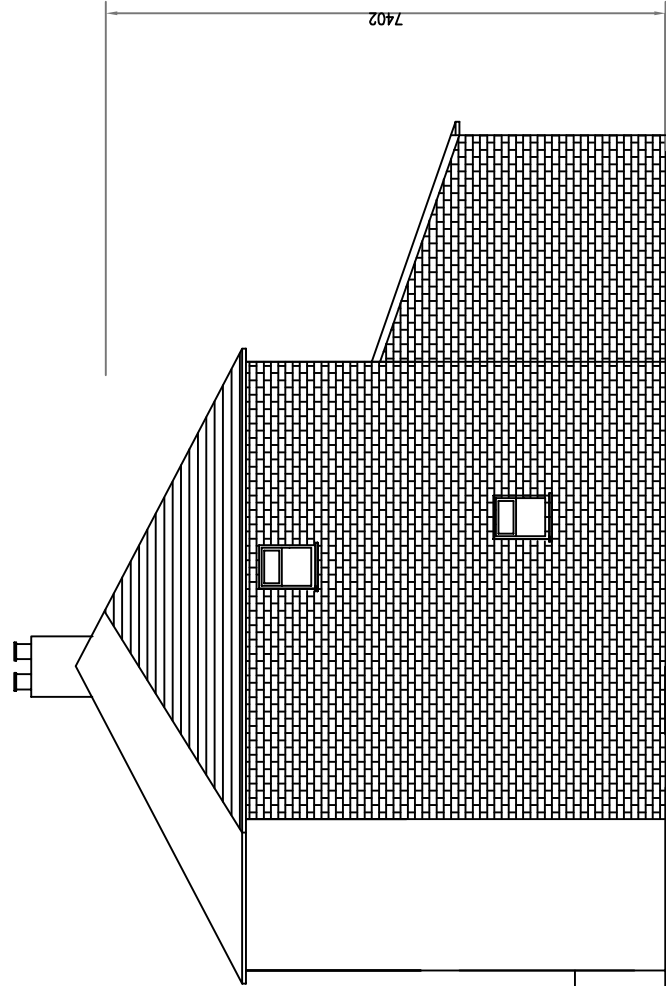
SIDE ELEVATION
(EXISTING)



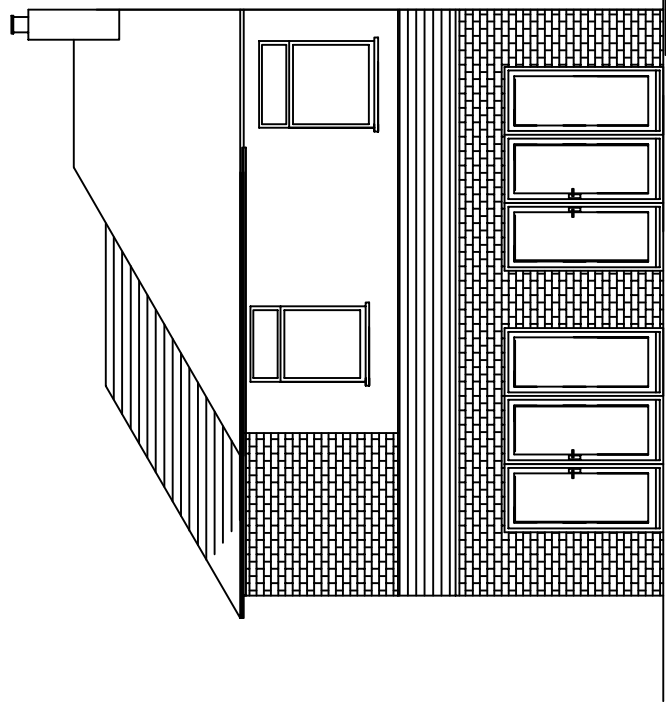
REAR ELEVATION
(EXISTING)



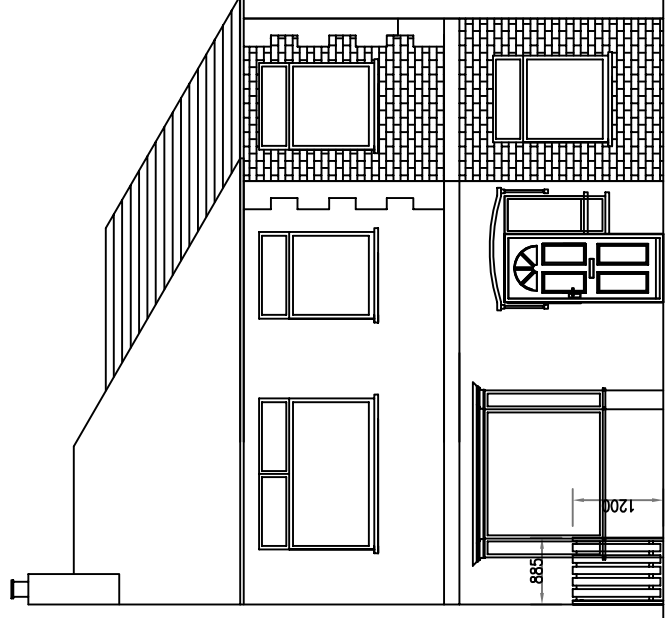
E ELEVATION
(PROPOSED)



SIDE ELEVATION
(PROPOSED)



SEAR ELEVATION
(PROPOSED)



FRONT ELEVATION
(PROPOSED)

Owner to ensure compliance with Party Wall Act 1996 - further info available at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

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Application No.

93445/15



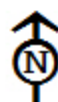
Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
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**Bolton
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Date of Meeting: 09/04/2015

Application Reference: 93445/15

Type of Application: Full Planning Application
Registration Date: 13/01/2015
Decision Due By: 09/03/2015
Responsible Officer: Simon Coles

Location: 480 BRIDGEMAN STREET, BOLTON, BL3 6TJ

Proposal: ERECTION OF FIRST FLOOR EXTENSION AT REAR.

Ward: Rumworth

Applicant: S Pathan
Agent : Mr S Saund

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application seeks permission for the erection of a first floor extension at rear with a projection of 4.3 metres. The extension is handed towards number 482, to which there is also a current application (93446/15) in for similar extension. Ref: 93446/15 is also on the Committee agenda for consideration.

Site Characteristics

This is a mid-terraced property with an existing single storey extension that projects the full length of the yard. This extension is handed with a similar extension at number 482.

The rear elevations of the properties within the row have a north western orientation forming onto Back Argo Street.

There are various examples of similar sized two storey extensions within the row.

Policy

National Planning Policy Framework (NPPF)

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

SPD House Extensions and PCPN2 Space Around Dwellings

Analysis

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

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

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

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

The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used, will respect and strengthen the traditional grid-iron pattern and street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

The first floor extension would be constructed above the existing single storey extension and would have a total height of approx. 6.5 metres and an eaves height of approx. 5.3 metres. There are many of the properties with rear elevations facing towards Back Argo Street exhibit a variety of different sizes and styles of extensions. However, two storey extensions predominantly extend and abut the boundary with Back Argo Street. Given that there is an existing single storey extension which extends the full depth of the yard, it is considered that a 4.3 metre deep extension at first floor level would reflect the character of the host dwelling as well as the character, quality and local distinctiveness of the area. Also it would respect the general street scene.

The materials to be used are to match the existing building. An area is to remain for the storage of bins and private amenity space.

A window is proposed in the first floor side elevation facing 478. The drawing indicates that this window will be fitted with obscure glazing. A condition will be added for this to be provided and retained thereafter.

Further to the above, it is considered that the proposal complies with Policy CG3.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the

Council's minimum interface standards between dwellings.

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

Supplementary Planning Document - House Extensions states that rear single and two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be permitted.

The purpose of the above is to ensure that neighbouring properties are not unduly affected in terms of their living conditions by reason of being overshadowed by any development to a degree where reasonable outlook would be lost.

The Council has taken the view that applications to extend such properties need to be considered more sympathetically. These principles may also be applied to more modern terraced and town houses which, by reason of style and fashion at the time they were built, also offer very limited accommodation to meet growing demands for home owners.

In this case the first floor proposal will be 4.3 metres long and therefore exceeds this guidance by 300 mm. An appeal (**ref: APP/N4205/A/13/2205753**) in 2014 at number 476 Bridgeman Street was allowed by the Planning Inspectorate for a first floor extension 4.45 metres long. In their report the inspector stated that whilst they recognise that the projection was greater than normally permitted for two storey extensions, the impact would not significantly harm neighbours living conditions and it would not detrimentally affect the character and appearance of the locality. The inspector also made reference to other extensions within the row that extend at varying sizes and styles, some of which project the full length of the yard area.

In this case the additional projection of 300 mm would have a very marginal increase in the loss of sunlight to the rear habitable windows at 478, however, it is considered that this would not be significant as the extension is handed towards the property at number 482.

Further to the above and on balance it is officer's view that the proposal would be acceptable with regard to any impact on the living conditions of the neighbouring residents and that the extension is in-line with the recent planning appeal at number 476 and other similar extensions within the row.

Conclusion

It is considered that on balance the proposal is acceptable and therefore members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:-none received

Consultations

Advice was sought from the following consultees: none.

Planning History

79137/07 - Erection of a single storey rear extension - Approved with Conditions

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Before the first occupation of the extension hereby permitted the [bedroom window] facing [478 Bridgeman Street] shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers.

3. The external surfaces of the extension hereby permitted shall be of a similar colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

To ensure the development visually reflects the existing building.

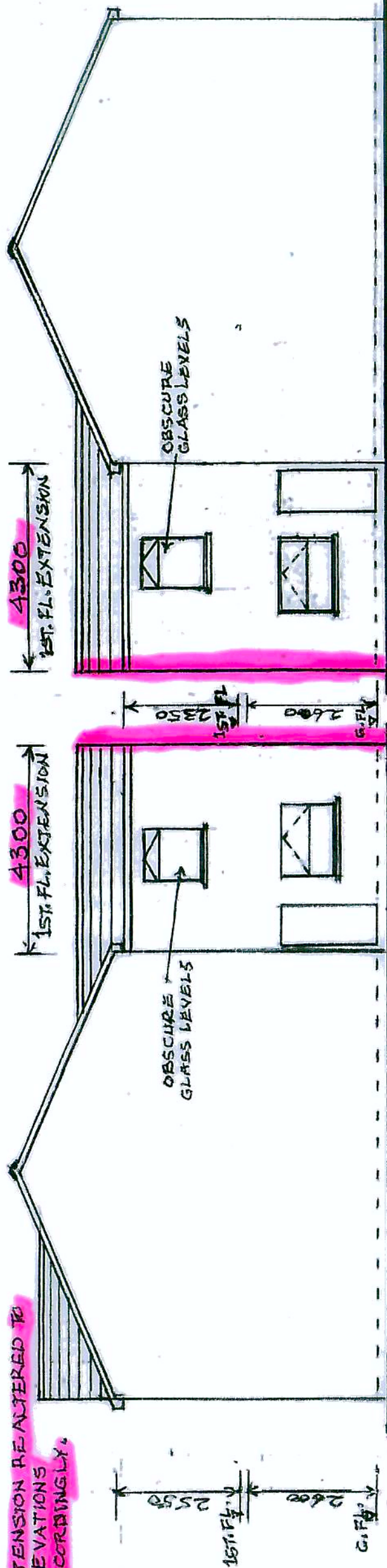
4. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Amended Drawing (Scanned to file 24 Mar 2015)

Reason

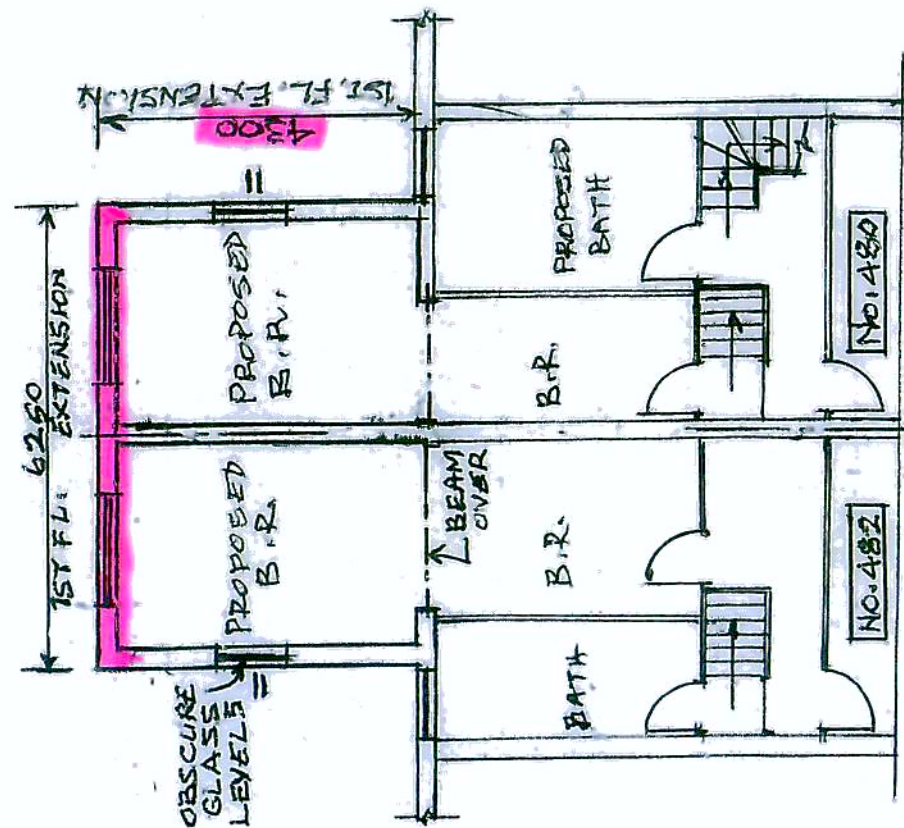
For the avoidance of doubt and in the interests of proper planning.

AMENDMENTS: -
(2.3.2015) FIRST FLOOR EXTENSION REDUCED TO 4000 TO COMPLY WITH PLANNING REQUIREMENT & ELEVATIONS ALTERED ACCORDINGLY.
(19.3.2015) 1ST FL. EXTENSION RE-ALTERED TO 4300 & ELEVATIONS ALTERED ACCORDINGLY.

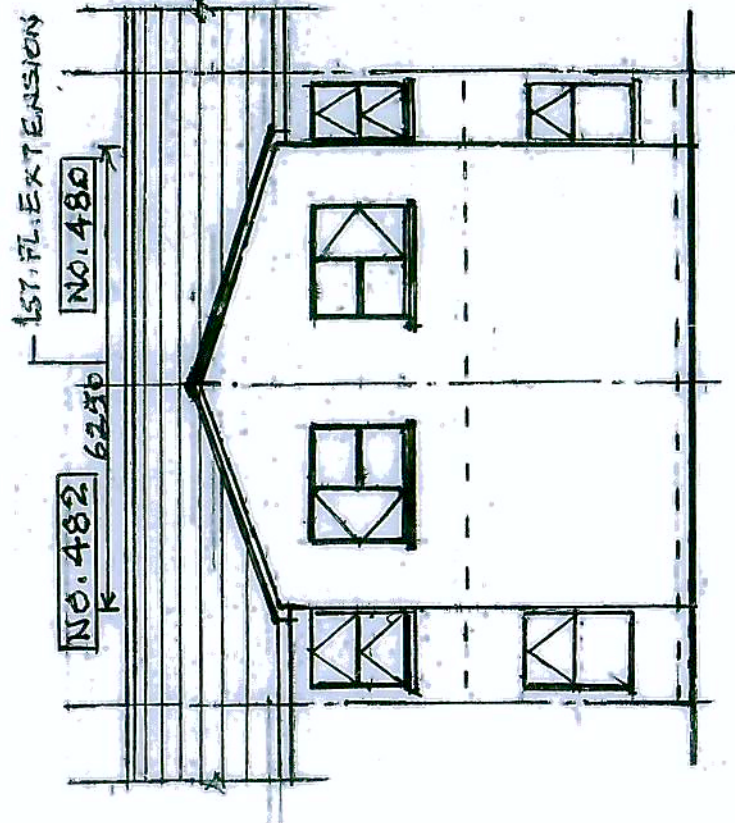


R.H.S. ELEVATION (NO. 480)
(PROPOSED)

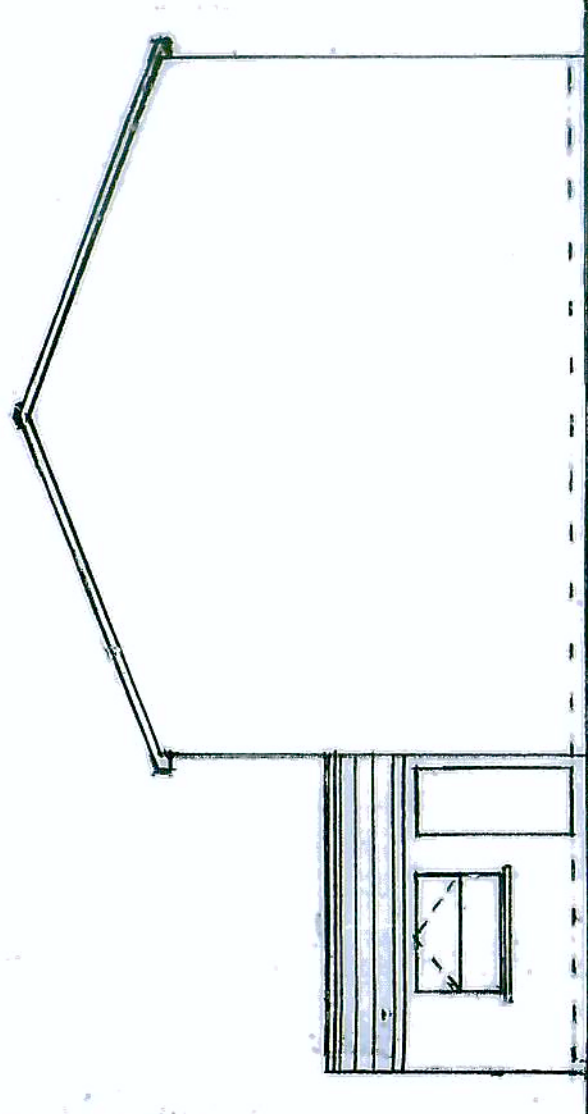
L.H.S. ELEVATION (NO. 482)
(PROPOSED)



FIRST FLOOR
(PROPOSED)



REAR ELEVATION
(PROPOSED)



L.H.S. ELEVATION (NO. 482)
(EXISTING)

Application No.

93446/15



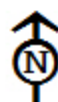
Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
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Date of Meeting: 09/04/2015

Application Reference: 93446/15

Type of Application: Full Planning Application
Registration Date: 13/01/2015
Decision Due By: 09/03/2015
Responsible Officer: Simon Coles

Location: 482 BRIDGEMAN STREET, BOLTON, BL3 6TJ

Proposal: ERECTION OF FIRST FLOOR EXTENSION AT REAR.

Ward: Rumworth

Applicant: Mr I Dalal
Agent : Mr S Saund

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application seeks permission for the erection of a first floor extension at rear with a projection of 4.3 metres. The extension is handed towards number 480, to which there is also a current application (93445/15) in for similar extension. Ref: 93445/15 is also on the Committee agenda for consideration.

Site Characteristics

This is a mid-terraced property with an existing single storey extension that projects the full length of the yard. This extension is handed with a similar extension at number 480.

The rear elevations of the properties within the row have a north western orientation forming onto Back Argo Street.

There are various examples of similar sized two storey extensions within the row.

Policy

National Planning Policy Framework (NPPF)

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

SPD House Extensions and PCPN2 Space Around Dwellings

Analysis

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The main impacts of the proposal are:-

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

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

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA1 of the Core Strategy relates specifically to developments in Inner Bolton and states that the Council will ensure that development has particular regard to massing and materials used, will respect and strengthen the traditional grid-iron pattern and street-scaping of existing houses where it is compatible with good urban design, and will require development to provide adequate privacy and amenity space.

The first floor extension would be constructed above the existing single storey extension and would have a total height of approx. 6.5 metres and an eaves height of approx. 5.3 metres. There are many of the properties with rear elevations facing towards Back Argo Street exhibit a variety of different sizes and styles of extensions. However, two storey extensions predominantly extend and abut the boundary with Back Argo Street. Given that there is an existing single storey extension which extends the full depth of the yard, it is considered that a 4.3 metre deep extension at first floor level would reflect the character of the host dwelling as well as the character, quality and local distinctiveness of the area. Also it would respect the general street scene.

The materials to be used are to match the existing building. An area is to remain for the storage of bins and private amenity space.

A window is proposed in the first floor side elevation facing 484. The drawing indicates that this window will be fitted with obscure glazing. A condition will be added for this to be provided and retained thereafter.

Further to the above, it is considered that the proposal complies with Policy CG3.

Impact on the Amenity of Neighbouring Residents

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

SPD House Extensions provides general advice on house extensions and offers guidance relating to the impact of extensions on neighbouring properties, particularly in relation to natural light, privacy and overlooking. PCPN2 Space Around Dwellings sets out the

Council's minimum interface standards between dwellings.

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

Supplementary Planning Document - House Extensions states that rear single and two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be permitted.

The purpose of the above is to ensure that neighbouring properties are not unduly affected in terms of their living conditions by reason of being overshadowed by any development to a degree where reasonable outlook would be lost.

The Council has taken the view that applications to extend such properties need to be considered more sympathetically. These principles may also be applied to more modern terraced and town houses which, by reason of style and fashion at the time they were built, also offer very limited accommodation to meet growing demands for home owners.

In this case the first floor proposal will be 4.3 metres long and therefore exceeds this guidance by 300 mm. An appeal (**ref: APP/N4205/A/13/2205753**) in 2014 at number 476 Bridgeman Street was allowed by the Planning Inspectorate for a first floor extension 4.45 metres long. In their report the inspector stated that whilst they recognise that the projection was greater than normally permitted for two storey extensions, the impact would not significantly harm neighbours living conditions and it would not detrimentally affect the character and appearance of the locality. The inspector also made reference to other extensions within the row that extend at varying sizes and styles, some of which project the full length of the yard area.

Further to the above and on balance it is officer's view that the proposal would be acceptable with regard to any impact on the living conditions of the neighbouring residents and that the extension is in-line with the recent planning appeal at number 476 and other similar extensions within the row.

Conclusion

It is considered that on balance that the proposal is acceptable and therefore members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- none received

Consultations

Advice was sought from the following consultees: none.

Planning History

79378/08 - Certificate of lawfulness for proposed use of premises for taking of taxi telephone bookings only - Permitted development

69650/04 - Erection of a single storey extension at rear - Approved with Conditions

69230/04 - Erection of a single storey extension at rear - Withdrawn by the applicant

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. Before the first occupation of the extension hereby permitted the [bedroom window] facing 484 Bridgeman Street shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers.

3. The external surfaces of the extension hereby permitted shall be of a similar colour, texture and size of those of the existing building, and shall be retained thereafter.

Reason

To ensure the development visually reflects the existing building.

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

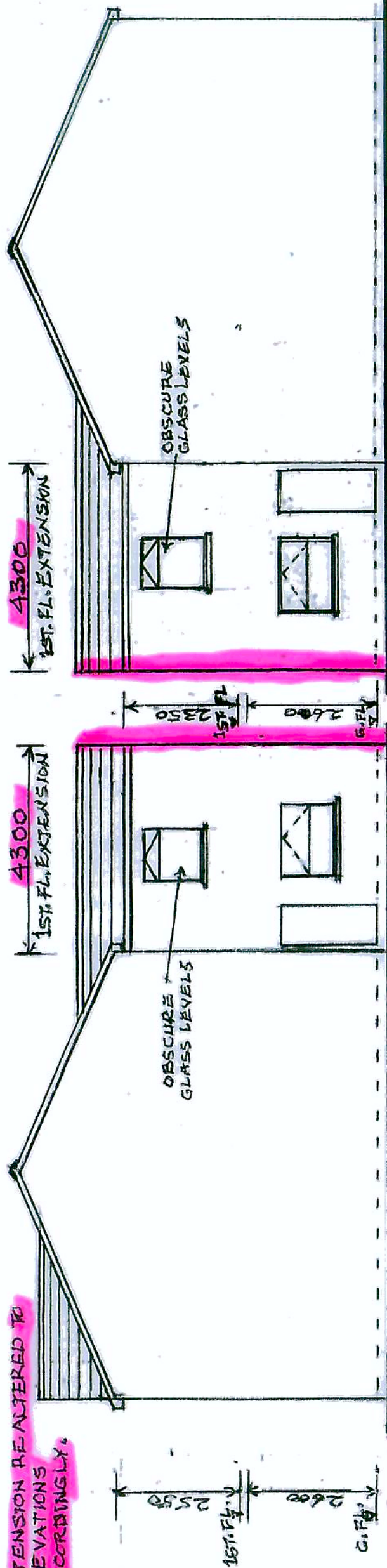
Amended Drawing (Scanned to file 24 Mar 2015)

Reason

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

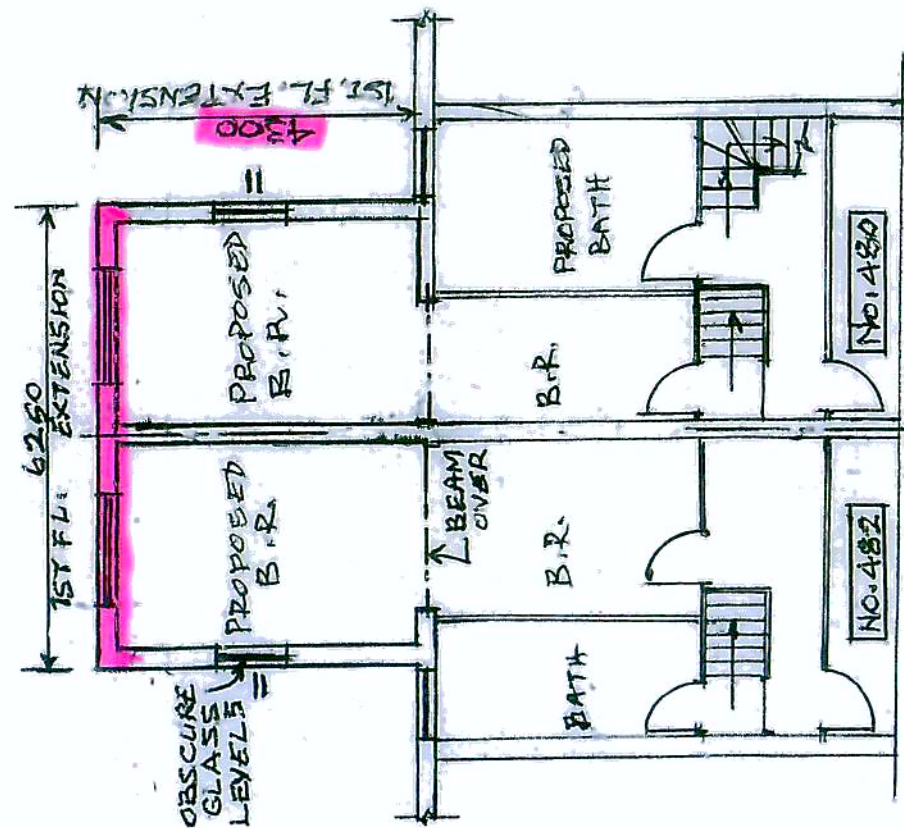
480/482 BRIDGEMAN STREET, BOLTON.

AMENDMENTS: -
(2.3.2015) FIRST FLOOR EXTENSION REDUCED TO 4000 TO COMPLY WITH PLANNING REQUIREMENT & ELEVATIONS ALTERED ACCORDINGLY.
(19.3.2015) - 1ST FL. EXTENSION RE-ALTERED TO 4300 & ELEVATIONS ALTERED ACCORDINGLY.

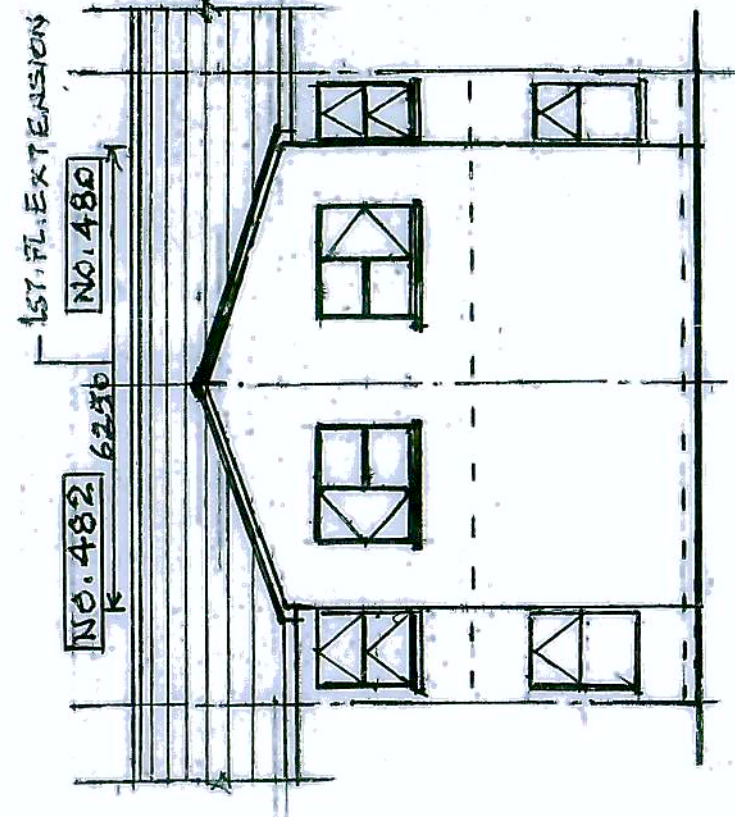


R.H.S. ELEVATION (NO. 480)
(PROPOSED)

L.H.S. ELEVATION (NO. 482)
(PROPOSED)



FIRST FLOOR
(PROPOSED)



REAR ELEVATION
(PROPOSED)

L.H.S. ELEVATION (NO. 482)
(EXISTING)

SCALE 1:100

Date of Meeting: 09/04/2015

Application Reference: 93450/15

Type of Application: Full Planning Application
Registration Date: 14/01/2015
Decision Due By: 10/03/2015
Responsible Officer: Alex Allen

Location: 76 AND 78 HIGHER MARKET STREET, FARNWORTH, BOLTON, BL4 9BB

Proposal: CHANGE OF USE FROM OFFICES TO RESTAURANT (A3 USE) INCLUDING EXTRACTION SYSTEM.

Ward: Kearsley

Applicant: Mr Atiq Khan
Agent : Mr Zach Thorp

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant seeks to change the use of the existing ground floor offices which comprise of a double fronted unit on Higher Market Street. The applicant initially proposed the change of use of the premises to a restaurant (A3 use) and hot food takeaway (A5 use) with the following customer opening hours: 1700 hrs to 0200 hrs Monday to Saturday and 1700 hrs to 2400 midnight on Sundays.

After discussions with Officers the applicant has withdrawn the hot food takeaway element of the proposal and has also amended the proposed hours of customer opening to as follows:

0900 to 2330 hrs Sunday to Thursdays (inclusive) and 0900 hrs to 2400 hrs Friday and Saturdays.

Site Characteristics

The application relates to an existing vacant offices at ground floor. On either side of the application property is a vacant shop and a newsagents. At the rear of the property is a back street which is accessed from Black Horse Street. On the opposite side of the back street is Topphome Court, a retirement/sheltered housing scheme.

Policy

National Planning Policy Framework

Core Strategy CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, S1 Safe, RA2 Farnworth.

Supplementary Planning Document - The Location of Restaurants, Cafe, Public Houses,

Bars and Hot Food Takeaways in Urban Areas.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the area;
- * impact on adjoining land uses / occupiers;
- * impact on highway safety.

Impact on the character and appearance of the area

Core Strategy policies CG3 and RA2.15 seek to ensure that new development proposals conserve and enhance the character of the existing physical environment.

The proposal would bring back into use a currently vacant and relatively dilapidated property located within a row of existing commercial properties. The proposal would enhance the character of the area. There would be sufficient space located within the rear yard area to provide for adequate bin storage. The applicant seeks to retain the existing roller shutters.

The proposal is compatible with the wider area.

Impact on surrounding land uses

Core Strategy policy CG4 seeks to ensure development is compatible with surrounding land uses and guidance contained within the SPD concerns the location of restaurants, cafes and hot food takeaways. Paragraph 10 of the SPD details that within groups of shops applications for restaurants, cafes, etc. will normally be approved, subject to limitations on the hours of use if there is residential accommodation within 50 metres of the property (0900 to 2330 hrs Sunday to Thursday and 0900 to 2400 hrs Friday to Saturday). Where residential use is adjacent to the site new A3, A4 or A5 uses will not be acceptable.

The application site is in a row of commercial uses with no residential accommodation being provided above or to the side of the property. There is a sheltered residential home located to the rear of the property, however, this is separated from the application site by a back street. In addition, the main body of the care home is sited away from the back street. Due to current parking restrictions on Higher Market Street and the side street (Blackhorse Street), it is considered due to the nature of the proposed use, the majority of customers would park on the public car park which is located on the opposite of Higher Market Street (next to No. 21 Higher Market Street c. 135 metres away).

The applicant has confirmed that they wish to open the premises in accordance with the hours limits as set out in the SPD.

The proposal is acceptable.

Impact on highway safety

Core Strategy policy S1 seek to ensure that new development proposals are not detrimental to highway/pedestrian safety.

The proposal is located within a existing commercial block close to Farnworth town centre. Whilst no curtilage parking for the proposal is available there is a relatively large public car park which is located within walking distance of the application site (adjacent to 21 Higher Market Street).

The Council's Highways Engineers have commented they have no objections to the proposal subject to the premises not selling takeaway food. The applicant has confirmed the takeaway element has now been withdrawn.

The proposal is complies with policy.

Value Added to the Development

The applicant has amended the application to ensure that the application now fully complies with policy in respect of opening hours and the proposed use.

Conclusion

The proposal would provide a new use for a vacant double unit with modest improvements to the external appearance of the property, with no residential accommodation adjacent to the property with sufficient car parking provided within walking distance of the application site. The proposal is compatible with the surrounding area and complies with policy.

The proposal is recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Letters:- one comment letter has been received from a resident from the sheltered residential accommodation at the rear of the application site, stating:

- the access road / back street at the rear of the application site is blocked up at times and suffers from bouts of fly tipping;
- the proposal may result in an increase in access problems and potential increase in fly tipping;
- Higher Market Street has sufficient hot food takeaways.

Petitions:- no petitions received.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers, Public Health officers and Design for Security officers from Greater Manchester Police.

Planning History

No relevant planning history.

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 premises subject of this consent shall not be open for trade outside the following hours:-

0900 hrs to 2330 hrs Sundays to Thursdays (inclusive);
0900 hrs to 2400 hrs on Fridays and Saturdays.

Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance.

3. The premises shall be only used for a restaurant (A3) purposes for the consumption of food and drink/beverages within the property and will exclude the sale of hot food to be taken/consumed off the premises.

Reason

In the interests of preserving the localities amenity, the living conditions of residents and highway safety.

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

Drawing No. AS13-202-02 - Proposed plans and elevations, scanned to file 10/02/15.

Reason

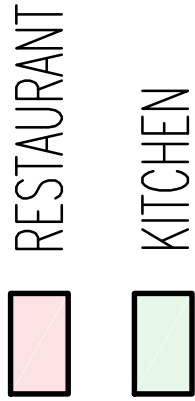
For the avoidance of doubt and in the interests of proper planning.

All dimensions are to be checked on site and any discrepancies to be referred to Arrowsmith & Smith before proceeding.

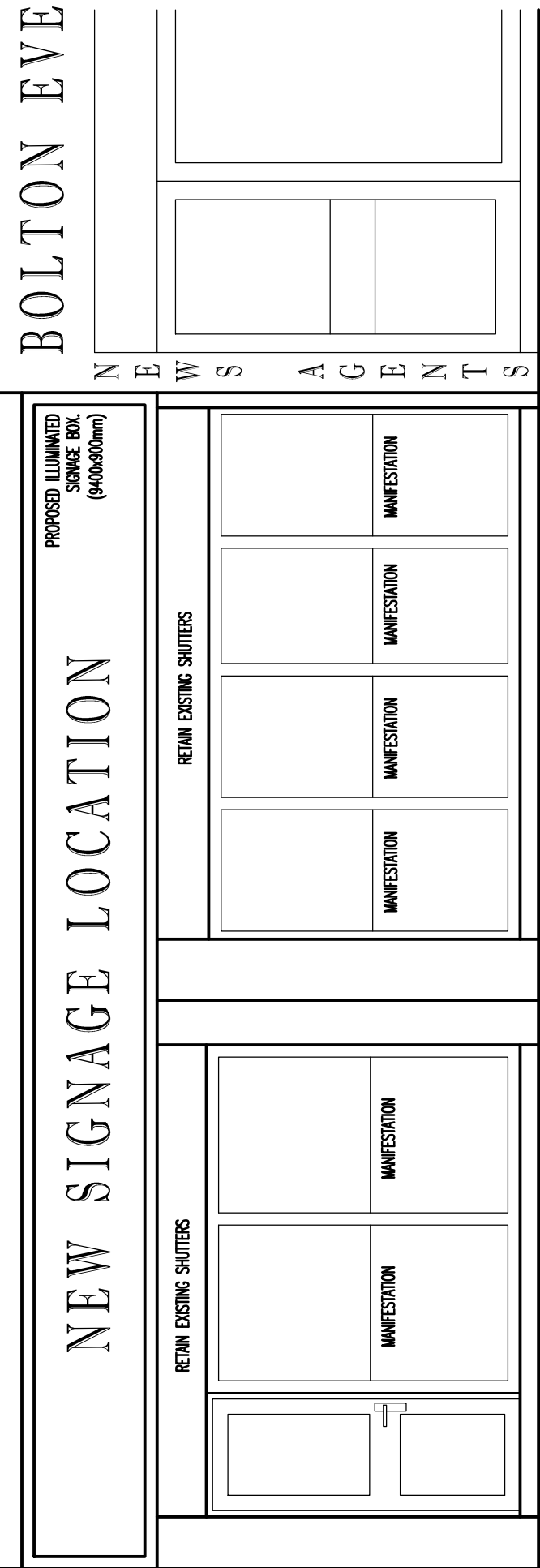
All discrepancies between information shown on the drawings and the information in the specification to be referred to the architect prior to proceeding.

Position of existing drain runs to be confirmed prior to proceeding and drains checked as necessary.

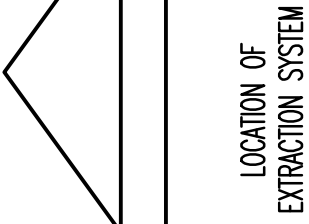
All relevant boundary positions are to be checked prior to proceeding



43



Scale 1:50



Scale 1:50

Status		Purpose for Issue
Survey	<input checked="" type="checkbox"/>	Tender <input type="checkbox"/>
Construction	<input type="checkbox"/>	As Built <input type="checkbox"/>

Contract
Proposed Change of Use

Drawing No. AS13-202-02
Scales 1:50
Drawn ZTT

Application No.

93520/15



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 09/04/2015

Application Reference: 93520/15

Type of Application: Full Planning Application
Registration Date: 28/01/2015
Decision Due By: 24/03/2015
Responsible Officer: Jeanette Isherwood

Location: 332 ST HELENS ROAD, BOLTON, BL3 3RP

Proposal: CHANGE OF USE FROM C3 (DWELLING) TO B8 (BUSINESS)
INCLUDING THE DEMOLITION OF EXTENSION WITH THE
ERECTION OF CANOPY TO REAR

Ward: Hulton

Applicant: Mr Patel
Agent : Mr patel

Officers Report

Recommendation: Approve subject to conditions

Proposal

The applicant wishes to change the use of the existing property, from a private dwelling house to a Class B8 storage building, ancillary to the adjacent chemist shop.

To the rear of the property a roller shutter is proposed to provide access to one off road parking space.

The existing outrigger has been demolished and the application proposes the erection of a felt roofed canopy measuring 4 metres long and the full width of the rear yard.

Site Characteristics

The application relates to an existing dwelling house located on St Helens Road. The property is sited just outside the Derby Street/St Helens Road local centre. However the immediate vicinity is one of mainly commercial properties. The adjacent property at 334 is a private dwelling house. The adjacent property at 328-330 is Sykes Chemist and is under the ownership of this applicant.

Policy

National Planning Policy Framework

Core Strategy Policies:- CG3 The Built Environment, CG4 Compatible Uses, P5 Accessibility, S1 Safe, and RA1 Inner Bolton.

SPD - House Extensions

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character and appearance of the building/area
- * impact on highway safety
- * impact on surrounding land uses

Impact on the character and appearance of the building/area

The NPPF in paragraph 56 states "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

CS policies CG3.2, CG3.3 and RA1 require proposals to respect and enhance local distinctiveness, and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment.

The external alterations to the building will be the addition of a 4 metre canopy to the rear and the addition of a roller shutter to the rear boundary.

The 4 metre canopy will replace the existing rear extension. The applicant has amended the drawing to replace the original corrugated clear roofing materials to a felt roof that is more conducive to the host building and surrounding area.

The rear roller shutter will be similar to others inserted into rear boundary walls of surrounding properties and as such is not thought to impact detrimentally on the street scene.

The proposal is considered to comply with Core Strategy Policies CG3 and RA1.

Impact on highway safety

Core Strategy policies P5 and S1 seek to ensure that new development proposals provide adequate servicing and car parking and are accessible by public transport.

The Highways officers expressed concern that the original scheme did not include any off road parking. The insertion of the roller shutter door creates access to one parking space in the rear yard and this is therefore considered to be acceptable.

The proposal would comply with Core Strategy Policies P5 and S1.

Impact on surrounding land uses

Core Strategy policy CG4 seeks to ensure the Council ensure new development is compatible with surrounding land uses and occupiers protecting amenity, privacy, safety and security.

One objection has been received with concerns that the new canopy is too large and will have an adverse impact on surrounding residents. However the proposal will be 4 metres in length and as such is considered to be acceptable, complying with the policy set down in SPD - House Extensions for terraced properties.

The adjoining property is currently a chemist shop and is under the ownership of the applicant. The proposal will be used as additional storage for the shop and as such is considered to be compatible with the adjoining use.

Conclusion

The proposal would provide a modest increase in retail floorspace together with changes to the external appearance of the property. The external changes would be in character with the surrounding area. The proposal complies with policy and is recommended for approval.

Representation and Consultation Annex

Representations

Letters/petitions:- one letter of objection has been received from the next door neighbour and is outlined in the main body of this report.

Elected Members:- no comments received.

Consultations

Advice was sought from the following consultees: the Council's Highways Engineers.

Planning History

No relevant history.

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. Before the development hereby approved is first brought into use, a colour scheme for the roller shutters shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved colour scheme shall be implemented in full and retained thereafter unless otherwise agreed with the Local Planning Authority.

Reason

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

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

Elevations and floor plans - 01 revision 2 - scanned 23/03/15

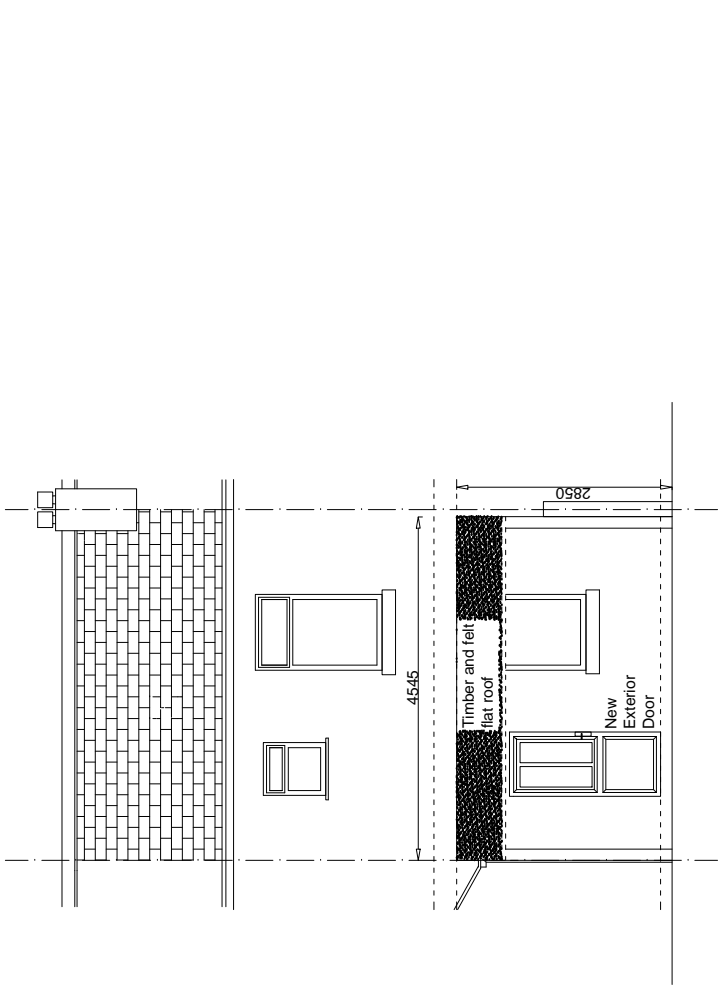
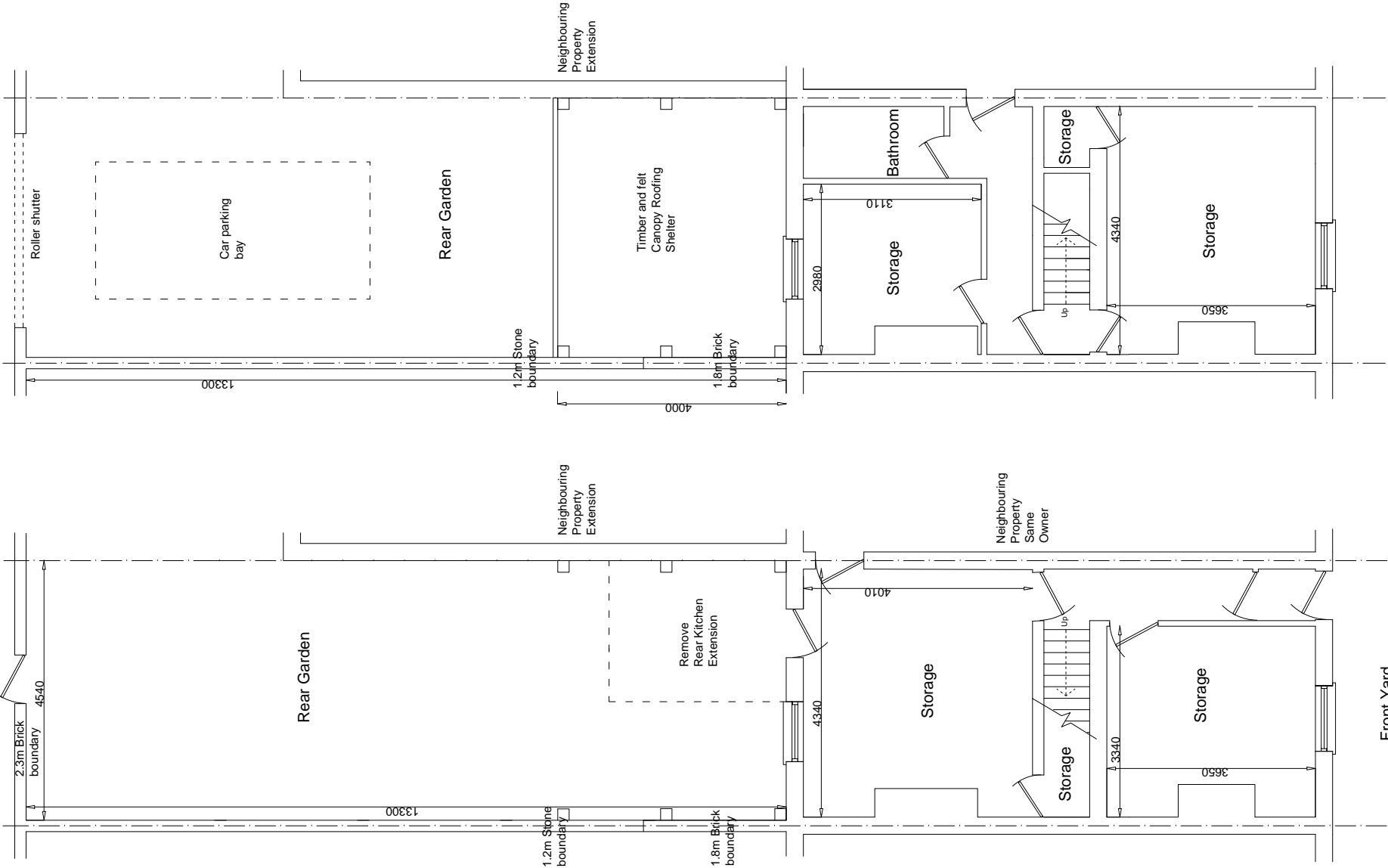
Reason

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

4. The external surfaces of the canopy roof hereby permitted shall be of a timber and felt finish and shall be retained thereafter.

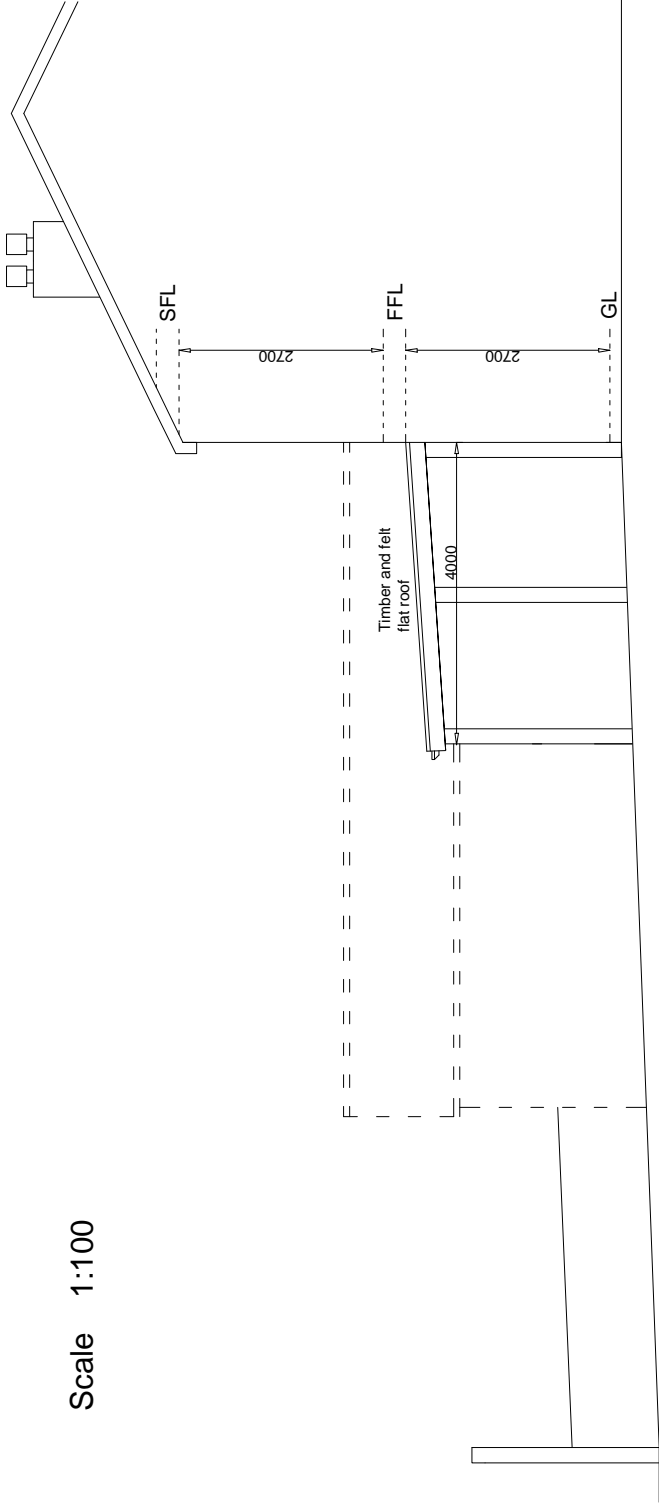
Reason

To ensure the development visually reflects the existing building.



Proposed Rear Elevation

Scale 1:100



Proposed Side Elevation

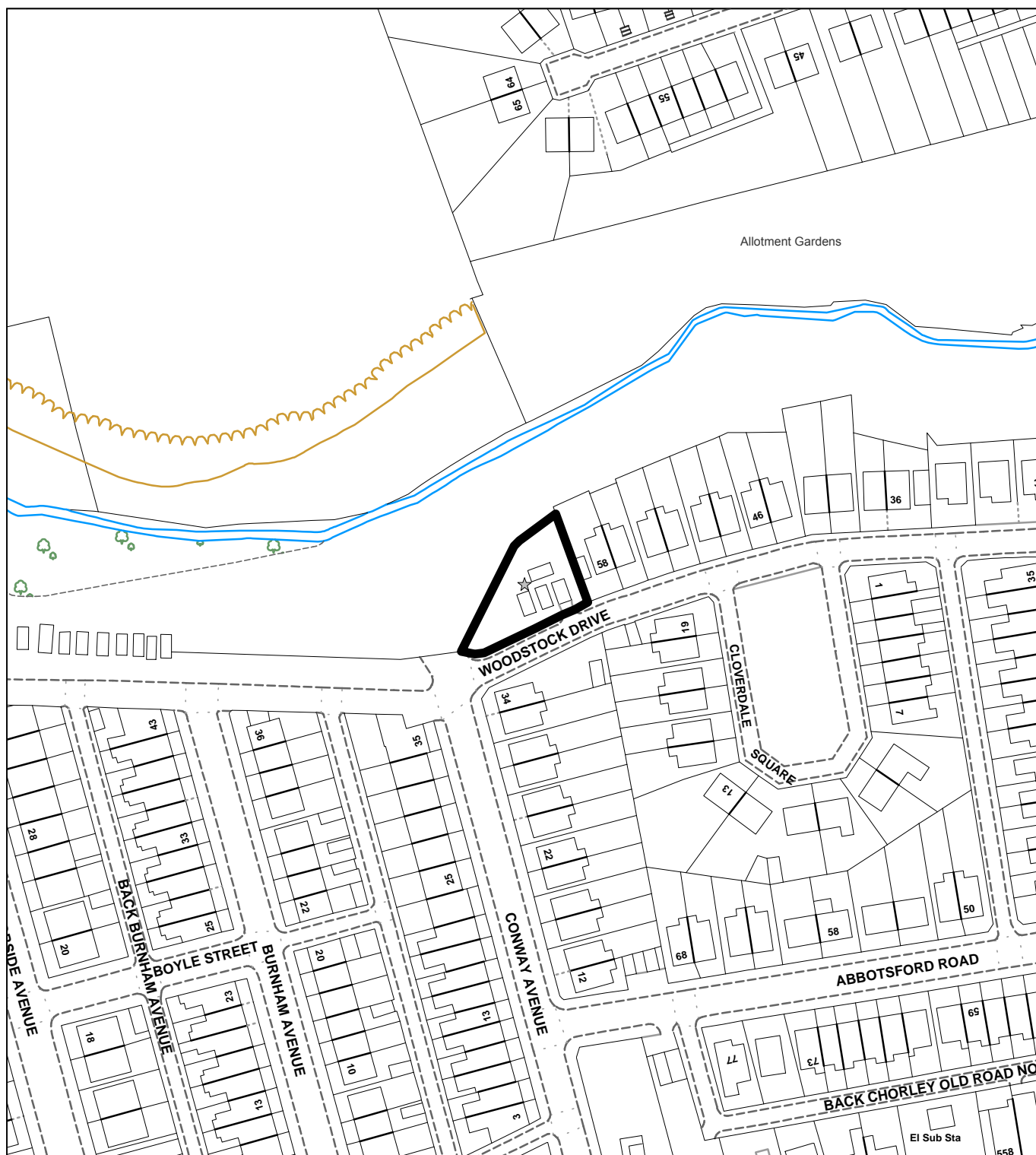
Proposed Change of use form C3 to B1, Internal alterations & removal of kitchen at rear of building at 332 St Helens Rd,			
Bolton		Drwg No. 01	Revision 2
Proposed Plans & Elevations			
Scale: 1 : 100 (A3 dwg size)		Date: Jan 2015	
F P Architecture & Planning email: fparchiplanning@hotmail.com tel: 07763680011			

Proposed First Floor Plan

Proposed Ground Floor Plan

Application No.

93523/15



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

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11

Date of Meeting: 09/04/2015

Application Reference: 93523/15

Type of Application: Full Planning Application
Registration Date: 29/01/2015
Decision Due By: 25/03/2015
Responsible Officer: Jodie Turton

Location: NORTHSIDE OF WOODSTOCK DRIVE, BOLTON

Proposal: ERECTION OF 2NO SEMI-DETACHED DWELLINGS

Ward: Smithills

Applicant: Mr B Williams
Agent : Fish Associates Ltd.

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application proposes the erection of two new dwellings. The dwellings will be semi-detached and will each have three bedrooms. Each dwelling will have an independent driveway sufficient for the parking of two cars. Gardens to the front and rear are to be provided, with the western dwelling also having a large side garden due to the shape of the site.

The dwellings will be gable fronted, with the materials for the lower section of the dwellings in brick and the top gabled sections render. Due to the triangular nature of the site, the dwellings will have a 1 metre stagger with the eastern property being set further into the site.

Site Characteristics

This is a triangular site, which until recently accommodated a garage block. The site is bound to the rear by Captains Clough local nature reserve. The northern and western boundaries which abut Captains Clough are therefore dominated by trees. To the east are residential properties along Woodstock Drive, leading to Cloverdale Square. The surrounding area is residential in nature, with a mix of semi-detached and terrace properties.

Policy

National Planning Policy Framework (2012): 6. Delivering a wide choice of high quality homes; 7. Requiring good design; 11. Conserving and enhancing the natural environment.

Core Strategy policies: CG1 Biodiversity; CG3 Built Environment; CG4 Compatible Uses; P5 Accessibility; S1 Safe Bolton; SC1 Housing; OA4 West Bolton.

SPD Accessibility, Transport and Safety

PCPN2 Space Around Dwellings

PCPN7 Trees: Protection and Planting in New Developments

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on urban regeneration and housing supply
- * impact on the design and character of the area
- * impact on neighbouring residential amenity
- * impact on the highway and parking
- * impact on trees and Captains Clough

Impact on Urban Regeneration and Housing Supply

Section 6 of the NPPF indicates the Government's commitment to significantly boost the supply of housing. Local Authorities should seek to ensure the delivery of a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Where there is identified need for affordable housing, this should be provided on site. Housing applications should be considered in the context of a presumption in favour of sustainable development.

Core Strategy policy SC1 identifies that the borough requires a provision of 694 dwellings per annum between 2008 and 2026. At least 80% of housing development should be on previously developed land.

This is a previously developed site, which until recently accommodated a garage block, which is in a predominantly residential area. The site is within walking distance of the Chorley Old Road local centre, which provides local services, whilst being within 3 miles of Bolton town centre. There are schools in the local area and the site abuts the Captains Clough local nature reserve and buses run regularly along Chorley Old Road. The site is therefore considered to be a sustainable location.

The delivery of 2 residential units on this site will contribute, albeit in a minor way, to the local authority's requirement to deliver a 5 year supply of housing and the development is therefore considered relevant in policy terms.

Impact on the Design and Character of the Area

Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall

built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

The area is characterised by traditional semi-detached and terrace properties, which are set back from the road with small front gardens. The nearby residential properties are predominantly brick with some having a split of render at first floor and brick at ground floor. The designs of the proposed dwellings have taken a modern twist on the areas more traditional residential environment, incorporating large gable front elevations with parapets, however these details will provide interest and whilst reflecting some traditional design features in the area will not create a pastiche.

The site layout follows the nearby urban grain with the properties set back from the road with small front gardens and larger amenity gardens to the rear (and side with the western dwelling). Although the western dwelling will be stepped forward, which is to allow for the triangular nature of the site, this is not considered to impact detrimentally on the building line along Woodstock Drive as the dwelling will 'bookend' the western side of the residential street.

Overall, the proposed development is considered to comply with Core Strategy policy CG3.

Impact on Neighbouring Residential Amenity

Core Strategy policy CG4 seeks to ensure that development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security, and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

The proposed dwellings will face the side elevation of 34 Conway Avenue which has no principal windows. There are also no principal windows in the side of the adjacent property at 58 Woodstock Drive and a single storey garage abuts the development site.

The stagger in the building line of the proposed dwellings is approximately 1.0 metres, however the forward projection of the building will not impact on the angle of 45 degrees when taken from the living room window of the eastern dwelling, and there will therefore be no impact on the living conditions or unacceptable loss of light to the living room for future residents.

Overall, the proposal is considered to comply with Core Strategy policy CG4.

Impact on the Highway and Parking

Core Strategy policy S1 seeks to promote road safety in the design of new development. Core Strategy policy P5 seeks to ensure that development is accessible by different types of transport, prioritising pedestrians, cyclists and public transport over the motorised vehicle. Appendix 3 provides guidance on parking standards.

A major factor of concern from nearby residents that have either objected to or submitted general comments relates to the parking congestion and narrow streets in the area. It is acknowledged that very few houses in the area have off street parking and therefore the on-street parking pressure is great.

The application site previously accommodated a small garage colony; however this was demolished prior to the submission of the application. The proposed dwellings each have 3-bedrooms and two parking spaces per dwelling are proposed. The application has been

amended to reduce the number of bedrooms per dwelling to three and also removing the garage spaces to have two useable off-street surface spaces per dwelling. This revised ratio complies with Appendix 3 of the Core Strategy and Highway Engineers are satisfied that parking requirements have been met in full.

It is not therefore considered that the proposed development will result in additional on-street parking and will not therefore further exacerbate the existing parking problem in the area. The proposal complies with Core Strategy policies S1 and P5.

Impact on Trees and Captains Cough

Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees; this is supported by the guidance contained in PCPN7.

The rear of the site to the west and north is bound by Captains Clough local nature reserve. There are mature and semi-mature trees to these boundaries of the site. A tree report has been submitted with the application.

Tree officers have raised concerns about the impact of the development on the trees to the rear and western side, notably due to overshadowing of the principal room windows in the western dwelling and future pressure for pruning and/or removal of trees. The tree survey submitted with the application identifies a large number of trees within the adjacent site as smaller self-seeded specimens which would benefit from some thinning in the future.

The plans have however been amended to include an additional large opening in the western elevation to provide a dual aspect living room which will ensure that light in the room is maximised despite any future overshadowing from trees.

The Council's Greenspace officers have commented that if consent is granted then measures must be put in place to protect the woodland clough and nature reserve, in particular ensuring that during construction no materials are stored or waste and soil are disposed of into the nature reserve and adequate drainage is incorporated into the scheme to ensure that surface water does not discharge into the watercourse. Conditions will be included to ensure that these issues are covered.

Value Added to the Development

The plans have been amended to reduce the number of bedrooms to three to bring the proposal in line with Appendix 3 of the Core Strategy. The design has been modified to address the fenestration and to provide a dual aspect to the western dwelling.

Conclusion

This is a brownfield site in a sustainable location within the urban area. The two 3-bedroom dwellings proposed have been designed to be in keeping with the style and character of the surrounding residential area. Car parking provision meets the requirements of Appendix 3 of the Core Strategy. To the rear of the site is Captains Clough local nature reserve, the area directly adjacent to the site is within the applicant's ownership and the submitted tree report provides details of the management of this section of woodland. The proposed development complies with policy and is therefore recommended for approval.

Representation and Consultation Annex

Representations

Letters:- 3 letters of objection and 2 letters of general comment have been received from nearby residents (*where the issue raised is not addressed in the above report planning officer comments are shown in italics*).

- Growing problem with parking in the area – the streets are narrow and only allows for parking along one side of the road, otherwise the road becomes impassable.
- Due to a shortage of parking some residents park on Cloverdale Square, which causes damage to the green and loss of recreational space.
- Impact on the local nature reserve to the rear of the site.
- Questions of land stability.
- Impact on trees.
- Overshadowing of the proposed dwellings by trees and pressure for future pruning/removal.
- The application form is incorrect – section 13 and 15. - *It is acknowledged that these questions should have been answered acknowledging the local nature reserve to the rear of the site and the trees within this. Despite this, planning officers are aware of the land designation and the presence of trees and have consulted Greenspace and Tree Officers accordingly and a tree survey has been submitted with the application.*
- Loss of green space and garden grabbing – *the site is classed as a brownfield site as until recently it accommodated a garage block.*
- The application does not mention landscaping or enhancement of biodiversity – *a landscape plan will be conditioned.*
- The proposal will overlook the properties on Cloverdale Square and Conway Avenue.
- Increased parking pressure will lead to restricted access to refuse and emergency vehicles.
- Four bedroom houses should have 3-parking spaces and only 2 are proposed – *the plans have been amended to reduce the number of bedrooms to three.*
- The site is at the junction of Conway Avenue and Woodstock Drive and will cause parking congestion, a danger to pedestrians and obstruct access to the nature reserve.
- The site before being cleared had garages and a green area where children played – *the site has been cleared and is classified as a previously developed site due to the siting of garages here.*
- The area does not need more houses.
- The development will result in the loss of parking in the area and very few residents have driveways.
- Impact of the construction vehicles on the area – *this is not a material planning consideration.*

Elected Members:- Cllr Swarbrick has requested an advanced site visit.

Consultations

Advice was sought from the following consultees: Tree and Woodland Officers; Greenspace; Environmental Health, Highway Engineers, Greater Manchester Police, Drainage.

Planning History

None.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

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

1. The boundary to the rear of the site (northern and western boundary) which abuts the Captains Clough local nature reserve has been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

To protect the health and appearance of the tree(s).

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

Reason

To reflect and soften the setting of the development within the landscape.

5. Before the approved/permitted development is first brought into use no less than 4 car parking spaces with minimum dimensions of 2.9 metres by 5.0 metres shall be provided within the curtilage of the site, in accordance with Drawing Ref: Site Layout, Proposed Plans and Elevations; drawing no. 832.PL.03; dated 16.03.15. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Reason

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

7. Development shall not commence until any remediation scheme required as a result of the investigation carried out in accordance with the submitted phase 1 study has been prepared, approved in writing by the Local Planning Authority, and implemented as approved. The scheme shall include provision for verifying that the remediation objectives (verification report) have been met and for any subsequent monitoring and maintenance in accordance with Model Procedures for the Management of Land Contamination (CLR 11), details of which should be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use or first occupied.

Reason

To ensure the development is safe for use.

8. Within 3 months of the commencement of development, a scheme for the drainage of the site shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall ensure that there is no surface water discharge from the development into Captains Clough and the watercourse. The approved scheme shall be implemented in full and retained thereafter.

Reason

To ensure the site provides satisfactory means of surface water drainage.

9. All new window frames to the building(s) shall be recessed a minimum of 0.07 metres behind the external face of the elevations of the development hereby approved.

Reason

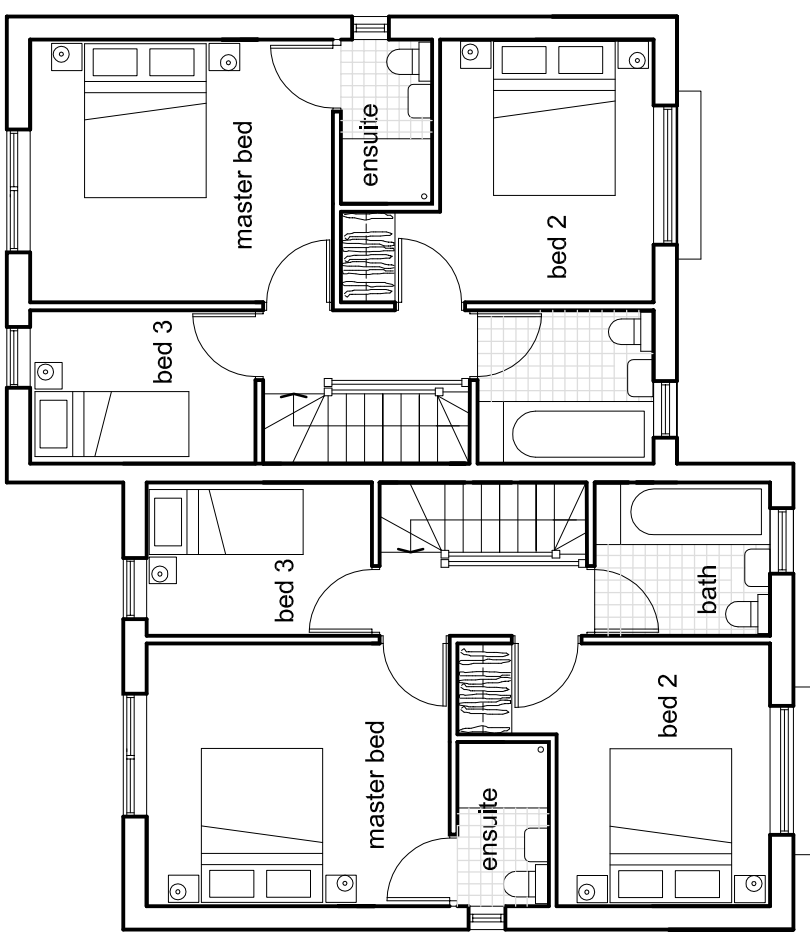
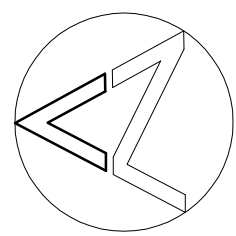
In the interest of creating architectural depth and shading to the elevations.

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

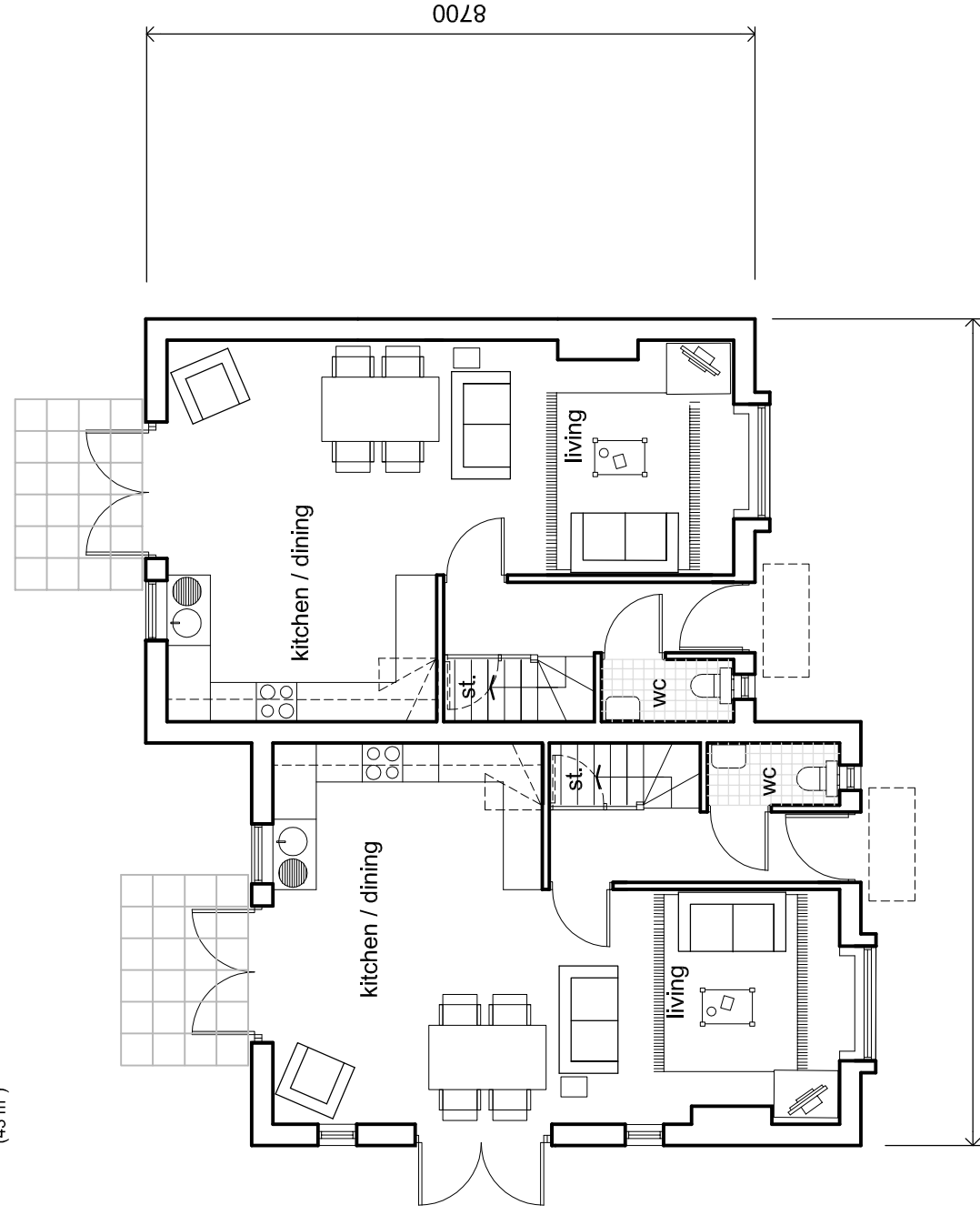
Site Layout, Proposed Plans and Elevations; drawing no. 832.PL.03; dated 16.03.15
(Amended Plan)

Reason

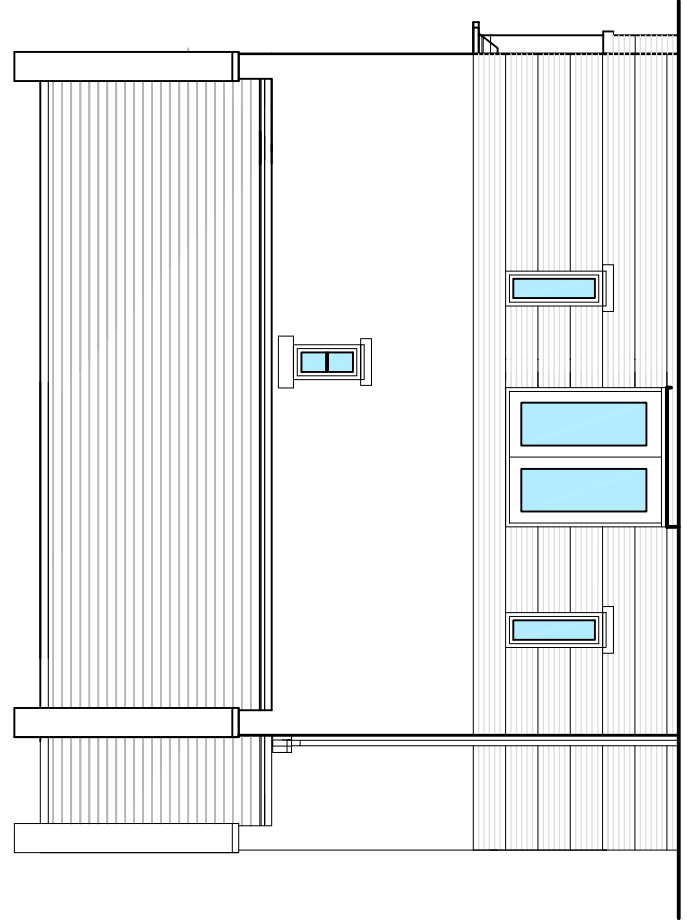
For the avoidance of doubt and in the interests of proper planning.



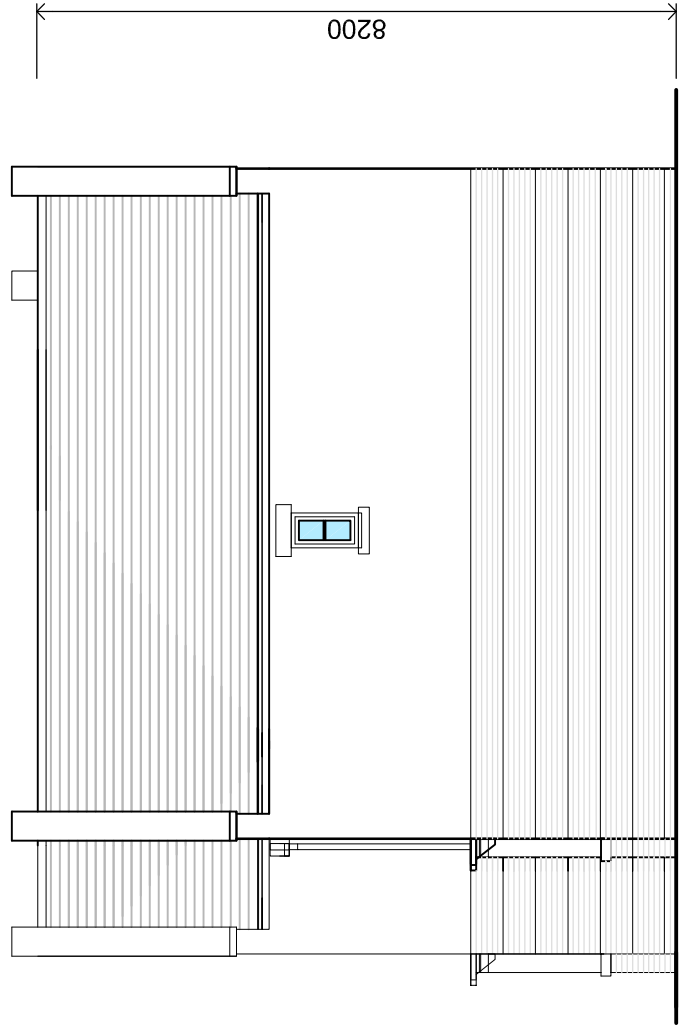
PROPOSED FIRST FLOOR PLAN
(43 m²)



PROPOSED GROUND FLOOR PLAN
(43 m²)



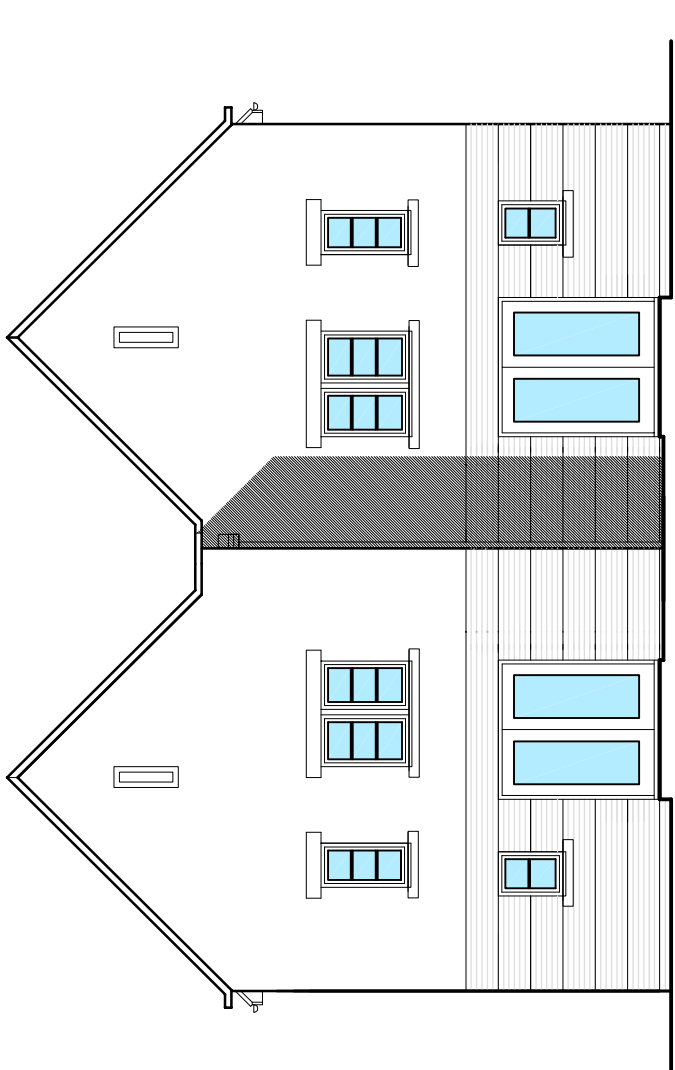
SOUTH WEST SIDE ELEVATION



NORTH EAST SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

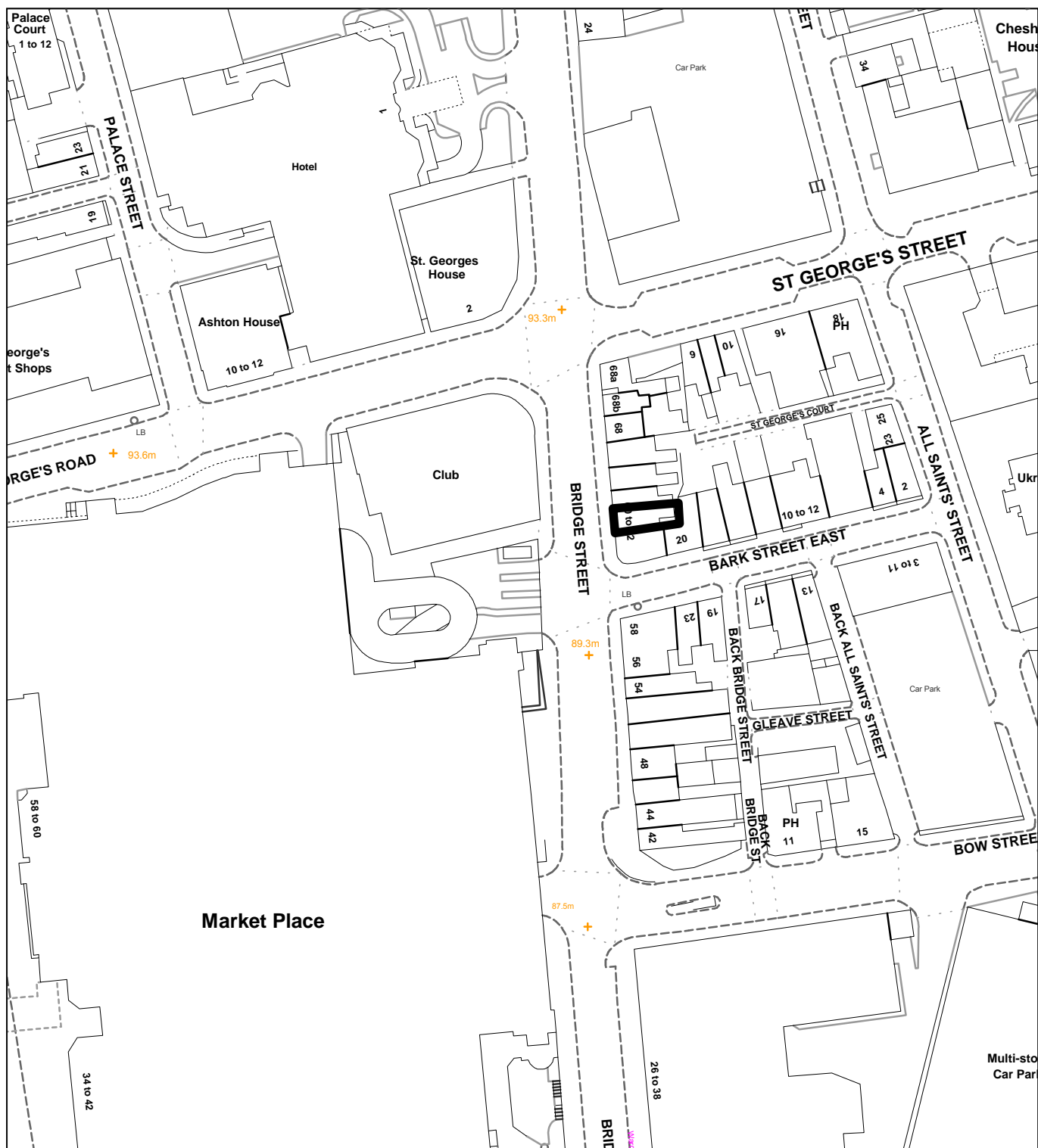
- Marley anthracite concrete tile to roof with stone parapet
- white upvc fascias and black downpipes
- artificial stone heads and cills to windows and bay
- off white parex render
- red drag-wired brickwork to ground floor level
- grey render with upvc frames
- every sixth bed joint to be raked to give 10mm recess / shadow gap

ACCOMMODATION SCHEDULE - 2 no. UNITS
3 BED - 925 sqft (86 sqm) - 200% car parking

REVISION	DESCRIPTION	DATE	INITIALS
1	CLIENT		
2	PROJECT		
3	TITLE		
4	SITE LAYOUT - PROPOSED PLANS AND ELEVATIONS		
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Application No.

93535/15



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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Date of Meeting: 09/04/2015

Application Reference: 93535/15

Type of Application: Full Planning Application
Registration Date: 30/01/2015
Decision Due By: 26/03/2015
Responsible Officer: Martin Mansell

Location: 60A BRIDGE STREET, BOLTON, BL1 2EF

Proposal: CHANGE OF USE FROM SHOP TO USE FOR THE PROVISION OF THAI MASSAGE (SUI GENERIS)

Ward: Crompton

Applicant: Mr Howard
Agent : Simon Mason Designs Ltd.

Officers Report

Recommendation: Approve subject to conditions

Proposal

Consent is sought to change the use of these vacant premises to a facility providing Thai massage. The ground floor would consist of a reception room with two treatment rooms to the rear with a further three treatment rooms on the first floor. No external changes are proposed. Opening hours are proposed as from 10am until 7:30pm Mondays to Saturdays, with no opening on Sundays. It is anticipated by the Applicant that the use would initially provide full-time employment for four people.

The Applicant has operated "The One" Thai massage facility on Bridge Street in Manchester since March 2013 and wishes to expand into Bolton. Services provided include aromatherapy, Indian head massage and reflexology together with Thai massage and this would be the same at their Bolton premises, if accepted.

The proposed use is considered to be sui generis - it does not fit comfortably within any of the classes of the Use Class Order.

Site Characteristics

The site is a vacant two storey terraced property of a domestic scale fronting Bridge Street and is currently vacant - though the length of vacancy is not known and neither is the previous use, though it is likely to have been Class A1 retail. Other uses in the row include retail, hairdressing, hot food takeaways and the recently opened Thailand Cafe - though the proposal has no connection to this use. Opposite is the entrance to the Market Place car park and the currently vacant former Ikon nightclub. Uses in the area of Bark Street East to the rear of the site are predominantly office and residential.

Policy

National Planning Policy Framework - Building a strong and competitive economy,

ensuring the vitality of town centres, promoting healthy communities

Core Strategy Objectives

SO3 Economic Opportunities of Bolton Town Centre, SO4 Transforming Bolton Town Centre, SO5 Bolton's Economy, SO6 Accessibility and Infrastructure

Core Strategy Policies

CG4 Compatible Uses, TC9 Little Bolton

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the character of Bolton town centre
- * impact on nearby uses
- * impact on economic development

Impact on the Character of Bolton town centre

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should promote the vitality of our main urban areas.

The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years. A transformed and vibrant Bolton town centre is essential to Bolton's prosperity.

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

Policy TC9 of the Core Strategy is a spatial policy that relates specifically to the Little Bolton area of the town centre and states that the Council will retain existing buildings within the conservation area where practicable and where necessary find new uses for

them, including office, leisure, retail and residential.

The application property is currently shuttered and vacant and is considered to have a negative impact on the character and appearance of the area and Bolton town centre in general. Occupancy of the site will deliver small but cumulatively significant benefits to the town centre. The issue that remains is whether the use is itself appropriate.

A previous application at this site was refused on the grounds of insufficient information - it was simply an application for a change of use to a Thai massage parlour with no supporting information whatsoever and Officers had concerns about the appropriateness of the use and the possibility of it impacting harmfully on the reputation of Bolton town centre. However, Officers have worked with the Applicant to provide more information on the nature of the use and are convinced that it is in fact an appropriate use. It has not been possible for Officers to visit the Manchester premises but it has been viewed on Google Streetview and their website has been studied in detail. Extracts from the Streetview images will be displayed at the meeting. The Manchester premises are located prominently on Bridge Street - a major city centre road, essentially a continuation of John Dalton Street/Princess Street as it crosses Manchester's Deansgate.

Concerns about the appropriateness of the use are considered to be chiefly a matter of semantics. Whilst moral concerns generally carry little weight in the planning system, it is entirely understandable that Officers, neighbours and perhaps some Members might be concerned about a use described as a "massage parlour". However, Officers are now convinced that these two words do not accurately reflect the nature of the proposed use. Instead, it is considered that the use consists of, in essence, simply the typical "pampering" services offered at health spas and retreats - though in this instance in a more accessible location. However, the words "health spa" do not accurately describe the use either - no water-based activities are provided and massage is the predominant use, though other services such as aromatherapy are provided. It does not fit comfortably within Class D1 either - it is not a chiropractor service nor is it a "clinic" or medical/therapy service either.

Planning Officers are entirely convinced of the bona fide and appropriate nature of the use proposed by the Applicant and consider that it will make a positive contribution to the range of services and uses available in Bolton town centre. That said, if the application were to be approved it would result in a grant of consent for a massage use in the town centre and therefore it is considered to be appropriate to make the consent personal to the Applicant, in the light of the assurances that have been provided over the nature of the use.

Policy TC9 seeks to find new uses for vacant properties within this area and whilst the use proposed does not form one of the uses listed, the policy is not considered to be limited to these uses exclusively. The proposed use, together with the occupancy of the building, is considered to make a positive contribution to Bolton town centre.

Impact on Nearby Uses

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. Two of these principles are that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings and reduce pollution.

Policy CG4 of Bolton's Core Strategy seeks to ensure that new development is compatible with surrounding land uses; protects amenity, privacy, safety and security; does not

cause unacceptable nuisance or pollution; and takes potential historic ground contamination into account. The use is considered appropriate for this area, given the generally retail and commercial context. The comments raised by the objector have been taken into account but are not considered to represent a defensible reason for refusal. Hours are limited to until 7:30pm and there is therefore not considered to be any link to the evening economy. The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy

Impact on Economic Development

The National Planning Policy Framework contains 12 core land-use planning principles that should underpin both plan-making and decision-taking. One of these principles is that planning should proactively drive and support sustainable economic development to deliver the infrastructure, business and industrial units and thriving local places that the country needs. In the section "Building a Strong, Competitive Economy" it states that significant weight should be placed on the need to support economic growth through the planning system.

The Council has adopted the Sustainable Community Strategy which identifies two main aims - to narrow the gap between the most and the least well off and to ensure economic prosperity. The Core Strategy is consistent with this, seeking a prosperous Bolton by making sure that jobs are provided in accessible locations in a range of different sectors.

The occupancy of the building and the small number of jobs created are considered to represent beneficial economic development.

Value Added to the Development

Officers have worked with the Applicant to provide more information on the precise nature of the use.

Conclusion

Benefits have been identified in terms of economic development and the occupancy of a relatively prominent vacant unit. Whilst the proposal is unusual, Officers consider the use to be appropriate, subject to a personal permission.

Representation and Consultation Annex

Representations

Letters:- a letter of objection has been received from a nearby clinic on Bark Street East. The grounds of objection are:-

- Bolton is struggling to bring itself up to a standard where people wish to visit and a Thai massage parlour would have the opposite effect
- Such uses do not have a good reputation and neither do their clientele
- We ourselves offer a massage service, but this is from an accredited therapist

Consultations

Advice was sought from the following consultees: none

Planning History

Previous refusal on the grounds of insufficient information (93332/14)

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 premises subject of this consent shall not be open to customers outside the following hours:-
0900 to 1930 Mondays to Saturdays with no opening on Sundays.

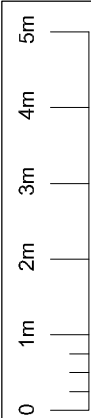
Reason

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise, disturbance and activity.

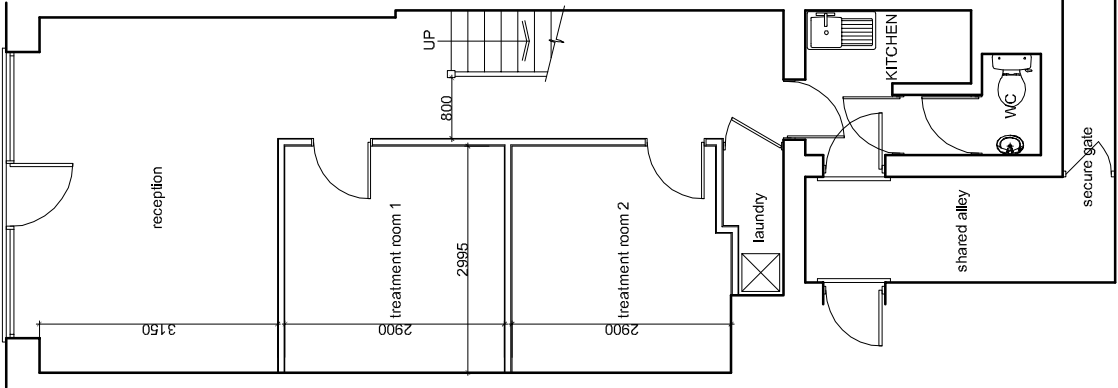
3. This permission shall enure for the sole benefit of the applicant Mr Michael Howard and shall be for the period during which the premises are occupied by the applicant, after which time the use shall permanently cease.

Reason

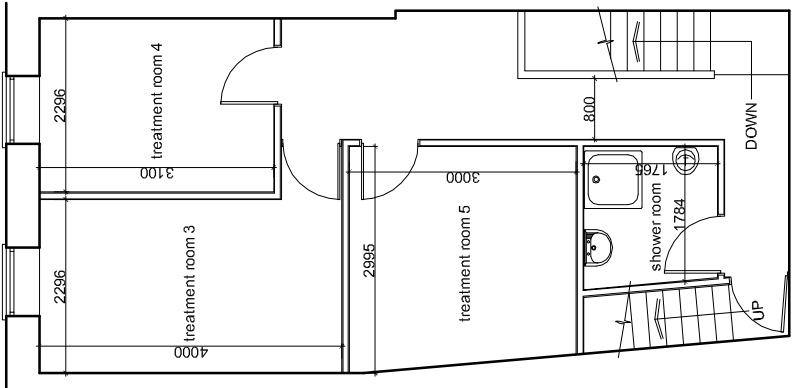
In the light of the assurances given as to how the use will operate.



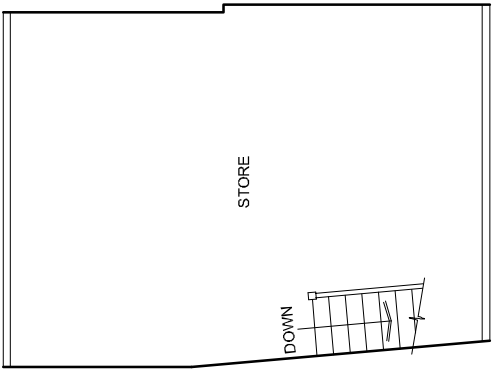
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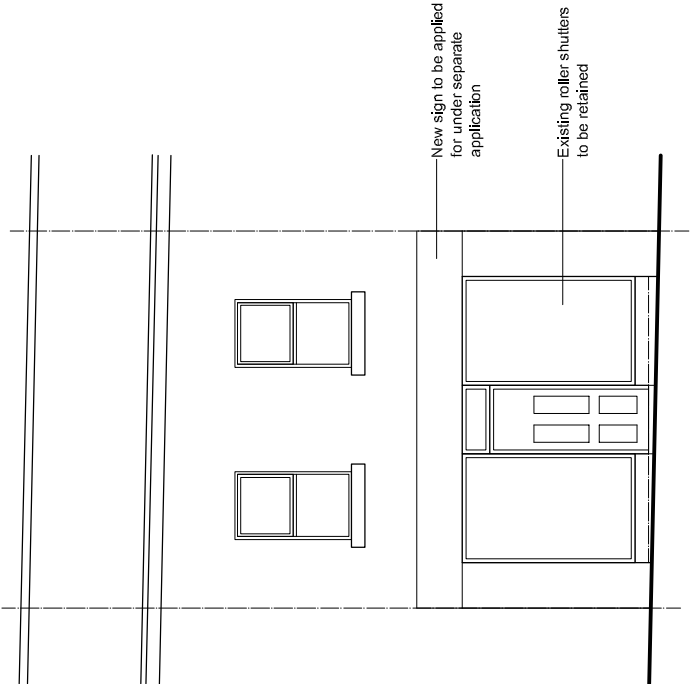
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

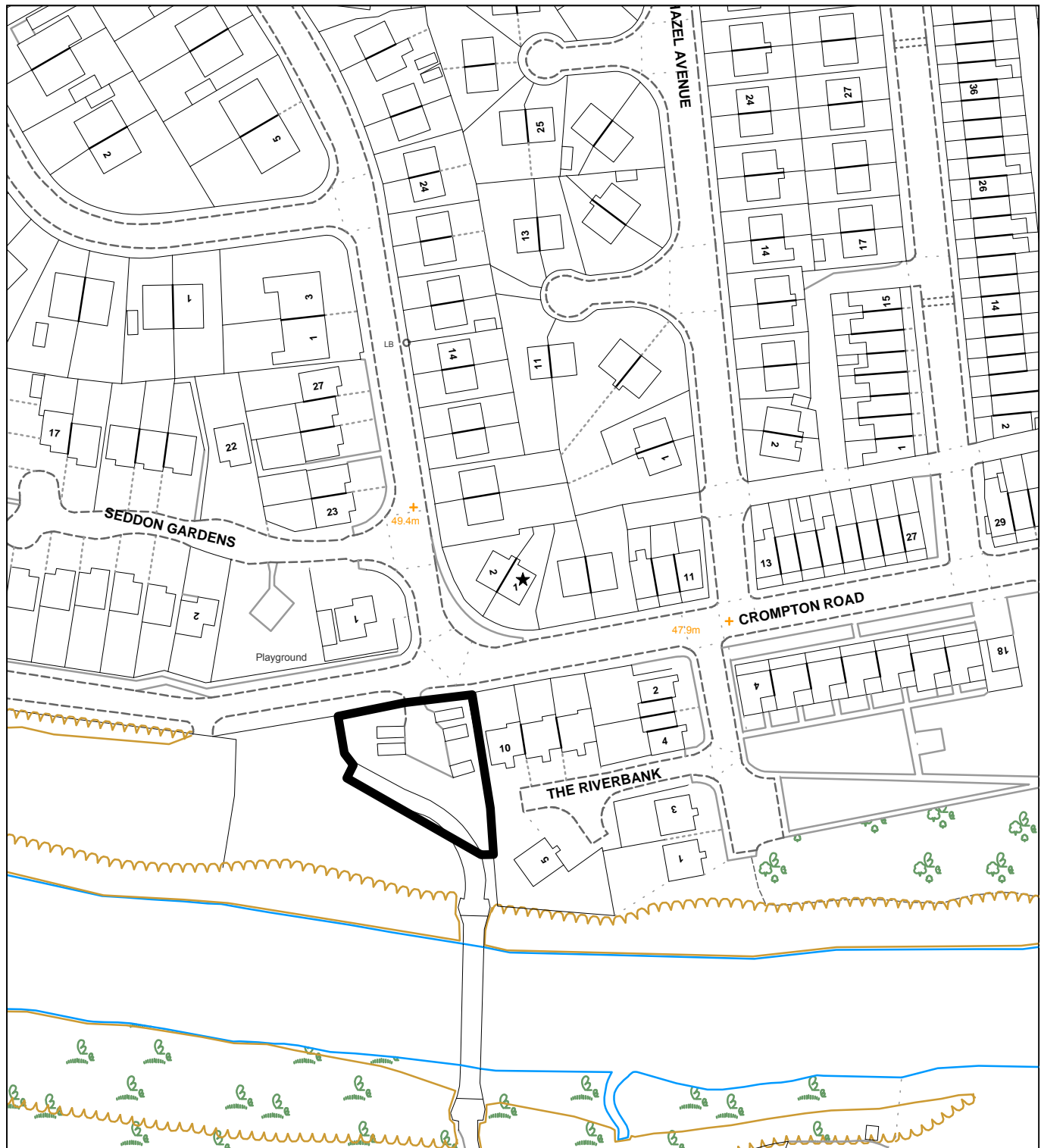


PROPOSED FRONT ELEVATION

simon mason designs ltd. architectural services e simon@smasondesigns.com www.masondesigns.fsnet.co.uk t 01925 212728 m 07870 606532 Copyright Protected ©		APPLICANT MR M HOWARD 17 BROUGHAM STREET MANCHESTER M28 0SW	PROPOSED CHANGE OF USE FROM SHOP TO MESSAGE PARLOR (Sui Generis) 60a BRIDGE STREET BOLTON BL1 2EF	DATE November 2014	SCALE 1:100 @ A3	DRAWING NO. 99/14/2
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Application No.

93541/15



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 09/04/2015

Application Reference: 93541/15

Type of Application: Full Planning Application
Registration Date: 30/01/2015
Decision Due By: 26/03/2015
Responsible Officer: Paul Bridge

Location: CROMPTON ROAD, STONECLOUGH RADCLIFFE, BOLTON, MANCHESTER, M26 1RJ

Proposal: ERECTION OF 4NO TOWN HOUSES INCLUDING DRIVEWAY, LANDSCAPING AND OTHER ASSOCIATED WORKS

Ward: Kearsley

Applicant: Property Plus
Agent : Classic Architecture Limited

Officers Report

Recommendation: Approve subject to conditions

PLANNING CONTROL SECTION

PLANNING OFFICERS REPORT FOR DELEGATED DETERMINATION

Background

The application site has been the subject of numerous planning applications for housing development since 2008. The site has extant and expired permissions for the development of the site for four dwellings, these were approved under two separate schemes, one for three dwellings and the other for one dwelling.

The initial application 81011/08 approved the erection of three dwellings which was approved in February 2009. A second application 83572/10 for an additional dwelling was refused but allowed on appeal in November 2010. An application (87243/11) for the extension of time of planning permission 81011/08 (three town houses) was approved by committee in February 2012. A further application (90713/13) was approved in 2013 for the renewal of the scheme for the individual dwelling.

Proposal

This current application seeks to consolidate both the previously approved, extant and expired permissions. Planning permission is sought for the erection of four, 3-bedroom town houses, including driveway, landscaping and other associated works.

The proposal in terms of the design, size, type and siting is identical to the previously approved applications. However for completeness, the proposed dwellings would be four attached properties sited towards the western and eastern ends of the site respectively.

Plots 1, 2 and 3 would three storey town houses, whilst plot 4 would be a two storey dwelling. The net floor area of the proposed dwellings for plots 1, 2, and 3 would be 106.02 square metres, whilst plot 4 would be 76.20 square metres.

The dwellings will be constructed out of red brickwork with concrete tiles.

Vehicular access to the dwellings would be via Crompton Road and each dwelling would have two on site car parking spaces.

Site Characteristics

The area surrounding the site is predominantly residential in nature with a variety of dwelling types and styles with a large mill building located further to the west. The site itself is an irregular shaped piece of land which fronts onto Crompton Road and is occupied by a number old dilapidated garages. It is largely overgrown with several semi-mature trees dotted over the site. On the eastern boundary of the site three town houses have been built, which front onto Crompton Road.

Policy

National Planning Policy Framework

Core Strategy policies: P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing.

PCPN2 Space Around Dwellings; PCPN7 Trees; PCPN10 Planning out Crime; PCPN27 Housing Development.

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 the proposal and impact on urban regeneration
- impact on the highway
- impact on the character of the surrounding area
- impact on existing surrounding land uses and occupiers
- impact on trees
- impact on flood risk and drainage
- other issues

Principle of the Proposal and Impact on Urban Regeneration

The main issue in the determination of this application is whether there have been any material changes in development plan policy or the immediate area surrounding the

application site, since the original planning permission was granted which would prevent the Local Planning Authority from granting a further permission.

The application site is located within a residential area. All of which were in situ when the original permissions were granted. From a site visit it appears that none of these properties have been significantly extended or changed in use. In addition, planning history records show that there are no significant works proposed which may impact on this application. Whilst planning application 90713/13 is still extant, this has not been implemented.

In terms of the current development plan policy, since the original planning applications (81011/08, 83572/10 and 87243/11), there has been a material change at both a national and local level, with a number of Planning Policy Statements being replaced by the National Planning Policy Framework (March 2012) and the Local Planning Authority adopting its Core Strategy in March 2011 and its Allocations Plan which was adopted in 2014.

National policy on residential development is contained in the National Planning Policy Framework. In order to promote more sustainable patterns of development, NPPF makes it clear that the focus for additional housing should be in existing towns and urban areas. It is important that new housing is located where it is accessible to jobs, shops and services by modes of transport other than the car. The inefficient use of land should be avoided and to this end maximum use should be made of previously developed land. This is consistent with advice contained within Core Strategy policy SC1 - Housing.

At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development and delivering homes (paragraph 17). The proposed dwellings will be located on an irregular shaped piece of land which is overgrown, has a number of dilapidated garages and may be considered to have a negative effect on the amenities of the immediate area. The application site is located on previously developed land within the urban area and the planning history includes consent for residential dwellings.

Taking these factors into account and giving due weight to the fact that the siting, scale, and design of the proposed dwellings is the same as previously approved and will be appropriate within the surrounding residential context, the proposal is considered to constitute a sustainable form of development in a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered to be acceptable in accordance with the NPPF and Core Strategy policies SC1 and P5.

Impact on the Highway

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

Core Strategy policy S1 seeks to promote road safety in the design of new development. Core Strategy policy P5 seeks to ensure that development is accessible by different types of transport, prioritising pedestrians, cyclists and public transport over the motorised vehicle. Appendix 3 provides guidance on parking standards.

The proposal would provide a ratio of 2 parking spaces per dwelling, including the integral garages of plots 1, 2 and 3. Whilst the Council's Highways Engineers have recommended that Crompton Road, fronting the development, should be widened as any

on-street parking to the front of the dwellings would be likely to obstruct access for industrial vehicles. However, the planning inspector in determining the appeal for 83572/10 noted that, due to the width of the carriage way directly outside of the application site it would make on-street parking extremely difficult and therefore visitors would seek alternative space and there is generous on-street parking available within the vicinity of the site to accommodate visitors to the properties.

In respect of widening the road, this is not considered to be necessary as this section of the existing road serves the existing mill building, is already in use and it is not considered that the addition of four dwellings would place a substantial burden on the highway as the properties all include off-road parking spaces. In addition, the level of parking provision was previously considered acceptable and as the layout remains the same there is insufficient justification to refuse the application from a highway safety perspective on these grounds. As a result, it is considered that the proposed development is in accordance with policies P5 and S1 of the adopted Core Strategy.

Impact on the Character of the Surrounding Area

Section 7 of the NPPF recognises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Core Strategy policy CG3 seeks to ensure that development proposals contribute to good urban design, conserve and enhance local distinctiveness and have regard to the overall built character and landscape quality of the area. Furthermore, development should be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment.

The proposed development comprises of four attached dwelling houses each providing three bedrooms. The area immediately surrounding the site comprises of residential dwellings with a mixture of 3 and 4 bedrooms. The proposed dwellings will be of a similar size and scale to other similar dwellings within the wider surrounding area and therefore the size and type of dwelling is considered acceptable.

Taking into account the size of the proposed dwellings and the number of bedrooms, it is considered that the proposal will contribute to the mix of dwellings, in terms of size, type, tenure and affordability within the surrounding area. The proposal will therefore accord with the policies set out in the Housing Planning Guidance. In addition, the inspector when determining the appeal for application 83572/10 she stated that *"The addition of one extra house at the end of the existing row of three town houses would be entirely in keeping with the prevailing form of development. It would be on the same staggered building line, of a sympathetic design and would have a similar amount of space around the dwelling as adjoining houses. The front elevation of the new dwelling would marry in with the existing town houses, extending the street scene in an acceptable manner. Open land is located immediately beyond the western boundary of the site which would mean that the appeal property, as well as the resultant row of town houses, would not appear cramped or the site overdeveloped"*.

Having regard to the above and that the proposal remains as previously approved, it is considered to accord with the guidance set out in the National Planning Policy Framework and Core Strategy policies CG3 and SC1.

Impact on Existing Surrounding Land Uses and Occupiers

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible

with the surrounding land uses and occupiers.

Guidance contained within Planning Control Policy Note No. 2 provides guidance on interface distances between 2 storey properties, being 21 metres between main room windows and 13.5 metres from a main window and a blank gable.

Members are advised that the siting of the proposed four dwellings are as previously approved and from a site visit it appears that none of these properties have been significantly extended or changed in use since the determination of the previously approved applications. Given this, it is considered that this current proposal would not have an unacceptable detrimental impact on residential amenity in terms of loss of privacy, light, or be overbearing on the occupiers of neighbouring residential dwellings in accordance with policy CG4 of the adopted Core Strategy.

Impact on Trees

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.

None of the trees within or surrounding the site are protected. The high hedge to the front of the site (eastern side) is not proposed to be removed as part of the development. New planting will be provided within the front gardens of the houses to help the development blend in with the character of the surrounding area. It is therefore considered that the proposal complies with Policy CG1.2 of the Core Strategy.

Impact on Flood Risk and Drainage

The application site is located on an existing brownfield site and is below the threshold of 5 or more residential units for policy CG2 of the Core Strategy to be applicable.

Paragraph 100 of the NPPF states 'Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by applying the Sequential Test and if necessary, applying the Exception Test.

In terms of the sequential test, the site is dictated by a number of expired and extant permissions on site. In terms of the exception test there are two parts detailed within the NPPF, which need to be satisfied:

1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and
2. A site specific FRA must demonstrate that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall.

The site is located within a flood risk area 2 with the River Irwell being sited to the north of the site. The application site is located within an existing residential estate and is in close proximity to local services/amenities and employment areas which are accessible by public transport links which are situated close to the site.

The site is currently in an overgrown state and has not been used for some time. It appears to have been subjected to fly tipping on a number of occasions and it is

considered, that as well as contributing towards the delivery of a sustainable supply of housing, the development of the site will enhance the surrounding area by utilising a site which in its current state detracts from the residential amenity of the area.

The Environment Agency have been consulted and no response has been received to date. Whilst a Flood Risk assessment has not been submitted in support of the application. The issue was addressed during consideration of the previous applications and remain relevant and consistent with this proposal. As this is similar to a previous proposal upon which the Environment Agency commented, it is relevant to advise members of their response at that time in respect of application 83572/10. The Environment Agency received information from the applicant's architect, confirming the following; "the proposed floor level of the dwelling would be 49.2m AOD. This is above the estimated 1% AEP flood level for the adjoining River Irwell. The development would be at risk from more extreme events but we would have no objections to the extension of time for completion based on this floor level."

In addition to the above, it will be no worse than the existing situation for the dwellings currently present along Crompton Road and given the small number of dwellings proposed it is likely that the dwellings will tie into any inevitable rescue operations for the surrounding residential district if the area is subjected to flooding.

Both the Council's Drainage Engineer and United Utilities have been consulted and have no objections to the proposal in principle, subject to a number of conditions in respect of flooding and drainage.

It is considered, therefore that in this instance the proposed development is acceptable in terms of flood risk and drainage subject to a number of conditions.

Other Issues

The Council's Wildlife Liaison Officer previously suggested that removal of the dense scrub habitat, may provide nesting for birds, and should be undertaken outside the bird nesting season and this can be controlled by a condition.

In respect of United Utilities comments plot 4 has been designed due to the requirement to leave an adequately sized gap to the sewer pipeline.

The previous applications required the removal of permitted developments to all of the plots, however, the inspector in her decision in respect of plot 4 did not feel that the site was so constrained as to require the removal of these rights and therefore deemed the condition unnecessary. On reflection this is also the case in respect of plots 1, 2 and 3 as these plots are similar in size. A condition restricting permitted developments for all the plots is therefore deemed unnecessary.

Conclusion

The proposed development complies with policy as detailed in the main body of the report above and is thereby recommended for approval.

Representation and Consultation Annex

Representations

Letters:- Three letters of objection has been received from nearby residents who have raised the following concerns (*planning officer's comments shown in italics*):

- The proposal would block access for industrial vehicles to the mill.
- Overdevelopment of the site.
- Bins would be kept at the front of the dwellings.
- A site boundary line runs across the centre line of a sewerage duct.
- Highway Safety/Parking.
- The above issues have been addressed in the appraisal.
- The proposal is too close to the boundary with No.10 the Riverbank - *The proposal would be wholly contained within the application site and one cannot rely on entering another's land for maintenance purposes.*
- *Loss of view – The loss of view is not a material planning consideration.*
- What will happen to his garages on the land as a final settlement for all 5 privately owned garages is yet to be resolved – *Any issues with the garage and their sale is a civil matter and does not fall within the jurisdiction of the Local Planning Authority.*

Consultations

Advice was sought from the following consultees: Highways, Environment Agency, BMBC Economic Strategy, GMP Design for Security, Strategic Development and Environment Agency.

Planning History

Application 90713/13 for the erection of a two storey dwelling was approved by the committee in November 2013.

Application 89168/12, for an extension of time to implement permission 83572/10: erection of dwelling was withdrawn by the applicant.

An application (87243/11) to extend the time period for 81011/08 three town houses was approved by committee in February 2012.

Planning application 83572/10 for the erection of a dwelling (in addition to the three dwellings already approved under application 81011/08) was refused by Committee in June 2010 but was subsequently allowed at appeal in November 2010.

Permission was granted by Committee in February 2009 for the erection of three town houses (81011/08).

Planning applications for garages on the site were granted in February 1981 (16029/80) and June 1978 (8695/78).

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

3. Development shall not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme shall be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall be subject to the approval in writing of the Local Planning Authority and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option.

Reason

To ensure the development is safe for use.

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

Reason

To safeguard the visual appearance and or character of the area.

5. Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first brought into use. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the dwellings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

Reason

To reflect and soften the setting of the development within the landscape.

6. Prior to the development being first occupied or brought into use, full details of the treatment to all boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the dwellings or the completion of the development, whichever is the sooner, unless otherwise agreed in writing with the Local Planning Authority and retained thereafter.

Reason

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

7. Notwithstanding the approved plan CAL 2008 020 005 Rev H, prior to first occupation of the dwelling houses hereby approved a detailed scheme showing the design and size of the bin stores, have been submitted to and approved by the Local Planning Authority and such works that form the approved scheme shall be completed before the development is brought into use, and retained thereafter.

Reason

To ensure the development safeguards the character and visual appearance of the locality and the living conditions of nearby residents.

8. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge into existing foul or combined public sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding

9. The dwellings shall not be occupied until the car parking areas shown on the submitted drawings has been laid out, drained and surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority, and the area thereafter shall not be used for any purpose other than the parking of a vehicle. Notwithstanding the provisions of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order replacing that Order), other than a garage, no extensions, porches, outbuildings, sheds, greenhouses, oil tanks or satellite antennae shall be erected within the car parking areas.

Reason:- In the interests of Highway Safety.

10. The finished ground floor level of the dwelling hereby approved/permitted shall be set **no lower than 49.2m AOD as shown on drawing CAL 2008 020 005 Rev H**

Reason.

To minimise the risk of flooding

11. The dense scrub habitat on the site shall not be removed during the period of March to August.

Reason

To avoid any potential adverse impacts upon birds during the nesting season of March to August.

12. The integral garages hereby approved on plots 1, 2 and 3 shall be made available at all times for the parking of a motor vehicle.

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety.

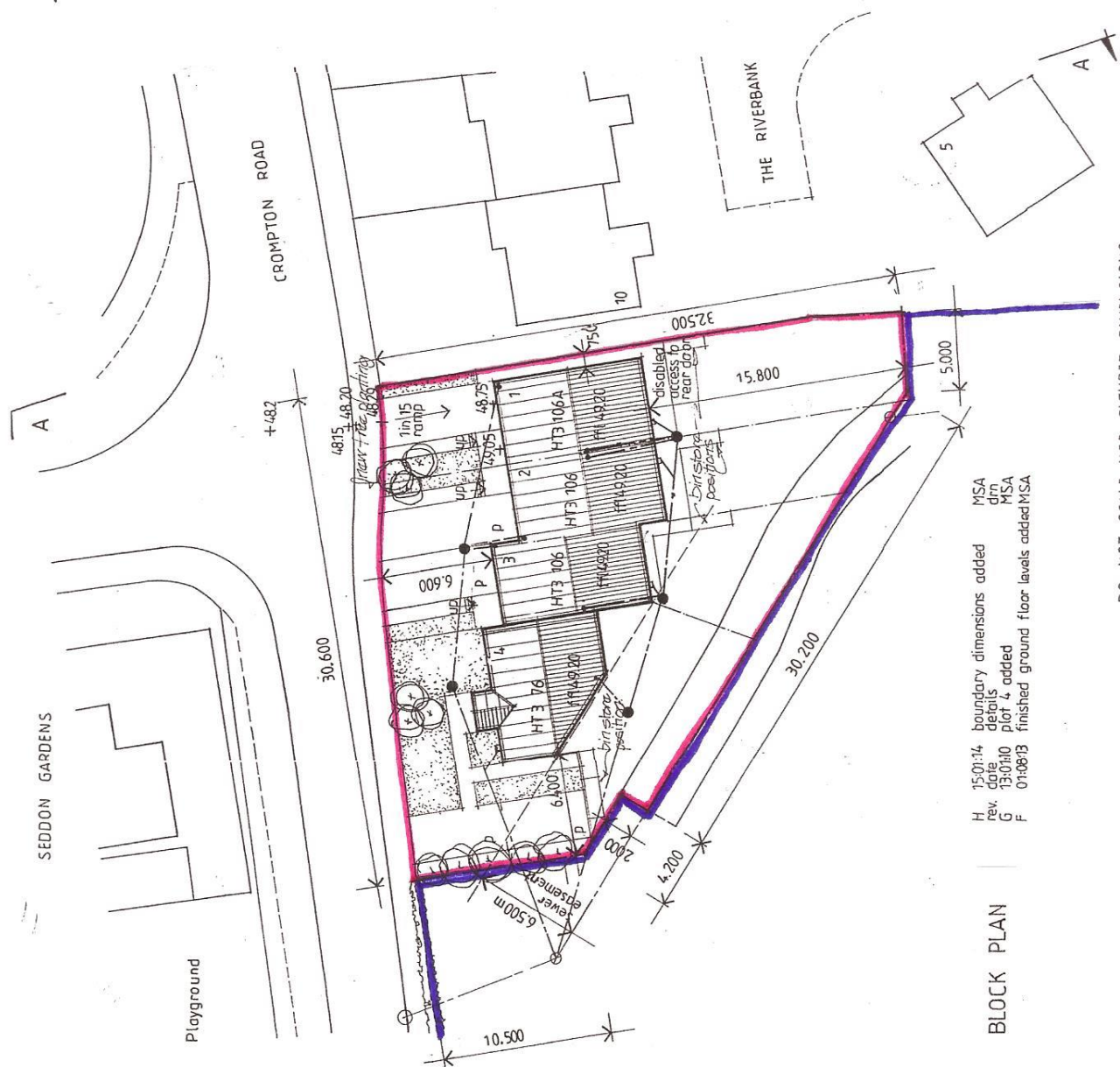
13. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

- **CAL 2008 020 005 BP Rev H - Proposed Block Plan.**

- **CAL 2010 001 001 - House Type HT3 76.**
- **CAL 2008 020 003 Rev A - Floor Plans, Elevations, Proposed Street Elevation to Crompton Road, Location Plan.**
- **CAL 2008 020 005 Rev H - Proposed Site Plan.**

Reason

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



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Client

Mr. S. HARDMAN
PROPERTY PLUS
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COLNE
LANCASHIRE
BB8 7NS

Project

PROPOSED RESIDENTIAL DEVELOPMENT
LAND OFF CROMPTON ROAD
STONECLOUGH
BOLTON

drawing title

PROPOSED BLOCK PLAN

Scale

designer
Mel S Aston

Date _____

area
0.074 hectares

drawing number

revision
HJ

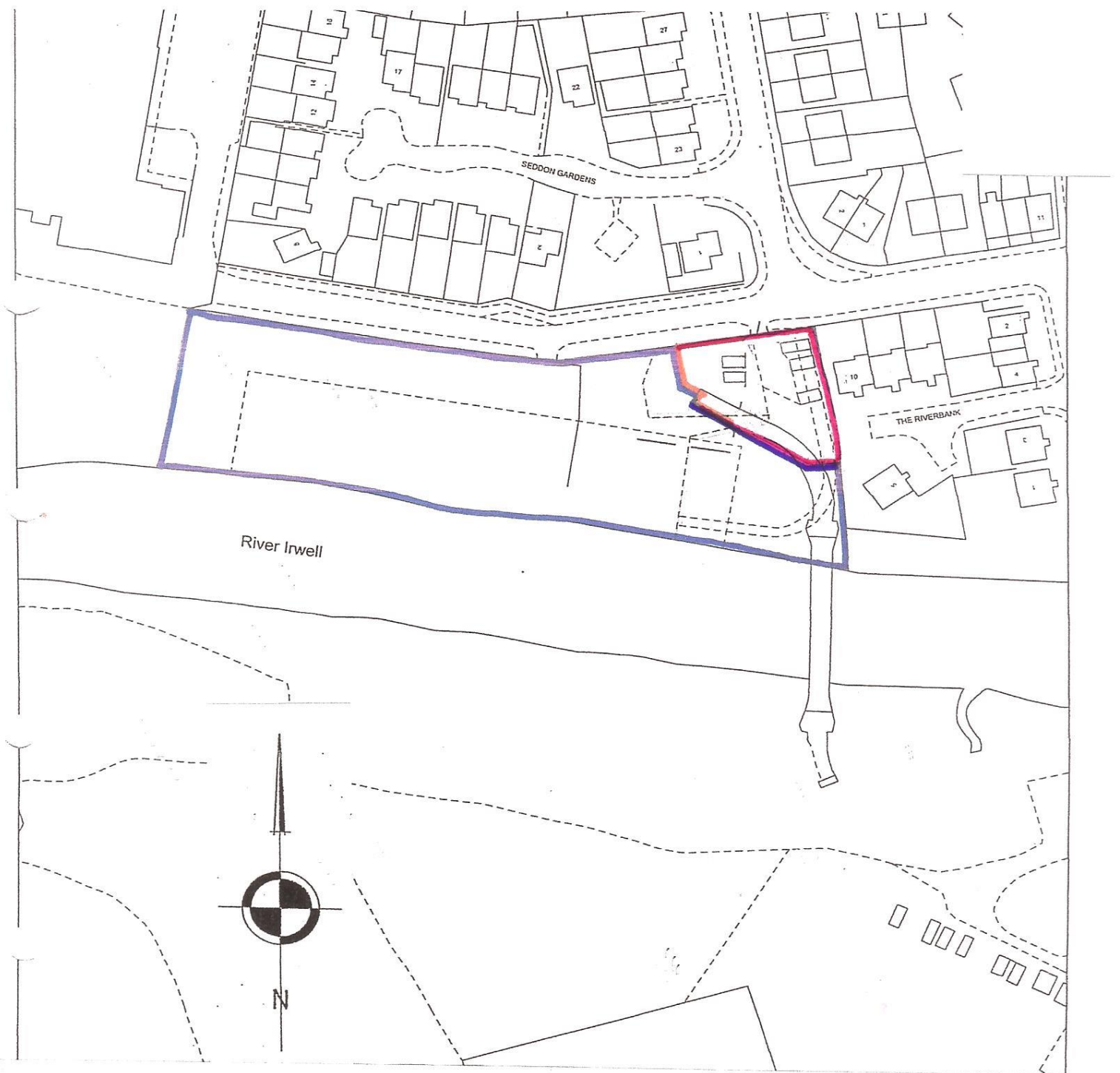
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DO NOT SCALE USE FIGURED DIMENSIONS

DO NOT SCALE USE FIGURED DIMENSIONS

H	15:01:14	boundary dimensions added	MSA
rev.	date	details	drn
G	13:01:10	plot 4 added	MSA
F	01:08:13	finished ground floor levels added	MSA

BLOCK PLAN



Classic Architecture

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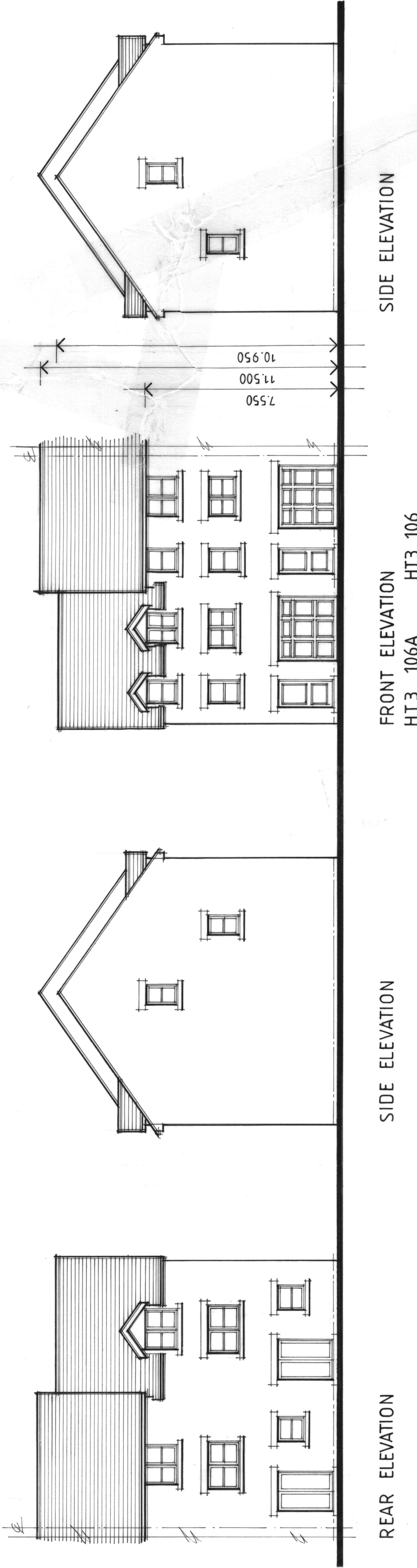
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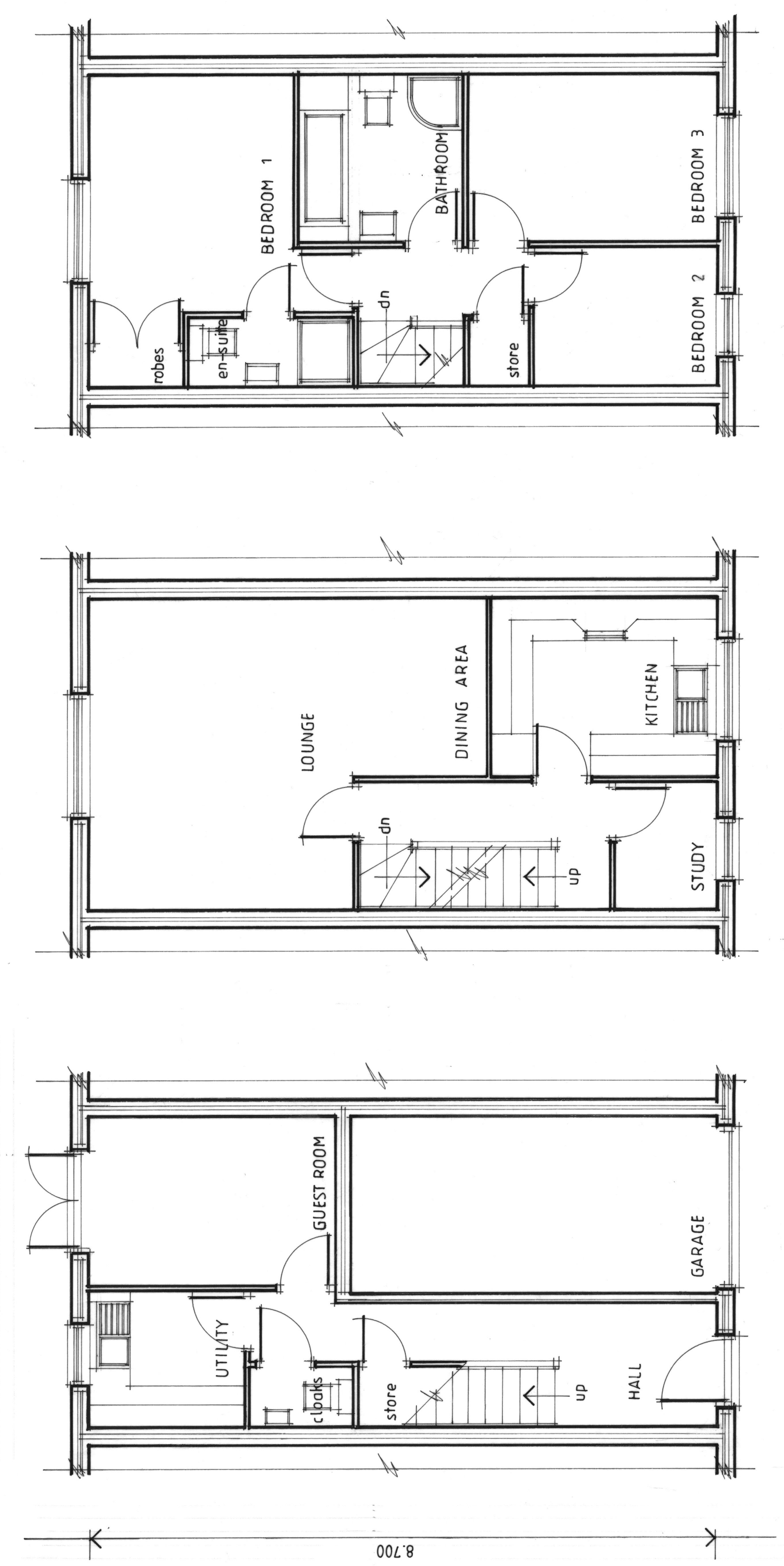
design@classic-architecture.co.uk

Location plan:- Land off Crompton road, Stoneclough, Bolton, Greater Mancher.M26 1HL

Scale 1:1250 @ A4



4,600



CLASSIC ARCHITECTURE
TOWN PLANNING • INTERIOR DESIGN

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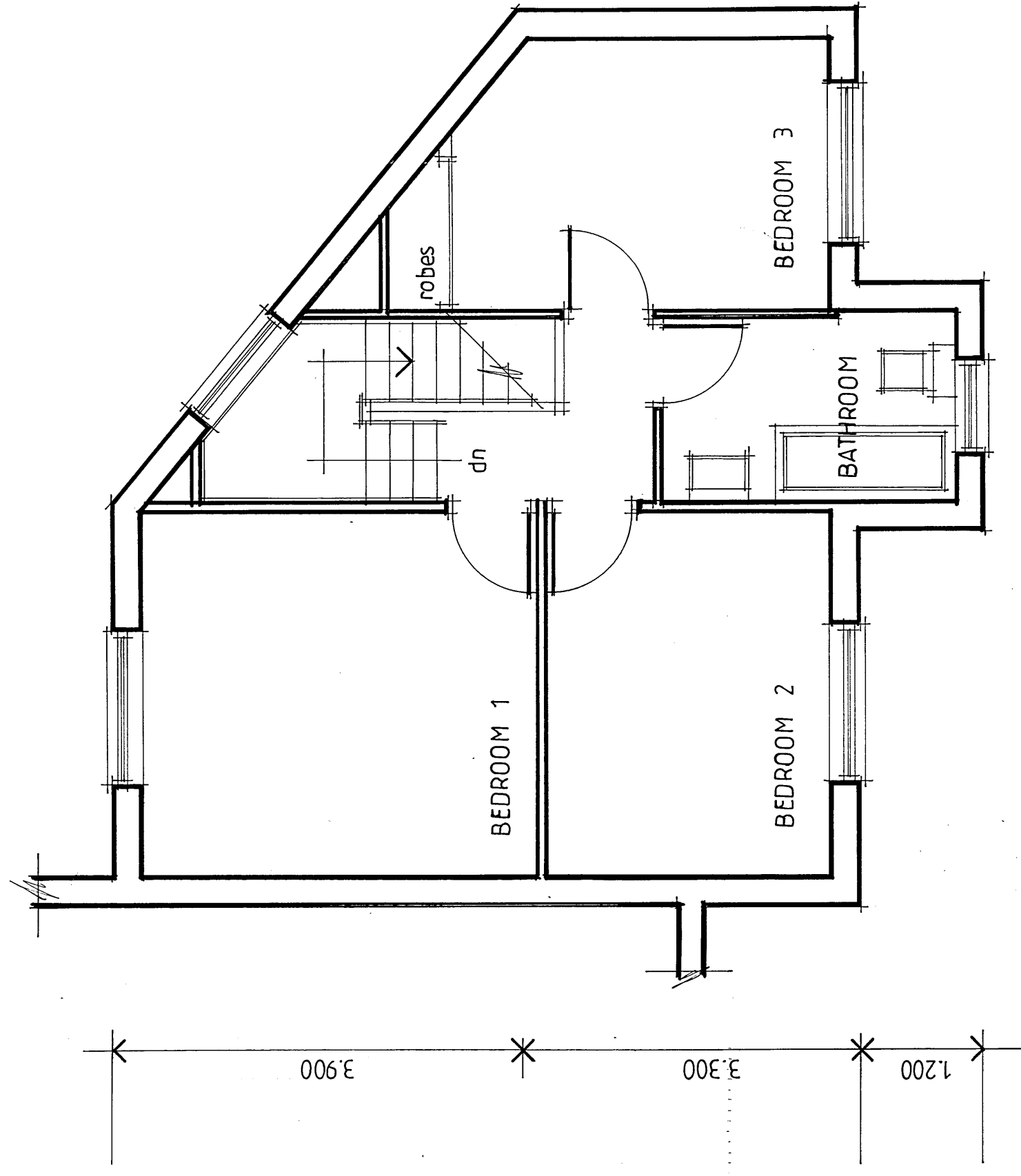
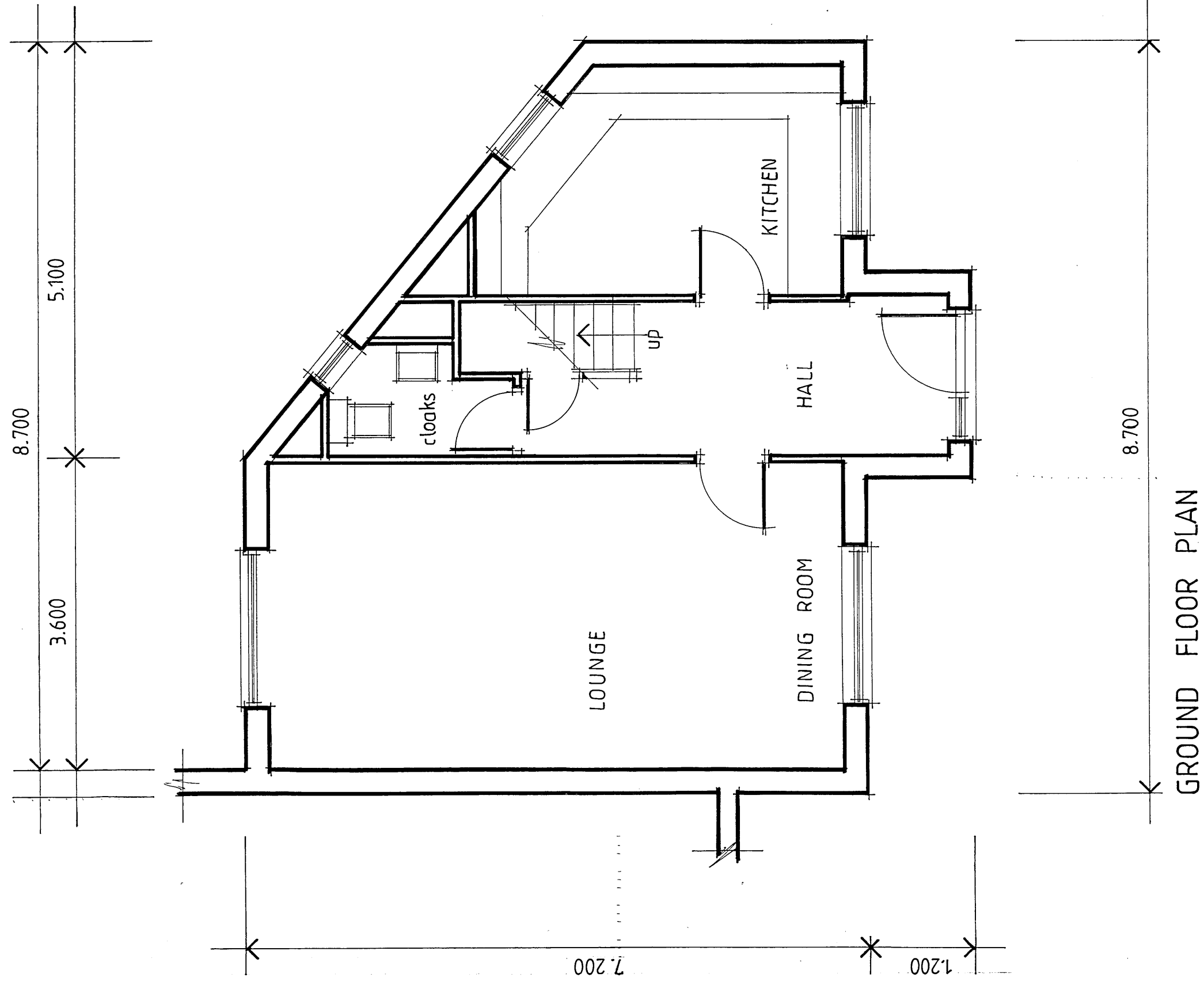
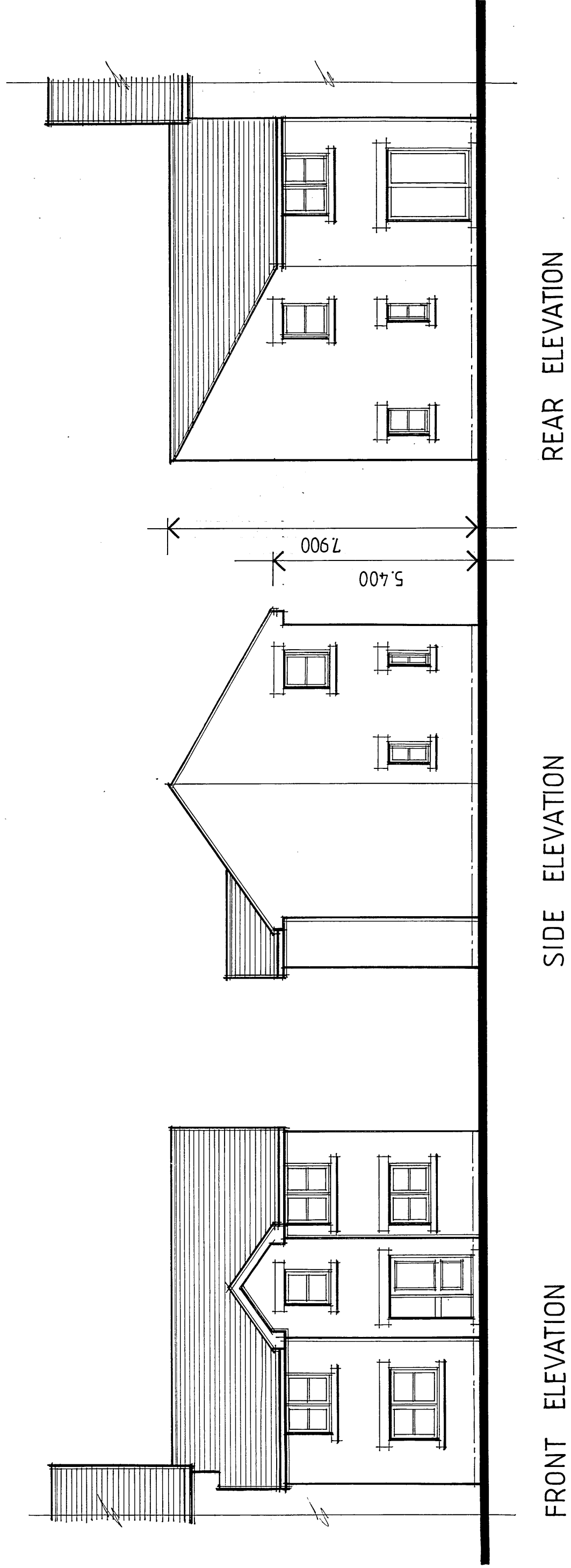
client
MR. S. HARDMAN
56 ALMA AVENUE
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project
3 BEDROOM TOWN HOUSE WITH
INTEGRAL GARAGE.
HOUSE TYPE HT3 106 & HT3 106A
PROPOSED RESIDENTIAL DEVELOPMENT AT
CROMPTON ROAD KEARSLEY.

drawing title
FLOOR PLANS, ELEVATIONS
rev. date details
A 13-10-08 height of building added drn
MSA

scale 1:50 1:100
date 28-08-2008
drawing number CAL 2008 020 003
designer MEL S. ASTON
area net floor 106.02m²
revision A

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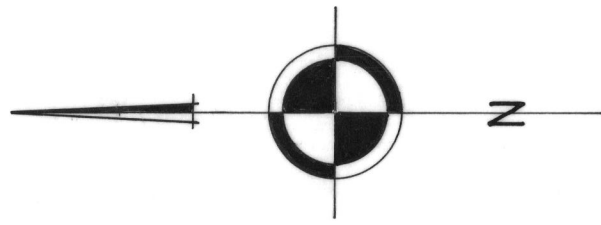
Project
PROPOSED RESIDENTIAL DEVELOPMENT
PLOT 4, LAND OFF CROMPTON ROAD
STONECLOUGH
BOLTON

drawing title
HOUSE TYPE HT3 76
3 BEDROOM DWELLING

Scale
1:50 & 1:100 @ A1
designer
Mel S Aston
Date
14/01/2008
area
76.2 m2
drawing number
CAL 2010 001 001
revision

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SEDDON GARDENS

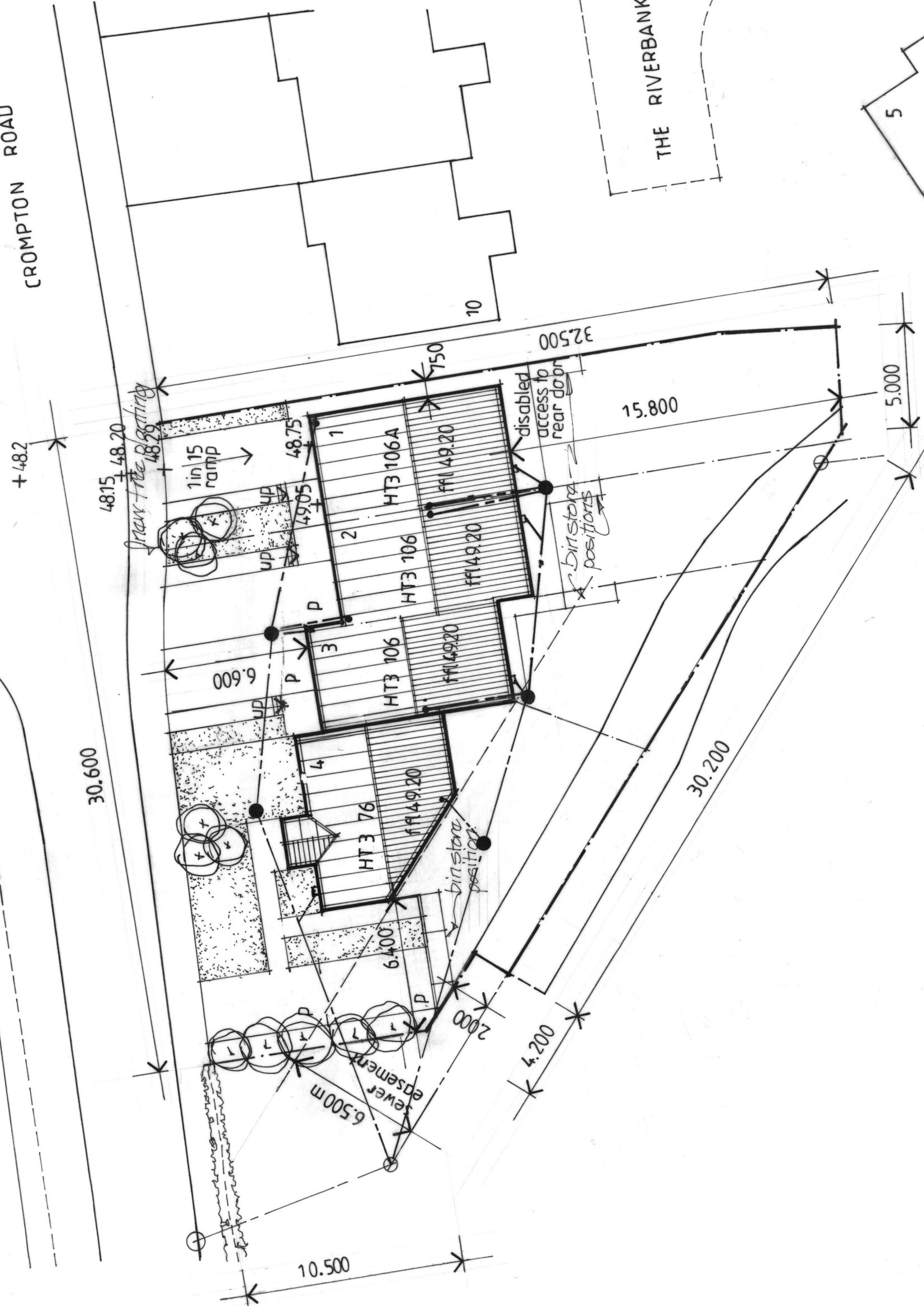
Playground

CROMPTON ROAD

THE RIVERBANK

SITE LAYOUT

H	15:01:14	boundary dimensions added	MSA
rev.	date	details	drn
G	13:01:10	plot 4 added	MSA
F	01:08:13	finished ground floor levels added	MSA

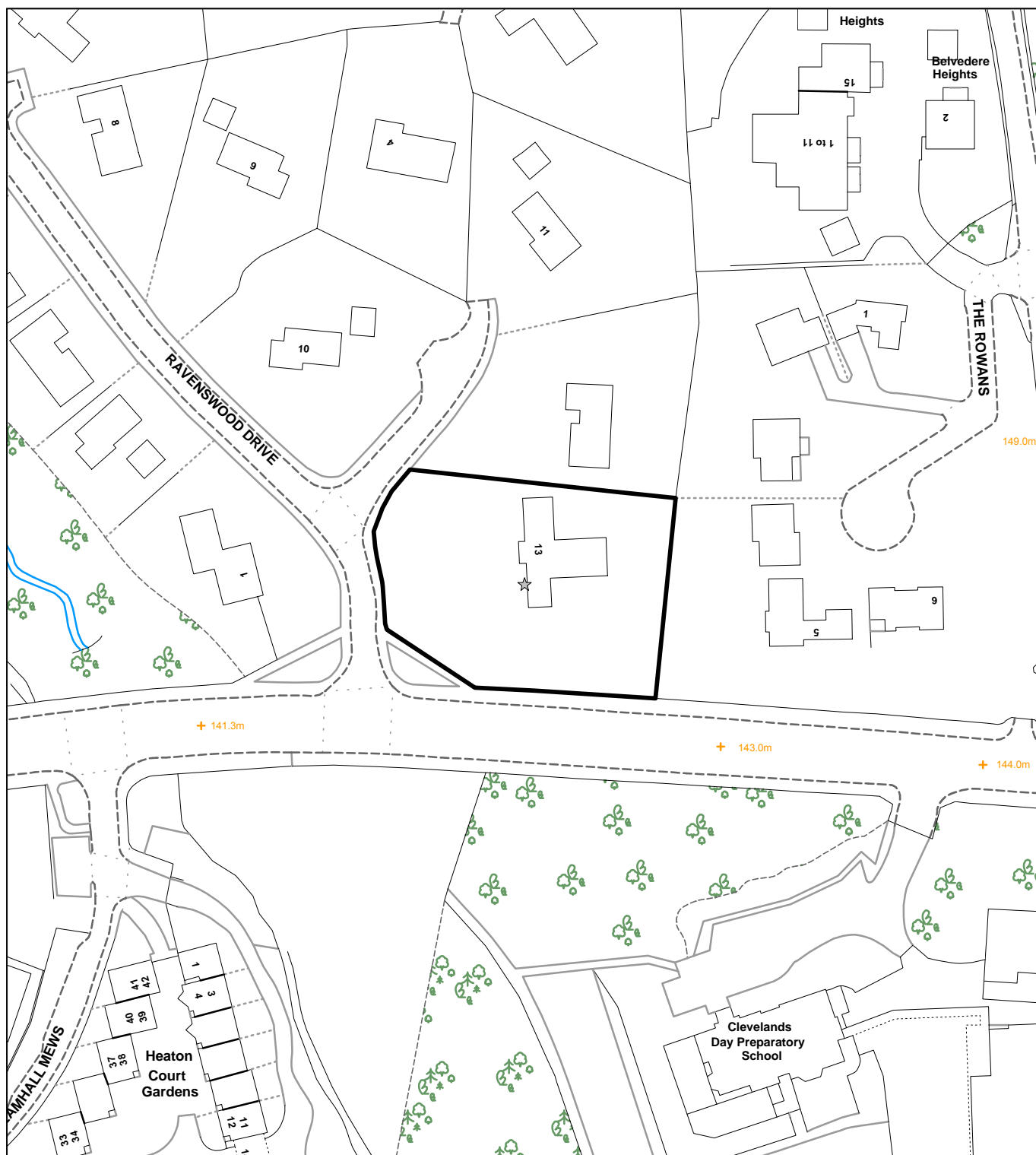




PROPOSED STREET ELEVATION TO CROMPTON ROAD

Application No.

93558/15



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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Date of Meeting: 09/04/2015

Application Reference: 93558/15

Type of Application: Full Planning Application
Registration Date: 12/02/2015
Decision Due By: 08/04/2015
Responsible Officer: Jeanette Isherwood

Location: 13 RAVENSWOOD DRIVE, BOLTON, BL1 5AJ

Proposal: DEMOLITION OF BUNGALOW WITH THE ERECTION OF 2NO DWELLINGS/GARAGES, INCLUDING LANDSCAPING AND OTHER ASSOCIATED WORKS

Ward: Heaton and Lostock

Applicant: Mr S Colin
Agent : ASC Designs LTD

Officers Report

Recommendation: Approve subject to conditions

Proposal

This application is a resubmission of an identical scheme subject of two previous permissions:

- 81758/07 - Demolition of dwelling and erection of two 5-bed detached dwellings with integral garages.
- 87679/12 - Extension of time to implement permissions 81758/09 and 81759/09: demolition of dwelling and erection of two 5-bed detached dwellings with integral garages/conservation area consent to demolish the existing dwelling (81759/09 being the conservation area consent).

Both applications were approved by Planning Committee.

The application proposes the demolition of the existing dwelling and erection of two replacement dwellings. The two new units are of a detached nature and would provide family accommodation. Architecturally each dwelling would take on an arts and crafts style, with principal windows in the front and rear elevations of both dwellings. Dwelling 1 is 12 metres in width, 10.7 metres in length and 9 metres to the ridge, whilst dwelling 2 measures 15 metres in width, 9.3 metres in length, with a 6.3 metre wide garage added on and a ridge height of 8 metres.

A shared access would serve the development; the existing access point would be used, with separate driveways leading from it. Each plot would have a double garage. Amenity space would be provided to the front and rear of the dwellings, whilst the boundaries would retain a strong landscape barrier.

Site Characteristics

Ravenswood Drive is a residential road off Chorley New Road, the southern end of the road is characterised by large detached dwellings, generally on open plots. There is a great deal of variance in architectural style. One of the main characteristics of the area is the openness of the street scene when viewed from Chorley New Road; this is created by the layout and general design of the large dwellings on large plots.

The site gradually steps down from north to south to the boundary with Chorley New Road. Landscaping can be found throughout the site, in particular a strong screen fronts Chorley New Road and the boundary between the site and The Rowans to the east.

Policy

National Planning Policy Framework 2012

Core Strategy Objectives - SO9 Reduce Crime and Fear of Crime; SO11 Built Heritage and Landscapes; SO14 Housing; SO15 Housing in Urban Area

Core Strategy CG1.2 Urban Biodiversity; CG3.1 Innovative Sustainable Design; CG3.2 Respect and Enhance Local Distinctiveness; CG3.3 Scale, Massing, Grain and Form; CG3.6 Design and Adaption to Climate Change; CG4.1 Compatible Uses; CG4.3 Contaminated Land; S1.1 Crime and Reduce Fear of Crime; S1.2 Road Safety; P5 Accessibility; SC1.2 80% PDL 20% GF; SC1.5 Housing Density; OA4.1 New Housing in Urban Area; OA4.4 Conserve and Enhance Physical Environment, Especially Conservation Areas; OA4.5 Density, Plot Sizes, Massing and Materials in West Bolton; OA4.6 Lower Density and Landscaping in West Bolton

Appendix 3 Parking Standards

PCPN2 Space around Dwellings; PCPN7 Trees; PCPN10 Crime; PCPN19 Conservation Areas; PCPN27 Housing Development

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on the Principle of Residential Development
- * impact on the Character and Appearance of the Chorley New Road Conservation Area
- * impact on the Living Conditions at Adjacent Properties
- * impact on Trees
- * impact on Highway Safety and Vehicular Access on Ravenswood Drive

* impact on Bats

The Principle of the Residential Development

The site lies in the urban area and is previously developed land. Furthermore any development should be located where it is accessible to jobs, shops and services by modes of transport other than cars. Development should make efficient use of land. Consent was granted to demolish the dwelling and erect two dwellings previously. Notwithstanding changes to policy, residential development on this site has been accepted - it is a material consideration. Officers conclude the principle is acceptable.

Impact on the Character and Appearance of the Chorley New Road Conservation Area

Core Strategy policies CG3.1, CG3.2 and CG3.3 require proposals to respect and enhance local distinctiveness, and be compatible with the surrounding area in terms of scale, massing, grain, form, architecture and landscape treatment, including hard/soft landscaping and boundary treatment.

Policy OA4.4 conserves and enhances the character of the existing physical environment, especially the conservation areas at Deane and Chorley New Road, and the historic registered Hulton Park. Policy OA4.5 requires new housing developments to pay particular regard to the overall density, plot size, massing and materials of the surroundings. Policy OA4.6 strives to ensure development respects the large amount of open space and lower density development in West Bolton. Development should take special care to incorporate high quality soft landscaping. Policy SC1.5 requires new housing to have a density of at least 30 dwellings per hectare, and achieve higher densities where possible taking into account local character.

Dwellings in this area are reflective of the spacious feel and woodland character epitomised by the whole Conservation Area. The surrounding residential developments offer a variety of designs, however, there are units on Ravenswood Drive which are relatively modern. This proposal reflects that suburban feel in the area. It is considered the proposal retains a sense of space, also the design is similar to that found elsewhere in the Conservation Area, the siting also maintains the character of the entrance into Ravenswood Drive from Chorley New Road.

The proposal complies with policies CG3.1, CG3.2, CG3.3, OA4.4, OA4.5, OA4.6 and SC1.5 of the Core Strategy.

Impact on the Living Conditions at Adjacent Properties

CS policy CG4.1 and PCPN2 protect and preserve neighbouring occupiers' privacy and amenity. PCPNs 2 and 3 advise on interface distances between residential dwellings.

Objections have been received concerned that the proposal will lead to loss of privacy and views from surrounding properties.

Principal windows are set in the front and rear elevations of the proposed dwellings (east/west). The front elevation interface distance to 1 Ravenswood Drive is well over 60 metres, well in excess of the provisions in PCPN2. To the rear, towards the Rowans, the shortest interface distance is 24 metres on plot 1, with this extending to 35 metres for plot 2. Both distances are over and above the minimum distances specified in PCPN2.

Impact on Trees

Policy CG1.2 safeguards and enhances biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development,

and improving the quality and interconnectivity of wildlife corridors and habitats.

The site benefits from extensive landscaping, particularly around the side and rear boundaries of the site. The Council's Tree Officer expressed concern at the loss of landscaping to the rear due to the new properties being set further back than the existing property. However a condition will be added with regards to the submission of a suitable landscaping scheme to be agreed by the LPA.

The proposal complies with policy CG1.2.

Impact on Highway Safety and Vehicular Access on Ravenswood Drive

Policy P5 requires developments to be accessible by different means of transport and places an emphasis on persons using public transport, cycling and walking to destinations. Policy S1.2 promotes road safety in new development. Appendix 3 advises of a maximum standard of 3 off street parking spaces for 4+ bedroom houses.

Access will be obtained via Ravenswood Drive - it will be shared. Once inside the site separate driveways would lead to the respective properties. Each unit contains provision for a double garage, with space to the front to enable vehicles to manoeuvre. The highway engineer does not raise any concern regarding this arrangement.

The proposal is considered to comply with policies P5 and S1.2 of the Core Strategy.

Impact on Bats

Applications proposing demolition of existing dwellings require a bat survey to be undertaken.

One objection has been received regarding the possibility of harm to roosting bats and also noted that the originally submitted bat survey was completed in 2012.

A new survey has been completed in 2015 and submitted. No evidence of bats were found, but it recognises that the site does have potential to support bats and recommends further survey work, bat boxes and best practice measures for safe demolition. The proposal complies with policy CG1.2.

Conclusion

The proposal would increase family housing supply without causing a detrimental impact on the Conservation Area. It is considered the proposal will integrate well into the urban grain and it has an architectural style which is suitable for this plot. The proposal has retained the character of the Conservation Area in that a large spacious frontage will still be viewed from Chorley New Road and established landscaping will be retained on this site, to the benefit of the wider area. There are no new reasons why permission should not be extended - consent is therefore granted.

Representation and Consultation Annex

Representations

Letters:- 3 letters of objection have been submitted which raise the following concerns:

- * Impact on privacy for neighbours at The Rowans
- * Privacy of the new residents will also be compromised
- * The dwellings should be relocated further forward in the plot to reflect the existing building line and move the dwellings further away from the properties at the rear
- * Impact on views from neighbouring properties (officer's comment: this is not a material planning consideration)
- * The negative effect of the proposal on neighbouring residents is exacerbated as the new buildings are twice the height and nearer to neighbours at the rear than the existing building
- * There should be safeguards in place to ensure no damage is done to vegetation
- * Concern about a previous bat survey for the site - pleased to see the most recent report has overcome some of the issues of the previous poor report.

Consultations

Advice was sought from the following consultees: Highways Engineer, Environmental Health, Tree and Woodland Officer, Design for Security, Greater Manchester Ecology Unit, Strategic Development, Greenspace and Economic Strategy.

Planning History

Consent was granted for the erection of a carport. Ref: 13273/80;

Permission was refused for the demolition of the existing dwelling and the erection of three dwellings. Ref: 74493/06

Permission was refused for Conservation Area consent to demolish the existing dwelling. Ref: 74488/06.

Permission granted to demolish the dwelling and erect two dwellings. Ref: 81758/09.

Conservation area consent granted to demolish the dwelling. Ref: 81759/09.

Permission granted for extension of time. Ref 87679/12.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

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

Reason

To ensure the development reflects local distinctiveness.

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

Reason

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

4. No demolition, development or stripping of soil shall be started until:
 1. The trees and hedgerows within or overhanging the site which are subject of a Tree Preservation Order (TPO) have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
 2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).
 3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

Reason

To protect the health and appearance of the tree(s).

5. Prior to commencement of the development hereby approved, details for the provision of a bat boxes within the overall development scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented entirely in accordance with the approved details before the dwelling to which it relates have been occupied, and retained thereafter.

Reason

To mitigate against the loss of the habitat of protected species.

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

Reason

To reflect and soften the setting of the development within the landscape.

7. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Ravenswood Drive shall be constructed to a minimum width of 4.5 metres with 5 metres radii in accordance with the drawing ref 0.01B.

Reason

In the interests of highway safety

8. Prior to the occupation of the dwelling house(s) hereby permitted provision shall be made for the parking or garaging of (a) motor vehicle(s) adjacent to each of the dwelling house(s) in the area identified for that purpose on the approved plan. Those area(s) shall thereafter be retained at all times for that purpose. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or replacing that Order) other than (a) garage(s), no extensions, porches, outbuildings, sheds, greenhouses, oil tanks, wind turbines or satellite antennae shall be erected within that area.

Reason

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

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

Reason

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

10. Prior to the development hereby approved/permitted being first brought into use a visibility splay measuring 2.4 metres by 45 metres shall be provided at the junction of access with Ravenswood Drive, and subsequently remain free of all obstructions between the height of 0.6 metres and 2 metres (as measured above carriageway level).

Reason

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no windows or doors shall be formed in the development hereby approved other than those shown on the approved drawings, nor shall those approved windows or doors be enlarged or altered.

Reason

To safeguard the outlook, privacy and living conditions of neighbouring residents.

12. To ensure the well being of bats the applicant should:

a) If demolition is to be undertaken during the months of May to September inclusive the applicant shall prior to commencing demolition of 13 Ravenswood Drive re-inspect the site for the presence of bats in the form of an emergence survey. The findings should be submitted to and approved by the Local Planning Authority.

b) If more than 12 months elapse between the survey submitted prior to determination and any remedial work or roof removal, then the site must be re-surveyed for the presence of bats. The survey should be submitted to and approved by the Local Planning Authority.

c) Removal of ridge and roof tiles should be removed by hand under the supervision of a licensed bat worker.

Reason

To ensure the well being of a protected wildlife species.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates, walls, dormers or any other alterations to the roof (other than those expressly authorised by this

permission) shall be constructed.

Reason

To safeguard the character and appearance of the dwelling.

14. The garage(s) hereby approved/permitted shall be made available at all times for the parking of motor vehicles.

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety.

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

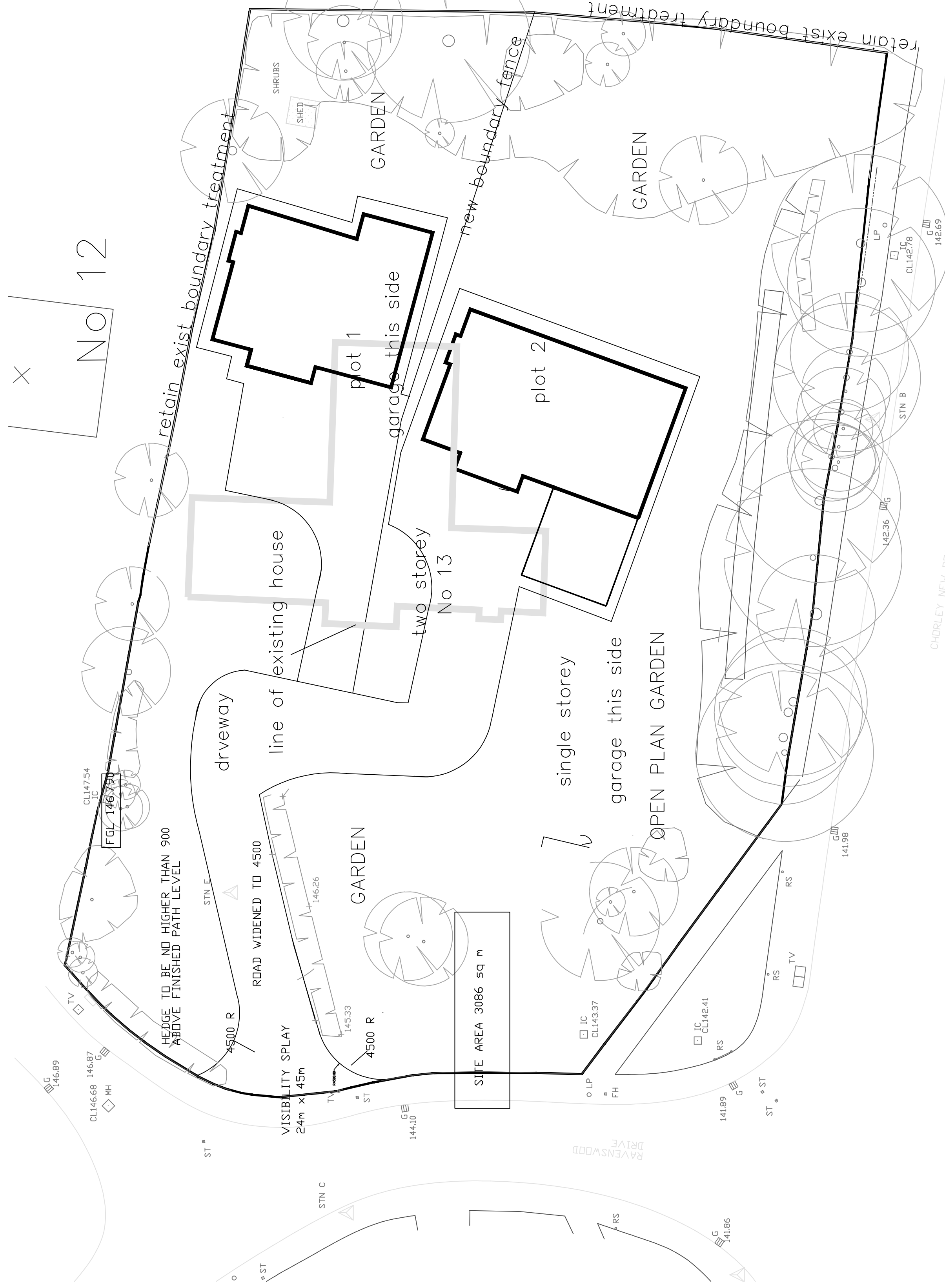
Plot 1 Floor plans and Elevations - Drawing No. 0.02 Scanned 23/03/15

Plot 2 Floor plans and Elevations - Drawing No. 0.01B Scanned 4/02/15

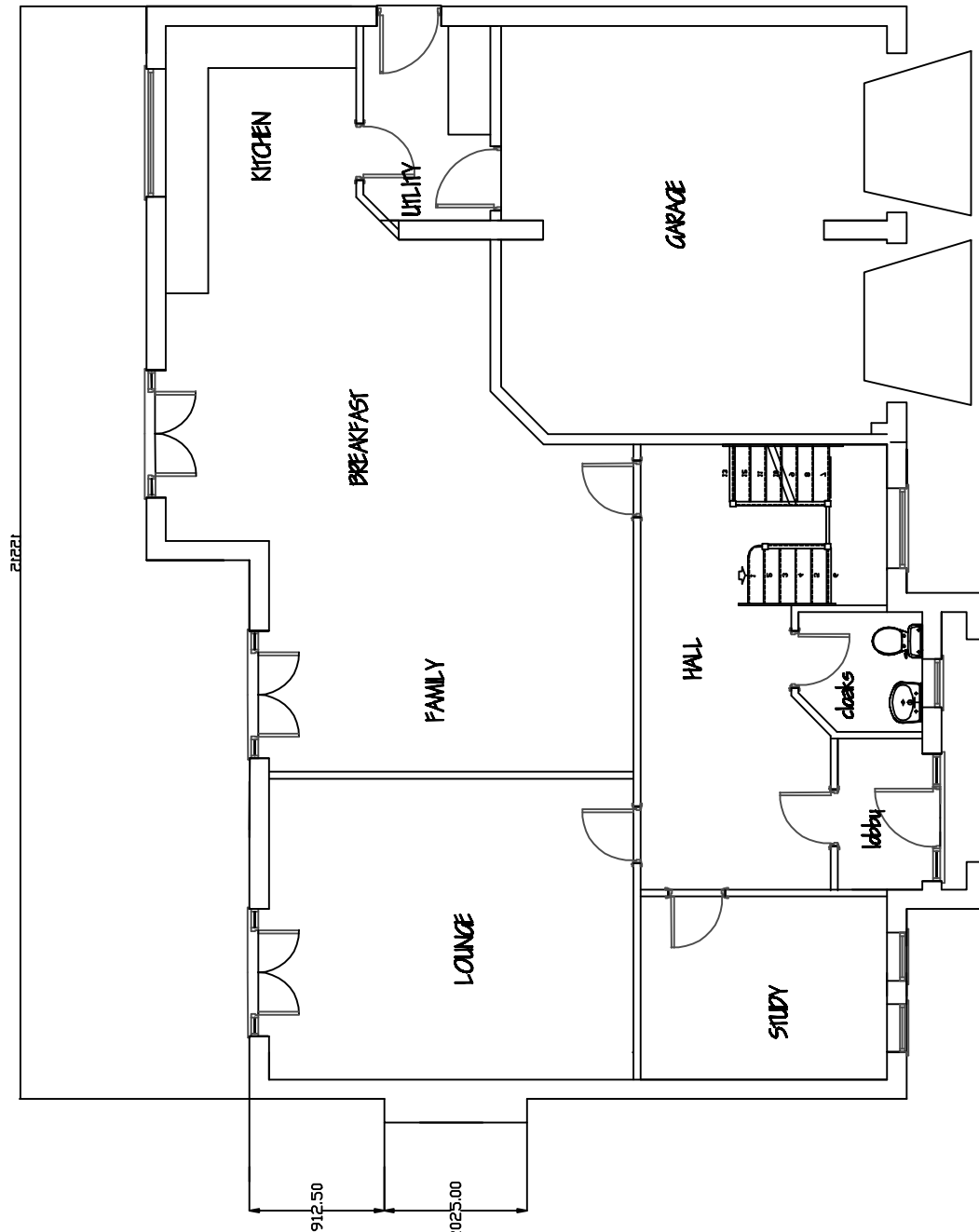
Reason

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

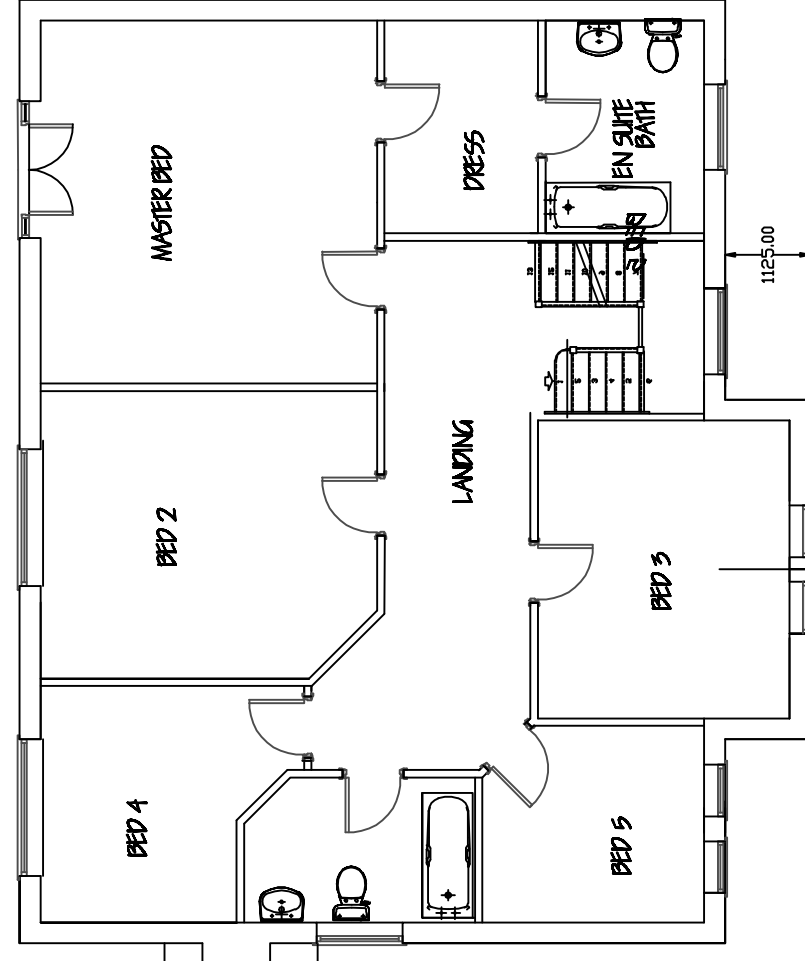
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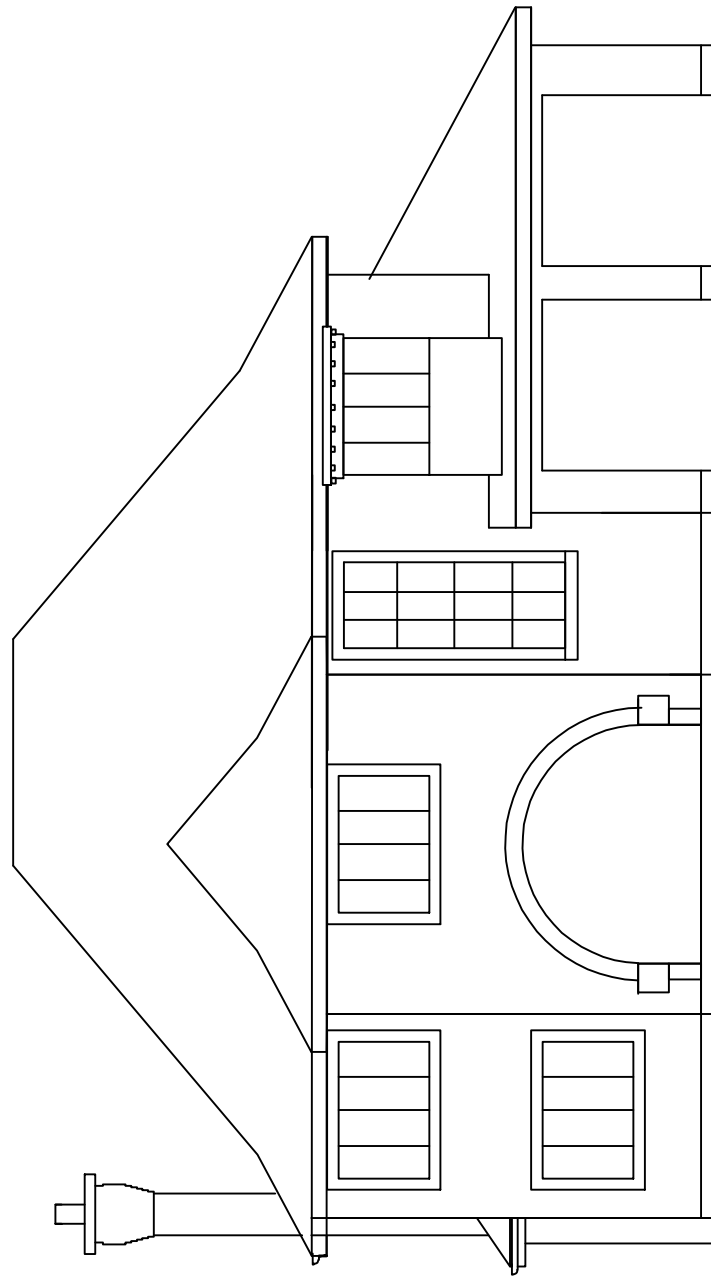
AMENDED PROPOSED SITE PLAN 1/200



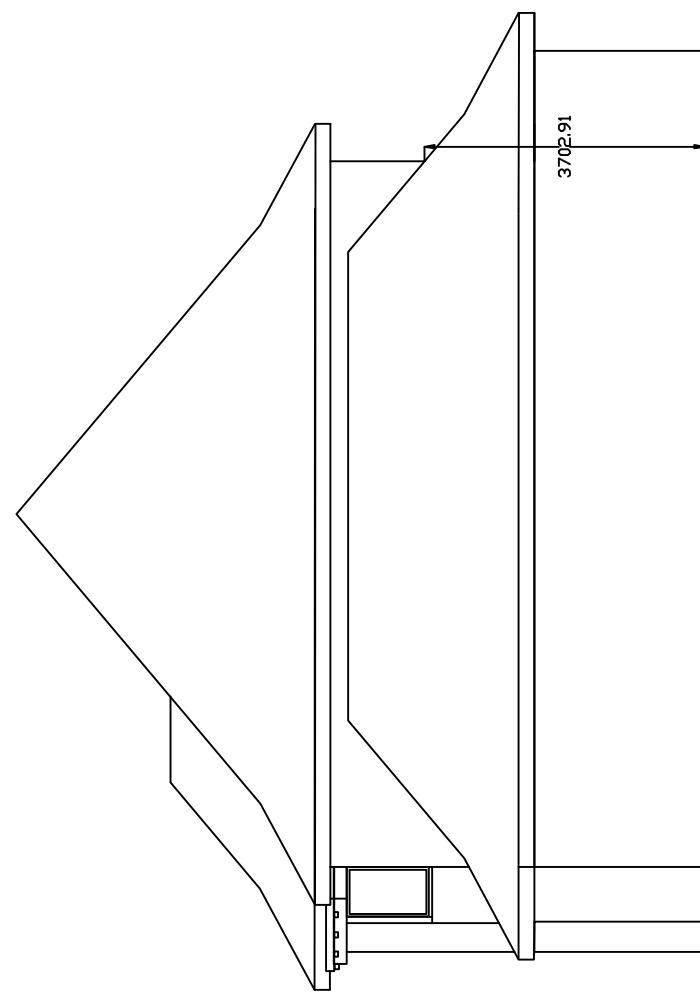
GROUND FLOOR PLAN



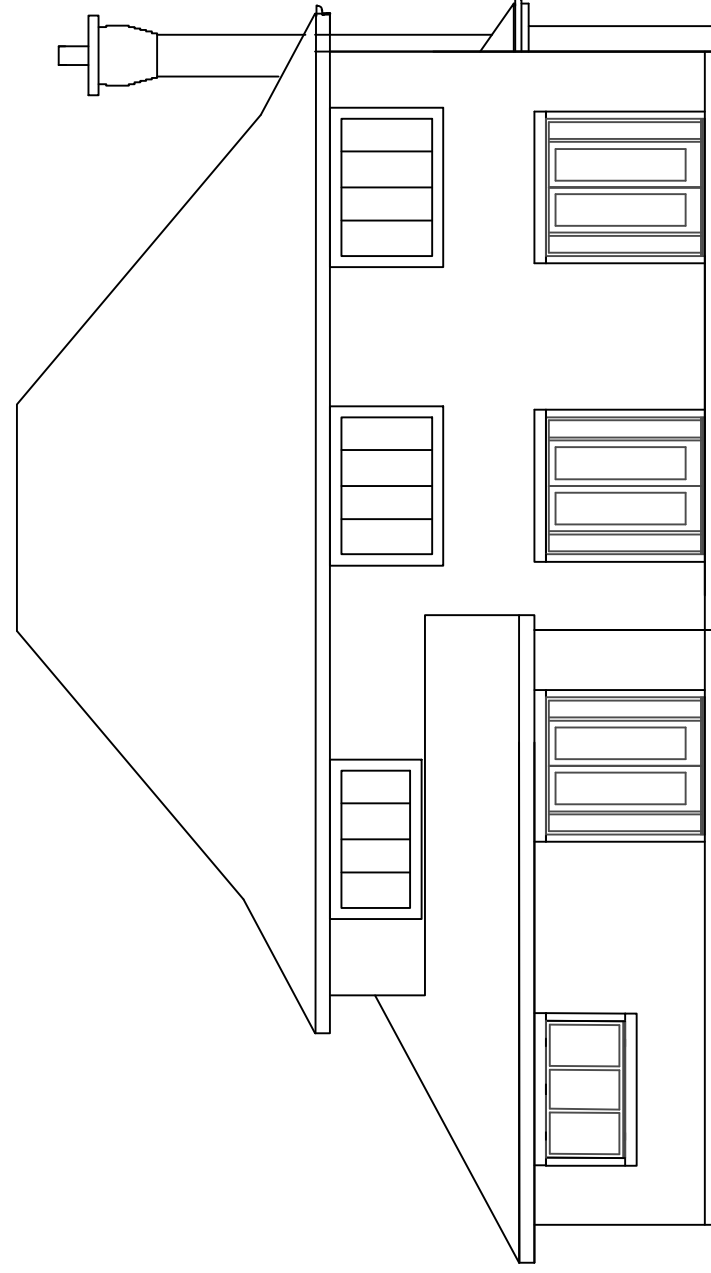
FIRST FLOOR PLAN



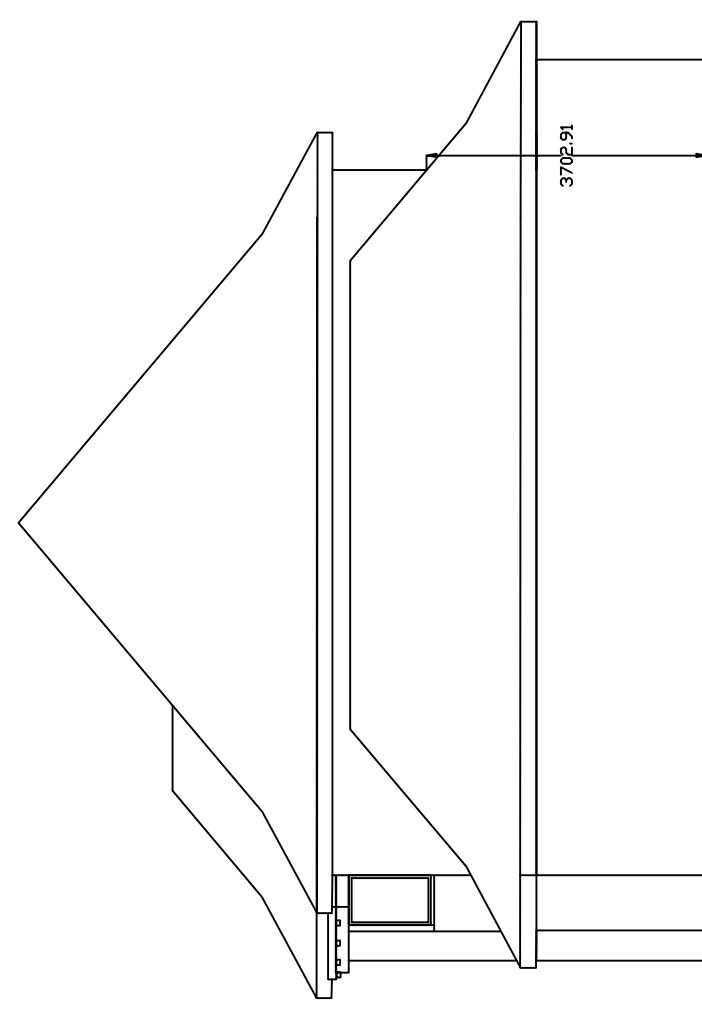
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



LOCATION PLAN 1/1250

REVISIONS			
SCALE	DATE	DRAWN	CHECKED
1/200	08 OCT	ASC	

CLIENT	METRIC	CONSTRUCTION
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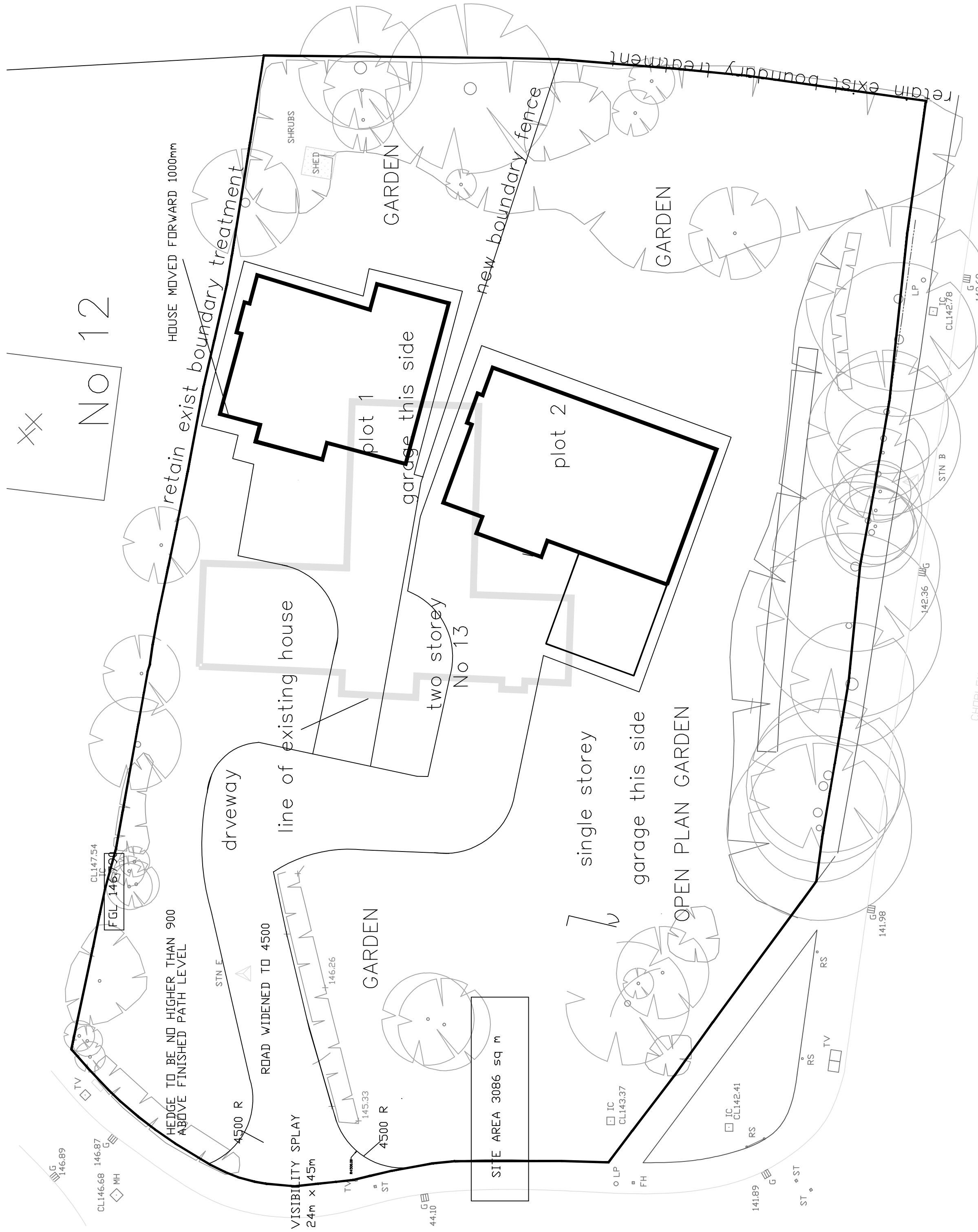
TITLE

AT 13 RAVENSWOOD DRIVE HEATON BOLTON
DEMOLITION OF EXIST BUNGALOW AND THE
CONSTRUCTION OF TWO DETACHED HOUSES

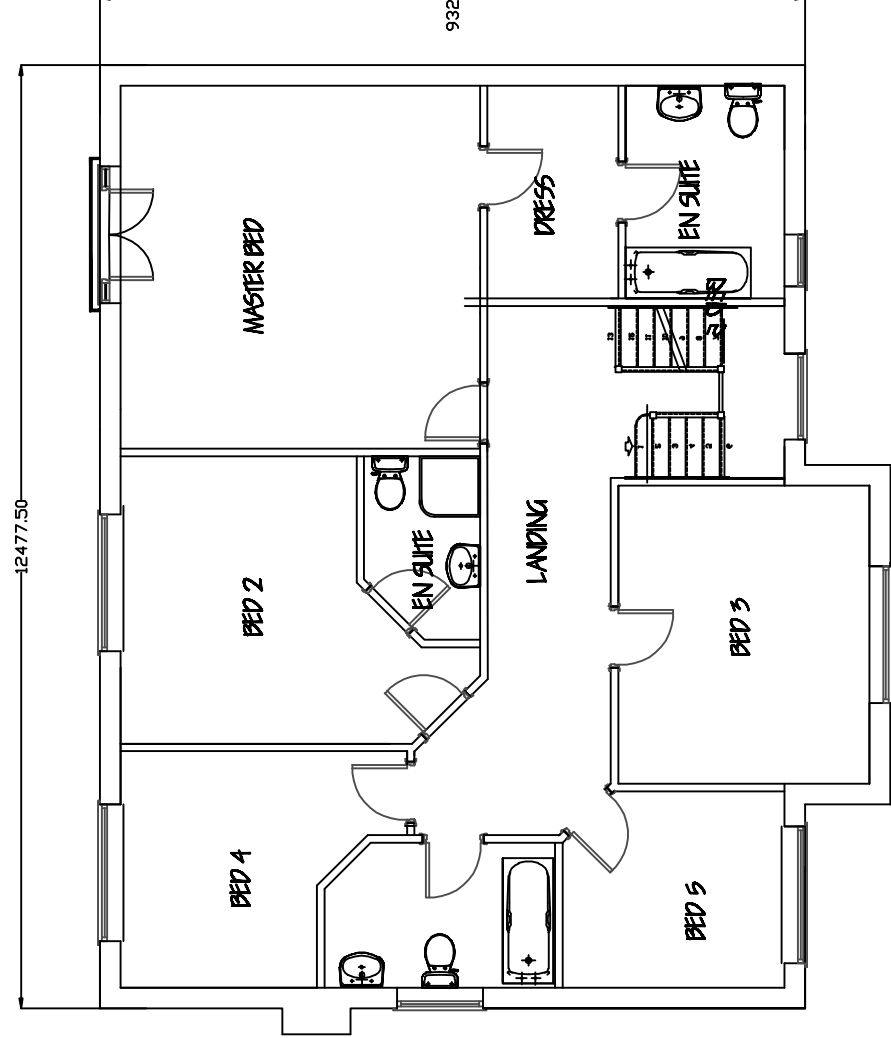
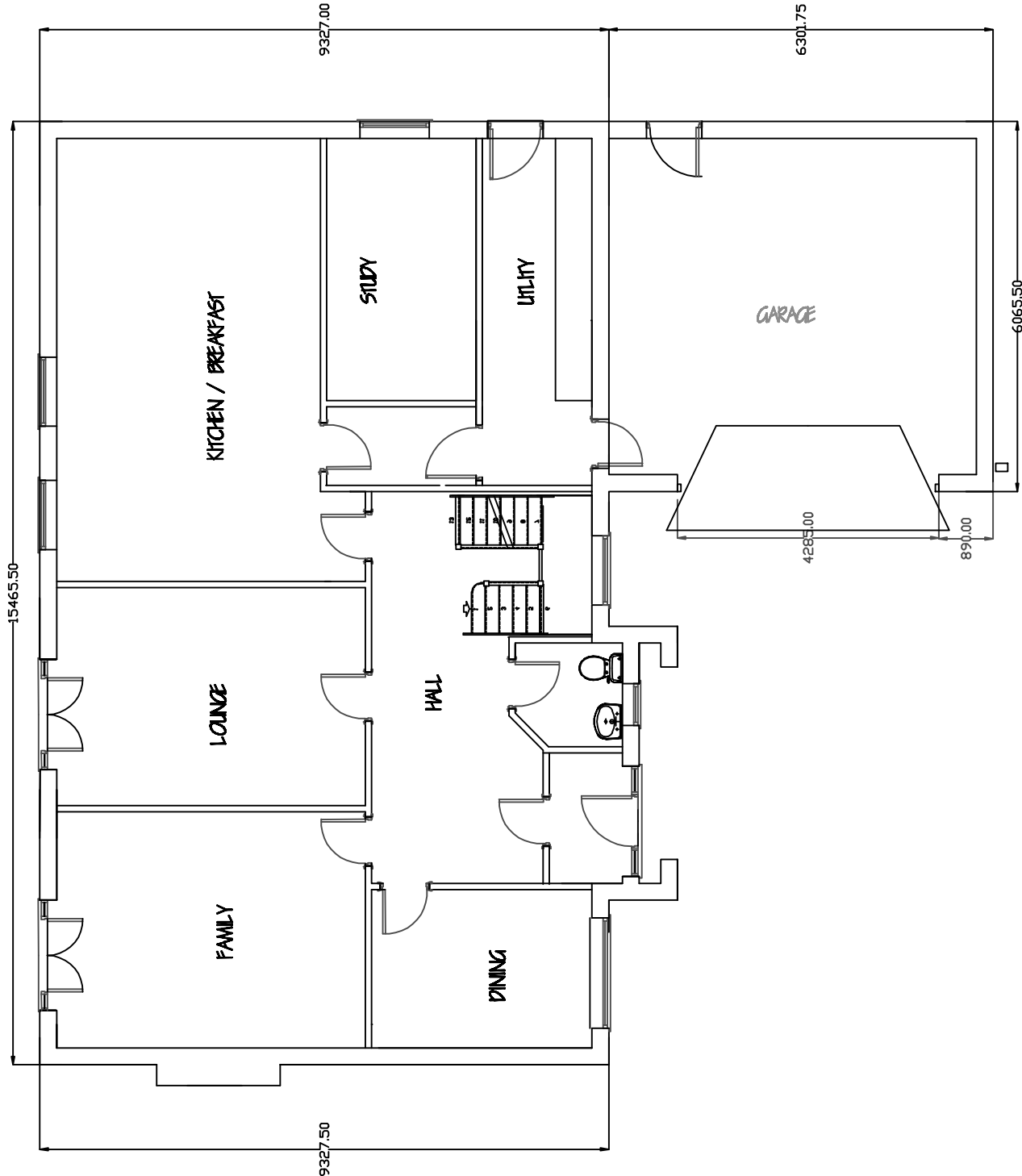
plot 1

DRAWING No. 0.02

PLOT 2

No. 12
 12/11/12

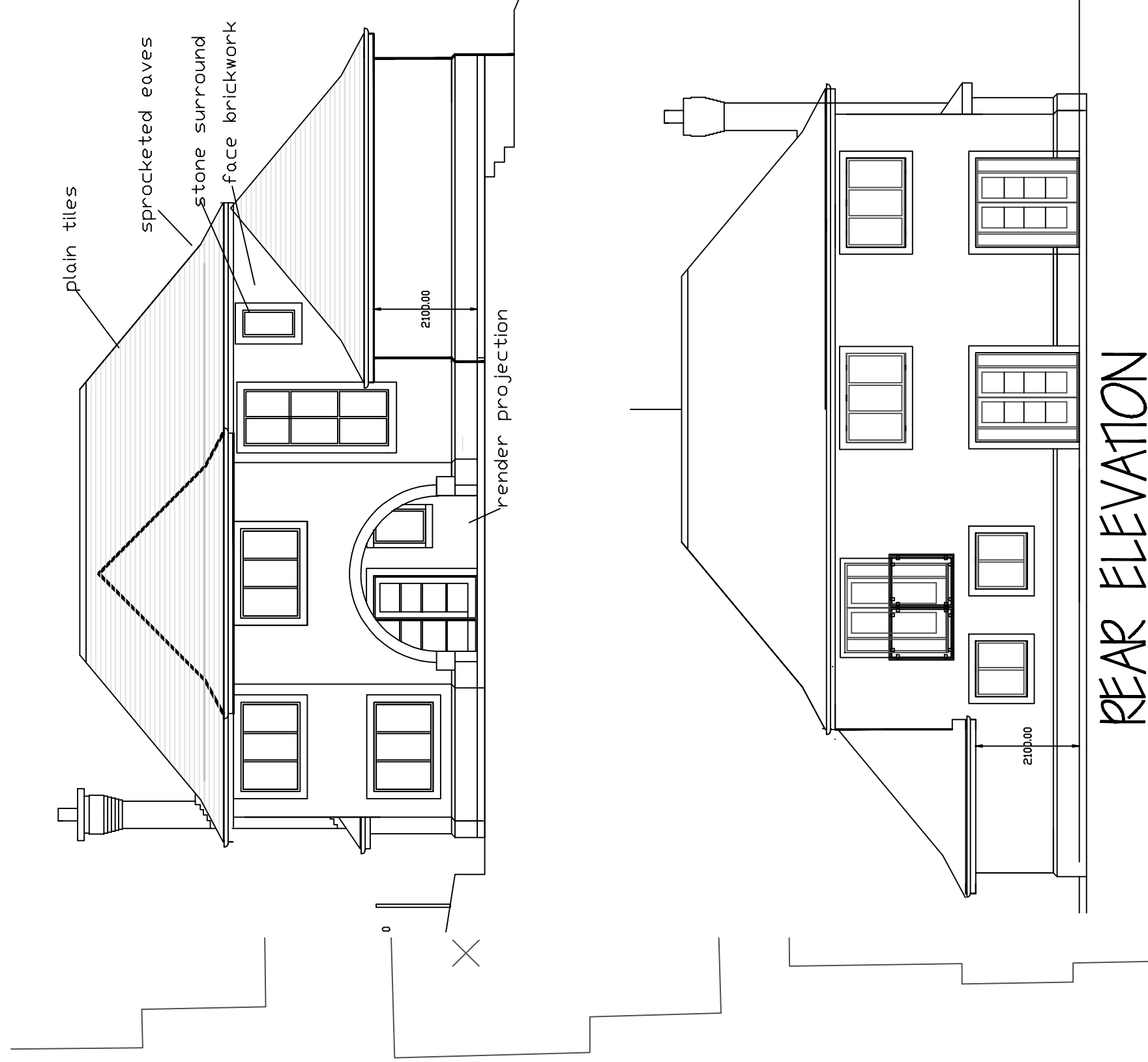
AMENDED PROPOSED SITE PLAN 1/200



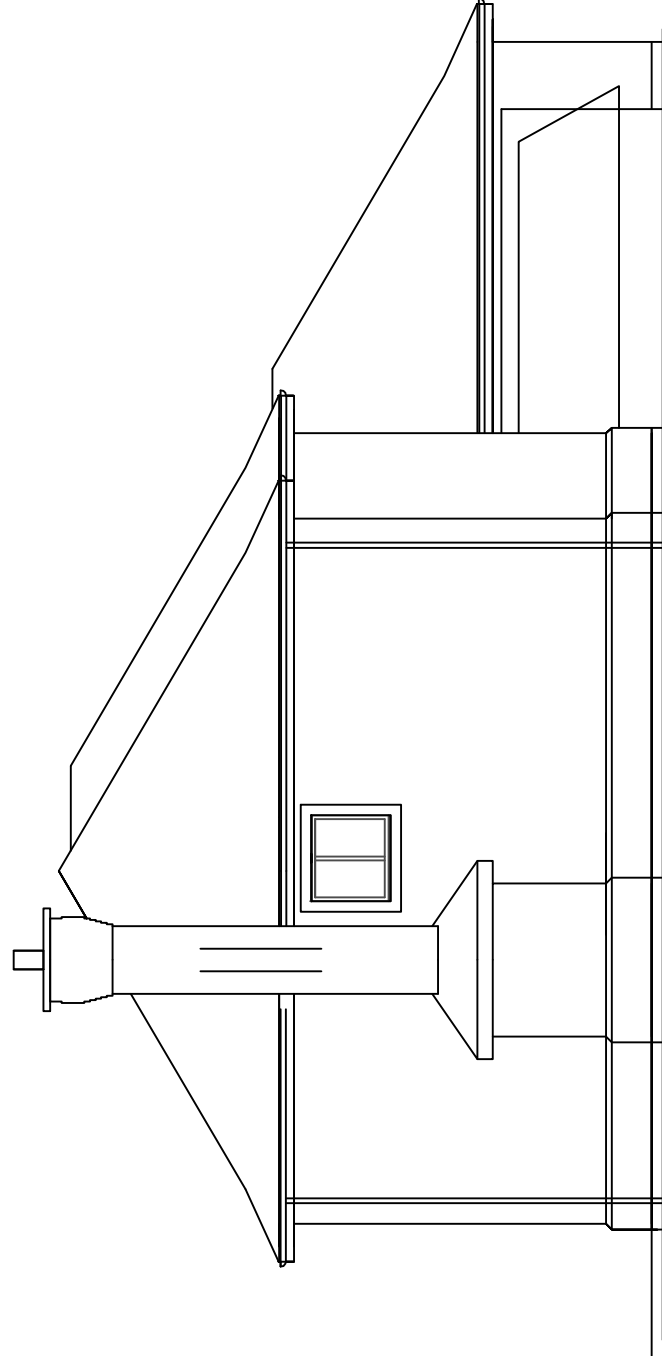
FIRST FLOOR PLAN

PLANNING / GENERAL SPECIFICATION

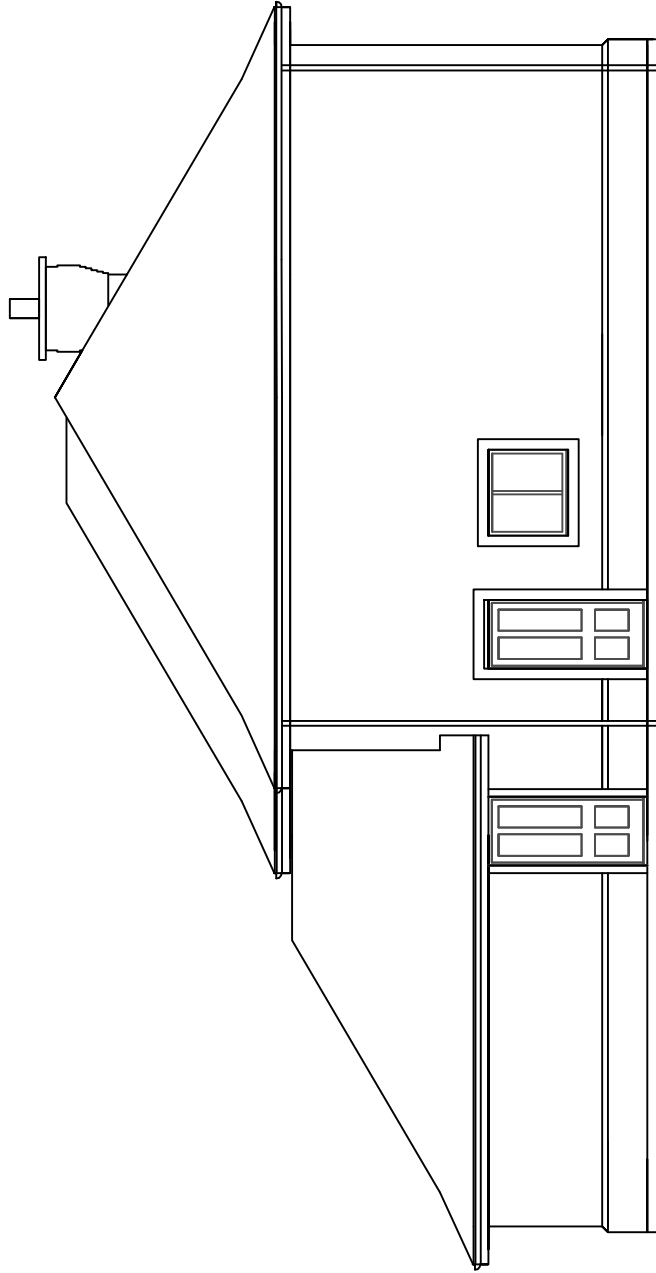
1. Ground area below affected site to be cleared of vegetation, topsoil to be stripped to average of 150mm/6 inches, and replaced with 150mm/6 inches of new topsoil. Required levels to be agreed with the satisfaction of L.A. Planning.
2. RINF: Proprietary concrete plain tiles colour brown sample to be approved
3. RIDGE - terracotta ridge tiles
4. WALLS - Quality stock facing brickwork / sand cement render paint finished with stone/brick detail work as shown. Decorative stone surrounds to windows and doors
5. MORTAR JOINT - bucket handle joint/ colour and mortar type to be agreed
6. WINDOWS - double glazed timber painted exact type/finish to be agreed
7. EXTERNAL JOINERY - i.e. fascia board boards - in s.w./m.h./u.p.v.c. decorative fret cut - finish/pattern to be agreed.
8. RINKING - i.e. external water in u.p.v.c./aluminium/CL - colour and type to be agreed.



REAR ELEVATION



SIDE ELEVATION



SIDE ELEVATION

NOTES

ORIGINAL A1

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GENERAL CONSTRUCTION

9. Foundations to cavity/single leaf load bearing walls to be generally concrete strip footings 150mm x 600/450 respectively taken down min 750 below F.G.L., to satisfaction of A. Inspector.

0. Ground Floor - 150mm concrete floor slab - suspended reinforced concrete slab/ concrete beams & block system/ suspended timber floor on 80mm kingspan or equal. Insulation on d.p.m on consolidated clean hardcore blinded with sand. 0.25 U Value).

1. Party Walls - two 100mm leafs of concrete blocks with 75mm cavity, blocks to have a min density of 54-----kg/m³ with a sound reduction of-----db

2. Cavity Walling comprising D/L. 102.5mm facing brick/100mm concrete block 100mm cavity - filled insulation - inner leaf 100mm concrete block 7kn or-

Dry lined 12.5mm
glastrboard and skm. (0.35 U Value)

3. First/Second floor s.w. T & G floorboards T & G green flooring grade chipboard on C16 Timber joists @ 400 ctrs - 12.5mm pl brd +skin,100mm 10kg mineral wool between joists

4. ROOF - Tiles on sw battens on Tyvek sarking felt on trussed rafters @ 600 centres/timber purlin & rafter roof with 270mm insulation .16 U value in roof type trusses 130 mm kingspan to slopping ceiling all w/d 12.5mm plbrd & skim.

separate/combined, system allow for connecting into existing
respective mains drainage with flexible coupling type drainage
system - Hepworth Super-sleeve or equal.

general amendments March 09

general amendments Feb 09

REVISIONS			
SCALE	DATE	DRAWN	CHECKED
1/100	OCT 08	ASC	

CLIENT

METRIC CONSTRUCTION

TITLE

PROPOSED RESIDENTIAL DEVELOPMENT ON LAND

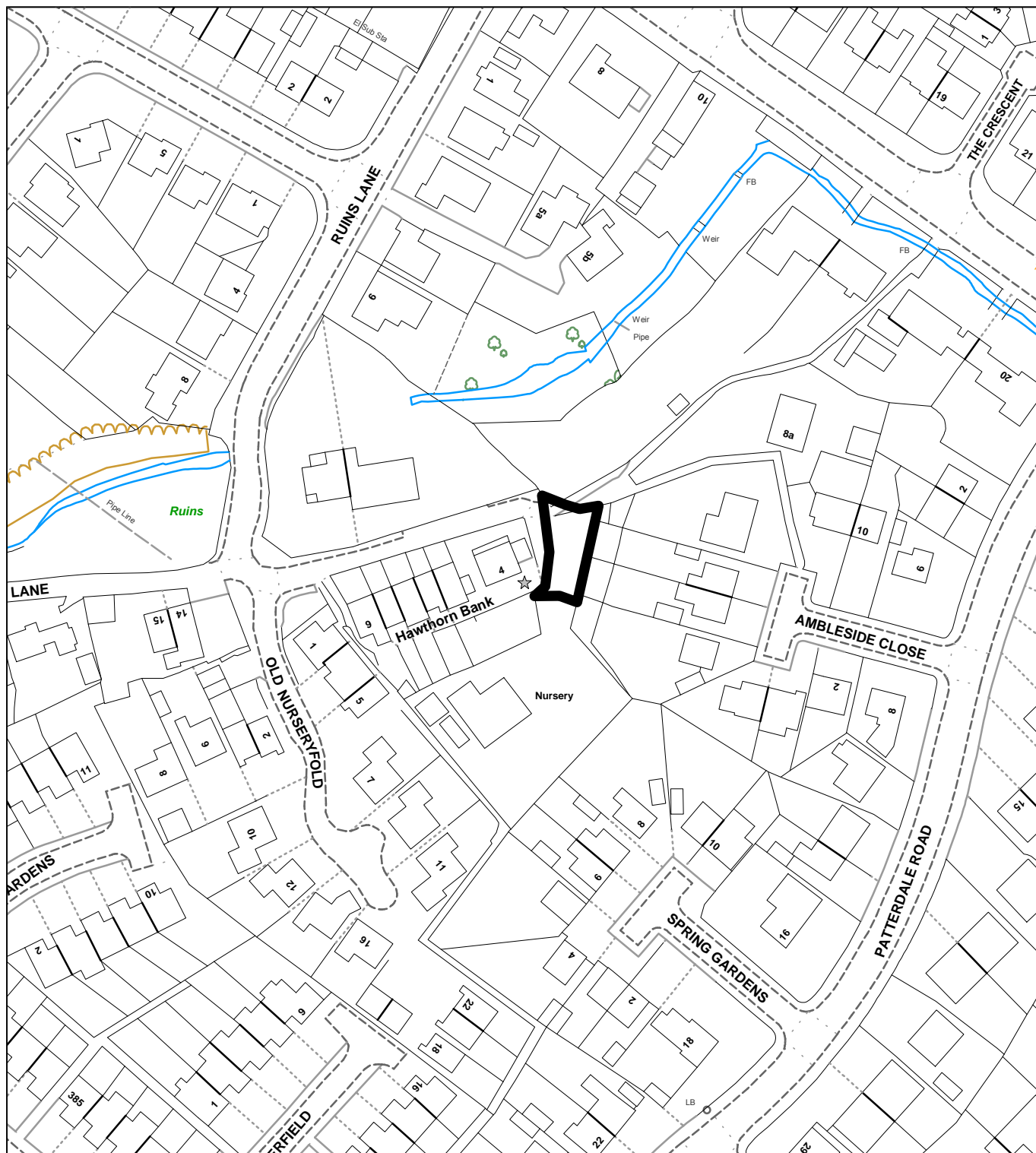
AT 13 RAVENSWOOD DRIVE HEATON BOLTON
DEMOLITION OF EXIST BUNGALOW AND THE
CONSTRUCTION OF TWO DETACHED HOUSES

PLOT 2

DRAWING No.

Application No.

93662/15



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
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11

Date of Meeting: 09/04/2015

Application Reference: 93662/15

Type of Application: Full Planning Application
Registration Date: 20/02/2015
Decision Due By: 16/04/2015
Responsible Officer: Paul Bridge

Location: 4 HAWTHORN BANK, BOLTON, BL2 3JB

Proposal: ERECTION OF DETACHED HOUSE AND GARAGE

Ward: Bradshaw

Applicant: ICS Construction (Bolton) Ltd
Agent : Frank Whittaker Town Planning

Officers Report

Recommendation: Approve subject to conditions

Proposal

The application site has been the subject of numerous planning applications for housing development since 2003. The latest being 93287/14 which granted permission for the erection of 3no detached houses and integral garages, associated access and car parking. Work has commenced on site for approval 93287/14 and is due to be completed by early summer 2015.

Planning permission is sought for the erection of a detached dwelling. The design of the of the dwelling is identical to plot 1 of the previously approved scheme. The dwelling comprises of a 2 storey 4 bedroomed detached house with an attached garage and has an 'L' shaped configuration.

The proposed materials used for the construction of the dwellings would be Roxley Red Multi brick and Rathmore Devenish concrete tile for the roof. The driveways would be constructed out of plaspave block paving (Sorrento Carrara). The side and rear boundary treatments to the dwelling would consist of 1.8m high timber fencing and brick pier/timber panel detail.

Access to the site would be via the new access road being constructed in connection with approval 93287/14.

Site Characteristics

The application site's last use was as a commercial nursery garden with a domestic bungalow. It is accessed via an unmade road at Hawthorn Bank and is bounded by residential properties. At the time of the case officer's site visit construction work was well under way in connection with 93287/14.

The dwellings to the rear along Ambleside Close are set on a slightly higher level than the application site.

Public footpaths surround the site but do not cross the proposed development area.

Policy

National Planning Policy Framework

Core Strategy policies: P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing.

PCPN2 Space Around Dwellings; PCPN7 Trees; PCPN10 Planning out Crime; PCPN27 Housing Development.

Analysis

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

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

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

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

The main impacts of the proposal are:-

- * impact on urban regeneration;
- * impact on the character of the surrounding area;
- * impact on existing surrounding land uses and occupiers;
- * impact on the highway;
- * impact on drainage;
- * land contamination.

Impact on Urban Regeneration

National policy on residential development is contained in the National Planning Policy Framework. In order to promote more sustainable patterns of development, NPPF makes it clear that the focus for additional housing should be on existing towns and urban areas. It is important that new housing is located where it is accessible to jobs, shops and services by modes of transport other than the car. The inefficient use of land should be avoided and to this end maximum use should be made of previously developed land. This is consistent with advice contained within Core Strategy policy SC1 - Housing.

At the heart of national policy within the NPPF is a presumption in favour of sustainable development. The NPPF maintains the importance of supporting sustainable economic development and delivering homes (paragraph 17). The proposed dwelling will be located on an irregular shaped piece of land which was overgrown and may have been considered to have a negative effect on the amenities of the immediate area. The application site is located on previously developed land within the urban area and the planning history includes a recent consent for three dwellings (which is under construction).

Taking these factors into account and giving due weight to the fact that the siting, scale, and design of the proposed dwelling will be appropriate within the surrounding residential context (and is identical to plot 1 of 93287/14), the proposal is considered to constitute a sustainable form of development in a sustainable location for the purposes of the NPPF and therefore the principle of the proposed development is considered to be acceptable, in accordance with the NPPF and Core Strategy policies SC1 and P5.

Impact on the Character of the Surrounding Area

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy OA5 of the Core Strategy relates specifically to development in North Bolton and states that the Council will conserve and enhance the character of the existing physical environment, and will require special attention to be given to the massing and materials used in new development.

The proposed development comprises of a detached dwelling house providing four bedrooms. The area immediately surrounding the site comprises of residential dwellings with 3 and 4 bedrooms and a row of cottages along Hawthorn Bank. The design of the proposed dwelling is identical to plot 1 of 93287/15 and therefore the design of the proposed dwelling is considered acceptable and would be wholly compatible with the new dwellings currently being constructed and would not form an incongruous feature within the streetscene.

The proposed dwelling would have a mixture of turf and hard standings, and the driveway would be constructed out of plaspave block paving 'Sorrento Carrara' which is considered acceptable. The submitted site layout plan details that there would be some planting of small/medium trees along the front and side boundary which would offer some greenery and help soften the appearance of the development.

The boundary treatment to the dwelling would consist of 1.8m high timber fencing to the side and rear. Given the above, it is considered that proposed landscaping both hard and soft is considered acceptable.

Having regard to the above, the proposal is considered to accord with the guidance set out in the National Planning Policy Framework and Policies CG3 and OA5 of the Core Strategy.

Impact on Existing Surrounding Land Uses and Occupiers

Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with the surrounding land uses and occupiers.

Guidance contained within Planning Control Policy Note No. 2 provides interface distances between 2 storey properties, being 21 metres between main room windows and 13.5 metres from a main window and a blank gable window.

In respect of the interface distance with the nearest dwellings, there are no principal habitable room windows in the side elevation of No.5 Hawthorn Bank which would directly face the proposal and an adequate distance of approximately 13.9m would be maintained to the closet element of plot no.1.

The dwellings to the rear of the site on Ambleside Close are set on angle and a slightly higher level to the proposal. A distance in excess of 21m would be maintained between these dwellings and adequate screening would be provided at ground floor level by way of the 1.8m high fencing. As the window at first floor level (bathroom) would offer a view into the rear garden areas and given the relatively close proximity of this window to the rear garden areas of the dwellings on Ambleside Close a condition had been attached to ensure obscure glazing is maintained to this window.

In terms of potential loss of light/overbearing adequate distances would be maintained which would ensure that the occupiers of the surrounding residential dwelling would not experience an unacceptable loss of light or be overbearing.

Impact on the Highway

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

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

Public footpaths adjacent to the site will not be affected by the application, however advice will be attached to any grant of consent as an informative notice to ensure the public rights of way are not affected during the construction of the development.

Whilst this current application has amended the access layout to the previously approved scheme (93287/14) adequate access remains to Plots 1, 2 and 3 of approval 93287/14.

The proposal would provide three parking spaces, comprising of two spaces within the integral double garages and enough space for a space directly to the front of the garage. Given that the dwelling would be four bedroomed this number of parking spaces is considered acceptable. It is also considered that the addition of one more dwelling (in addition to the three currently under construction) would not generate significant additional traffic movements in the surrounding area. As a result, it is considered that the proposed development is in accordance with policies. The Council's Highways Engineers have confirmed that the submitted scheme is acceptable and raise no objections subject to a number of conditions.

Impact on Drainage

The site is not located within a flood risk area or critical drainage area.

The application site is located on an existing brownfield site and is below the threshold of 5 or more residential units for policy CG2 of the Core Strategy to be applicable. As established on the main development the surface water to be derived from roofs and paved driveways/paths will be separated from any foul discharge and will be directed to the originally approved (and completed) outfall via a 225mm surface water drain into the open watercourse located within the garden of 9A Ruins Lane.

United Utilities have been consulted and have no objections to the proposal. It is considered therefore that in this instance the proposed development is acceptable in terms of drainage.

Land Contamination

The applicant has submitted a preliminary Risk Assessment in support of the application prepared by The Arley Consulting Company Limited Report No 14687/1 May 2014. The PRA adequately assesses the historical, environmental and geological information on site. The reports highlight the potential for contamination to exist near the surface strata and recommends an intrusive investigation to establish if pollutants exist and to confirm its suitability for residential use.

Bolton Council's Pollution Control Officers are in agreement with the conclusions of the submitted PRA. They have advised that there is no requirement for gas protection measures. In addition, surface scrape and removal of potentially impacted soils has already occurred and therefore it is unlikely that materials likely to cause vapour generation remain on site. Environmental Health have no issues in the continuing construction whilst the Phase II report is completed. A condition has been attached to ensure that the dwellings cannot be occupied until the Phase II report has been submitted and approved and any remedial work carried out.

Conclusion

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

Representation and Consultation Annex

Representations

Letters:- Three letters have been received in response to the planning application publicity. One who is neither objecting to or supporting the application and two who have raised the following concerns:

- * Why was this house not done at the same time as the previous application? *(The current application has been assessed on its own planning merits).*
- * The building work is very disruptive *(With any development there will be an element of noise and general disturbance during the construction phase. Whilst this is a material planning consideration, it is not a reason to refuse planning permission as this would be for a temporary period).*
- * They will have no parking facilities near their house *(This current proposal would not affect the current parking facilities for the dwellings along Hawthorn Bank and in addition one cannot rely on another person's land for parking).*
- * A boundary wall has been damaged by a builders wagon *(Any damage to neighboring dwellings is a civil matter and does not fall within the jurisdiction of the Local Planning Authority).*
- * The proposal would restrict access to the rear of No.5 Ambleside Close *(Any potential access and egress issues would be a civil matter and does not fall within the jurisdiction of the Local Planning Authority. In addition the applicant has signed Certificate A to state that the proposed development would be wholly contained within the land under the ownership of the applicant. The Local Planning Authority is entitled to rely on that declaration without further investigation).*

Petitions:- One petition has been received with five signatures on, who have raised the following concerns:-

- * Dispute in respect of a Deed of Grant of Rights *(The issues in respect of Deed of Grants of Right and private access are a civil matter and do not fall within the jurisdiction of the Local Planning Authority).*
- * The access arrangements have changed and differ from those previously approved and agreed on application 93287/14 *(This current application and its access arrangements will be assessed on their own merits).*
- * Refuse collection *(The principle of the private road on Hawthorn Bank being acceptable for refuse collections was considered during consideration of the previous application and was considered acceptable).*
- * Only three house should be built on the this site and the adjacent site.
- * Impact on highway safety/Insufficient parking provision.
- * Out of Character with the area.

Elected Members:- No comments received.

Consultations

Advice was sought from the following consultees:- Highways Management, Public Rights of Way, Neighbourhood Services Manager

Planning History

Planning permission was granted in February 2015 for the erection of three detached

houses (93287/14).

Planning permission was granted in May 2014 for the erection of three detached houses and garages with associated access and parking. (91986/14)

Planning permission was granted in August 2005 for the erection of 5 detached houses and garages with a variation to Condition 10 on the consent referenced 64613/03 relating to 5 car parking spaces (71257/05).

Planning permission was granted in October 2003 for the demolition of greenhouses and a chalet bungalow and the erection of 5 detached houses and garages together with improvements to the access (64613/03).

A planning application was withdrawn in October 2002 for the demolition of greenhouses and a chalet bungalow and the erection of 5 detached houses and garages together with improvements to the access (62427/02).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

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

2. Prior to the commencement of development full details of the highway works at Back Hawthorn Bank shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

In the interests of highway safety.

3. Within one month of the date of this decision, a Phase II Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Phase II Report shall include the site investigation data, generic quantitative risk assessment, detailed quantitative risk assessment (if required) and recommendations regarding the need or otherwise for remediation.

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

Implementation of Remediation Strategy

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

Detailed remediation design, drawings and specification;
Phasing and timescales of remediation;

Verification Plan which should include sampling and testing criteria, and other records to be retained that will demonstrate that remediation objectives will be met; and
Monitoring and Maintenance Plan (if appropriate). This should include a protocol for long term monitoring, and response mechanisms in the event of non compliant monitoring results.
The approved Remediation Strategy shall be fully implemented in accordance with the approved phasing and timescales and the following reports shall then be submitted to the Local Planning Authority for approval in writing:

A Verification Report which should include a record of all remediation activities, and data collected to demonstrate that the remediation objectives have been met; and

A Monitoring and Maintenance Report (if appropriate). This should include monitoring data and reports, and maintenance records and reports to demonstrate that long term monitoring and maintenance objectives have been met.

The approved Remediation Strategy shall be fully implemented in accordance with the approved phasing and timescales contained within. It is recommended that copies of the plans, reports and documentation are supplied to the purchasers of the properties to assist in conveyancing in later years.

No dwelling shall be occupied until the associated provision for off street parking has been completed and made available for the use of that dwelling. Such spaces shall be available at all times for the parking of a private motor vehicle.

Reason: In the interest of the future occupiers of the dwelling.

4. Before the first occupation of the dwelling hereby approved, the bathroom window at first floor level in the eastern side elevation shall be fitted with obscure glazing whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure) and shall be permanently retained in that condition thereafter.

Reason

To protect the privacy, outlook and living conditions of neighbouring occupiers.

5. No dwelling shall be occupied until the associated provision for off street parking has been completed and made available for the use of that dwelling. Such spaces shall be available at all times for the parking of a private motor vehicle.

Reason: In the interests of highway safety.

6. The development hereby permitted shall be constructed entirely of the approved materials. Details of which are detailed below:-

Brick Photo/Spec : Weinerburger – Loxley Red Multi-Brindle

Roof Photo/Spec : Rathmore Devenish

Floor Paving Photo/Spec : Sorrento Carrara Stone.

Reason

For the avoidance of doubt as to what is permitted.

7. The site shall be treated in accordance with the approved landscape scheme detailed in drawing no' s FW/P1186/ICS/14 : Site Layout Plan and FW/P1186/ICS/16 : Specification Notes. The scheme including all details of trees and shrubs to be planted, walls, fences, boundary and surface treatment shall be carried out within 12 months of the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: To safeguard the amenity of the area

8. No dwelling shall be occupied until the access road leading to the development hereby approved has been constructed and completed in accordance with the FWP1186/ICS/14.

Reason

In the interests of highway safety.

9. The garage hereby approved shall be made available at all times for the parking of motor vehicles.

Reason

The loss of garage spaces would be likely to lead to an increase in on-street parking to the general detriment of highway safety.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order) no extensions, porches, garages, outbuildings, (other than those expressly authorised by this permission) shall be constructed on the dwelling hereby approved.

Reason

To safeguard the character and appearance of the dwellings

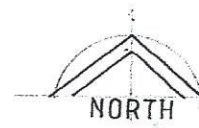
11. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

FW/P1186/ICS/01A : Site Location.
FW/P1186/ICS/6A : House Type Details.
FW/P1186/ICS/14 : Site Layout Plan.
FW/P1186/ICS/15 : Sections/Levels.
FW/P1186/ICS/16 : Specification Notes

Reason

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

Location Plan



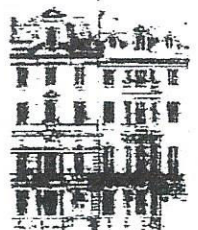
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PROPOSED RESIDENTIAL DEVELOPMENT
OF HAWTHORN NURSERY OFF RUINS LANE HARWOOD BOLTON



FW/P1186/ICS/1A
Scale 1:1250 @ A4
Date May 2014

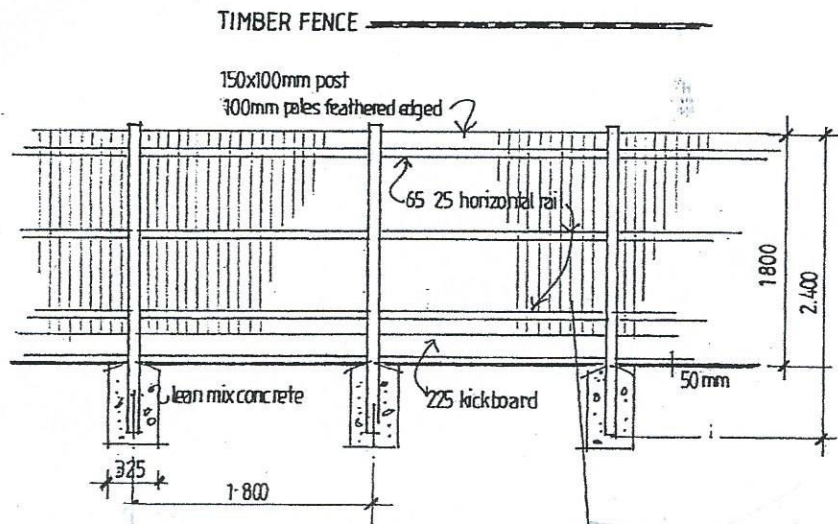
Frank
Whittaker
Town
Planning
Consultants



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BOUNDARY DETAILS



Tree Planting

Single & groups of 3, Standards 3m high, 100mm girth

- A Sorbus Aucuparia
- B Prunus 'Sunset Boulevard'
- C Betula Pendula
- D Acer Campestre 'Elsrijk'

Shrub planting

Cotoneaster 'Skogholm'

Lonicera nitida

Shrubs planted in batches 30
Set in 2 row at 450mm staged
Centres

Roof Type

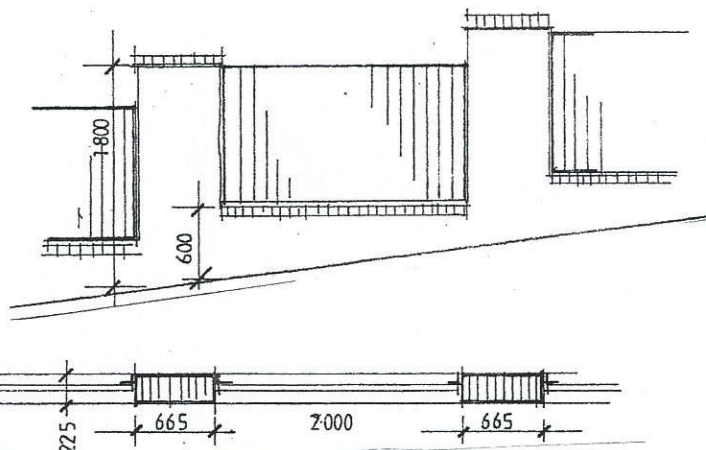
Rathmore Devenish:-Lakeland Blue
(As Plots 1-3)

Brick Type

Loxley Red Multi
(As Plots 1-3)

Paving Type

Plasmore
Sorrento
Carrara Stone



Screen Wall Detail

SPECIFICATION DETAILS

PROPOSED RESIDENTIAL DEVELOPMENT OF
FORMER HAWTHORN BANK NURSERY
OFF RUINS LANE HARWOOD BOLTON

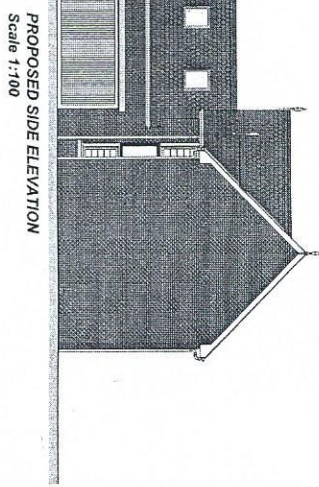
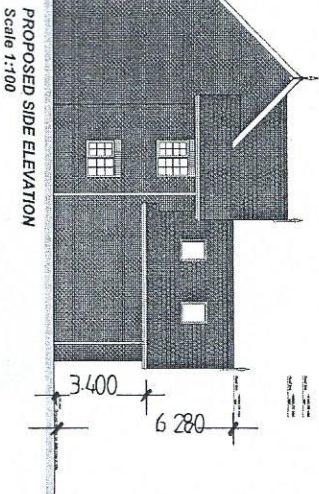
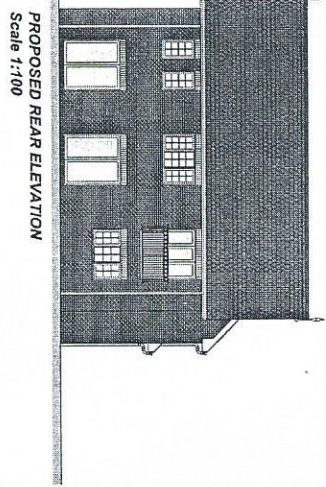
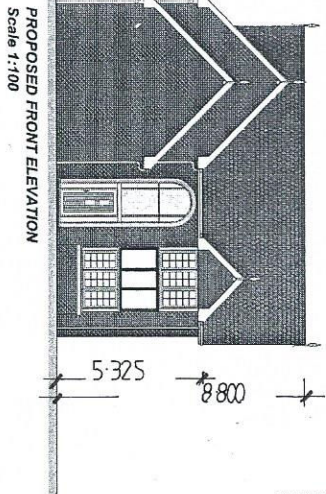
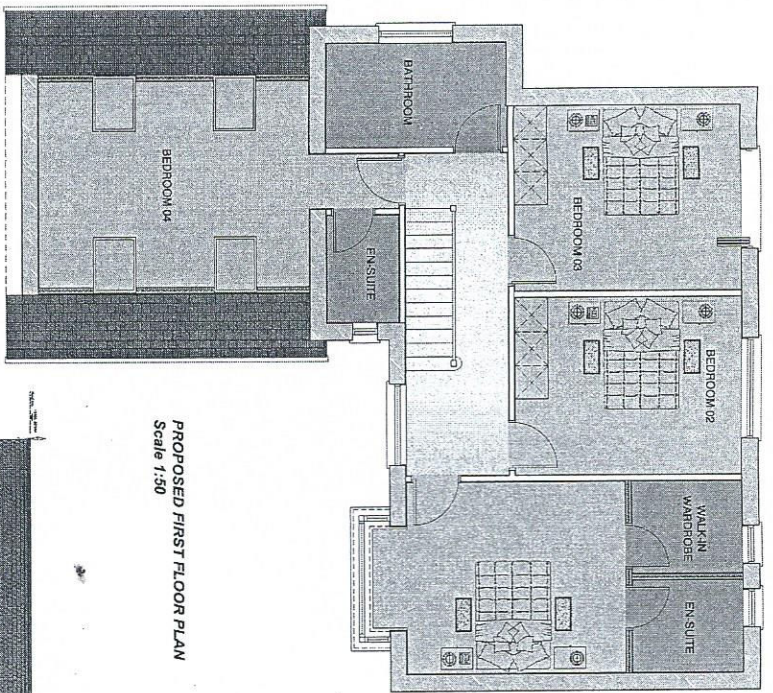
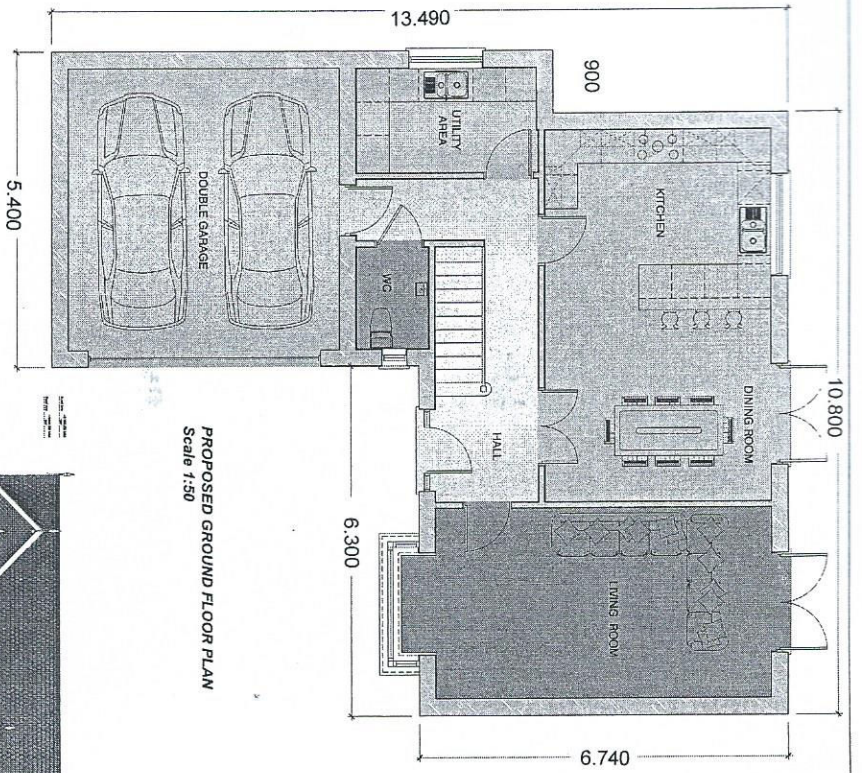
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105

N.T.S

BEECHWOOD SHADY LANE BROMLEY CROSS BOLTON B7 9AF TEL 01204 200210

Frank
Whittaker

PLANNING CONSULTANTS



Notes

Rev A

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rev date	int description
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DESIGN CONSULTANTS
design management

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196, Belmont Road
Bolton
BL1 7AR
TEL: 0845 834 0365 / 07743 161929
EMAIL: admin@abedesign.co.uk
WEBSITE: www.abedesign.co.uk

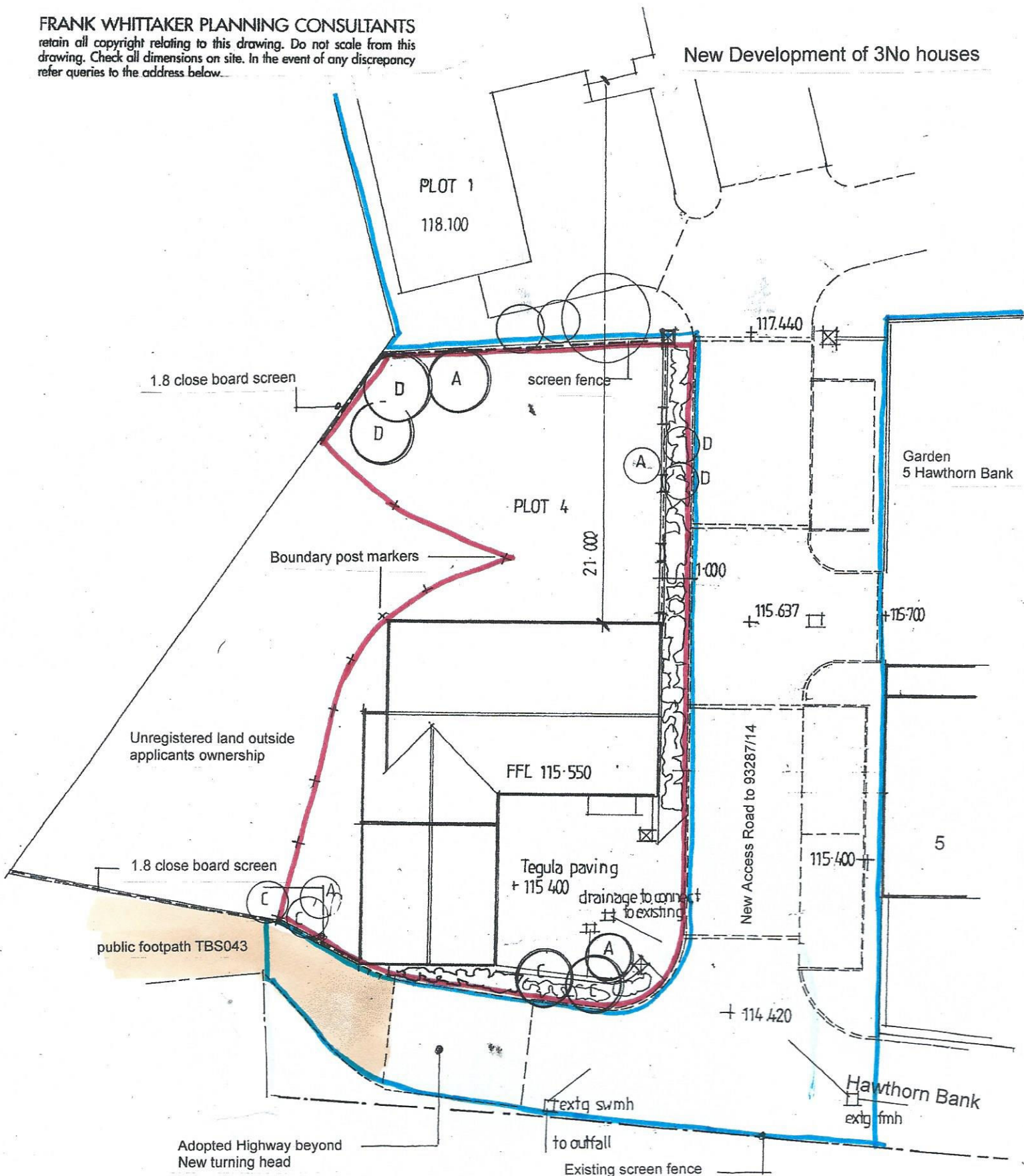
CLIENT
MR. IAN CARPENTER
ICS CONSTRUCTIONS

PROJECT
HAWTHORN BANK,
RUINS LANE, TURTON,
BOLTON, BL2 3JB

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SCALE	CONTRACT	DRAWING No.
AS SHOWN ON A1	105	102

HOUSE 01
FW/P1186/ICS/06 Rev A

New Development of 3 No houses



PROPOSED RESIDENTIAL DEVELOPMENT OF
FORMER HAWTHORN BANK NURSERY
OFF RUINS LANE HARWOOD BOLTON

Scale 1:200 @ A4

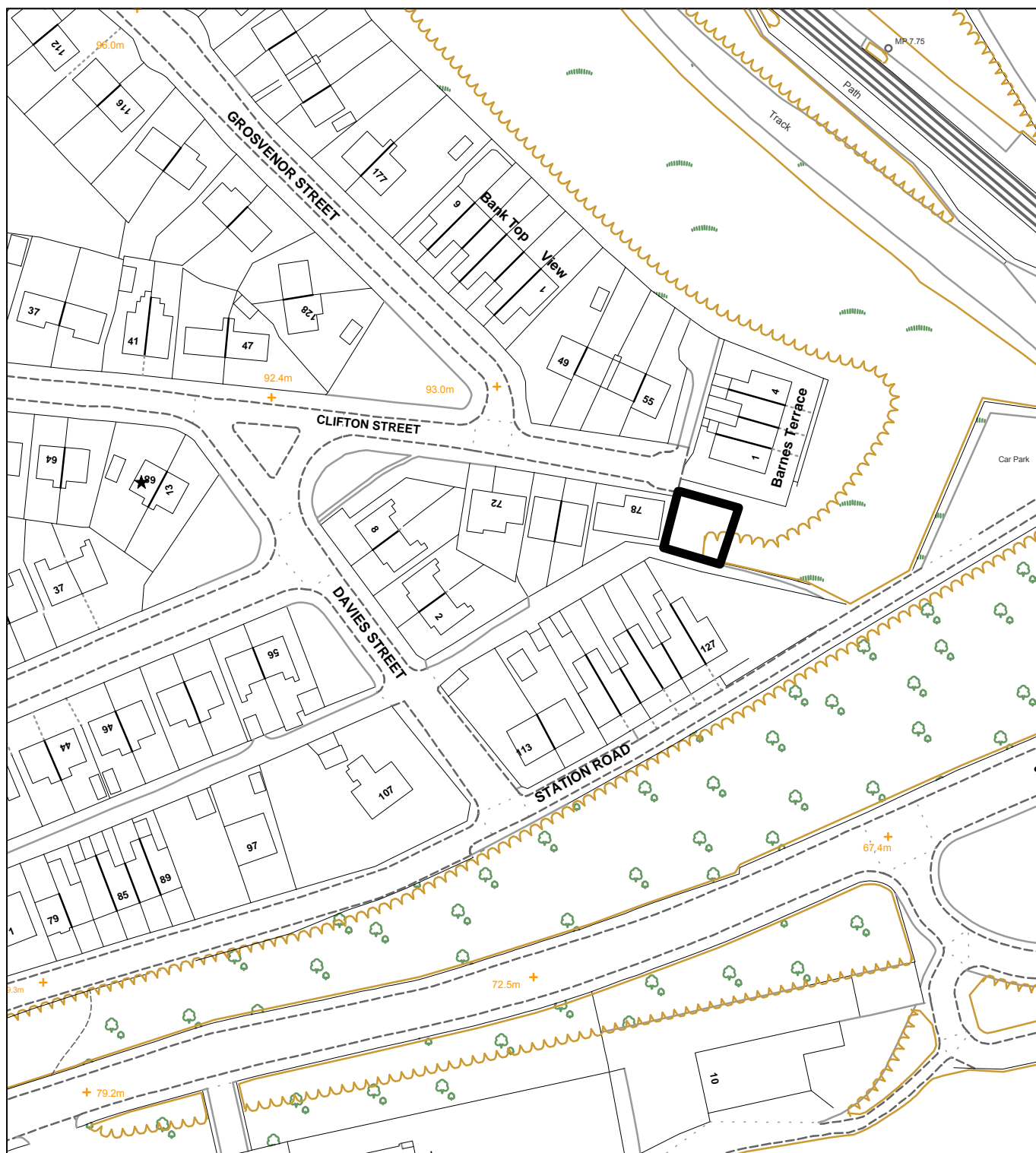
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107
BEECHWOOD, SHADY LANE, BROMLEY CROSS, BOLTON BL7 9AF TEL (01204) 303168

Frank Whittaker
PLANNING CONSULTANTS

Application No.

93686/15



Development and Regeneration Department
Planning Control Section

Town Hall, Bolton, Lancashire, BL1 1RU.
Telephone (01204) 333333
Fax (01204) 336399

**Bolton
Council**

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11

Date of Meeting: 09/04/2015

Application Reference: 93686/15

Type of Application: Full Planning Application
Registration Date: 25/02/2015
Decision Due By: 21/04/2015
Responsible Officer: Paul Bridge

Location: 78 CLIFTON STREET, KEARSLEY, BOLTON, BL4 8DL

Proposal: CHANGE OF USE OF PUBLIC OPEN SPACE TO PRIVATE GARDEN AREA FOR 78 CLIFTON STREET KEARSLEY AND ERECTION OF 1.8M HIGH WANNEY LAP FENCING

Ward: Kearsley

Applicant: Mr Afsar
Agent : harryjacksonsurveyorsltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

Planning permission is sought to change the use of the overgrown land directly adjacent to 78 Clifton Street into an extension of the existing private garden. The land would be enclosed by way of 1.8m high waneey lap fencing.

Site Characteristics

This application relates to 140sqm of land to the side of 78 Clifton Street. The land is currently vacant and suffers from neglect; the whole area is overgrown. The land is currently owned by Bolton MBC and the applicants have applied to purchase the land.

The pathway adjacent to No.1 Barnes Terrace does not form part of the application and would remain.

Policy

National Planning Policy Framework 2012

Core Strategy: CG3 - The Built Environment, CG4 Compatible Uses, RA2 Farnworth, S1 - Safe Bolton, P5 - Transport and Accessibility.

Allocations Plan Policy: CG6AP - Other Protected Open Land

SPD - Accessibility, Transport and Safety

Analysis

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

considerations indicate otherwise.

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

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

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

The main impacts of the proposal are:-

- * Principle of the development
- * Impact on users and neighbours

Principle of the Development

The application site is allocated as Other Protected Open Land. Allocations Plan Policy CG6AP states that the Council will permit development proposals within such land provided that they fall within one or more of the categories listed within the policy. This includes development representing limited infilling within an established housing or industrial area, which is in scale with it and would not adversely affect its character and surroundings.

Currently, the plot of vacant land contains vegetation which has been neglected and is overgrown. The conversion of the land will extend the existing private garden and transform it into a usable space with management controlled by the land owner. The site is located adjacent to residential properties so the extension to the private garden will be compatible with the adjacent land uses (it would represent infilling within an established housing area).

The existing path which provides access to the residential dwellings along Barnes Terrace is still accessible and therefore the development would not hinder access for to these dwellings or the remaining land. It is therefore considered that the principle of the proposal is acceptable.

Amenity of Users and Neighbours

Policy CG3 of the Core Strategy states that the Council will conserve and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area, and will require development to be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. Policy RA2 of the Core Strategy relates specifically to developments in Farnworth and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment.

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

The proposed extension of the private garden will not undermine the amenity of neighbouring properties as it has the potential to implement an improved maintenance scheme, including the clearance of the existing overgrown vegetation.

There is currently a fence to the side of the land which separates the proposed garden area from the existing residential curtilage. The 1.8m high fence which is proposed within the planning application would provide sufficient screening to protect the amenity of users of the proposed rear garden extensions. The fence which is proposed is not considered to be of a scale to appear overbearing as it would be constructed of traditional timber, simply enforcing the new boundary. The proposal is therefore in accordance with Policies CG3, CG4 and RA2 of the Core Strategy.

Conclusion

The proposal would not compromise the aims and objectives of the relevant policies contained within the NPPF and Core Strategy and there are no material planning considerations that would justify a refusal. It is accordingly recommended that Members approve the application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received, which have raised the following concern:-

- * There is a public footpath that runs adjacent the fence at the side. There would need to be a ginnel between the property and the garden as the path provides access to the front of Barnes Terrace (*the path is not a public right of way. The pathway adjacent to No.1 Barnes Terrace does not form part of the application and would remain*);
- * The land is protected land (*this is addressed within the report*);
- * There are a large number of trees that have protection orders on them (*there are no protected trees in the application site*);
- * The land should be returned to its former glory and maintained.

Consultations

Advice was sought from the following consultees: Highways Engineers and Corporate Property Services.

Planning History

An application for a single storey side extension is currently being determined under delegated powers (93663/15).

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. No development shall take place until the site has been subject to investigation to determine whether the land to be used as gardens/landscaping has been contaminated as a result of previous activities.

1. The survey method shall be agreed in advance with the Local Planning Authority and full copies of all surveys undertaken submitted to and approved in writing by the Local Planning Authority before development commences.

2. If the results of the investigation indicate the presence of contaminants, the use shall not commence until the source of contamination has been removed or the land treated in such a manner as to render it suitable for development in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason

The history of the site is unclear site and the site may have been used by uses which could potentially have given rise to contamination.
3. The development site shall be used for domestic garden purposes only and for no other purpose.

Reason

To protect the openness of the land.

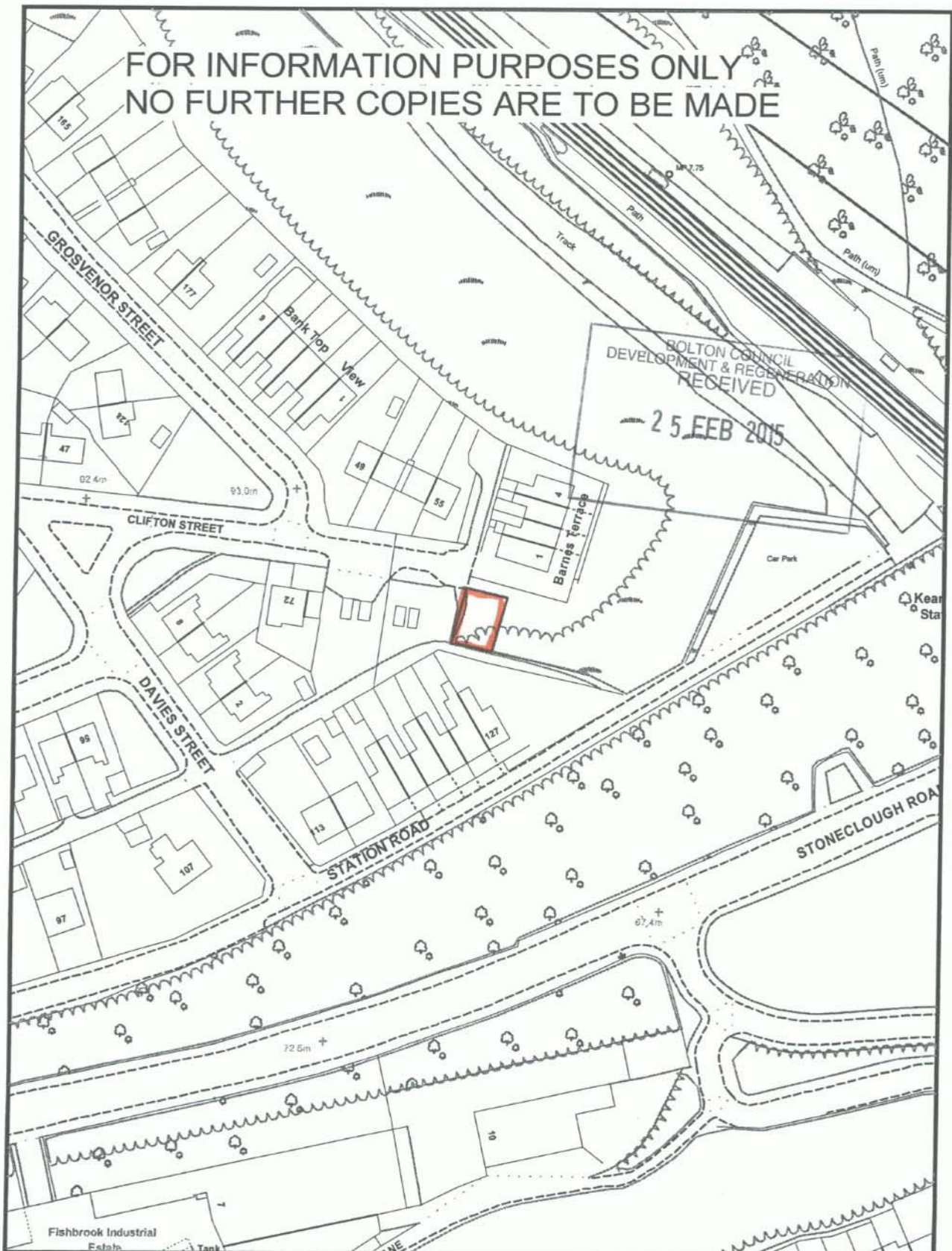
4. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

Plan showing site area and typical panel; received 25th February 2015

Reason

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

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**CLIFTON STREET
KEARSLEY**

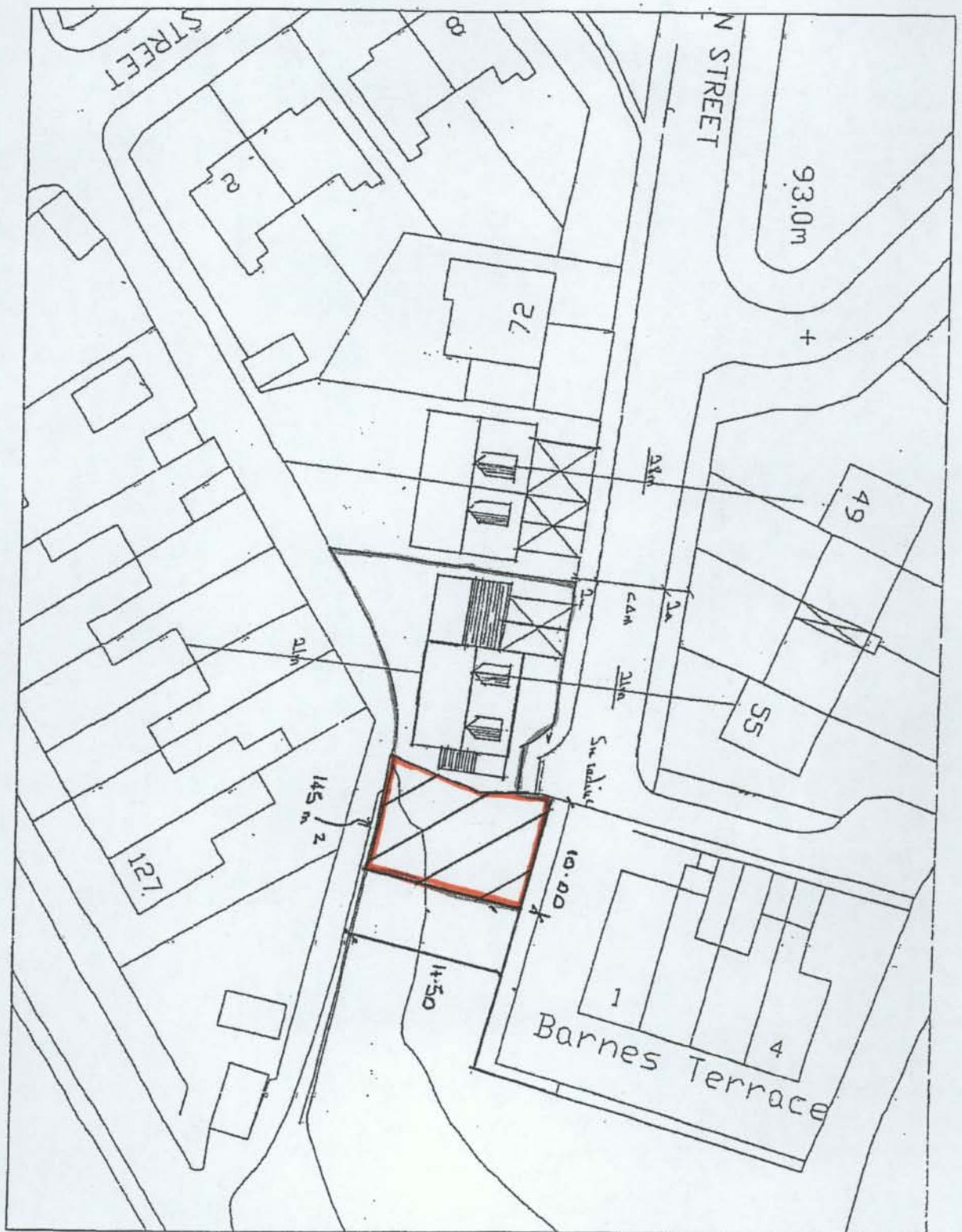
prepared by: JC
reference: GH
date: 02/12/2013

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**Bolton
Council**

DEPARTMENT CHIEF EXECUTIVE'S
SECTION ESTATES

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scale
1:1250

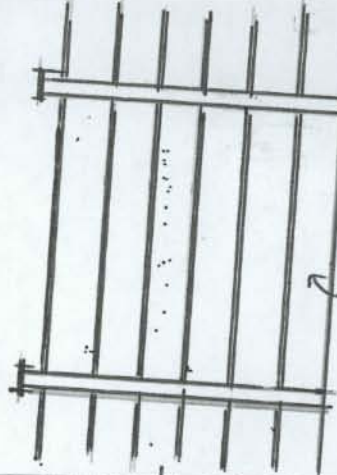


Scale 1:500

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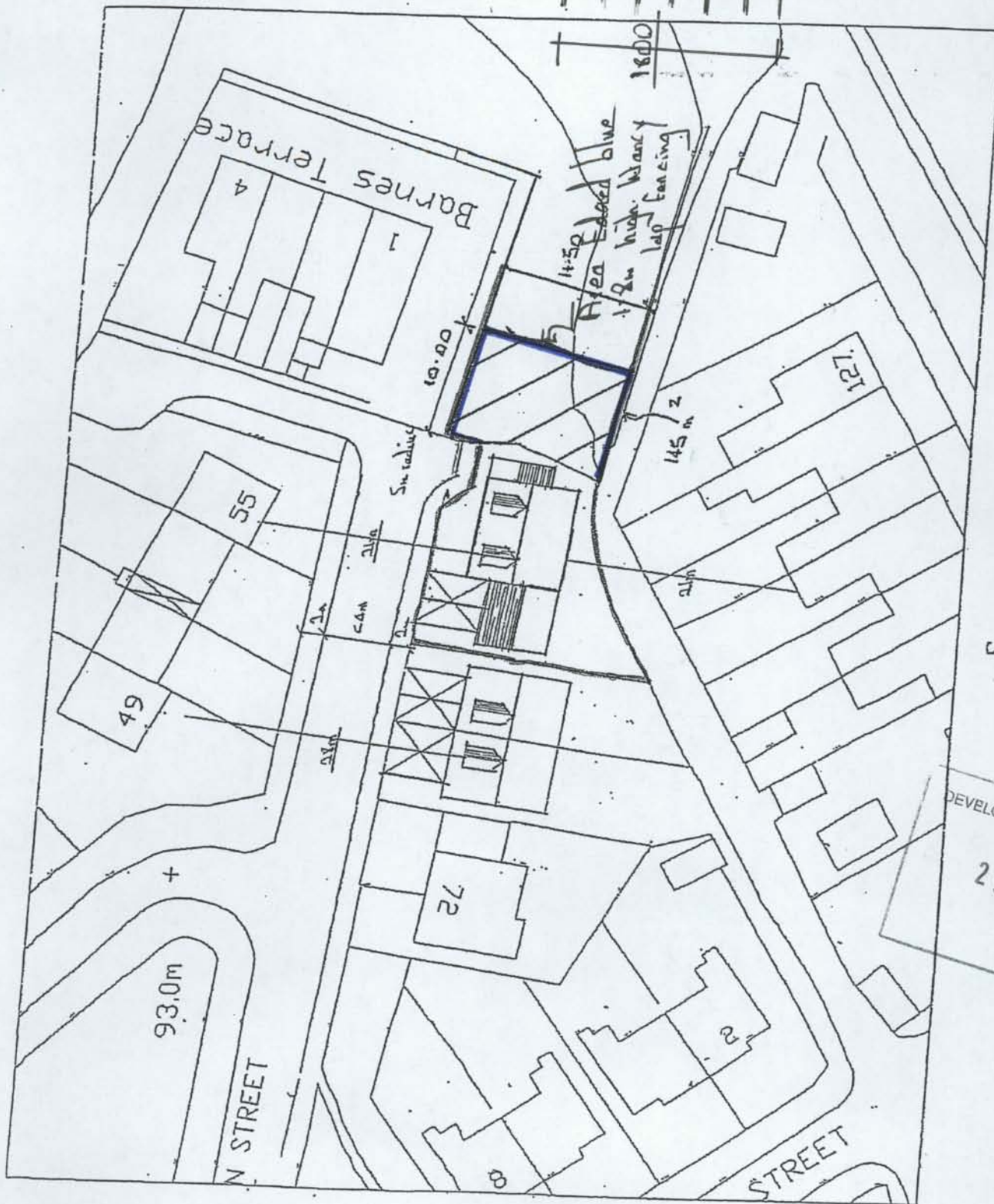
Typical Panel

1200x1500 Timber Blaves
lag panels



30mm Concrete base panel

Scale 1:5



Scale 1:500

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