

Planning Applications Report

Planning Committee
2nd February 2023

**Bolton
Council**

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

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

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

The following abbreviations are used within this report: -

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

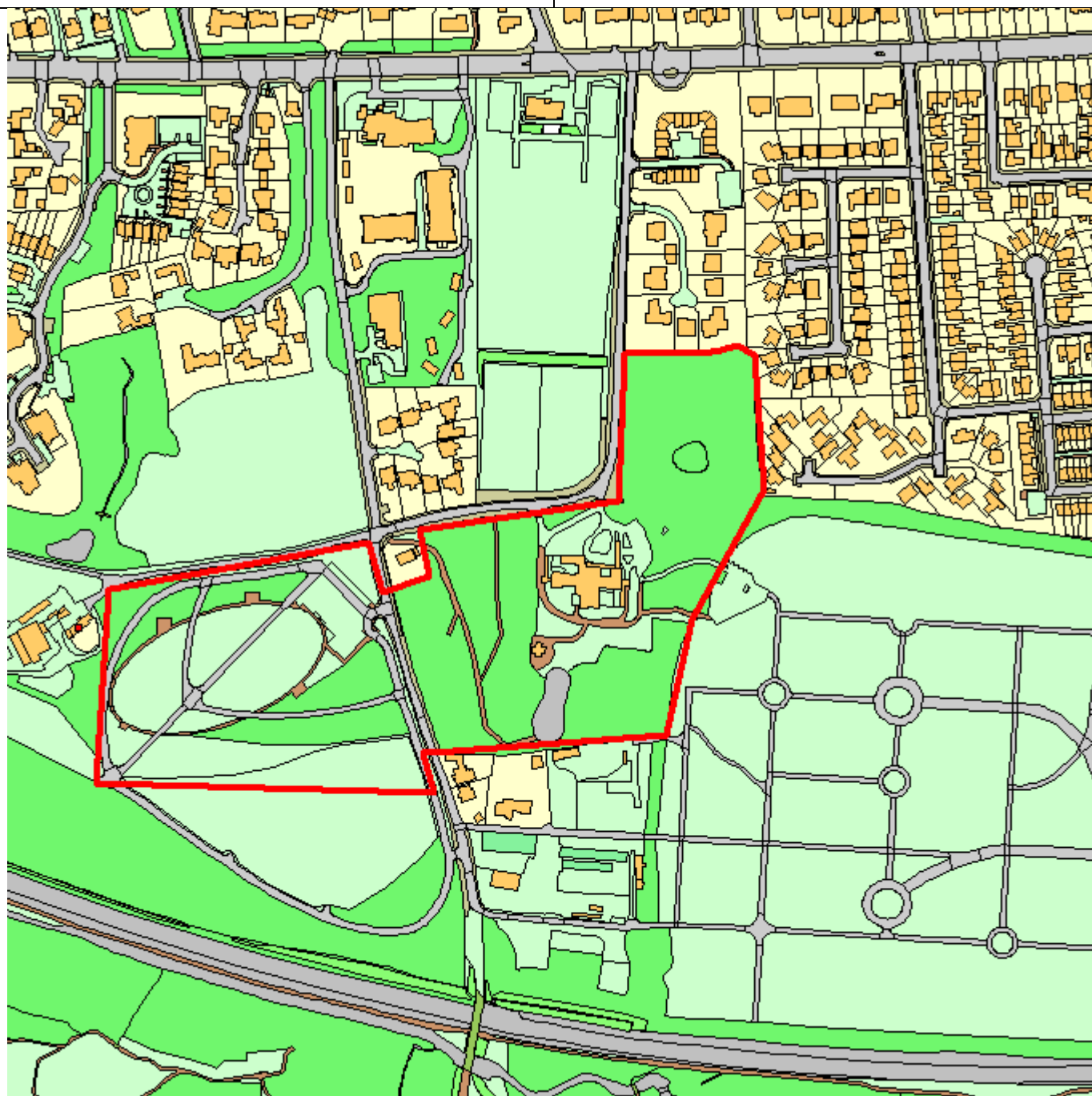
The background documents for this Report are the respective planning application documents which can be found at:-

www.bolton.gov.uk/planapps

Application Number 15203/22

Directorate of Place
Development Management Section

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



Bolton
Council

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Date of Meeting: 2 February 2023

Application Reference: 15203/22

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

Full Planning Permission
21 December 2022
1 February 2023
Ross Meachin

Location

OVERDALE / HEATON CEMETERY BOLTON BL1 5BY

Proposal

ERECTION OF A SINGLE STOREY HALL OF REMEMBRANCE, TOGETHER WITH ASSOCIATED EXTERNAL WORKS (AMENDED ORIENTATION AND POSITION COMPARED WITH PREVIOUS APPLICATION NUMBER 05111/18)

Ward

Heaton And Lostock

Applicant: -

Agent: Mr R Woods

OFFICER'S REPORT

Recommendation: Approve subject to conditions

Executive Summary

- * The application is before Members as it is a Council application.
- * The principle of the development was established through the granting of planning permission ref. 05111/18 in 2019.
- * The current scheme is almost identical to the 2019 approval, with a minor change to the orientation and siting of the proposed hall of remembrance.
- * Given the similarities to the 2019 approval, the proposed scale, form and design of the development is considered an acceptable design response to the site and would not cause harm to Other Protected Open Land.
- * The development will not unduly impact residential amenity in the locality.
- * Tree protection and replacement landscaping would be dealt with by recommended conditions.
- * Council's Highways Engineers raise no highways objections.
- * The Coal Authority have raised no objections.
- * Two (2) objection letters have been received from neighbouring properties. The content of objections is dealt with throughout this report.
- * The proposal is recommended for approval subject to conditions.

Background

1. In 2018 a planning application ref. 05111/18 was submitted for a development described as "erection of a single storey hall of remembrance, together with associated external works". The application was approved by the Bolton Council Planning Committee on 7 March 2019.
2. The current application is submitted to provide a similar, albeit slightly amended proposal to the 2019 approval. The overall scale, form and design of the proposed hall of remembrance would be almost identical to the 2019 approval. The main change relates to the orientation and siting of the proposed hall.

Proposal

3. Planning permission is sought for the erection of a 'Hall of Remembrance' proposed to be located on the western side of Overdale Drive within a landscaped area of Heaton Cemetery extension, commonly known as the 'New Overdale Cemetery'. Officers consider that the proposed building would fall under Use Class F2(b) 'Halls or meeting places for the principal use of the local community' pursuant to The Town and Country Planning (Use Classes) Order 1987 (as amended).
4. The Applicant submits that, "This part of the cemetery site is in the early stage of usage, but the site / land, along with the internal road and pathway layout, has been set out to allow for expansion, and for the provision of additional burial plots, which will be utilised in the future. Taking in to account the existing usage of the site, and giving consideration to the future needs of the site and community, the requirement for a 'Hall of Remembrance' building has been identified. The building will be simple in its form, and will provide a place of shelter to accommodate mourners, and to hold small prayer services."
5. The proposed hall would be identical in scale, form and design to the 2019 approval. The only changes when compared to that approval relate to the siting and orientation of the hall.
6. Access the site would remain unchanged, being from Overdale Drive. No changes to the existing car parking arrangements on site are proposed.
7. To facilitate the proposed hall of remembrance, several trees located within the cemetery grounds would be removed.

Site Characteristics

8. Heaton Cemetery is an established cemetery within the Chorley New Road Conservation Area. The application site relates to a landscaped area adjacent to the main car park towards the northeast of the cemetery extension. The cemetery extension is commonly known as the 'New Overdale Cemetery'. The site is identified as 'Other Protected Open Land' in Council's Allocation Plan.
9. A small area of woodland makes up part of the application site. However, no protected trees (by way of TPO) are located within the site.

Policy

The Development Plan

10. Core Strategies Policies: P5 Accessibility; S1 Safe Bolton; CG1 Cleaner and Greener; CG2 Sustainable Design and Construction; CG3 The Built Environment; CG4 Compatible Uses; SC1 Cultural and Community Provision; OA4 West Bolton.
11. Allocations Plan Policies: CG6AP Other Protected Open Land

Other material considerations

12. National Planning Policy Framework (NPPF).
13. Supplementary Planning Documents: General Design Principles; Accessibility, Transport and Road Safety.

Analysis

14. 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.

15. The main impacts of the proposal are:-

- * impact on Other Protected Open Land
- * impact on the character and appearance of the area
- * impact on residential amenity
- * impact on highways and parking
- * impact on the trees and biodiversity

Impact on Other Protected Open Land

16. The application site is located within "Other Protected Open Land". Policy CG6AP of Bolton's Allocations Plan described protected open land as countryside that is not Green Belt, and land whose character and appearance should be protected from inappropriate development.

17. Policy CG6AP of the Allocations Plan states that the Council will permit development proposals within defined areas of Protected Open Land shown on the Proposals Map provided that they fall within one or more of the following categories:

1. The development represents limited infilling within an established housing or industrial area, is in scale with it and would not adversely affect its character or surroundings; or
2. It forms part of, and is required for, the maintenance of an existing source of employment; or
3. The development requires a location outside the urban area, but is inappropriate within the Green Belt and providing it maintains the character and appearance of the countryside;
4. The development would be appropriate within the Green Belt.

Where new buildings are permitted they should be sited to form a group with existing buildings wherever possible. In cases where this is not possible, buildings, car parking areas and any other new structures should be sited where they will be well screened and unobtrusive in the landscape. All buildings and extensions should be of a high standard of design, using materials that are compatible with the landscape.

18. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include [amongst other things] (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

19. It is considered that the proposed development would not be inappropriate development if it was sited within the Green Belt, as it would comprise an appropriate facility for a cemetery, that would preserve the openness of the Green Belt (given its scale and location) and would not conflict with the purposes of including land within the Green Belt (paragraph 145 (b) of the NPPF as above). The proposed hall would be discreetly located within the site, adjacent to the car parking area and would be adequately screened by existing woodland and proposed landscaping (to be conditioned) located on the site. Furthermore, the proposed development achieves a high-quality design that compatible with the character and appearance of the site and locality (as discussed further in the proceeding section of this report).

20. It is therefore considered that the proposed development would meet criteria 4 of Allocations Plan Policy CG6AP, and therefore would not be inappropriate development in Other Protected Open Land. This same conclusion was reached under the 2019 approval and the current proposal is almost identical to that approved development.

Impact on character and appearance of the area

21. 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.
22. The NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
23. The site has good access to Chorley New Road via Overdale Drive yet is semi rural in nature and isolated. Dwellings are located 60 metres to the north east ('The Bungalow') and 58 metres to the south east (Lime House, Maple House, West Lodge).
24. The application proposes a single storey building measuring 4.35 metres in height (at the highest point; front) and approximately 16.6 metres wide by 16.6 metres long with an internal floor area of 272 sq. metres. The building would have a mono, shallow pitched roof. External materials comprise of composite profiled metal roof cladding panels with dark grey finish, pressed metal fascia to full perimeter of building in dark grey to match window frames, and anthracite/dark grey window frames. External walls comprise of K-render finish in 'Pewter Grey' to main wall areas, facing brickwork below damp proof course level to be grey, composite timber board detail above and below window and door openings, and red facing brickwork to main front wall panel. Each elevation contains double doors. A flat roof entrance porch is incorporated into the front elevation to provide a legible main entrance to the building.
25. The location of the proposed hall is close to the existing on-site parking provision and would minimise the impact on the cemetery. The area south of the proposed building contains a semi-mature, which will create screening around the building and to the cemetery. Some trees would be removed to facilitate the development; however, the loss would be mitigated by replacement planting to be secured by condition (refer to trees and biodiversity discussion further into this report). This additional landscaping should ensure that appropriate screening of the proposed building is provided into the future.
26. The proposed building would be accessed via existing footpath networks and would be setback from the pathway to allow for a hardstand area in front of the building. This is similar to the previous approval and details of the hardstand area would be secured under the recommended landscaping condition. A new maintenance and access pathway is proposed to the majority of the building perimeter. Further screen planting is proposed at the rear of the building, where the site levels fall to the south.
27. Overall, the proposed siting, scale, form, design and material palette are considered appropriate for the cemetery site and are not considered to adversely impact the character and appearance of the site or wider setting of the Chorley New Road Conservation Area. Therefore, the proposal is considered to comply with Core Strategy Policy CG3 and the General Design Principles SPD.

Impact on residential amenity

28. Core Strategy Policy CG4 states that development shall be compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security. Development should not generate unacceptable nuisance, odours, fumes, noise or light pollution, nor cause detrimental impacts upon water, ground or air quality.
29. The nearest dwellings to the application site are located 60 metres to the north east ('The

Bungalow') and 58 metres to the south east (Lime House, Maple House, West Lodge). Officers consider that these interface distances are wholly acceptable thus the proposal is in accordance with Core Strategy policy CG4.

Impact on highways and parking

30. 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 and ensure that parking is available in accordance with the Council's standards. Appendix 3 provides guidance on parking standards. Policy S1 seeks to ensure that development promotes road safety.
31. The site has good access to Chorley New Road via Overdale Drive. The location of the building has been selected to minimise the impact on the main cemetery site and also to be close to the existing on-site parking provision. The building would be accessed via existing footpath networks. The Council's Highways Engineers have been consulted and comment that the surrounding access roads are all private and thus fall outside of the remit of the Local Highway Authority (this means that they are not in the Council's ownership). Highways Engineers note that there appears to be sufficient parking provision within the site curtilage to support the development proposal, thus the proposal is considered to be in accordance with Core Strategy policies S1 and P5.

Impact on trees and biodiversity

32. Core Strategy Policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.
33. The NPPF encourages net gains for biodiversity to be sought through planning policies and decisions.
34. Part of the application site is occupied by woodland, which was planted when the Heaton Cemetery was extended. The proposed building would be constructed on part of this woodland area and therefore several trees would be removed. This tree removal is consistent with the previous approval on site (ref. 05111/18), where the Council's Tree Officer was consulted and raised no objections to the loss of trees subject to replacement landscaping and tree planting being provided on site. Per the previous approval, conditions are recommended requiring details of landscaping to be submitted and approved. A further condition would require tree protection measures for retained trees to be submitted for approval and implemented on site.
35. In addition, a condition is recommended requiring ecological enhancement measures to be incorporated on site to ensure that the proposal achieves a biodiversity net gain consistent with the NPPF.

Other matters

36. The application site falls within the defined Coal Development High Risk Area. Under the previous approval, the applicant submitted a Coal Mining Risk Assessment Report, which was reviewed by the Coal Authority who raised no objections. A further consultation has been undertaken to the Coal Authority in respect of the current proposal and no objection has been raised subject application.

Conclusion

37. The principle, siting, scale and design of a remembrance hall was established under the 2019 planning consent (ref. 05111/18). The proposed development seeks minor changes to the siting and orientation when compared to that previous approval and would not be inappropriate development within the designated Other Protected Open Land. The proposal is of scale, form and design that is appropriate for the subject site and would not cause harm to the character, appearance or setting of the Chorley New Road Conservation Area.

38. The development would not impact detrimentally on highways safety and would not unduly impact on residential amenity in the locality. Furthermore, the proposal would have acceptable environmental impacts through the implementation of new landscaping, tree planting, and ecological enhancements (as secured by conditions of consent).
39. Overall, the development is considered to comply with relevant policies detailed above and the application is therefore recommended for approval subject to conditions.

Representation and Consultation Annex

Representations

Notification letters were sent to thirty-eight (38) neighbouring properties on 23/12/2022. A newspaper advert was published on 29/12/2022 and a site notice was posted adjacent the main entrance to the site on 05/01/2023.

Letters:- Two (2) letters of objection have been received, raising the following issues:

- * Traffic and congestion
- * Inadequate access to the site

Officer Comment – The proposal would not alter the existing site access or car parking arrangements on site, which have previously been determined to be satisfactory. It is not anticipated that the proposal would give rise to a significant increase in traffic and congestion in the locality.

- * Noise and pollution

Officer Comment – Given the use of the site as a cemetery and proposal for a hall of remembrance, it is not likely that the proposal would give rise to an adverse increase in noise and pollution.

Petitions:- None.

Elected Members:- None.

Consultations

Advice was sought from the following consultees: Drainage, Pollution Control, Highways, Trees, Conservation and Design, Coal Authority, Environment Agency.

Planning History

05111/18 - Erection of a single storey hall of remembrance, together with associated external works
– Approved subject to conditions on 7 March 2019.

Recommendation: Approve subject to conditions

Recommended Conditions and/or Reasons

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

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in complete accordance with the following approved plans:

- Site Location Plan, drawing no. 1004 Rev. A, dated 14/12/2018
- Proposed Site Plan, drawing no. 1002 Rev. A, dated 20/12/2022
- Proposed Plans and Elevations, drawing no. 1003 Rev. A, dated 20/12/2022

Reason

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

- 3 The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref:

- Proposed Plans and Elevations, drawing no. 1003 Rev. A, dated 20/12/2022.

Reason

For the avoidance of doubt as to what is permitted and in order to comply with Bolton's Core Strategy policy CG3.

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

1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).

Reason

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

Reason for Pre-Commencement Condition: Tree protection measures must be implemented prior to the commencement of works to protect the health and appearance of the tree(s) during the construction phase.

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

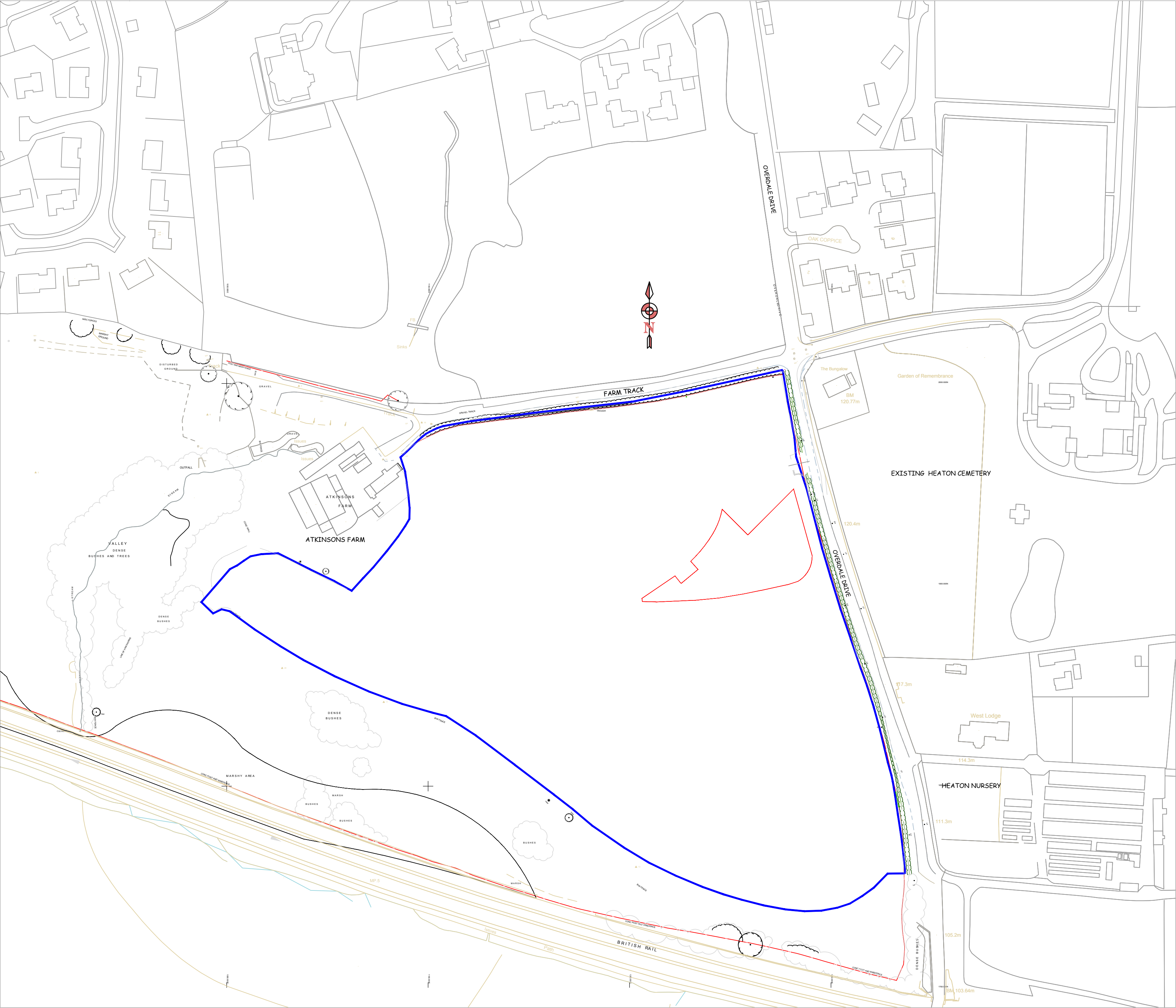
Reason

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

- 6 The development hereby permitted shall not be brought into use until full details of ecological enhancement measures to be incorporated on the site have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented on site prior to first occupation of the development and retained thereafter.

Reason

To ensure that the development achieves a biodiversity net gain and in accordance with Policy CG1 of Bolton Council's Core Strategy and the National Planning Policy Framework.



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

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

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

A	Red line boundary adjusted, following comments from planning	RPW	14.12.18
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Rev	Revision	Inl.	Date
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Client:

Bolton MBC

Project:

Proposed Hall of Remembrance

Location:

Heaton Cemetery / New Overdale Cemetery
off Overdale Drive
Heaton
Bolton

Good & Tillotson Chartered Architects

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BL1 4JU

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Email : info@goodandtillotson.co.uk
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Drawing Title:

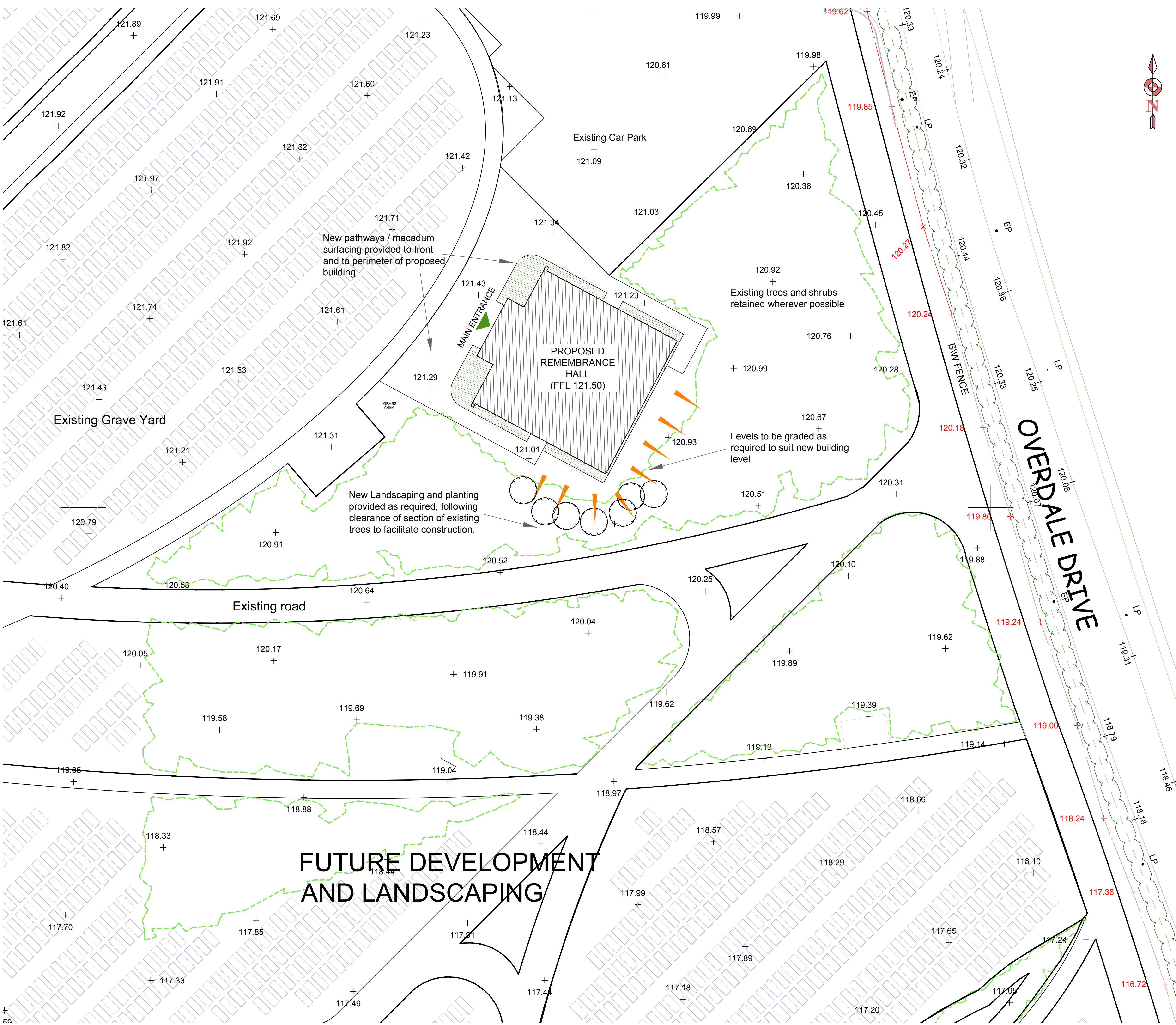
Site Location Plan

G&T Job No:	Scale:	Drawn:	Checked:	Date:
1826	1:1250@A2	-	-	Dec. 18

Drawing Purpose:	Status:	Revision:
Planning	-	A

BIM Project:	Origin:	Zone:	Level:	Type:	Role:	Dwg No:
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Overall Site Plan. scale 1:2500

FUTURE DEVELOPMENT
AND LANDSCAPING

Part Site Plan. scale 1:200

B	Position & orientation amended for 2nd planning app.	R.P.W.	20.12.22
A	Building Position Amended	R.P.W.	26.09.18
Rev	Revision	Int.	Date

Client:
Bolton MBC

Project:
Proposed Hall of Remembrance

Location:
**Heaton Cemetery / New Overdale Cemetery
Off Overdale Drive
Heaton
Bolton**

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Drawing Title:
Proposed Site Plan

G&T Job No:	Scale:	Drawn:	Checked:	Date:
1826	1:200@A1	gd	RPW	10.05.18
Drawing Purpose:		Status:		Revision:
PLANNING		-		B

BIM Project: Origin: Zone: Level: Type: Role: Dwg No:
1826-G&T-Z0-00-DR-A-1002

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Red Facing brickwork to be approved



Pewter Grey

K-rend finished in Pewter Grey



Vertical timber boarding

A	Updated for second planning application	RPW	20.12.22
Rev	Revision	Int.	Date

Client:

Bolton MBC

Project:
Proposed Hall of Remembrance

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Heaton Cemetery / New Overdale Cemetery
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Drawing Title:

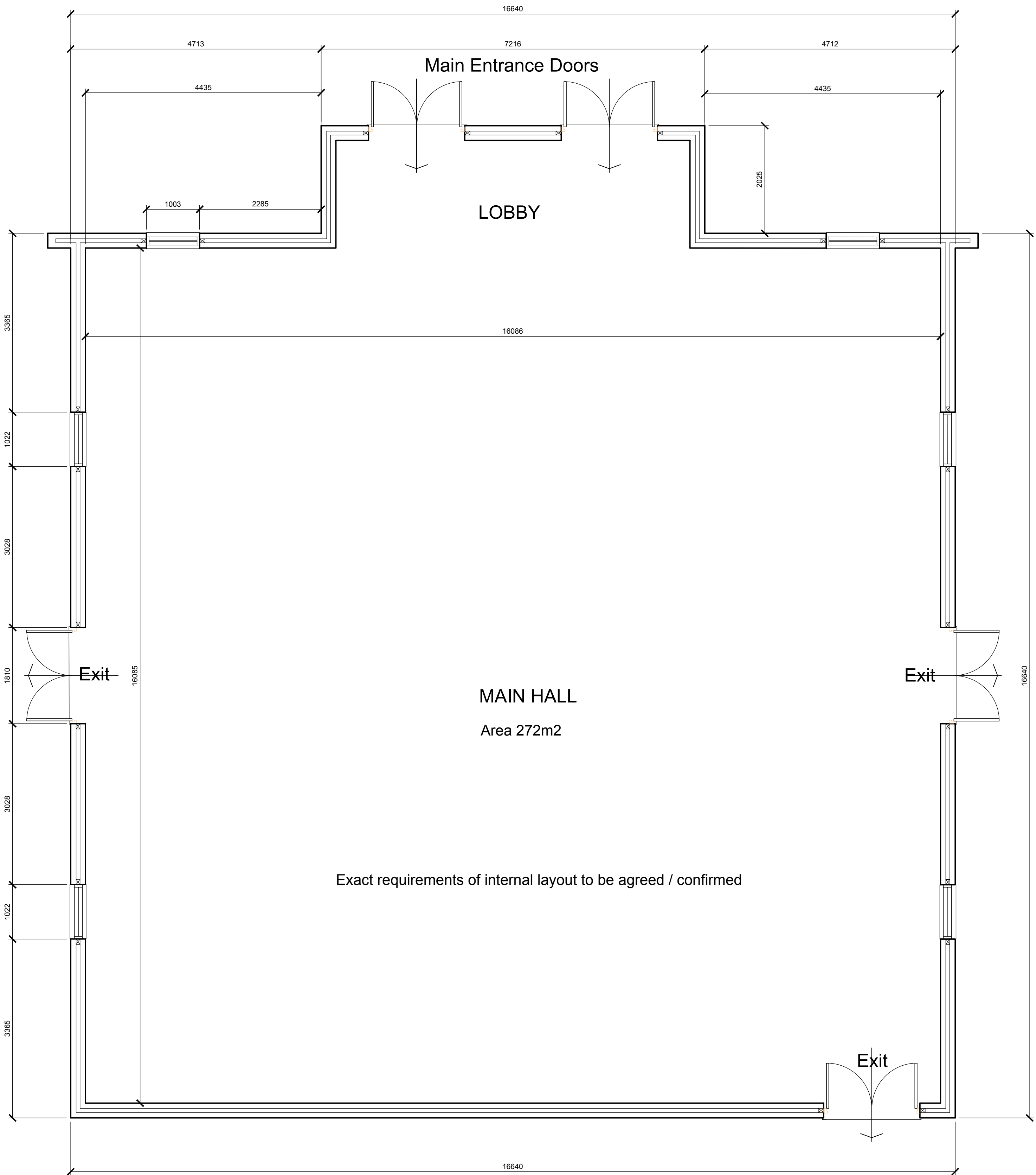
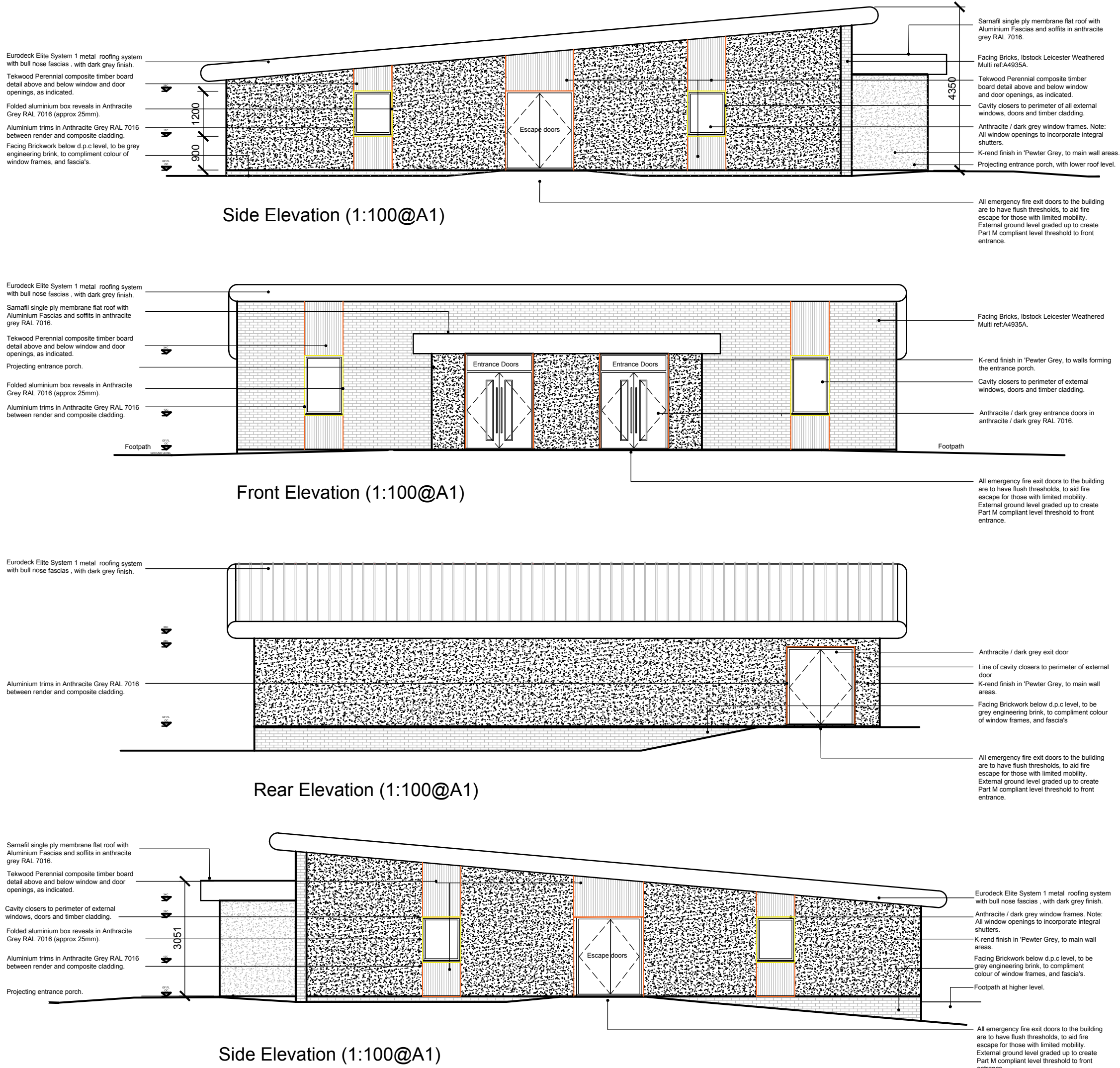
Proposed Plan & Elevations

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PLANNING	-	A

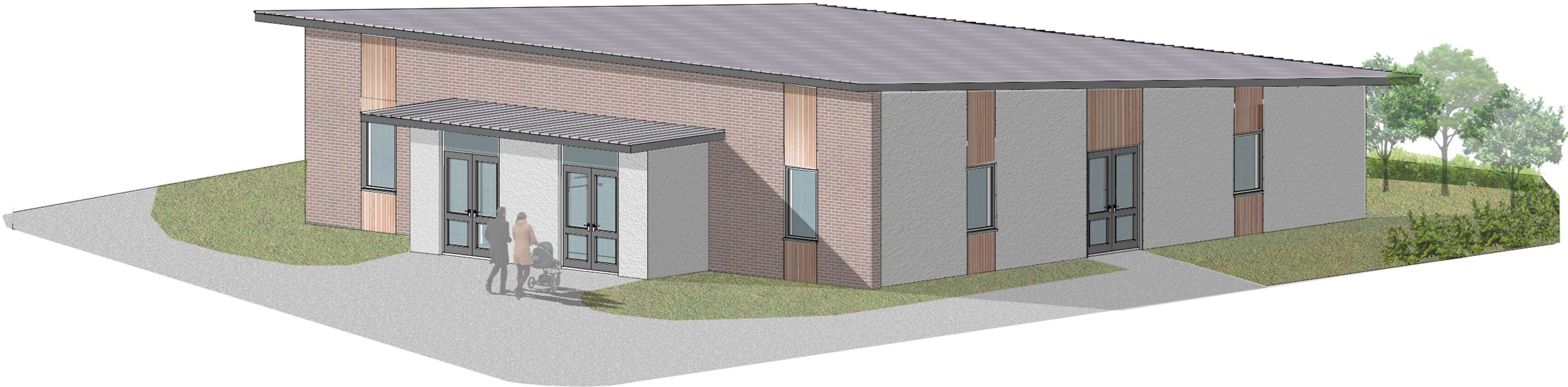
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GROUND FLOOR PLAN

Scale 1:50



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Rev	Revision	Int.	Date
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Drawing Title:

Proposed Artists Impression /
3D Visual

G&T Job No:	Scale:	Drawn:	Checked:	Date:
1826	NTS	LB	RPW	Oct 19

Drawing Purpose:	Status:	Revision:
PLANNING	-	-

BIM Project	Origin:	Zone:	Level:	Type:	Role:	Dwg No:
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