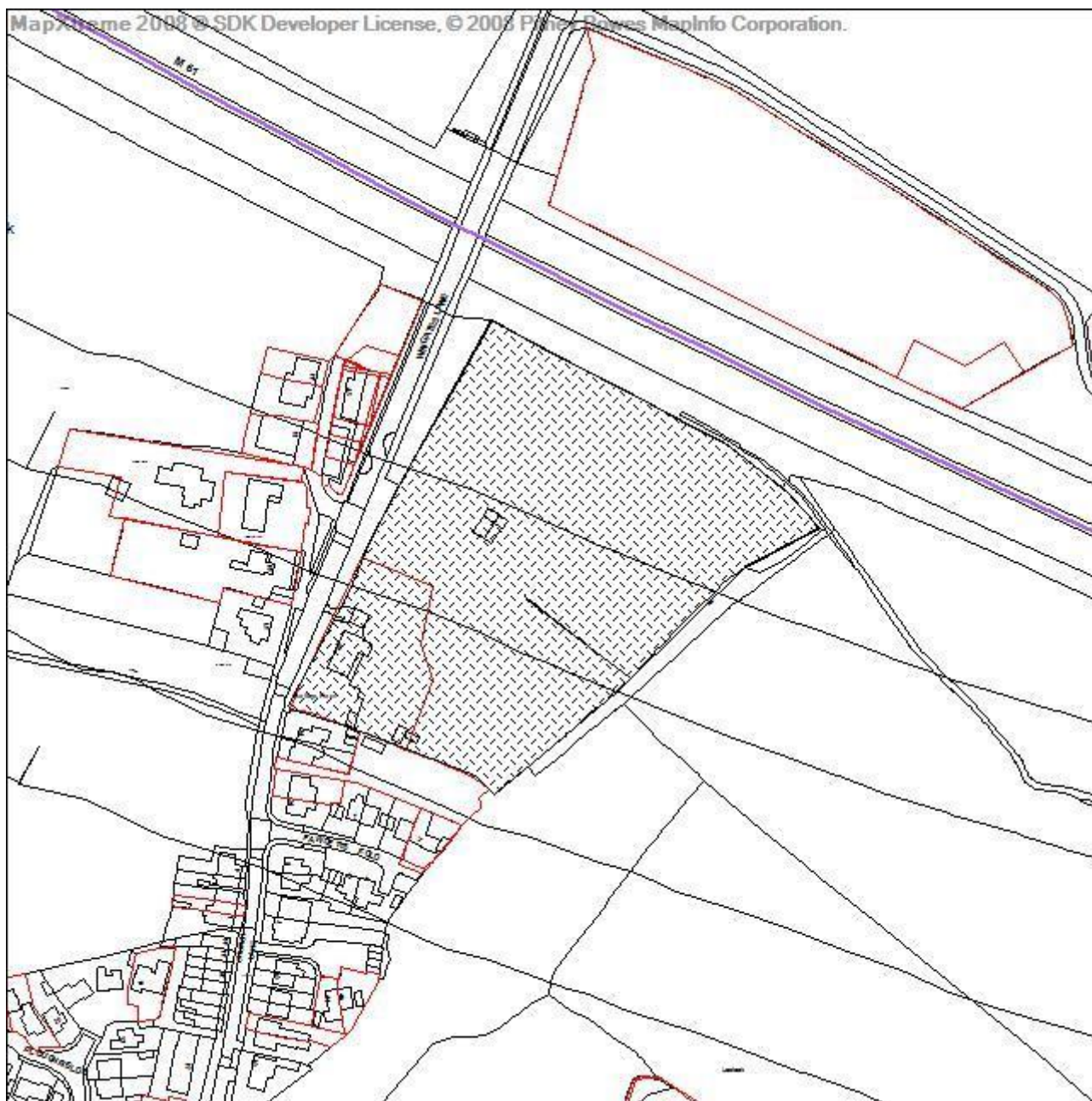


**Application number
03000/18**



**Development & Regeneration Dept
Development Management Section**

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**Bolton
Council**

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Date of Meeting: 28/06/2018

Application Reference: 03000/18

Type of Application: Outline Planning Permission

Registration Date: 26/02/2018

Decision Due By: 27/05/2018

Responsible Officer: Jodie Turton

Location: HARTLEYS FARM, WINGATES LANE, WESTHOUGHTON, BOLTON, BL5 3LP

Proposal: OUTLINE PLANNING PERMISSION FOR THE ERECTION OF UP TO 58NO. RESIDENTIAL DWELLINGS (ACCESS DETAILS ONLY)

Ward: Westhoughton North

Applicant: Hollins Wingates Ltd

Agent : Sedgwick Associates

Officers Report

Recommendation: Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.

Background

1. This application was deferred by Members at the May 2018 planning committee meeting as Members wanted clarification of the up-to-date situation with regard to housing numbers.
2. Since the May committee meeting Cllr Wild has reported that a further car accident has occurred on Wingates Lane.
3. This is a resubmission of a planning application (00579/17) that was refused by Members at the November 2017 planning committee meeting. The application was presented to committee with an officer recommendation of approval; however Members were minded to refuse the application for the following reason:

The proposed residential development of the application site would represent inappropriate development of 'Other Protected Open Land' in that it would not fall within any of the categories listed within Bolton's Allocations Plan Policy CG6AP, and therefore would be contrary to the Council's development plan. Whilst it is acknowledged that Policy CG6AP is not "up-to-date" (paragraph 49 of the National Planning Policy Framework), it is considered (by applying the "tilted balance" of paragraph 14 of the National Planning Policy Framework) that the adverse impacts of the development (that is, the harm to the character and appearance of the area and the harm to highway and pedestrian safety owing to the constrained highway width of the proposed vehicle access to the site (Wingates Lane and Church Lane) as a result of significant on-street parking, and the resultant congestion at peak times) would significantly and demonstrably outweigh the benefits of the proposed development. The proposed development is therefore considered to be contrary to Policy CG6AP of Bolton's Allocations Plan and Policies CG3, OA3, P5 and S1.2 of Bolton's Core Strategy.

4. The planning application has subsequently been appealed by the applicant and is due to be heard by the Planning Inspectorate by means of a hearing. A date has yet to be set for the appeal due to the applicant awaiting the outcome of the current planning application.
5. Further information has been submitted to support the current proposal with regard to the character of the area and also information regarding the highway, in particular highway safety. This information will be assessed in the relevant sections in the report below.
6. In addition, Members were made aware of the up-to-date situation with regards to housing land supply in Bolton following the members briefing which took place on 1st February 2018. A summary of the advice provided by Kings Chambers is detailed in the "Principal of Residential Development" section of the report.

Proposal

7. This is an outline application for the erection of up to 58 residential dwellings. The proposal will establish the principle of the residential development on the site and the approval of access details.
8. Access to the development is proposed from Wingates Lane, directly to the north of the existing bungalow (which is to be retained as part of the development proposal).
9. The application does not seek approval for details of layout, however an indicative layout plan has been provided in order to determine whether the application site can accommodate the number of units being proposed and also due to the fact that the site has a number of constraints, which are material considerations in the determination of this application, in terms of proximity to the motorway and the noise associated with this, the gas pipeline which runs through the site and the easement required along the length of this, also biodiversity issues such as trees and habitats.
10. The gas pipeline runs along the northern section of the site, which is also bound by the M61 motorway. A landscape buffer, open space and areas of car parking are proposed to the northern section of the site, which will not only allow for the easement to the gas pipeline but will also serve to mitigate against the noise and disturbance from the motorway.
11. In order to accommodate up to 58 dwellings the indicative layout shows that the site is suitable for a mix of house types, made up of a small number of apartments, which will be sited to the north eastern and north western corners of the site, detached, semi-detached and terrace properties. It is indicated that the finished scheme would provide up to 21 affordable housing units.
12. This application is being considered by the Planning Committee for decision as this is a resubmission of an application which was previously refused by the Members. The application is a major and has received 6 objections. Members visited the site in November 2017.

Site Characteristics

13. The application site is located on the eastern side of Wingates Lane and lies immediately to the south of the M61 motorway. The site is located to the north of Westhoughton district centre. At 1.94 hectares, the site is largely an open greenfield site, with a cluster of buildings to the south western corner which make up Hartleys Farm and the buildings associated with the garden nursery. The existing bungalow is to be retained as part of the development proposal.

14. A public right of way runs along the eastern outer boundary of the site. To the north the site is bound by the M61 motorway. A gas pipeline lies within the site, running along the northern section of the site parallel to the motorway.
15. Beyond the site to the east is further open land in agricultural use. There is a small area of woodland to the south eastern corner of the site.
16. The application site is allocated as 'Other Protected Open Land' within Bolton's Allocations Plan.

Policy

National Planning Policy Framework: 6. Delivering a Wide Choice of High Quality Homes; 7. Requiring Good Design; 11. Conserving and Enhancing the Natural Environment.

Draft National Planning Policy Framework (March 2018)

Core Strategy policy: P5 Accessibility and Transport; S1 Safety; CG1.1 Trees and Woodlands; CG1.5 Flood Risk; CG2 Sustainable Design and Construction; CG3 Design; CG4 Compatible Uses; SC1 Housing; OA3 Westhoughton.

Bolton's Allocations Plan policy: 6 Strong and Confident Bolton – Housing; P8AP Public Rights of Way; CG6AP Other Protected Open Land.

Supplementary Planning Documents: General Design Principles; Accessibility, Transport and Safety; Sustainable Design and Construction.

Bolton's Authority Monitoring Report 2016/17: Volume 2 Housing Land Requirements and Supply Briefing Note (AMR)

Analysis

17. 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.
18. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
19. The main impacts of the proposal are:-
 - * principal of residential development
 - * impact on the highway
 - * impact on the character and appearance of the area
 - * impact on the amenity of neighbouring and future residents
 - * impact on trees
 - * impact on biodiversity
 - * impact on drainage and flood risk
 - * impact on public rights of way
 - * impact on the gas pipeline
 - * sustainable design and construction
 - * impact on local infrastructure

- * whether the proposal constitutes sustainable development
- * benefits of the proposal

Principal of Residential Development

20. The application site is allocated within Bolton's Allocations Plan as 'Other Protected Open Land'. Protected Open Land is defined within paragraph 5.12 of the Allocations Plan as countryside that is not within the Green Belt but is protected from inappropriate development. Allocations Plan Policy CG6AP states that the Council will permit development proposals within the defined areas of Protected Open Land shown on the Proposals Map provided that they fall within one or more of the following categories:

- 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
- it forms part of, and is required for, the maintenance of an existing source of employment; or
- 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; or
- the development would be appropriate within the Green Belt.

21. The proposed residential development of the application site does not fall within any of the four categories within Policy CG6AP and therefore, by definition, represents inappropriate development of 'Other Protected Open land', contrary to Allocations Plan Policy CG6AP.

22. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan (that is, for Bolton, the Core Strategy, the Allocations Plan and the Greater Manchester Joint Minerals Plan,) *unless material considerations indicate otherwise*.

Housing Land Supply

23. The National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making however it is a material consideration. Whether Bolton Council can demonstrate a five year supply of deliverable housing land is also a material consideration relevant to the housing supply policies.

24. Paragraph 47 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against the local planning authorities' housing requirements, with an additional 5% buffer. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land with an additional buffer.

25. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Where policies relating to the supply of housing are out-of-date (as a result of not having a five year supply of deliverable housing land), the second bullet point of Paragraph 14 of the NPPF is triggered, which affirms that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The draft NPPF retains this requirement, albeit contained in paragraph 75 and paragraph 11d.

26. Following the members briefing in February 2018, Members will be aware that the most recent figures for "deliverable" housing land supply in Bolton show a possible range of between 2.6 and

3.4 years:

27. 2.6 years using the Core Strategy 694 as its basis;

- 3.4 years using the proposed DCLG standard methodology of 798 per annum;
- 2.8 years using draft GMSF at 840 per annum.

- The revised gross annual requirement (taking into account any backlog/under-delivery, clearance allowance) plus 20% works out at:
 - 28. 1314 using the Core Strategy;
 - 1006 using the DCLG standard methodology;
 - 1231 using the draft GMSF.
- Using any of these measures delivery has been significantly below these requirements since 2008. For the period 2016-2017 there were 438 (net) completions in Bolton.

Recent Appeal Decisions on 'Other Protected Open Land'

29. Members will be aware that recent appeal decisions have overturned the Council's refusal of planning applications on sites designated as Other Protected Open Land due to the Council's shortfall in provision of a five year supply of deliverable housing sites:

Bowlands Hey, Westhoughton (APP/N4205/W/17/3167848)

30. The Planning Inspector concluded that Bolton Council cannot currently demonstrate a 5 year supply of deliverable housing land (Housing Land Supply – HLS). It was agreed that the Council has a 3.1 year supply. The Inspector stated that, "the degree of the HLS shortfall indicates to me that the Council's development plan policies are not functioning to achieve the Framework objective to boost significantly the supply of housing." On the basis of this and following the judgement of the Supreme Court on 10 May 2017, which ruled that where there was an absence of a 5-year HLS paragraph 14 of the NPPF should be engaged, the Inspector gave limited weight to policies OA3 and CG6AP in the consideration of the appeal. Limited weight was also given to strategic objective SO15.

Hill Lane, Blackrod (APP/N4205/W/15/3136446)

31. The Planning Inspector concluded that Bolton Council only had between a 2 and 3.4 year supply of deliverable housing sites (April 2016). The Inspector stated, "...it is clear that the Council cannot currently demonstrate a five year supply of deliverable housing land by some considerable margin." She therefore concluded, having regard to paragraphs 47 and 49 of the NPPF, that the relevant policies for the supply of housing (including Policy CG6AP of the Core Strategy) are not up-to-date and therefore carry very limited weight.

32. Despite these appeal decisions, the Council has recently successfully defended an appeal for housing on land designated as 'Other Protected Open Land' (*Land off Dixon Street, Westhoughton (APP/N4205/W/16/3162124)*). The Inspector acknowledged the Council's HLS shortfall and therefore stated that, "according to paragraph 49 of the NPPF, relevant policies for the supply of housing should not be considered up-to-date. In this situation paragraph 14 of the Framework states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessing against the policies in the Framework taken as a whole." The benefits were identified as the provision of up to 14 dwellings, however the Inspector considered this benefit to be significantly outweighed by the identified harm to the character and appearance of the area and the reasonable likelihood of protected species being present and affected by the development.

33. The latest assessments of which sites are deliverable within the five year period show that Bolton remains significantly short of the five year requirement required by national planning policy.

These sites have been re-examined against the deliverability tests in national policy, which are that sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the sites within five years and in particular that the development of the sites is viable.

34. Therefore whilst the proposal conflicts with Policy CG6AP of Bolton's Allocations Plan, as Policy CG6AP is a relevant policy for the supply of housing (as its purpose in part is to restrict housing development on 'Other Protected Open Land') and as the Council is unable to demonstrate a five year supply of deliverable housing sites in the borough, paragraph 49 of the NPPF states that it must therefore be considered to be out-of-date and (as confirmed by the Planning Inspectors in the appeals detailed above) can only carry very limited weight in the assessment of planning applications for residential development. This means that Paragraph 14 of the NPPF applies whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits.
35. Thus it is considered that in accordance with NPPF, as the relevant housing supply policies are out of date, there is a presumption in favour of approving the proposal to develop the application site for housing unless the other impacts of the development are so harmful as to outweigh the benefits associated with the development. Boosting significantly the supply of housing is a very key emphasis within the NPPF and the benefit of new housing carries very considerable weight in the "tilted" balance of paragraph 14.

Impact on the Highway

36. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements, 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.
37. Local residents have raised significant concerns and objections to the application regarding the potential impact of the development on the highway network. The main concern relates to the potential increase in the amount of traffic passing along Wingates Lane/Church Lane which is a narrow road which struggles to cope with the amount of traffic using it currently.
38. A Transport Statement (TS) has been submitted with the application in order to substantiate the development from a highways perspective. Highway Engineers have confirmed that, "the information submitted with the TS appears to demonstrate that the traffic generation associated with the proposed development can be potentially accommodated without detriment to the operational capacity or safety of the local highway network surrounding the site."
39. Given the location of the site on the edge of the town of Westhoughton, which has a range of shops, schools, dentists, doctors and other essential amenities, as well as railway stations and the town is well served by buses, the site is considered to be in a sustainable location. The site is considered to be compliant with the requirement indicated in paragraph 32 of the NPPF in terms of transport impact/provision.
40. In their assessment Highway Engineers do acknowledge the existing highway situation on Church Lane, stating that, "owing to the nature of the properties on Church Lane there is a reliance on on-street parking fronting the properties which does reduce the running lane width for vehicles at that location. This is an existing situation which cannot be rectified owing to the terraced nature of some of the properties having no off-road parking provision." On this basis, Highway Engineers do not consider there to be any measures that can be taken to improve the existing highway situation along Church Lane. Furthermore, the TS has identified a low level of traffic

generation from the development, therefore Highway Engineers are satisfied that, "there will potentially be a limited impact on the congestion issues caused by the existing on-street parking situation to warrant any additional concern".

41. In addition to the Transport Statement, the application is supported by an addendum to the Transport Statement, which seeks to address the highway reason for refusal of planning application 00579/17. The statement in particular focuses on the accident record for Wingates Lane and Church Lane over a ten year period, from 2008 up to and including 2017. The personal injury collisions (PIC) data shows there to have been no PICs during the ten year period along the full length of Wingates Lane and Church Lane, and therefore concludes that, "there is therefore no evidence which indicates that there is any existing highway safety issue on Wingates Lane or Church Lane."
42. Furthermore, it is highlighted that Church Lane and Wingates Lane, from south of the M61, is subject to a 20mph speed limit, and is traffic calmed. Traffic calming includes one-way priority horizontal deflection at the northern end of the traffic calming scheme and vertical speed humps. In addition, there is a 7.5T weight restriction, except for access, on Church Lane and Wingates Lane.
43. The Addendum also seeks to address the reference in the reason for refusal to the "significant on-street parking". It is noted that on-street parking is limited to a section of the road that is fronted by terraced housing, where no off-street parking for residents is available. This section of the road constitutes an approximately 125 metre stretch to the north of the junction with Ploughfields. The report states that, "Although traffic flows are reduced to one-way movement where on-street parking does occur, I consider that this helps to further enhance the speed hump traffic calming measures in the vicinity, ensuring vehicle speeds are kept low."
44. Councillor Wild has however highlighted that an accident did occur on the road in December 2017 which has not been included in the accident record data. Highway Engineers have been asked to comment on this, and state that, "Looking at this it is 1 accident in isolation on a route that from evidence has no appreciable accident record which has received traffic calming treatment ... The fact that the development will only lead to a marginal increase in traffic on the surrounding highways means that residual cumulative impact could not be classed as severe in terms of congestion and potential road safety implications."
45. The proposed access from the site complies with the Council's standards for adoption and the visibility requirements are acceptable and in line with the requirements under the Manual for Streets for the speed of the road in question.
46. At reserved matters stage a full appraisal of the internal road layout of the residential development will be required to ensure that it can be brought forward for adoption by the Highways Authority.
47. The indicative layout indicates that there will be a dedicated parking zone in the northern section of the site. There will also be parking for a large proportion of individual dwellings. A condition will be required to ensure that the reserved matters proposal complies with the Council's parking standards for the size of the residential properties proposed.
48. The principle of developing the site for up to 58 dwellings is considered to be acceptable in highway terms with regard to the proposed access arrangements and the impact on the surrounding highway network, the proposal thereby complies with Core Strategy policy S1 and P5.

Impact on the Character and Appearance of the Area

49. Paragraph 56 of the NPPF states that 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.
50. Policy CG3 of Bolton's 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.
51. Policy OA3 identifies Westhoughton as a traditional town centre with a wide variety of housing. The policy recognises the pressure for housing development in and around the town. Paragraph 3 of the policy seeks to concentrate sites for new housing in Westhoughton town centre and on other sites within the existing urban area. Para. 6 seeks to, "ensure Protected Open Land around Westhoughton remains undeveloped."
52. This is an outline application, therefore the details of house design and layout (other than consideration of the indicative layout) cannot be considered at this stage. However, it is important to consider the very principle of the residential development of the site, which will result in a fundamental alteration to the built and natural environment in this location.
53. The application site is largely previously undeveloped (greenfield) land and is allocated within Bolton's Allocations Plan as "Other Protected Open Land". There is an existing bungalow sited to the south western corner of the site, which is proposed for retention as part of the application proposal. There is also land around the bungalow curtilage which is associated with the former plant nursery use.
54. The application site extends along the eastern side of Wingates Lane up to the motorway. To the south of the application site is the edge of the urban development of Westhoughton, which has developed in ribbon form along Wingates Lane. The built form of Westhoughton continues along the opposite side of Wingates Lane, ending at a similar point to that of the development proposed. The proposed development can therefore be largely considered to be a continuation of the existing built area of the town. It is acknowledged that the site does somewhat fan out from the outer edge of the existing built form, which would result in a larger extension to the urban area than would perhaps organically develop. However, it is also acknowledged that the motorway forms a natural boundary to the site to the north and the existing public footpath creates a further boundary to the east.
55. Given that other than the small cluster of existing buildings at the site's access the site is greenfield, the development will inevitably significantly change the character and appearance of the site and the appearance of the streetscene. Along the boundary with Wingates Lane is a mature hedge and trees which serves to screen much of the site from viewpoints along the road. The indicative layout proposed shows the retention/strengthening of this boundary treatment which is considered an important factor in softening any future development and reducing the impact of this on the streetscene.
56. The indicative layout also shows the strengthening of landscaping along the northern boundary with the motorway and the eastern boundary adjacent to the public footpath which bounds the site along the eastern boundary.

Impact on the Amenity of Neighbouring and Future Residents

57. 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 General Design Principles sets out the Council's minimum interface distance requirements between new dwellings and neighbouring dwellings.
58. The internal layout of the proposed development indicates that up to 58 dwellings can be accommodated on the site comfortably. It is important to ensure at reserved matters stage that interface distances within the development and from the development to properties outside of the site are met. Furthermore, appropriate garden sizes and amenity space for the proposed apartments should also be met.
59. Concerns have been raised from residents about the increase in traffic and the resultant pollution caused by car engines. It is acknowledged that there will be an increase in traffic from the proposed development, however the submitted TS considers this to be negligible in terms of the overall traffic using Wingates Lane and Church Lane.

Air Quality

60. An air quality assessment has been submitted with the application. The Council's pollution control officers have assessed the submitted information and have concluded that this is acceptable. The submitted report does identify the need for mitigation measures to reduce fugitive dust emissions. A condition has therefore been recommended to ensure that the development is carried out in accordance with the proposed mitigation measures included in the Air Quality Assessment report.

Noise

61. The northern boundary of the application site abuts the M61 motorway. The indicative site layout has been designed to show how the site can be developed by leaving a buffer between the motorway and the residential properties to reduce the impact of the motorway in terms of noise and disturbance on the future residents.
62. The submitted Noise Impact Assessment confirms that external and internal noise levels for future residents are acceptable and do not exceed the criteria detailed in the relevant legislation. In designing the development the applicant is required to ensure that good acoustic design is inherent within the design of the scheme and that all reasonably possible has been done to ensure that the noise levels are the 'lowest practicable' in line with the national guidance (BS8233.2014).
63. The indicative layout of the scheme has been designed from an acoustics perspective and the Noise Impact Assessment commits to the following mitigation measures:
64. The dwellings (apartment blocks) closest to the M61 will act as a noise barrier, with gardens to the rear of the dwellings.
65. An acoustic bund of 4.5m in height is proposed along the boundary with the M61 motorway.
- Glazing specifications are recommended on a plot by plot basis - upgraded glazing/acoustic glazing is specified for certain dwellings.
 - Alternative ventilation is specified for certain dwellings where, if a window is opened, an exceedance of the internal criteria level will be observed.
 - Strategic orientation of buildings / garden areas.
 - Acoustic fences where required.
 - Standard thermal glazing and acoustic glazing where required.

- The Council's Pollution Control Officers have confirmed that they are satisfied with the proposed mitigation measures and that the noise levels within the amenity areas and within the buildings are the lowest achievable levels for this site. The submitted Noise Impact Assessment is to be conditioned to ensure that all of the measures recommended are adhered to in the development of the site.
- The proposed development is considered to comply with Bolton's Core Strategy policy CG4.

Impact on Trees

66. 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.
67. A Tree Survey has been submitted with the application. The survey identifies the form and condition of the trees across the whole site and identifies which trees are to be retained and which will need to be removed if the site is developed as proposed. The Council's Tree and Woodland Officers (CTWO) have assessed the report and have visited the site to determine the condition and location of the trees as well as the acceptability of the proposed tree removals.
68. The CTWO has identified key trees and areas where the existing landscaping has important amenity value to the area. Of note is the hedgerow along the site frontage with Wingates Lane which should be retained, as well as a mature Sycamore tree close to the site entrance. In addition, the cluster of trees to the north west corner of the site should be maintained to afford screening for the development.
69. Protective fencing will be required to ensure the protection of the trees proposed for retention during the development process and depending on the proposed layout at reserved matters stage, a no dig method will be required in the construction of some of the hardstandings to ensure that the root protection zones of trees to be retained and in particular the hedgerow to the western site frontage are not damaged.
70. The proposed acoustic bund to the northern boundary with the M61 motorway will result in the some tree losses, however it is noted that these trees are of generally lower category trees of poorer form and condition. The indicative layout shows further planting along the northern boundary.
71. It is acknowledged that a number of trees will be lost within the site, as well as some trees around the periphery of the site. The indicative layout does show that tree cover around the northern and eastern boundaries will be strengthened which will serve to screen and soften the development within the surrounding landscape. The retention of the hedges to the western boundary with Wingates Lane is considered essential to soften and integrate the development with the surrounding residential environment.
72. Whilst it is accepted that trees will be lost to allow the site to be developed for residential use, it will be essential to follow the advice of the CTWO and the submitted tree survey, to ensure that tree loss is minimised, the hedgerows are protected and further tree planting and landscaping are undertaken to ensure the integration of the development with the surrounding area and to enhance the ecological offer of the site in the longer term. Conditions are recommended for protective fencing and details of no dig methodologies to be submitted and approved to safeguard those trees and hedgerows to be retained, in addition to a landscape plan which will ensure that additional and replacement tree planting is undertaken.

73. It is considered that the proposed development would not result in the unacceptable loss of trees from the site and therefore would, subject to the suggested conditions, comply with Policy CG1.2 of the Core Strategy.

Impact on Biodiversity

74. Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development, and improving the quality and interconnectivity of wildlife corridors and habitats.
75. Residents have raised concerns about the loss of this greenfield site and the impact of the development on wildlife. They have identified the site as being important for visiting deer, rabbits, foxes, birds (including some protected species and nesting buzzards), and possibly Great Crested Newts. Furthermore, residents consider this to be an important buffer to the motorway, providing a vital wildlife corridor and important habitat for various species.
76. An ecology survey was submitted with the application, the survey concluded that the development of the site, "could be achieved with no adverse effect on designated sites for nature conservation, ecologically valuable habitats and protected species". The ecology survey does, however, recommend a number of measures for the protection of ecological features and species on the site, these include the protection of hedgerows, trees and scrub.
77. Greater Manchester Ecology Unit and the Council's Greenspace section have been consulted on the application proposal. They are satisfied with the recommendations of the submitted ecology report and raise no objections to the development of the site for residential use, on the basis that a number of conditions are included to ensure that the impact of the proposal is minimised on wildlife and biodiversity in the area. Biodiversity enhancement measures are also recommended in relation to bats, birds and landscape planting, which will be conditioned for submission with the reserved matters application.
78. It is acknowledged that the site in its current state has the potential to host nesting birds. An informative is therefore recommended to advise the applicant on the time of year that works of demolition or clearance can be undertaken. Lighting at the development should be designed so as to minimise the impact on bats and a condition is recommended to address this.
79. Great Crested Newts have not been found on the site. There are no ponds or permanent water bodies within the site. Nearby ponds were surveyed for the presence of Great Crested Newts and none were found in any of the ponds in a 519 metre radius of the site, and there are no known sightings of GCN within a radius of at least 800 metres of the site. The ecological survey concluded that, "the risk of GCN within the site is negligible and adverse impacts on GCN and their habitats is not reasonably likely".
80. Both Greater Manchester Ecology Unit and the Council's Wildlife Liaison Officer raise no objection to the proposed development. It is therefore considered that the proposed development complies with Policy CG1.2 of Bolton's Core Strategy.

Impact on Drainage and Flood Risk

81. Policy CG1.5 of the Core Strategy states that the Council will reduce the risk of flooding in Bolton and other areas downstream by minimising water run-off from new development and ensuring a sequential approach is followed, concentrating new development in areas of lowest flood risk. Policy CG2.2c states that all proposals for five or more residential units should demonstrate the sustainable management of surface water run-off from developments. On greenfield sites the rate

of run-off should be no worse than the original conditions before development.

82. A flood risk assessment and drainage management plan has been submitted with the application. Neighbouring residents raise concerns about drainage from the site and issues of surface water flooding in the nearby area. Policy CG2.2c makes the requirement for the run-off rate of greenfield sites to be no worse than the original conditions before development, any issues of surface water run-off from the site and flooding of nearby roads should therefore be no worse than the existing situation.
83. Officers of the Council's Floodrisk and Drainage team have been consulted on the application. They are satisfied with the submitted information and confirm that the submitted Flood Risk Assessment has addressed the key points required at outline application stage. Details of the surface water strategy must be submitted at the detailed design stage of the development.
84. The proposal is considered to comply with Core Strategy policies CG1.5 and CG2.2c.

Impact on Public Rights of Way

85. Allocations Plan Policy P8AP states that the Council will permit development proposals affecting public rights of way provided that the integrity of the right of way is retained.
86. A public right of way (Bolton 361) runs along the eastern boundary of the site. As this is outside of the application site it should not be affected by the proposed development. The indicative layout suggests strengthening the boundary planting along the side of the footpath, which should improve the footpath environment once the development is complete.
87. An arrow is shown on the indicative site layout from the turning head to the existing footpath; this indicates a link from the development to the footpath, which will be of benefit to future residents of the application site and existing residents in the nearby area.
88. The proposal complies with Allocations Plan Policy P8AP.

Impact on the Gas Pipeline

89. Paragraph 4.46 and Policy CG4 of the Core Strategy recognise the impact of development proposals on existing uses and features; recognising that it is important to avoid siting sensitive development (such as residential) close to other uses which may have impacts upon it.
90. A gas pipeline runs along the northern section of the site. This runs adjacent to the line of the motorway. No building will be permitted over or in close proximity to the pipeline to avoid damage to it and on future residents, and to allow for essential access to the pipeline. The HSE have been consulted on the application and they are satisfied that the indicative layout gives enough clearance to the pipeline to be safe and to allow access to the pipeline.
91. The proposal is considered to be acceptable in this respect and complies with policy CG4.

Sustainable Design and Construction

92. Bolton's Core Strategy policy CG1.6 seeks to ensure that developments work towards minimising energy requirements, improving energy efficiency, lessening the reliance on fossil fuel-based energy and reducing carbon dioxide (CO₂) emissions. Policy CG2.2(b) applies to residential developments of 5 units or more and requires those developments to incorporate appropriate decentralised, renewable or low carbon energy sources to reduce the CO₂ emissions of predicted regulated and unregulated energy use by at least 10%. The LPA will also accept means of built fabric improvements to achieve the 10% reduction.

93. The SPD "Sustainable Design and Construction" supports these policy aims and also stresses the importance of designing into the scheme at an early stage sustainability measures. A condition is therefore recommended to ensure that the reserved matters submission includes details of the sustainability measures that are to be undertaken, to ensure that these are thought about at an early stage and built into the overall design of the scheme.

Impact on Local Infrastructure

94. Policy IPC1 of the Core Strategy states that the Council will seek to ensure that developers make reasonable provision or contribution towards the cost of appropriate physical, social and green infrastructure required by the proposed development and/or to mitigate the impact of that development. In doing so, the Council will ensure that a scheme is made acceptable in planning terms and achieves the objectives of sustainable development.

95. Policy H1 of the Core Strategy states that the Council will ensure that new developments contribute appropriately through planning contributions to meet the health needs that they generate. Policy A1 states that the Council will ensure that new developments contribute appropriately through planning contributions to meet the educational and training needs that they generate. Policy SC1 requires that on greenfield land (which the application site is) 35% of the total dwelling provision should be affordable.

96. The Council's SPD Infrastructure and Planning Contributions provides further guidance to support the delivery of infrastructure and the implementation of Core Strategy Policy IPC1. SPD Affordable Housing provides further guidance with regard to the provision of affordable housing and the implementation of Core Strategy Policies IPC1 and SC1.

Affordable Housing:	35% of the dwellings will be affordable units (if 58 units are built 21 will be affordable)
Education:	£2,898 per unit (primary provision) £3,025.09 per unit (secondary provision)
Open/amenity space: (off site)	£1,408 per unit
Health:	£700 per unit

97. The applicant has agreed to all of the required commuted sums and a S106 Agreement has been drawn up reflecting these requirements.

Education

98. The commuted sum amount is required for a primary and secondary school in the West school planning area. The schools identified are the Gates Primary School and Westhoughton High School.

Public Open Space

99. The commuted sum amount would be used at the Holden Lea play area and MUGA, to refresh the existing facility.

Health

100. Bolton CCG has confirmed that, "increases in the local population as a result of house building will have an impact on health service provision across Bolton. They calculate that there would be a net increase of 170 patients for this specific proposal. The local immediate impact will be on Primary Care services. We confirm that the Section 106 levy of £700 per household calculated on 58 households (£40,600) will be used to invest in enabling the local primary care services to

accommodate this increase in population. This will involve investment in Westhoughton health buildings which currently houses two practices. The precise capital scheme will be determined following more detailed assessment of likely patient catchment areas and flows.”

Public Art

101. Policy IPC1 of the Core Strategy states that the Council will also expect public art for all development over one hectare in area. SPD Infrastructure and Planning Contributions advises that artwork should be incorporated as an integral part of the design of a development, whereby its implementation will be condition of the planning approval. A planning condition is therefore suggested for the construction of some form of public art on the site, should the application be approved.

Whether the Proposal Constitutes Sustainable Development

102. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

103. Paragraph 7 of the NPPF sets out the three dimensions of sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform an economic, social and environmental role. These roles are mutually dependent and should be jointly sought.

100. It is considered that the proposal would constitute sustainable development by providing sufficient land to meet housing requirements and providing sufficient infrastructure to meet the requirements of the new development, whilst providing new homes to meet the needs of present and future generations and creating a high quality built environment.

104. It is considered that the application site is in a reasonably sustainable location, within walking/cycling distance of Westhoughton centre where there are bus and train links.

105. It is therefore considered that the proposal constitutes sustainable development.

Benefits of the Proposal

106. The proposed development would contribute to the supply of housing, which is a significant benefit of the proposal and one which should be attached great weight given the national requirement to significantly boost the supply of housing and the Council's shortage of deliverable housing land supply.

107. The proposal would have economic benefits, providing employment opportunities and support for local businesses and services, initially during the construction phase and then following during occupation.

Local finance considerations

108. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The following is considered to be a local financial consideration in this case:

109. New Homes Bonus for the 58 proposed dwellings – this is not a material planning consideration.

Conclusion

110. The application proposes 58 residential dwellings on a site accessed via Wingates

Lane/Church Lane, Westhoughton. The site largely comprises an open field, which is designated within Bolton's Allocations Plan as 'Other Protected Open Land', there are a small cluster of buildings at the existing site entrance, one of which is to be retained.

111. Given the fact that Bolton Council does not have a 5-year housing land supply, the second bullet point of paragraph 14 of the NPPF is relevant, (this is in cases where policies relating to the supply of housing are out-of-date (as a result of not having a five year supply of deliverable housing land)), which affirms that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
112. Having assessed the application proposal, it is not considered that there are any adverse impacts of granting planning permission for the residential development of the site which would significantly and demonstrably outweigh the benefits of granting permission for the 58 residential dwellings as proposed. In coming to this conclusion, issues of impact on the highway and the introduction of further traffic onto the already congested Church Lane/Wingates Lane has been considered. Highway Engineers are however in agreement with the conclusions of the submitted Transport Statement in that the increase in traffic from the proposed development could be accommodated within the highway network without impacting detrimentally on the highway or safety.
113. In addition, issues of impact on the gas pipeline, drainage, ecology, impact on trees, the character of the area, impact on existing and future residents (of particular note is noise from the motorway for future residents), have all been considered and in all considerations policy requirements have been met and no adverse impacts have been identified which would significantly or demonstrably outweigh the benefits of the development of the site for residential development.
114. Taking all of this information into consideration, the proposed development is considered to comply with the guidance contained in the NPPF and meets the policy requirements of Bolton's Core Strategy. Members are therefore recommended to delegate the decision to the Director for the S106 Agreement to be confirmed.

Representation and Consultation Annex

Representations

Letters:- 5 letters have been received objecting to the application. The issues raised are summarised as follows and have been addressed in the main body of the report:

Highways

115. Unacceptable increase in traffic using the lane - Wingates Lane is highly congested especially at rush hour - traffic can be at a standstill.
116. Church Lane is narrow due to parked cars.
- Wingates Lane is used as a rat run to Middlebrook.
 - The lane is a rat run that can't cope with anymore parked cars.
 - Concerns about access for emergency services along Wingates Lane.
 - Pedestrians are forced to walk in the road due to the narrowness of the lane and parked vehicles.
 - The lane was established and constructed in the 18th century and as such has had little or no width improvement since.
 - The lane has a 20mph speed restriction which is not adhered to.
 - Residents regularly witness elements of road rage where car users refuse to give way to each other.
 - Rush hour traffic - extends from A6 to over the motorway bridge.
 - Inference of no vehicle accidents on Wingates Lane is incorrect - December 2017.
 - The bollards of the chicane have been destroyed twice in the last 6 months.
 - Road unable to support more traffic.
 - No pavement towards Lostock Lane and road not safe for pedestrians.
 - More traffic would mean more serious accidents waiting to happen.
 - Walking and cycling links are not as good, accessible as reported - lack of footpaths and dangerous stretches of road.
 - Buses are infrequent and limited destinations.

Greenfield Land/Wildlife

- Greenfield land.
- Site is of conservation interest - buzzards nesting, abundance of deer and rare birds and newts, water voles, kingfishers, bats, red and amber listed birds: starling, song thrush, mistle thrush, house sparrow, dunnoek, bullfinches and visits from sparrow hawks and kestrels.
- Wildlife will suffer loss of habitat.
- Fifty trees have been identified on the site which may have to be felled, together with the loss of some hedgerows. These provide vital nesting, breeding and feeding areas for birds and animals.
- The open land acts as a wildlife corridor.

Impact on the Character of the Area

- The erection of 58 houses is excessive, inappropriate and totally out of character with the area. Wingates Lane is largely rural with low density housing.
- A high density estate of 58 units will be entirely out of keeping with the rural aspect of the area and will have a detrimental visual impact.
- Views from the footpaths nearby would be greatly curtailed by the development.

Residential Amenity

- Air Quality Progress Report 2011 pg12 shows a schematic diagram showing M61 motorway - shows M61 has a higher and unacceptable level of Nitrous Dioxide fumes - air pollution

caused by diesel and petrol vehicles.

- Respiratory disease is one of the key contributory factors to reducing life expectancy in Bolton
 - Bolton has a higher level of lung related diseases and lung cancer than the National average
 - this development if approved will have residential properties less than 50 metres from the highest pollution zone in Bolton.
- Traffic along Wingates Lane, especially during rush hour can be at a standstill causing pollution from idling vehicles.
- Noise assessment - residents will not be able to open their windows due to noise and air pollution.

Housing Provision

- The land is allocated as 'Other Protected Open Land' under the Bolton Allocations Plan – there is enough allocated building land in Bolton for future needs and brownfield sites should be considered first for development.
- 99% of the site is grass, shrub and trees - not brownfield land.
- The footpath to the east of the site ends at the M61 motorway - what is the purpose of the footpath or the yellow arrow on the plan?
- Concern that this is phase 1 of a larger development - Hollins Strategic Management submitted a consultation document to GMSF group to release land behind this site (Ditchers Farm) in order to develop it for residential - up to 1,000 houses (*Officers comment - any site in Greater Manchester could be put forward for development by prospective developers, this does not mean that the site will be included in the GMSF*)

RSPB - have made the following comment on the application: "I would like request a condition for Internal Swift Bird Bricks, at this proposed development, which if it goes ahead will result in a loss of foraging areas for birds and small mammals. Swifts are a Bird of Conservation Concern, due to their massive decline in the UK, including Bury. They are a migrant bird, who visit for just 12 weeks of the year. Swifts are a building dependent species, usually occupying the eaves of suitable buildings but due to new designs and materials they are being excluded. There are new, low cost swift bricks on the market, which also have the benefit of being used by red listed house sparrows. The bricks contribute towards local and national planning policy (s.109 NPPF) reducing the overall decline in biodiversity and recognising the benefits of ecosystem services. It is important that the bricks are internal as swifts no longer nest in trees."

Town Council:- The Town Council raised objections because Church Lane/Wingates Lane is very narrow with many parked cars and the additional traffic created as a result of the proposed development would increase the traffic and pedestrian hazard, and the proposed development would create a detrimental impact on wildlife and wildlife habitat.

Consultations

Advice was sought from the following consultees:

External Consultees:

Greater Manchester Ecology Unit; Greater Manchester Police; Coal Authority; National Grid; Ramblers Association; The Open Spaces Society; Peak and Northern Footpaths; HSE.

Bolton Council Consultees:

Floodrisk; Highway Engineers; Tree and Woodland Officers; Greenspace; Education; Landscape; Economic Strategy; Environmental Health; Public Rights of Way; Strategic Development; Strategic Housing.

Planning History

Outline planning permission was refused for the erection of up to 58 dwellings (details of access only) in November 2017 (0579/17)

Planning permission approved for the demolition of the bungalow and garden centre and erection of 3 detached dwellings - October 2010 (82659/09)

Recommendation: **Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.**

Recommended Conditions and/or Reasons

1. Application for the approval of 'Reserved Matters' must be made not later than the expiration of two years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

- i) The expiration of four years from the date of this permission, or
- ii) The expiration of two years from the final approval of the Reserved Matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Details of the appearance, landscaping, layout, and scale, [delete as appropriate] (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason

To application is for outline planning permission and these matters were reserved by the applicant for subsequent approval.

3. The reserved matters application shall include full details of the biodiversity enhancement measures to be carried out at the site, in line with the recommendations of the submitted ecological survey "Ecological Survey and Assessment (including Licenced Bat Survey), reference 2016-367; dated February 2017".

Reason

In order to protect and enhance biodiversity at the site and in order to comply with Bolton's Core Strategy policy CG1.

4. A Crime Impact Statement report shall be submitted with the reserved matters application.

Reason

To ensure the development complies with designing out crime principles, good urban design practices and in order to comply with Bolton's Core Strategy policy CG3.

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

1. The trees and hedgerows within or overhanging the site which are to be retained have been surrounded by fences of a type to be agreed in writing with the Local Planning Authority prior to such works commencing.
2. The approved fencing shall remain in the agreed location (in accordance with BS 5837:2012) until

the development is completed or unless otherwise agreed in writing with the Local Planning Authority and there shall be no work, including the storage of materials, or placing of site cabins, within the fenced area(s).

3. No development shall be started until a minimum of 14 days written notice has been given to the Local Planning Authority confirming the approved protective fencing has been erected.

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.

6. Prior to the commencement of development of any works on site, the developer shall submit a tree method statement detailing how the site will be constructed without causing harm or damage to the trees, root protection zones and hedgerows to be retained, the method statement shall be submitted to the Local Planning Authority. No development or site clearance shall take place until the Local Planning Authority has agreed the measures in writing, and these measures shall then be implemented fully in accordance with the approved details.

Reason

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

7. Prior to the commencement of groundworks for the foundations of the dwellings hereby approved, surface water drainage works should be implemented in full, in accordance with details that have been submitted to, and approved in writing by, the local planning authority.

Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, and the results of the assessment provided to the local planning authority. Where a sustainable drainage system is to be provided, the submitted details shall

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.
- Include a timetable for its implementation, and
- Provide a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

To ensure the site provides satisfactory means of surface water drainage and in order to comply with Core Strategy policies CG1.5 and CG2.

8. The reserved matters application must comply with the recommendations of the Coal Authority, in that a scheme of intrusive site investigations shall be submitted for approval by the Coal Authority, along with the undertaking of that scheme (subject to agreement with The Coal Authority's Permitting Team).

The reserved matters application shall include:

1. The submission of a report of findings arising from the intrusive site investigations;
2. The submission of a scheme of remedial works for approval; and

The approved remedial works shall be implemented prior to commencement of development and upon completion of the works written confirmation shall be provided to, and approved in writing by the Local Planning Authority. No development shall commence unless and until the approved remedial works have been carried out in full and approved in writing.

Reason

To safeguard the development and stability of the land in compliance with Core Strategy policy CG4.

9. An energy assessment shall be submitted as part of the reserved matters application. This shall include a scheme which details how either (i) renewable energy technology or low carbon energy sources or (ii) an alternative scheme, for example design measures to the built form of the development, shall reduce CO2 emissions of predicted energy use of the development by at least 10% (CO2 reduction targets are measured against Building Regulations Part L standards). The development shall be completed in accordance with the approved details and retained thereafter.

Reason

In the interests of tackling climate change and in accordance with policy CG2.2(b) of the Core Strategy and Supplementary Planning Document 'Sustainable Design and Construction'.

10. Prior to the commencement of development full details of the highway works at the site access comprising a 2.0 metre footway from the site access to the existing footway provision fronting 26 Wingates Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

11. Development shall not commence until a scheme for the eradication of Japanese knotweed (and other non-native invasive species) has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for implementation. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority. The scheme shall be carried out as approved and retained thereafter.

Reason

To ensure the safe development of the site and eradication of an invasive species and to comply with policy CG1 of Bolton's Core Strategy.

12. Prior to the commencement of development, a scheme for the provision of public art shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme.

Reason

The Council, in accordance with Core Strategy Policy IPC1 expects public art from all development above one hectare in area.

13. Development shall not commence until the following information has been submitted in writing and written permission at each stage has been granted by the Local Planning Authority. The requirements as part of this condition shall have regard to the preliminary risk assessment that has been submitted to the Local Planning Authority, namely the requirement to carry out a site investigation, dated **March 2017** (ref: **sa/pks/4775**) by **Sedgwick Associates**.

i) Prior to any physical site investigation, a methodology shall be approved by the Local Planning Authority. This shall include an assessment to determine the nature and extent of any contamination affecting the site and the potential for off-site migration. Provision of a comprehensive site investigation and risk assessment examining identified and unidentified potential pollutant linkages in the Preliminary Risk Assessment. Our records show historical uses include outbuildings, a pond, car

park,garage(s), green houses and a tank of unknown origin. These should be presented and approved by the Local Planning Authority.

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

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

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

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

Reason

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

14. Within 3 months of the date of development commencing, details of the earth bund and acoustic insulations shall be submitted to, and approved in writing by, the Local Planning Authority. The approved schemes shall be implemented in full before first occupation of the dwellings hereby approved and retained thereafter.

Reason

To protect future residents from noise from the M61 motorway and in order to comply with Bolton's Core Strategy policy CG4.

15. Prior to the development hereby approved/permitted being first occupied the existing vehicular access points onto Wingates Lane shall be closed to vehicles and the existing highway (kerbing and footway) made good to adoptable footway standards. There shall thereafter be no means of vehicular access to or from Wingates Lane, other than as shown on drawing ref: Proposed Site Access; PB6321/SK001, Rev B; dated 26.01.17.

Reason

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

16. Prior to the development hereby approved/permitted being first occupied or brought into use the means of vehicular access to the site from Wingates Lane shall be constructed to a minimum width of 5.5 metres with 2 x 6.0 metres radii and 2 x 2.0metres wide footways and 1.0 metre service margin in accordance with drawing ref: Proposed Site Access; PB6321/SK001, Rev B; 26.01.17.

Reason

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

17. Prior to the development hereby approved/permitted being first occupied/brought into use a visibility splay measuring 2.4 metres by 25.0 metres shall be provided at the junction of the site access with Wingates Lane, and subsequently remain free of all obstructions between the height of 1.05 metres and 2 metres (as measured above carriageway level).

Reason

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

18. Prior to occupation, a "lighting design strategy for biodiversity" for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

To protect biodiversity habitats and protected species and in order to comply with Bolton's Core Strategy policy CG1.

19. The development hereby approved shall be carried out in full accordance with the mitigation measures detailed in the submitted noise impact assessment "Noise Impact Assessment, Wingates Lane, Bolton – REC ref: AC102368-1R5; dated 27th October 2017". The mitigation measures shall be carried out in full and retained thereafter.

Reason

To protect future residents from noise from the M61 motorway and in order to comply with Bolton's Core Strategy policy CG4.

20. No soil or soil forming materials shall be brought to the site until a testing methodology including testing schedules, sampling frequencies, allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information has been submitted to and approved in writing by the Local Planning Authority. The approved testing methodology shall be implemented in full during the importation of soil or soil forming material.

Prior to the development being first brought into use or occupied a verification report including soil descriptions, laboratory certificates and photographs shall submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure the site is safe for use and in order to comply with Core Strategy policy CG4.

21. No removal of, or works to, any hedgerows, trees or shrubs, or works to, or demolition of, buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March to 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority for approval and the works shall be carried out as approved.

Reason

The site has the potential to support breeding birds. It is an offence under the Wildlife and Countryside Act 1981 (as amended) to disturb birds whilst they are breeding. Therefore any disturbance would be contrary to Bolton's Core Strategy policy CG1.

22. The development hereby approved shall be carried out in full accordance with the mitigation measures detailed in the submitted air quality assessment "**Air Quality Assessment, Wingates Lane, Bolton – REC ref: AQ102577r2; dated May 2017**". The fugitive dust mitigation measures shall be carried out in full as detailed in the report.

Reason

To protect local residents from the effects of dust during construction and in order to comply with Bolton's Core Strategy policy CG4.

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

Proposed Site Access; drawing no. PB6321/SK001, Rev B; dated 26.01.17

Reason

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



NOTES:

NOT FOR SITE PURPOSES: This drawing is a general arrangement plan only and is not intended for site purposes.

SCALE: Do not scale from this drawing.

SETTING OUT: All setting out, levels, dimensions to be agreed on site. Do not use the information on this drawing without checking all dimensions on site. Any discrepancies between drawings, specifications and site works are to be reported to The Urbanists. Order of construction and setting out is to be agreed on site.

CHECK: This drawing must be the latest revision, read in conjunction with all other drawings, details, specifications and schedules. All dimensions are in millimetres unless otherwise stated. Where and contradiction or uncertainty arises between the drawings and/or the schedule of works, it is the contractor's responsibility to seek verification from The Urbanists before proceeding. No claims will be met by The Urbanists, where the contractor continues work in absence of such confirmation.



Client	Hollins Strategic Land
Project	Wingates Lane
Type	Illustrative Masterplan
Project ID	1641
Organiser	URB
Role	UD
Block	XX
Level	XX
Type	GA
Series	90
Draw	001
Rev	G
Status	Final
Drawn	LH
Date	22/06/17
Checked	LP
Scale	1:1000 @ A3

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Application number 03148/18





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Date of Meeting: 28/06/2018

Application Reference: 03148/18

Type of Application: Full Planning Application
Registration Date: 23/03/2018
Decision Due By: 17/05/2018
Responsible Officer: Martin Mansell

Location: STORES 1 AND 2, FARNWORTH INDOOR MARKET, KING STREET, FARNWORTH, BOLTON, BL4 7AS

Proposal: CHANGE OF USE FROM RETAIL (CLASS A1) TO GYMNASIUM (CLASS D2)

Ward: Farnworth

Applicant: Mr M Biggar
Agent : Ronson Building Design

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Members may recall the consideration of a previous application at this site in October 2016 (97240/16) - an application to convert part of the former Hitchens building, now Farnworth Indoor Market, to an indoor trampoline use. That application was deferred for further information relating to :-

- a proper parking layout that takes into account the turning area required by the previous approval at this site
- information on other premises and business that make use of this car park and how this is managed
- details of other nearby parking provision should be provided together with information on how this is managed (i.e. is it free? Is it time limited? Is it for customers of that site only)
- details of how the security of existing stalls would be maintained if the trampoline use were to be open later than the stalls – i.e. what is to prevent evening visitors to the trampoline use gaining access to the stock of the existing stalls?

2. However, that application was withdrawn by the Applicant in January 2017. The current application can be seen in some ways as being a resubmission of the withdrawn application; however, there are some important differences:-
 - the proposal is now for a gymnasium rather than for an indoor trampoline use
 - the gym would be open to the public on a 24 hour basis, rather than the 1100 - 2200 use originally proposed
 - a detailed parking layout has been provided
 - the gymnasium would be entirely separated from the indoor market, with its own dedicated access door from the car park
3. The application proposes to change the use of two vacant units sited within Farnworth Indoor Market to an indoor gymnasium, Class D2. The market itself provides 1,850 sqm of floor space with the allocation proposed as follows:-
 - 1000 sqm to retail space
 - 850 sqm to the new gymnasium use
4. Opening times are proposed as being 24 hours, 7 days per week. The Applicant envisages providing 10 full time and 5 part time jobs at the site. No significant external alterations to the fabric of the building are proposed.
5. There will be 32 dedicated spaces within the site, to be controlled by an electronic license plate input system to link with the Landlord Management Company. Spaces in the remainder of the car park would be allocated to the other units of the small retail park, together with the remaining units within the indoor market.

Site Characteristics

6. The application site forms part of Farnworth's indoor market and is sited within the Local Shopping Centre, off King Street, Farnworth. The immediate vicinity is a small retail area with a carpet store and 'Wobbly Bob's' indoor play area to the rear. To the front is Farnworth Bus Station with the wider area being the commercial centre of Farnworth. The specific units are currently vacant with the remainder of the market being occupied by individual retail units.
7. Parking exists to the side and rear of the building and is utilised by several commercial outlets and for general public parking.

Policy

8. National Planning Policy Framework, Core Strategy Strategic Objective 1 - Healthy Bolton, Core Strategy policies: H1 Health, S1 Safe, CG3 The Built Environment, CG4 Compatible Uses, RA2 Farnworth, Appendix 3 Car Parking Standards, SPD: Transport, Accessibility and Safety

Analysis

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

10. The main impacts of the proposal are:-

- * principle of the change of use;
- * impact on the character and appearance of the area;
- * impact on the highway safety;
- * impact on adjoining land uses;

Principle of the Change of Use

11. The proposed use of the unit as Class D2 (leisure) constitutes a "main town centre use", as prescribed within Annex 2 of the National Planning Policy Framework (NPPF). The application site is located within Farnworth Town Centre and therefore it is considered that the proposed use is an appropriate use and in accordance with section 2 of the NPPF, which seeks to ensure the vitality of town centres.
12. Core Strategy Objective 1 seeks to maximise access to sporting and recreation facilities whilst policy H1 supports the development of new health facilities and opportunities that encourage a healthy lifestyle such as physical recreation activities in accessible town centre locations. In addition, policy RA2 seeks the continuing regeneration of Farnworth town centre with a mix of retailing, leisure, employment, public service and housing uses.
13. The site is located within Farnworth town centre, in a highly accessible location adjacent to the bus station. It is considered that the locality will benefit greatly from a modern leisure and recreational facility by providing employment for 15 full-time and part time positions. The proposals will therefore create future employment opportunities.
14. The proposal details that 1000 sqm of retail space will remain within the market, with no loss of stalls and will in fact be utilising vacant floor space.
15. It is noted that gymnasium uses are becoming increasingly popular. Core Strategy Strategic Objective 1 actively encourages the creation of sporting and health facilities for a range of ages to promote health and wellbeing, with the specific Farnworth area policy encouraging a mix of uses within Farnworth Town Centre.
16. It is considered that the proposal has numerous benefits including additional employment together with the introduction of a new recreational facility and will aid in the overall regeneration of Farnworth attracting new visitors and boosting its economy. The principle of the change of use is therefore considered to be acceptable.

Impact on the Character and Appearance of the Area

17. Core Strategy policy CG3 seeks to ensure new development proposals are compatible with the surrounding area.
18. The overall external appearance of the property will not be changed, other than the creation of an access door on the rear elevation. However the proposal is considered to enhance the character and appearance of the area by the re-use of these currently vacant units.
19. It is therefore considered that the proposal would remain compatible with the surrounding area and consistent with policy CG3 of the Core Strategy and SPD General Design Principles.

Impact on Highway Safety

20. Core Strategy policies P5 and S1.2, as well as Appendix 3, seek to ensure adequate curtilage car parking and servicing is provided within the site in order to have no detriment to highway safety.

For an indoor D2 recreation facility the requisite would be 1 car space per 25 m2 of floor space which equates to approximately 34 spaces.

21. The site has an extensive public car park serving the surrounding units. The more detailed parking layout, as requested by Members, shows areas of the car park clearly allocated for the surrounding uses including 32 for the gymnasium together with areas for units 1a to 1c, units D1 and D2 and the remaining indoor market units. The site is considered to be in an extremely sustainable location and so visitors to the gym would not be reliant upon the car to access it. An internal bike store is also proposed.

22. The Council's Highway Engineers have responded as follows:-

"The proposal is for the conversion of part of the existing A1 use at that location to 850m2 of D2 use (Assembly/Leisure). Looking at the Council's maximum parking standards for this use class (1 per 25sqm) there would be a requirement for 34 parking spaces to support this level of development. The applicant has provided information indicating sufficient parking provision within the red-edge of the application site. Although there is parking associated with King Street Retail Park this is well used by the associated businesses and the surrounding area. I am assuming that there will be sufficient available in order to support this change of use although the surrounding area has additional overspill parking provision if required. The site is highly accessible to sustainable modes of transportation and the town centre area. Acting on the above comments/observations, the Highways Authority cannot reasonably object to what is being proposed under this application."

23. It is important to note that the National Planning Policy Framework states at paragraph 32 that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". In practice, this means that unless a Local Planning Authority is confident that the impact on the highway will be significantly worse than the existing situation - i.e. that 850 square metres of gymnasium are likely to have a severe impact when compared to 850 square metres of indoor market - then the proposal should not be resisted on those grounds.

24. Taking this technical analysis into account, the proposal is considered to comply with Core Strategy policies S1, P5 and Appendix 3.

Impact on Adjoining Land Uses

25. Core Strategy policy CG4 seeks to ensure that new development proposals are compatible with surrounding land uses and occupiers, protecting amenity, privacy safety and security.

26. Objections have been raised with regards to current anti-social behaviour on the site. However this is a matter for the owner to provide the security required when the Market is closed. The addition of this proposal may actively discourage the gathering of youths that are not attending the facility, as the site will be occupied outside of normal trading hours providing general surveillance.

27. The proposed use is self contained and as stated above has adequate car parking. Therefore, it is considered that the proposal would have no adverse impacts on the adjoining land uses. The proposal is considered to comply with Policy CG4.

Financial benefits of the proposal

28. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material.

There are not considered to be any local financial considerations in this case.

Conclusion

- 29 This proposal is considered to demonstrate a national trend of former retail areas starting to focus on other uses such as leisure. It can be seen in the introduction of a cinema and food & beverage uses to Bolton town centre's Market Place site together with the introduction of trampoline and other similar uses at the large retail park formerly containing Toys R Us. Town centres are undergoing a dramatic transformation in terms of how they are used and seeking to protect all retail uses is considered to be problematic.
30. The issue of job loss has been raised - however, the planning system does not seek to protect the individual jobs or individual people but instead to promote the increase of the total number of jobs. A 24 hours is considered to be acceptable within a town centre location - the vast number of uses within Farnworth town centre will have no planning restriction on their operation. It is unlikely that great numbers of people will seek to make use of the gym outside of typical hours. The issue of parking has been assessed and found to be acceptable following the submission of a proper parking layout. A proliferation of gyms is not considered to represent a valid reason for refusal.
31. For the reasons discussed above the proposal is considered to comply with national and local planning policies and is considered to be acceptable. Members are recommended to approve the application.

Representation and Consultation Annex

Representations

Letters:- one objection has been received from a tenant of the indoor market. The grounds of objection are as follows:-

- the planned dividing wall goes right through the cafe so the cafe will be closed at the loss of 4 jobs. An additional 9 stall holders have been given notice their stalls are to close and are not being offered alternative so these people will lose their livelihood. In an area where unemployment is already high especially for more mature persons, these people will have very little prospect of finding new employment or premises (*Officer's note: this is considered in paragraph 30 of the report*)
- the gym being 24hr hours will cause disruption and noise to neighboring residents. The lighting in the carpark will attract youths to hang around late at night. Anti social behavior and vandalism are already an issue. (*Officer's note: this is considered in paragraph 26 of the report*)
- parking spaces at peak times can often be difficult to find and the large delivery vans for the two premises opposite the rear take up a significant number of spaces (*Officer's note: this is considered in the highway safety section of the report*)
- Farnworth is lacking in affordable retail premises for small business. Change of use and making the retail space 50% smaller would have a significant detrimental effect on the variety of shops in the town, something that is already a major complaint by Farnworth residents (*Officer's note: this is considered in paragraph 29 of the report*)
- there are already a number of gyms in the area, the council leisure centre is only up the road, all of which are underused. Retail space is benefits the community as a whole and this space should remain a retail unit (*Officer's note: "leisure" is defined as a town centre use within the National Planning Policy Framework. It is not necessary for an applicant to demonstrate the need for a town centre use within a town centre*)

Elected Members:- As Members visited the site in October 2016 and subsequently deferred the application for further information prior to it being withdrawn, it is considered to be appropriate to present this case to Members again

Consultations

Advice was sought from the following consultees: Highways, Planning Strategy, GMP, REDD

Planning History

Previously withdrawn application for change of use to indoor trampoline (97240/16)

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 approved/permitted development is first brought into use car parking spaces shall be marked out and provided within the curtilage of the site for the existing and proposed uses in accordance with approved plan **Parking site plan - Dwg 01 rev A 14/3/2018**. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

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

Parking site plan - Dwg 01 rev A 14/3/2018
Proposed plans - Dwg No's 05 + 06 - dated 14/03/18

Reason

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

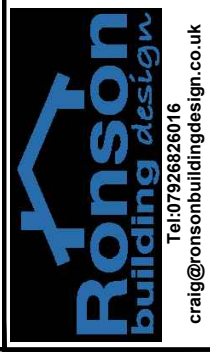
NO NOT SCALE FROM THIS DRAWING
This drawing is to be read in conjunction with the other drawings in this set. It is the responsibility of the client to ensure that the drawings are read and understood in their entirety and that any discrepancies are resolved before construction commences. The client must be aware that the drawings are not to be used for any other purpose without the written consent of the architect.



Ground Floor Plan

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Mr Matt Bigger			
Project Name			
Farmworth Indoor Market			
Location			
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Drawing Title			
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Project No.	Drawn By	Revised By	Revised Date
-J	02	-	1-03-2017

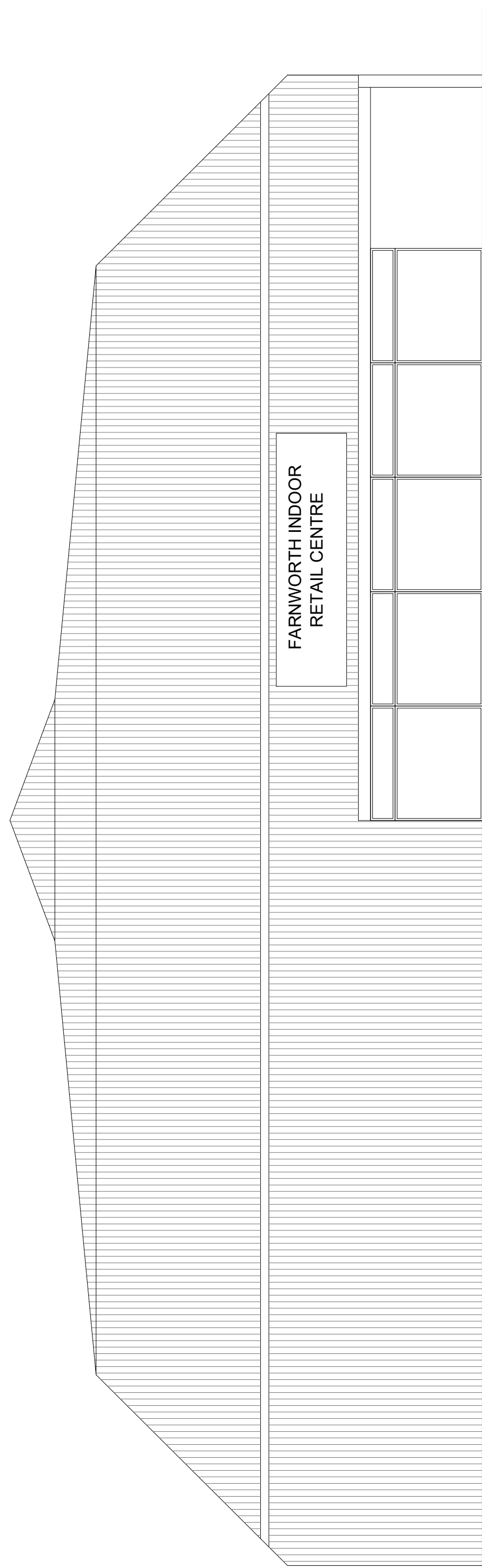
DO NOT SCALE FROM THIS DRAWING.
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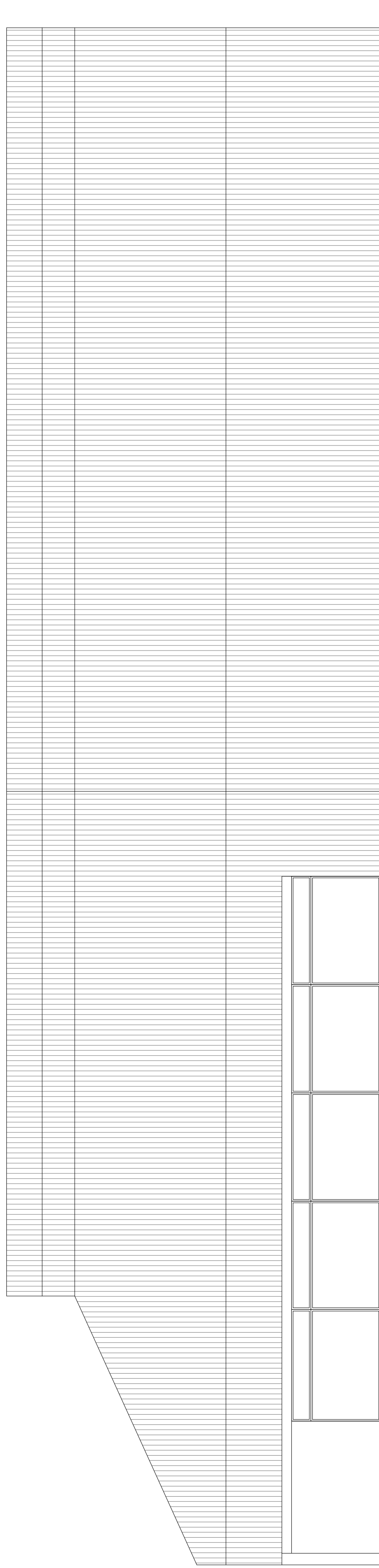
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Client	Mr Matt Biggar
Project	Kings G 'm Farmworth Indoor Market Bolton BL7 7A
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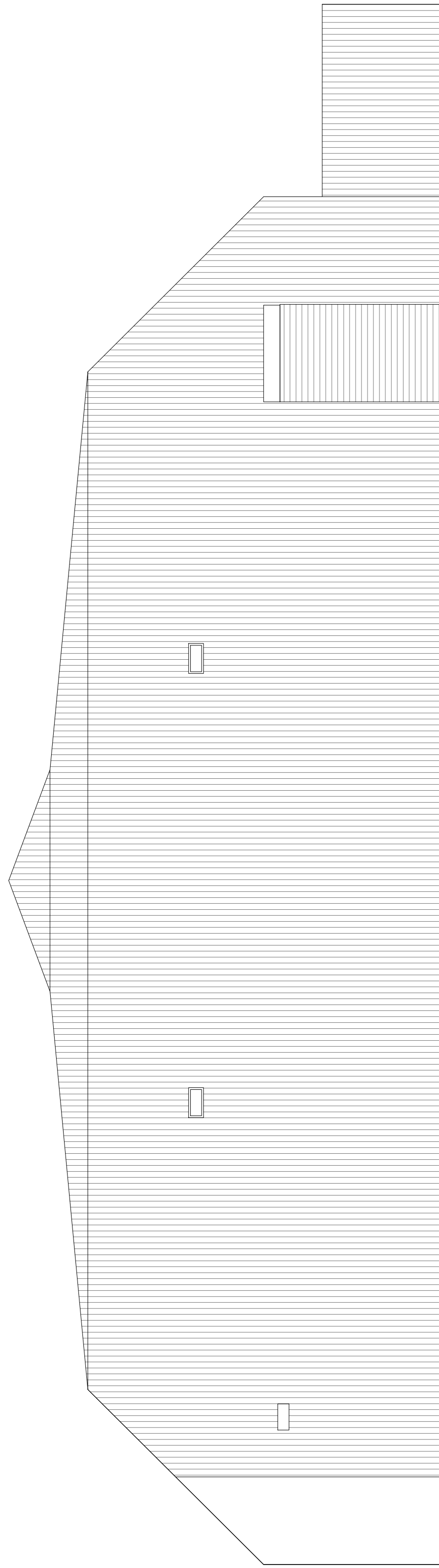
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Front Elevation



Side Elevation



Rear Elevation

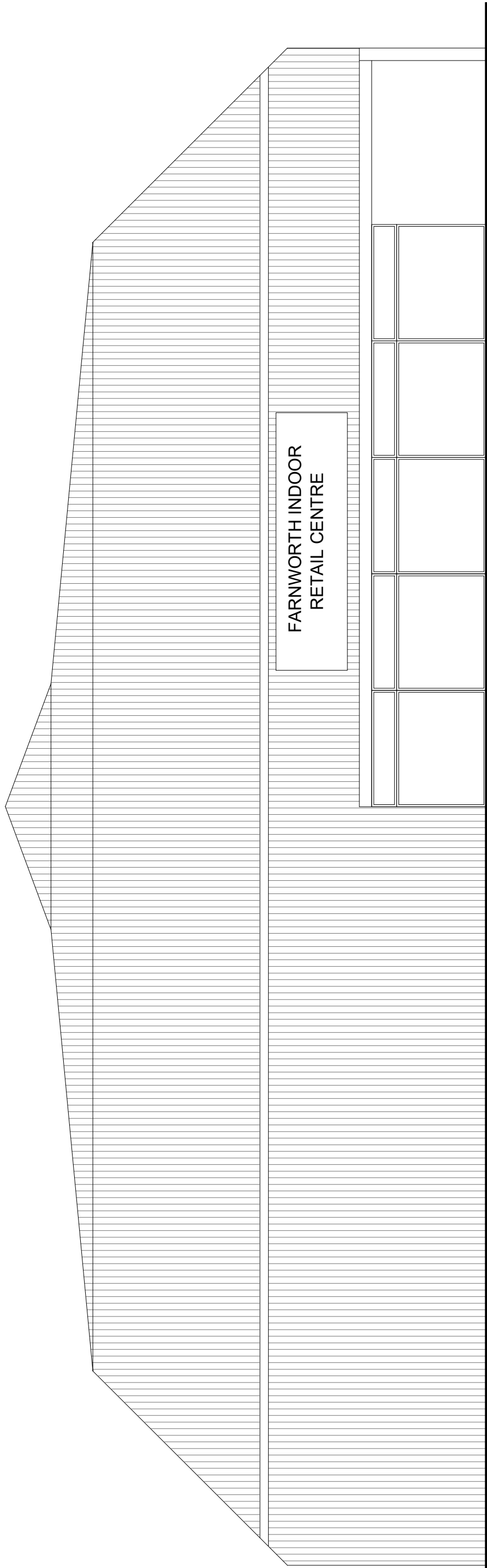
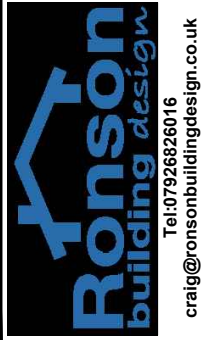
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This drawing is to be read in conjunction with the accompanying information and must be checked and verified on site before construction. It is the responsibility of the client to ensure that the information is correct and that any discrepancy is resolved before construction begins.



Ground Floor Plan 1:100

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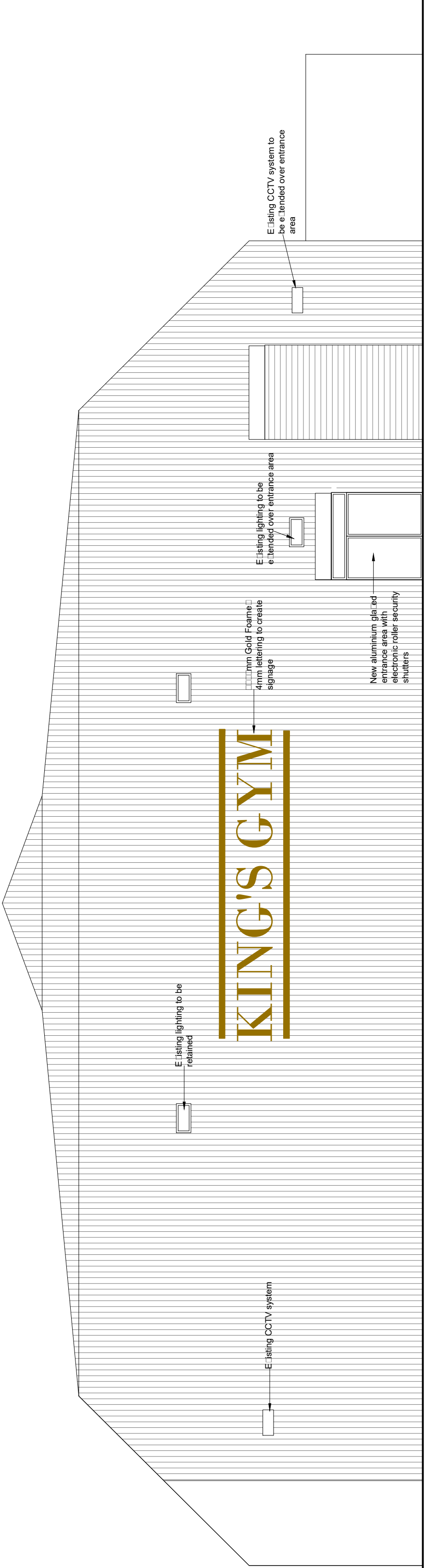
DO NOT SCALE FROM THIS DRAWING
This drawing is to be read in conjunction with the project brief and specifications. It is not to be used for construction purposes. It is not to be used for planning or building control purposes. It is not to be used for any other purpose without the written consent of the architect. It is not to be used for any other purpose without the written consent of the architect.



Front Elevation



Side Elevation

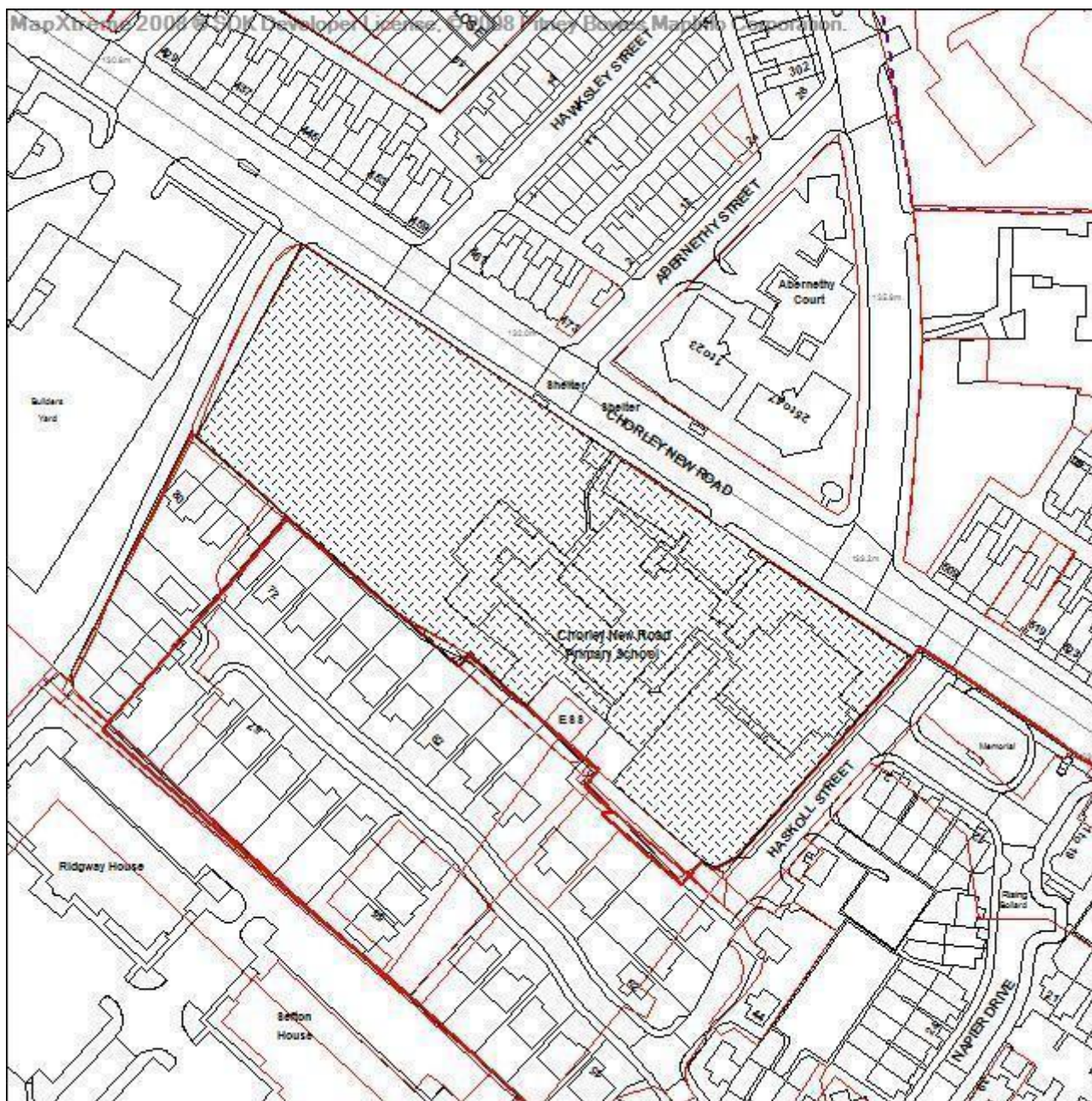


Rear Elevation

Rev	Date	Description
1	10/01/2018	Initial Design
2	10/01/2018	Revised Design
3	10/01/2018	Final Design
4	10/01/2018	Revised Design
5	10/01/2018	Final Design
6	10/01/2018	Revised Design
7	10/01/2018	Final Design
8	10/01/2018	Revised Design
9	10/01/2018	Final Design
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11	10/01/2018	Final Design
12	10/01/2018	Revised Design
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16	10/01/2018	Revised Design
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18	10/01/2018	Revised Design
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99	10/01/2018	Final Design
100	10/01/2018	Revised Design

Client	Mr Matt Biggar
Project	Farnworth Indoor Market
Location	Farnworth Indoor Market
Address	Bottom BL 7A
Postcode	W10 7AA
Project Name	Proposed Elevations
Project No.	05
Rev.	1
Date	10/01/2018
Drawn By	10/01/2018
Check By	10/01/2018
Issue	10/01/2018

Application number 03163/18



Development & Regeneration Dept
Development Management Section

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

Bolton Council

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Date of Meeting: 28/06/2018

Application Reference: 03163/18

Type of Application: Full Planning Application
Registration Date: 21/03/2018
Decision Due By: 15/05/2018
Responsible Officer: Kara Hamer

Location: CHORLEY NEW ROAD PRIMARY SCHOOL, CHORLEY NEW ROAD, HORWICH, BOLTON, BL6 6EW

Proposal: INSTALLATION OF ADDITIONAL ROLLER SHUTTERS ENCLOSING EXTERNAL CANOPY TO SOUTH ELEVATION OF SCHOOL BUILDING.

Ward: Horwich and Blackrod

Applicant: Bolton Council
Agent : Lovelock Mitchell Architects

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Consent is sought for the installation of roller shutters to enclose the external canopy to the south elevation of the new Chorley New Road Primary School.
2. The proposal comprises open/perforated lath shutters finished in grey (colour Ral 7040) to match the colour of other external additions to the school building including louvres panels.
3. The application is before Committee as the applicant is the Council.

Site Characteristics

4. The application property is the new Chorley New Road Primary School situated on Chorley New Road, Horwich. Chorley New Road is a busy major road linking urban areas of Bolton and Horwich.
5. The new school fronts Chorley New Road and the frontage faces north.
6. The application proposal is to the canopy, towards the western side of the south facing elevation of the school building, which faces onto a playground.
7. Dwellings at Napier Drive back onto the school site (specifically nos. 68 to 80).

Policy

8. National Planning Policy Framework (NPPF)
9. Core Strategy policies CG3 the Built Environment; CG4 Compatible Uses; OA1 Horwich and

Blackrod.

10. SPD General Design Principles

Analysis

11. 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 the development is in accordance with the Development Plan and then take account of other material considerations.

12. The main impacts of the change of use are:-

- * Impact on the Amenity of Neighbouring Residents
- * Impact on the Character and Appearance of the School and Surrounding Area

Impact on the Amenity of Neighbouring Residents

13. Policy CG4 of the Core Strategy states that the Council will ensure that new development is compatible with surrounding land uses and occupiers, protecting amenity, privacy, safety and security and does not generate unacceptable nuisance, odours, fumes, noise or light pollution.

14. It is not considered that the installation of roller shutters (specifically the sound of the operating mechanism) to the south elevation of the new school building would impact on the amenity of the nearest dwellings at Napier Drive by virtue of the interface distance of approximately 39 metres (from rear elevation of dwellings to rear elevation of school building) and the typical length of the school day. In addition trees and shrubs would screen the school building from these dwellings as well as a 1.2 metre high timber fence. The dwellings on Napier Drive have their own 1.8 metre high close boarded timber garden screening.

15. It is therefore considered that the proposal would comply with policy CG4 of the Core Strategy.

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

16. Policy CG3 of the Bolton Core Strategy states that the Council expects development proposals to contribute to good urban design, respect and enhance local distinctiveness, ensuring development has regard to the overall built character and landscape quality of the area. Policy OA1 refers specifically to developments in Horwich and Blackrod and states that the Council will conserve and enhance the character of the existing physical environment and respects the grain and form of predominant architectural styles.

17. The application relates to the western part of the canopy on the rear elevation of the school building, which faces onto a playground. Dwellings at Napier Drive back onto the school site (specifically nos. 68 to 80).

18. The proposal comprises open/perforated lath shutters finished in grey (colour Ral 7040) to match the colour of other external additions to the school building including louvres panels.

19. It is considered that the proposal is entirely in keeping with the new school building and school site and would not harm the immediate surrounding area and therefore the proposal accords with policy CG3 and OA1 of the Core Strategy.

Conclusion

20. For the reasons discussed above, it is considered that the proposed roller shutters to enclose the external canopy to the south elevation of the new school building complies with aforementioned local and national planning policy. Members are therefore recommended to approve this application.

Representation and Consultation Annex

Representations

Letters:- One letter of objection has been received. This states that the roller shutters would come closer to the rear of their property, therefore in essence bringing the school closer to their property and more visible.

Horwich Town Council:- raised no objection at their meeting of 19th April 2018.

Consultations

Advice was sought from the following consultees: Design for Security Greater Manchester Police.

Planning History

Permission was granted at Planning Committee in July 2017 for the demolition and replacement of the primary school comprising the erection of a two storey primary school building together with associated external works including car park, MUGAs, hard and soft play areas and landscaping (97002/16).

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:

Site Location Plan, K0164-LMA-XX-XX-DR-A-1000 Rev C0, 01/08/17

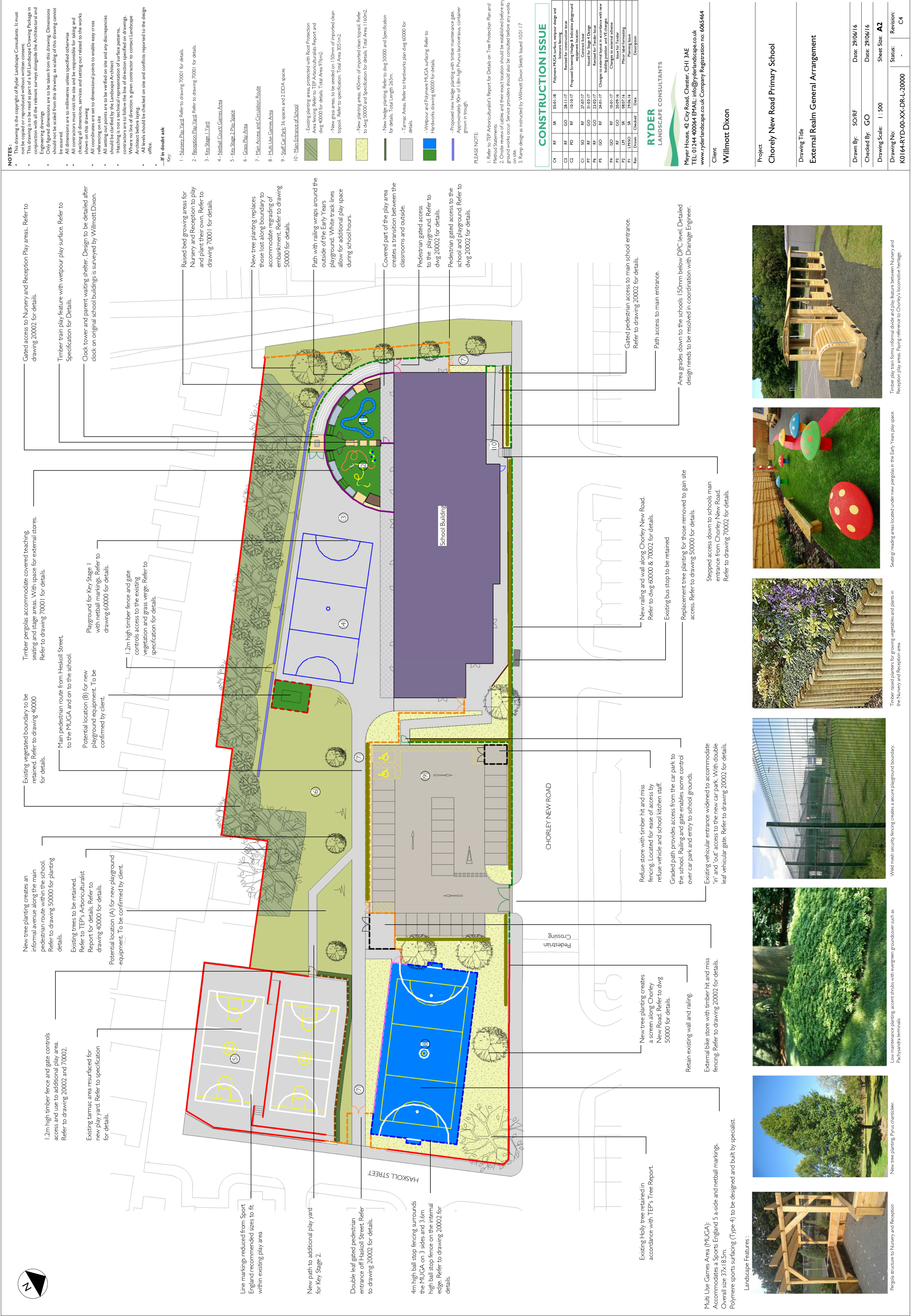
GA Elevations, K0164-LMA-Z1-XX-EL-A-2004 Rev C1, 15/03/18

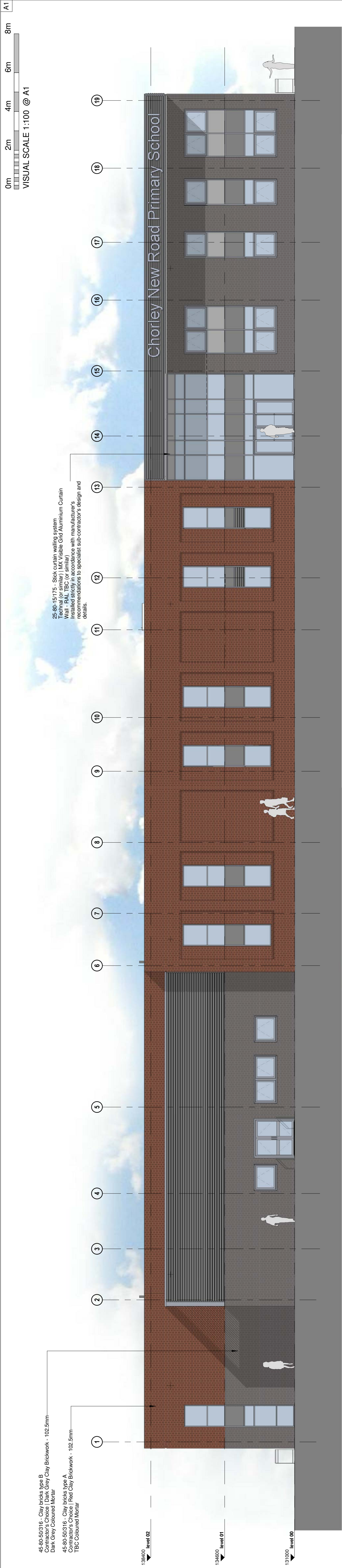
Roller Shutter Images (illustrating lath/perforation) 1, 2, 3 scanned to file 10/04/18

Reason

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



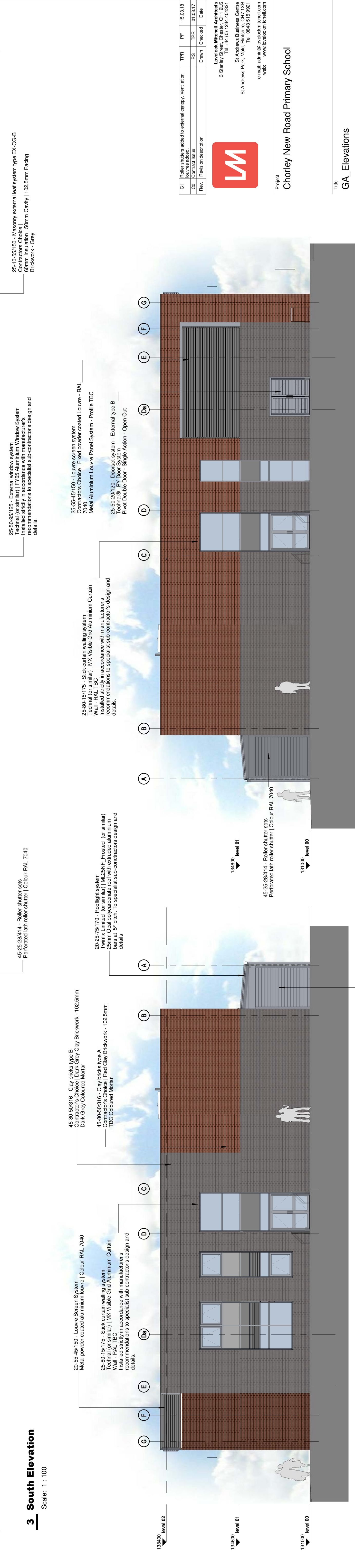




1 North Elevation
Scale: 1 : 100



3 South Elevation
Scale: 1 : 100



4 West Elevation
Scale: 1 : 100

Rev.	Revision description	Drawn	Checked	Date
C1	Roller shutters added to external canopy. Ventilation	TPR	PF	15.03.18
C2	Contract Issue	RS	TPR	01.08.17



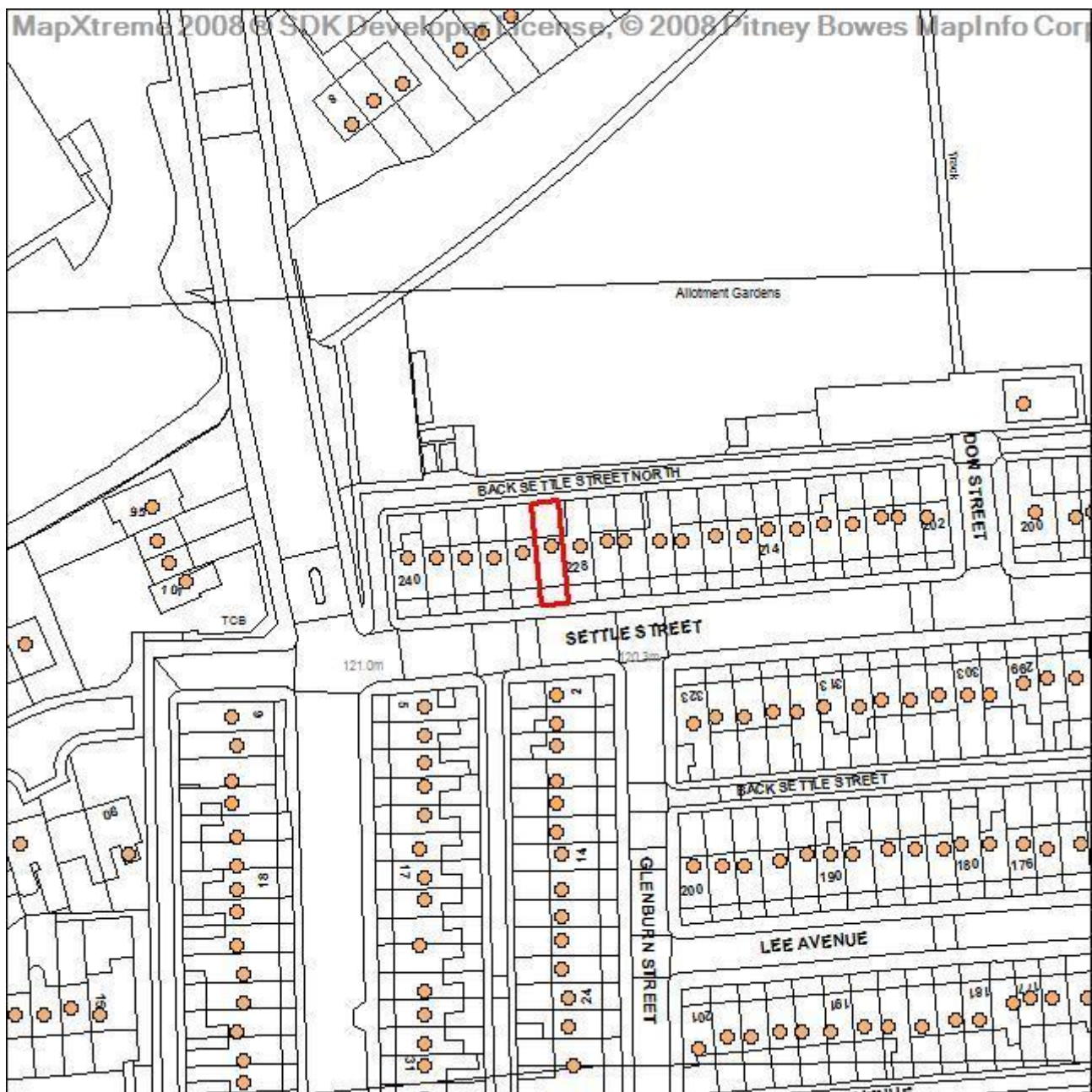
Lovelock Mitchell Architects
3 Stanley Road
Tel: +44 (0) 1244 403281
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St Andrews Business Centre
St Andrews Park, Mod. Enterprise C47 7AB
Tel: 0845 319 9921
e-mail: asm@lovelockmitchell.com
web: www.lovelockmitchell.com

Project
Chorley New Road Primary School

Title
GA Elevations

LMA Project	Drawing number	Rev.
1401	K0164-LMA-Z1-XX-EL-A-2004	C1

Application number 03180/18



Development & Regeneration Dept
Development Management Section

Town Hall, Bolton, Lancashire, BL1 1RU
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Date of Meeting: 28/06/2018

Application Reference: 03180/18

Type of Application: Full Planning Application
Registration Date: 19/03/2018
Decision Due By: 13/05/2018
Responsible Officer: Simon Coles

Location: 230 SETTLE STREET, BOLTON, BL3 3EB

Proposal: ERECTION OF DORMER, AND PART TWO STOREY PART SINGLE STOREY EXTENSIONS AT REAR

Ward: Great Lever

Applicant: Mr Patel
Agent : SMS architecture

Officers Report

Recommendation: Refuse

Proposal

1. Permission is sought for the erection of a part two storey/part single storey extension at rear, together with the installation of a box dormer on the rear roof slope.
2. The ground floor element would extend the full length of the yard, measuring 6.25 metres. It would incorporate a lean-to roof with an eaves height of 2.93 metres and an overall height of 3.98 metres. The first floor element would extend 4 metres from the rear wall of the property. This element would incorporate a hip roof with an eaves height to match the existing dwelling measuring 5.59 metres and an overall height measuring 6.72 metres; which results in the extension being set below the main ridge.
3. The rear box dormer would measure 4.9 metres in width; 2.4 metres in height and 3.8 metres in depth. This would result in an additional volume increase of 22.34 cubic metres to the existing roof. The dormer cheeks and front would be clad in tiles similar to the existing roof.
4. The proposed extensions would provide a kitchen and bathroom at ground floor, an additional bedroom at first floor and a further bedroom with en-suite on the second floor.
5. The application is brought before Planning Committee at the request of Councillor Ayub.

Site Characteristics

6. The application property is a two storey mid-terrace house located on Settle Street within the Inner Bolton area. The main character of the area is one of similar rows of traditional terraced houses. The land to the North forms allotment gardens.
7. The property next door at no. 228 Settle Street has a part two storey/part single storey rear extension that is handed away from the application property. This extension was approved in

2010, prior to the current SPD. There are windows serving the kitchen and bathroom at ground floor and a bathroom window at first floor within the side elevation of this extension facing the application property. Within the main rear elevation closest to the application property there are windows serving the dining room and bedroom, both of which are classed as main habitable rooms within the SPD.

8. On the opposite side, the property at no. 232 has no rear extensions and therefore has a door and kitchen/dining room window at ground floor and a bedroom and bathroom window at first floor.
9. Within the row there are a couple of other extensions additional to those outlined above. The end property at no. 240 Settle Street has a two storey outrigger (no planning history but could be original) and no. 222 Settle Street has a full length ground floor extension. There is another flat roof single storey extension further down the row.

Policy

10. National Planning Policy Framework (NPPF)

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

12. SPD House Extensions and SPD General Design Principles

Analysis

13. 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.
14. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission.
15. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission.
16. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
17. 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

18. 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.
19. Policy RA1 refers specifically to developments in Inner Bolton and ensuring new development proposals are compatible with the area, in terms of massing, materials, streetscaping, good urban design (RA1.12 and RA1.13).

20. Guidance contained within the House Extensions SPD provides general advice on house extensions, in particular the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area.
21. The application proposal results in significant extensions to the rear of the property particularly with regard to the added massing from the rear dormer and therefore would not appear subservient.
22. There are no dormers present on the rear of the houses in the row and whilst it is considered that this structure would introduce a greater massing to the rear roof plane, it is worthy to note that there is a potential fall-back option to the applicant for a rear dormer to be built using permitted development rights.
23. It was noted on site that the property next door at no. 228 has a similar sized part two storey/part single storey rear extension and therefore whilst the extensions would dominate the host property, it is considered that proposed extension would not be out of character and would not cause any significantly greater harm to the street scene of the area.
24. It is therefore considered that the proposed rear extension and dormer would not adversely harm the local distinctiveness of the overall built character of the area, in accordance with Policies CG3 and RA1 of the Core Strategy, as well as the advice contained within the House Extension SPD.

Impact on the Amenity of Neighbouring Residents

25. 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.
26. 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.
27. SPD House Extensions contains specific guidance on extensions related to terraced dwellings.
28. Rear single or two storey extensions on terraced properties of up to 4 metres in length (taken from the original rear elevation of the property) will normally be considered acceptable. Single storey extensions longer than 4 metres may be acceptable if the space remaining at the end of the yard would be unusable or if the impact on the neighbour would be limited by screening – for example, where there is an existing extension which the proposal would abut in the adjacent dwelling.
29. The two storey element of the rear extension would project 4 metres in length and therefore complies with House Extensions SPD and is considered to be acceptable.
30. The single storey element would project the full length of the yard at 6.25 metres. The extension would not be screened or abut existing extensions in the adjacent dwellings.

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

31. Members attention is drawn to a recent appeal that was dismissed by the Planning Inspectorate in February this year. This application sought, amongst other things, a longer single storey extension, similar to that proposed as part of this application. The Inspector in her assessment

found this element to not comply with Policy CG4 of the Core Strategy and the guidance contained within House Extensions SPD. She concluded that the *"proposal would not cause harm to the character and appearance of the area. Whilst this weighs in favour of the scheme it does not outweigh the harm I have found to the living conditions of the occupants of the neighbouring dwelling"*.

32. The single storey element would cause harm to the living conditions of the occupants at both nos. 228 and 232 Settle Street. It would fail to comply with Policy CG4 of the Core Strategy and the guidance contained within the House Extensions SPD.
33. The rear dormer extension would have limited impact with regard to overlooking and privacy given the siting of the two storey element.
34. There are no properties directly to the rear.
35. Further to the above and by virtue of the longer projecting single storey extension, it is considered that the proposed application fails to comply with Policy CG4 of the Core Strategy and the guidance contained within the House Extensions SPD.

Other matters

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

Local finance considerations

37. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. There are not considered to be any local financial considerations in this case.

Conclusion

38. The proposed application would cause harm to the living conditions of the occupants of nos. 228 and 232 Settle Street. It would fail to comply with Policy CG4 of the Core Strategy and the guidance contained within the House Extensions SPD.
39. Members are therefore recommended to refuse planning permission.

Representation and Consultation Annex

Representations

Letters:- None received

Petitions:- None received

Town Council:- N/A

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

Consultations

N/A

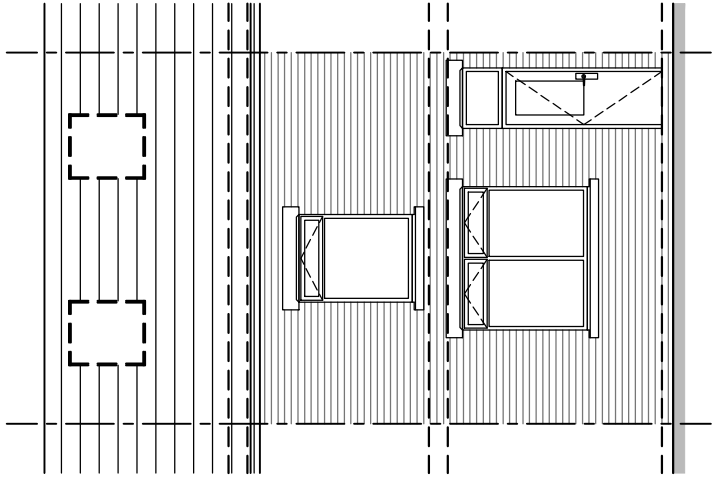
Planning History

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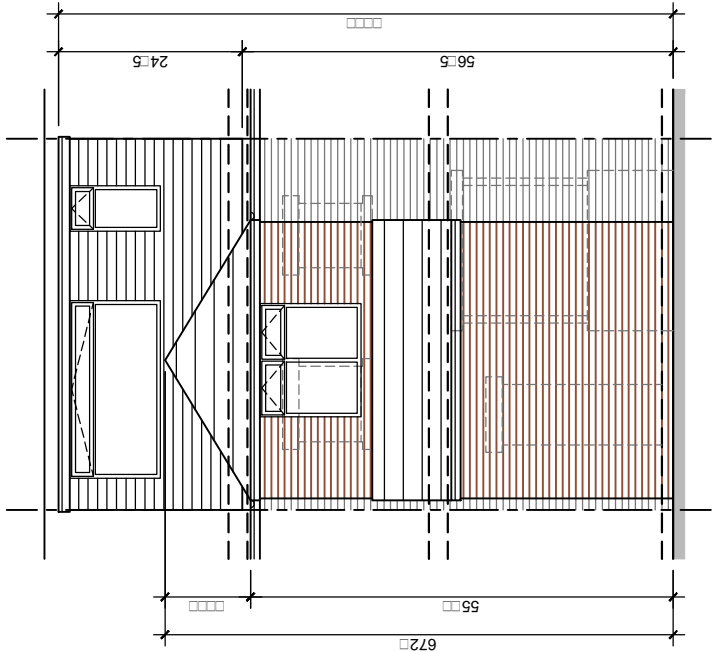
Recommendation: **Refuse**

Recommended Conditions and/or Reasons

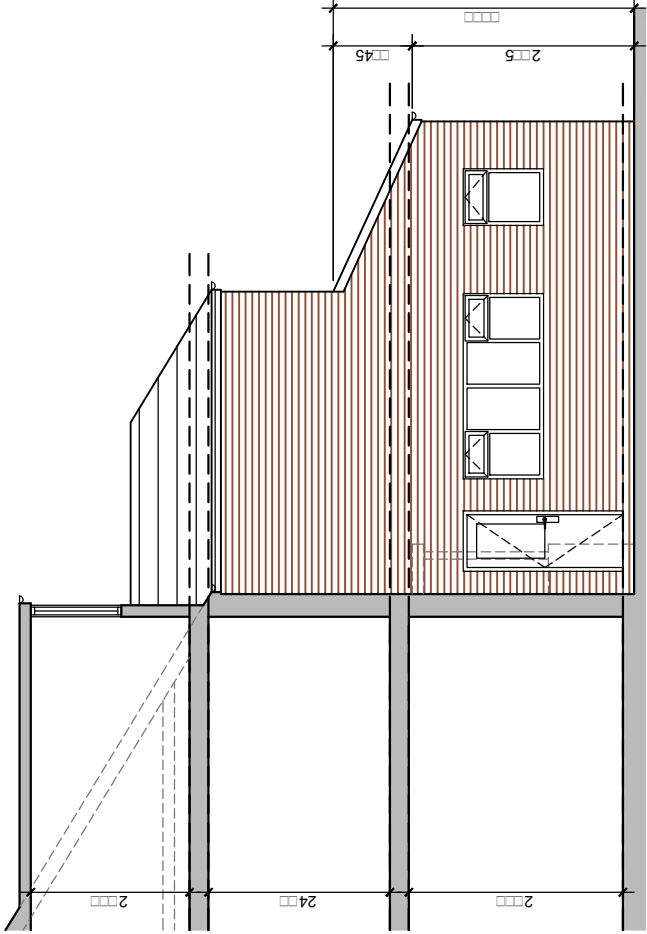
1. The proposed extension would, by virtue of its scale and siting, impact detrimentally on the outlook and living conditions of neighbouring residents at 228 and 232 Settle Street and is contrary to Policy CG4 of Bolton's Core Strategy and Supplementary Planning Document - "House Extensions".



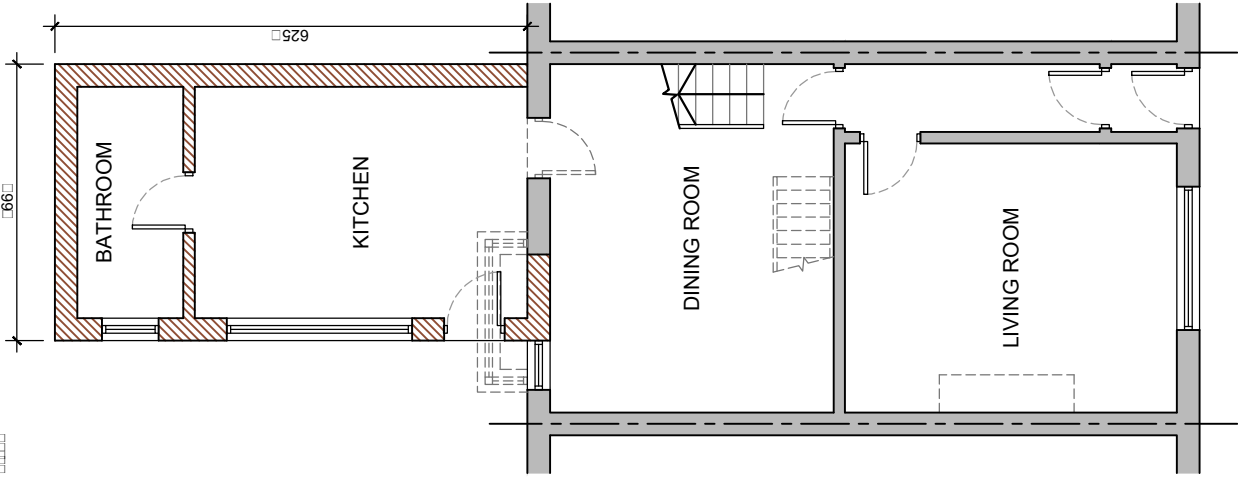
FRONT ELEVATION



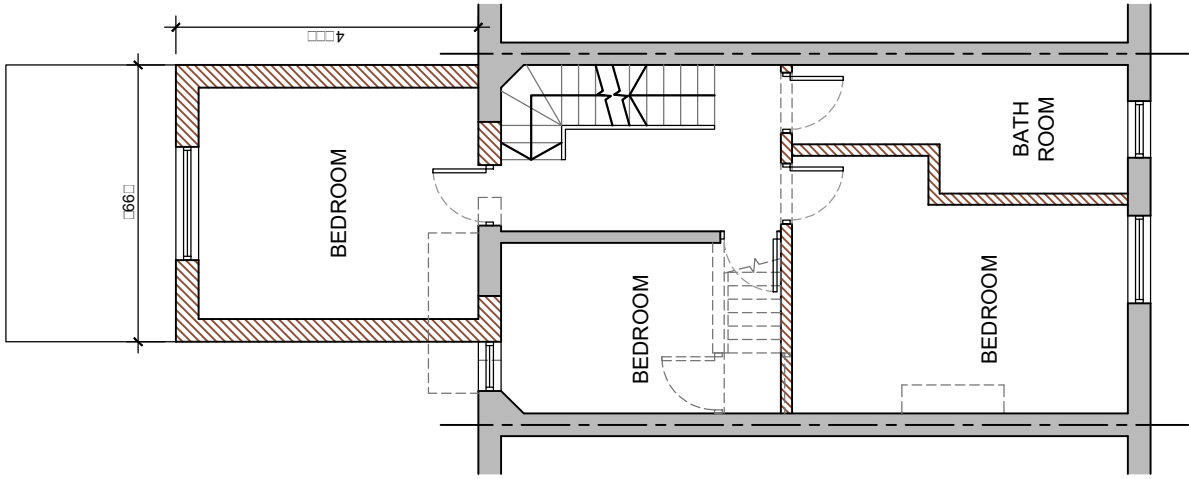
REAR ELEVATION



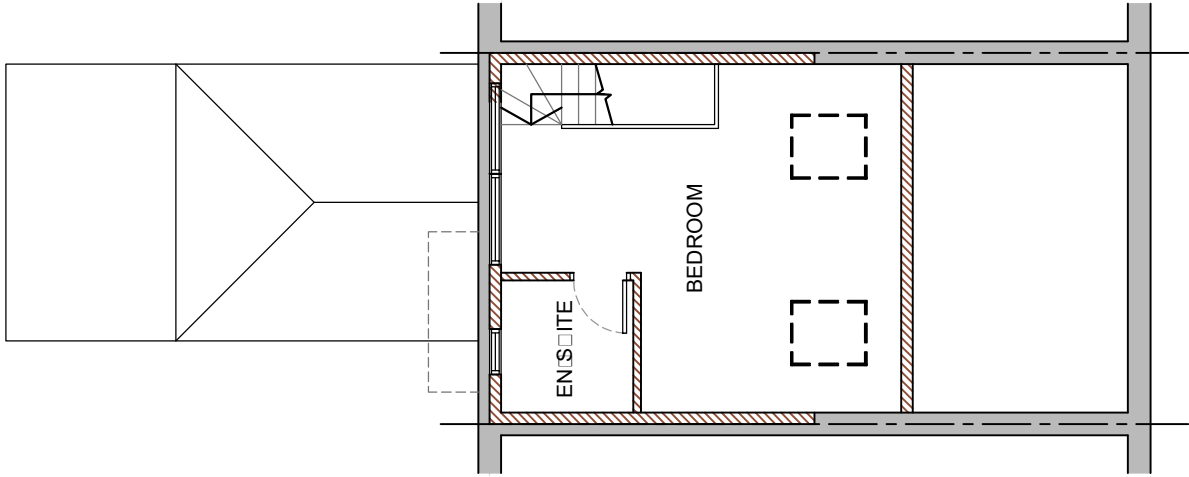
SIDE ELEVATION



GROUND FLOOR



FIRST FLOOR



ROOF

NOTES:

No scaling or dimensions other than those figured are to be taken from this drawing. All dimensions to be checked on site

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Project Location

2 Settle Street
Bolton
BL1 1EB

Drawing

2 Proposed Building

Scale

1:100

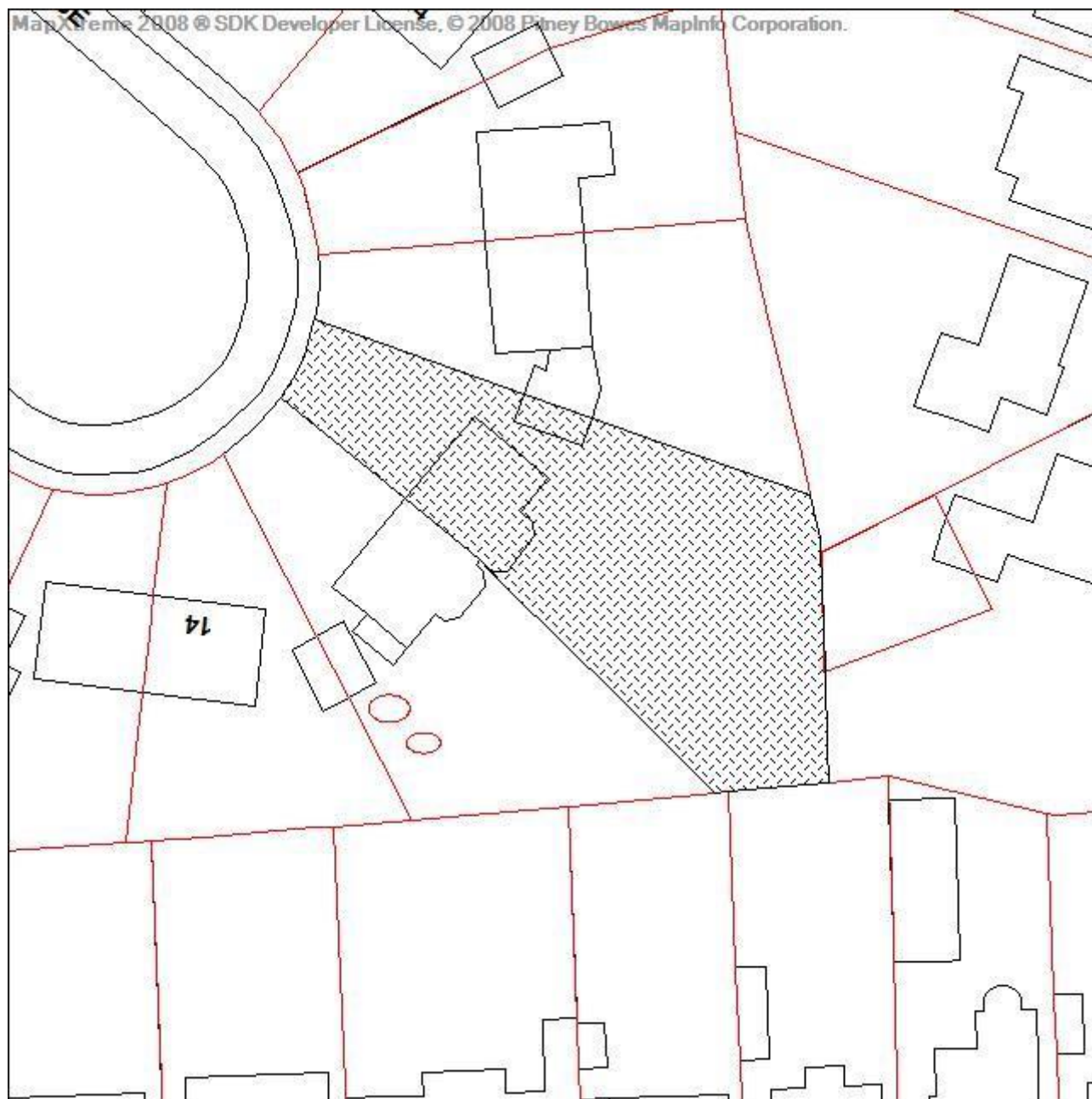
Sheet

A3

Date

03/18

Application number
03218/18



Development & Regeneration Dept
Development Management Section

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Date of Meeting: 28/06/2018

Application Reference: 03218/18

Type of Application: Full Planning Application
Registration Date: 21/03/2018
Decision Due By: 15/05/2018
Responsible Officer: Beth Bradburn

Location: 18 LINGMELL CLOSE, BOLTON, BL1 5EG

Proposal: ERECTION OF TWO STOREY REAR EXTENSION, FRONT AND REAR DORMERS AND ALTERATIONS TO WINDOWS AND DOORS.

Ward: Heaton and Lostock

Applicant: Mr L Humphreys
Agent : Mr R Spavin

Officers Report

Recommendation: Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.

Background

1. This application was deferred at the last Committee meeting (31st May) for a site visit.

Proposal

2. Consent was refused earlier this year for a 8.25 metre rear extension as it was considered that it would appear as an overly large and dominant feature which would not be subordinate to the original dwelling (02726/18). This current application still seeks permission for an 8.25 metre extension; however it has sought to address the above issues and the reason for refusal.
3. The proposed rear extension would project 8.25 metres and measure 8.24 metres wide. It would be 3.14 metres to the eaves and 5.59 metres to the ridge. Due to the sloping gradient of the land, part of the rear extension would be set 0.92m below the existing property. It would provide a lounge in the lower ground level benefiting from bi-fold doors across the rear elevation and a master bedroom. Floor to ceiling windows would serve this master bedroom.
4. The two storey rear extension would be set 0.67 metres below the ridge of the original property and 0.4 metres down from the ridge of the rear dormers.
5. A box dormer with a flat roof is proposed on the front roof slope and two singular dormers with pitched roofs are proposed on the rear roof slope. The dimensions of these dormers have not altered from the plans previously approved under reference 97787/16.
6. The cedar cladding that was originally proposed on the front and rear dormers has been omitted

from the plans and materials to match the existing dwelling are now proposed.

7. Within the roof of the rear extension two sky light windows would be located in each roof slope and a high level window would be located in the side elevation facing No.16 Lingmell Close.
8. A two storey side extension was approved under application 97787/16 and to ensure that this element would not be built the Applicant has agreed in writing that it is his intention - should this application be approved by Committee - to enter into a Section 106 Agreement to revoke the permission granted under 97787/16. This would ensure that the side extension and the rear extension would not both be built together.
9. The application is brought before Planning Committee at the request of Councillor Allen.

Site Characteristics

10. This semi-detached bungalow is one of many similar properties with red brick frontages and rendered features and are set around an oval grassed area to the north west. Many of the properties have been extended with large box dormers to the front and rear, especially on the northern side of the Close.
11. The subject property benefits from the largest plot of land on the Close and the boundary treatment bordering the neighbouring properties consists of hedging approximately 3 metres high. There are also mature trees to the rear of the application site.
12. The site benefits from a long driveway with a garage adjoining a garage serving the neighbouring property No. 20 Lingmell Close. From the Officers' site visit it was apparent that the foundations and outer shell of the extension had already been built.

Policy

13. National Planning Policy Framework (NPPF)
14. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses; OA4 West Bolton, Policy CG1.2 Trees and Wildlife.
15. House Extensions SPD and General Design Principles SPD.

Analysis

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

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

21. 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.
22. Policy OA4 of the Core Strategy states that the Council will conserve and enhance the character of the existing physical environment, and will ensure that development in West Bolton has particular regard to the overall density, plot sizes, massing and materials of the surroundings – these features should be retained where possible.
23. Guidance contained within the House Extensions SPD provides general advice on house extensions, in particular the effect of extensions on the appearance of the dwelling itself and the effect of extensions on the street scene and the character and appearance of the area.
24. The cladding on the dormers would use materials to match the existing dwelling so as to ensure that they would be consistent with the original dwelling and the surrounding locality.
25. The proposed rear extension would project 8.25 metres and measure 8.24 metres wide which is a significant addition to the existing bungalow. Other dwellings within the surrounding vicinity do benefit from extensions to the rear; however none are of a projection similar to that which is proposed.
26. Although large, the extension would not be visible from the street and therefore would have no adverse impact on the character or appearance of the streetscene.
27. Furthermore, the rear extension has been reduced in height from the extension proposed under application ref. 02726/18. The rear extension would now be set 0.67m below the ridge of the original property and 0.4m down from the ridge of the rear dormers. Although the projection remains at 8.25 metres, it is considered that the rear extension would now appear subordinate to the original dwelling. In addition, there is mature hedging of approximately 3 metres high to either adjacent neighbour; therefore the rear extension would not be highly visible when viewed from the rear gardens of both No.16 and No.20 Lingmell Close.
28. The application site is the largest plot within Lingmell Close and therefore there would still be a significant amount of private amenity/garden space remaining after the construction of the proposed works. The rear extension is therefore considered to be in keeping with the scale of application site.
29. Taking the above assessment into consideration, although the extension is a significant addition to the property, the height of the extension has been reduced so as to ensure the extension would appear subservient to the original property. It is therefore considered that the proposed dormers and rear extension would not adversely harm the local distinctiveness of the overall built character of the area, in accordance with Policies CG3 and OA4 of the Core Strategy as well as the advice contained within the House Extension SPD.

Impact on the Amenity of Neighbouring Residents

30. 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.
31. 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.
32. The adjoining property at No. 16 Lingmell Close benefits from a conservatory to the rear that is sited up to the party boundary, with the rear habitable room windows being located on the furthest side of the property. The proposed rear extension would therefore not impinge on a 45 degree line taken from any main room windows in the rear elevation of this property. There is a high level window proposed within the side elevation of the extension which would be located 2.59m above ground level and this therefore would not result in adverse overlooking onto the neighbouring property.
33. The neighbouring property of No. 20 Lingmell Close has two windows in the side elevation that do not serve main rooms and no windows are proposed in the side elevation of the rear extension. Due to No. 20 being angled away from the application site, the rear extension would not impinge on a 45 degree line taken from the main room windows within the rear of this property, and therefore would result in no overshadowing and would not appear overbearing from No.20 Lingmell Close.
34. The neighbouring properties at No. 21 and No. 23 Lindale Avenue are sited over 35 metres from the proposed rear extension. Mature trees and hedging provide screening along the common boundary which would further screen the proposed works.
35. The neighbouring properties at No. 40 and No. 42 Oakwood Drive are sited approximately 52 metres from the proposed rear extension on a lower ground level and it therefore would have no impact on these properties.
36. It is therefore considered that the proposal would not unduly harm the living conditions of neighbouring residents, compliant with Policy CG4 of the Core Strategy.

Impact on Trees

37. Policy CG1.2 of the Core Strategy states that the Council will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. The Council's Tree and Woodland Manager has commented as follows:-
- this application is similar in respect to the previous application no. 96972/16. The main areas of change are the removal of the front and side extensions, and the increased length of the rear conservatory extension.
 - there is a woodland tree preservation order to the rear (south-east) of the property. The proposed development position will not impact on the root protection zones of any of the trees within the order.
 - no spoils from the foundation excavations are to be spread on site within the root protection zones of the protected trees.
 - protective fencing (as detailed in BS5837 2012: Trees in Relation to Design Demolition and Construction) will be required on the periphery of the root protection zones (RPZs) of the protected trees during all stages of development so to avoid storage of materials or machinery

access within this area.

38. A condition is therefore recommended to this effect.

Impact on Wildlife

39. 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.

40. The Council's Greenspace Officers have been consulted and note that as the site is a detached building within 200m of woodland there is the potential for impact on roosting bats and no bat survey has been submitted. They recommend that a survey for presence or absence of bats in the structure should be undertaken at a suitable time of year and any protection and mitigation proposals provided. All species of UK bat and their roosts are protected by Section 9 of the Wildlife & Countryside Act 1981 (as amended) and listed in Section 41 of the Natural Environment & Rural Communities Act 2006 as being a species of principal importance for the purpose of conserving biodiversity. As no significant demolition is proposed, Officers would not intend to make this a condition of any approval but the Applicant's attention has been drawn to their responsibilities under the wildlife acts.

41. The impact on wildlife is considered to be acceptable.

Conclusion

42. It is considered that this application has rectified the issues with regards to the impact on the character of the original dwelling by omitting the cedar cladding and implementing materials to match, so as to ensure that the dormers would appear as a coherent addition to the property. The reduction of the height of the rear extension would also ensure that the development appears subservient to the original dwelling. The rear extension, front and rear dormers would result in no adverse impact onto the amenity of any surrounding property. Furthermore, the Applicant has confirmed a Section 106 Agreement will be submitted should this application be granted permission at committee as to revoke to the side extension approved under 97787/16. Due to its siting at the rear and relationship with neighbouring properties, the public impact of the proposal is limited. It is therefore considered that the works proposed under this application adhere to Policies CG3, CG4 and OA4 of the Core Strategy as well as advice contained within the House Extension SPD.

43. Members are therefore recommended to approve this application.

Representations

Letters/petitions:- no representations have been received as a result of neighbour notification.

Elected Members:- Councillor Allen has requested that the application be brought to Planning Committee for determination by members due to the size of the rear extension remaining at approximately 8 metres after the previous refusal of the application 02726/18 which was refused due to the scale and projection of the rear extension.

Consultations

Advice was sought from the following consultees: Greenspace Management, Tree and Woodland Officer

Planning History

96972/16 - Demolition of conservatory and erection of extensions to front, side and rear together with dormers to front and rear. Decision: Refused 24th August 2016

97787/16 - Erection of front 'box dormer' extension to roof and rear lower ground and ground floor extension with demolition of existing conservatory to rear together with additional first floor living accommodation Approved: 16th January 2016

02726/18 - Erection of single storey extension and box dormer to front, along with two storey extension and dormers to rear. Decision: Refused 9th March 2018

Recommendation: **Approve the application subject to conditions and authorise the Director of Place and Borough Solicitor to complete all the necessary legal formalities in consultation with the Chair of Planning Committee.**

Recommended Conditions and/or Reasons

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

Reason

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

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

1. Protective fencing (as detailed in BS5837 2012: Trees in Relation to Design Demolition and Construction) will be required on the periphery of the root protection zones (RPZs) of the protected trees during all stages of development so to avoid storage of materials or machinery access within this area.

Reason

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

3. The dormer front(s) and cheeks shall be clad in materials similar to the existing roof.

Reason

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

4. The external surfaces of the extension or elevation 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 fits in visually with the existing building and safeguards the character and visual appearance of the locality and in order to comply with Core Strategy policy CG3.

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

Proposed Site Plan Drawing Number: RJS_04_005 Revision A, Dated 19.03.18

Proposed Ground Floor Plan Drawing Number: RJS_04_006 Revision D, Dated 19.03.18

Proposed First Floor Plan Drawing Number: RJS_04_007 Revision D, Dated 19.03.18

Proposed Elevations Drawing Number: RJS_04_008 Revision E, Dated 19.04.18

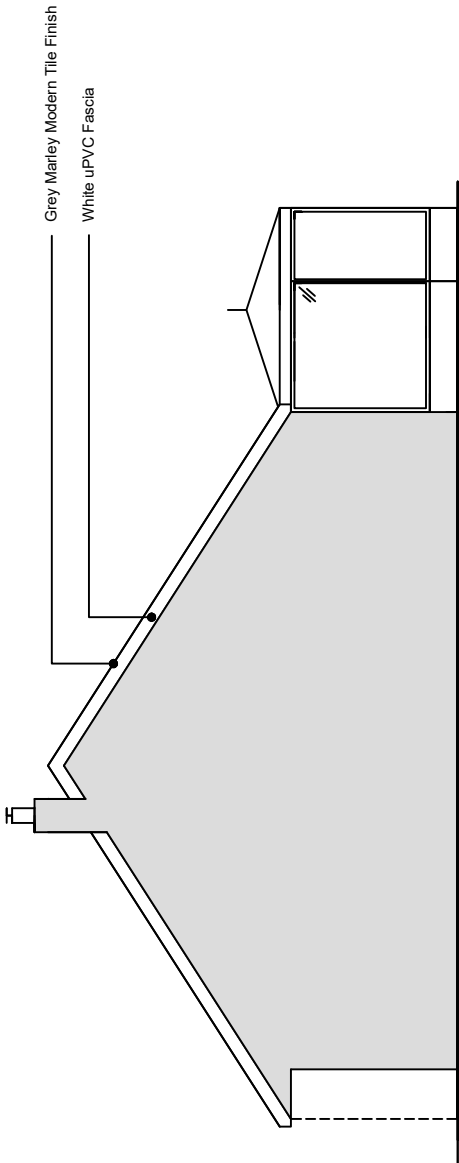
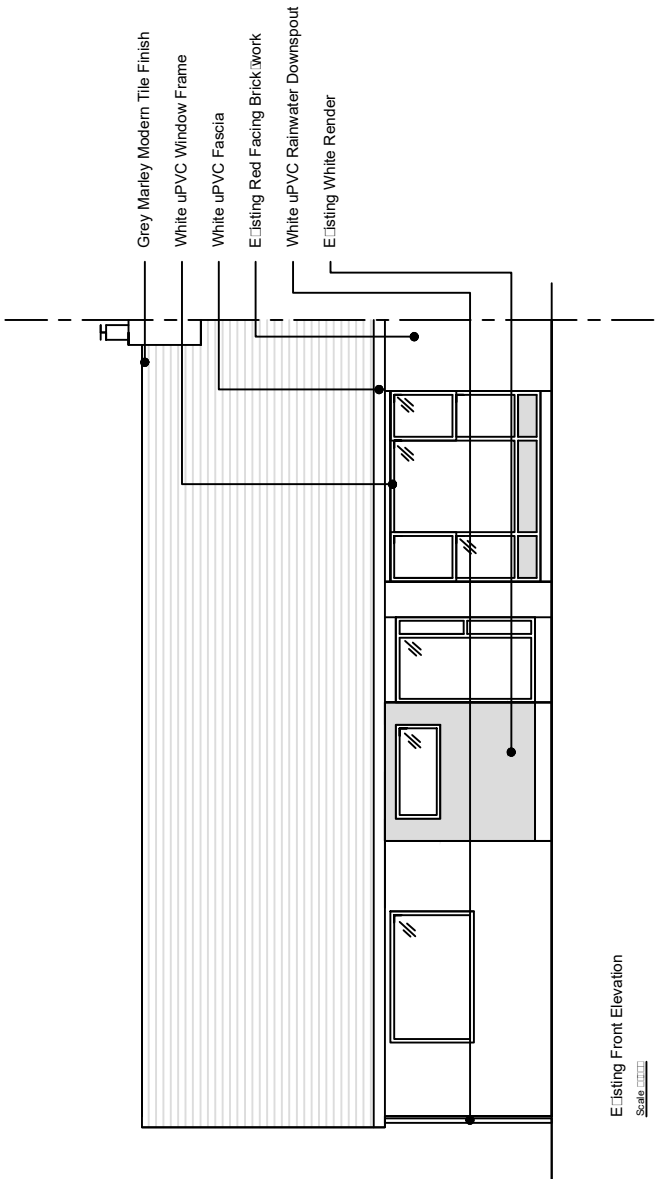
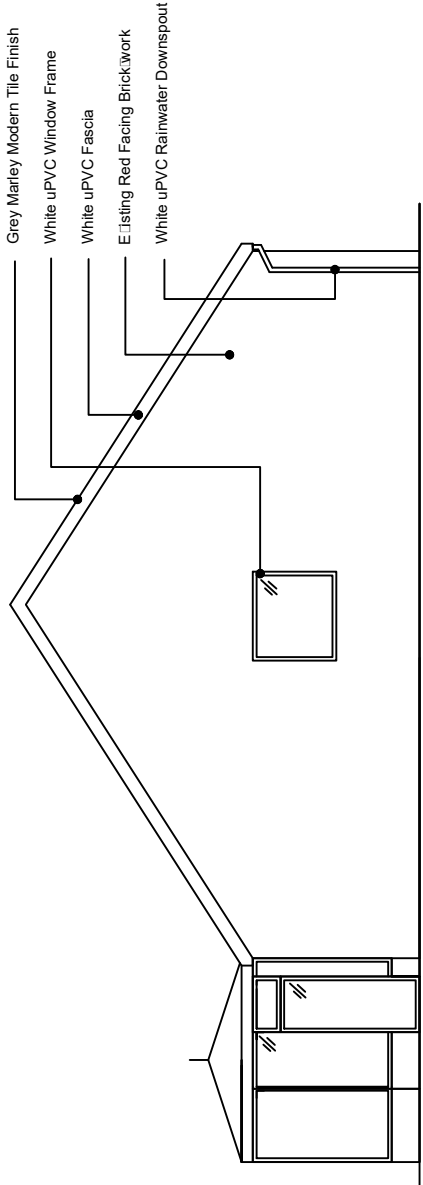
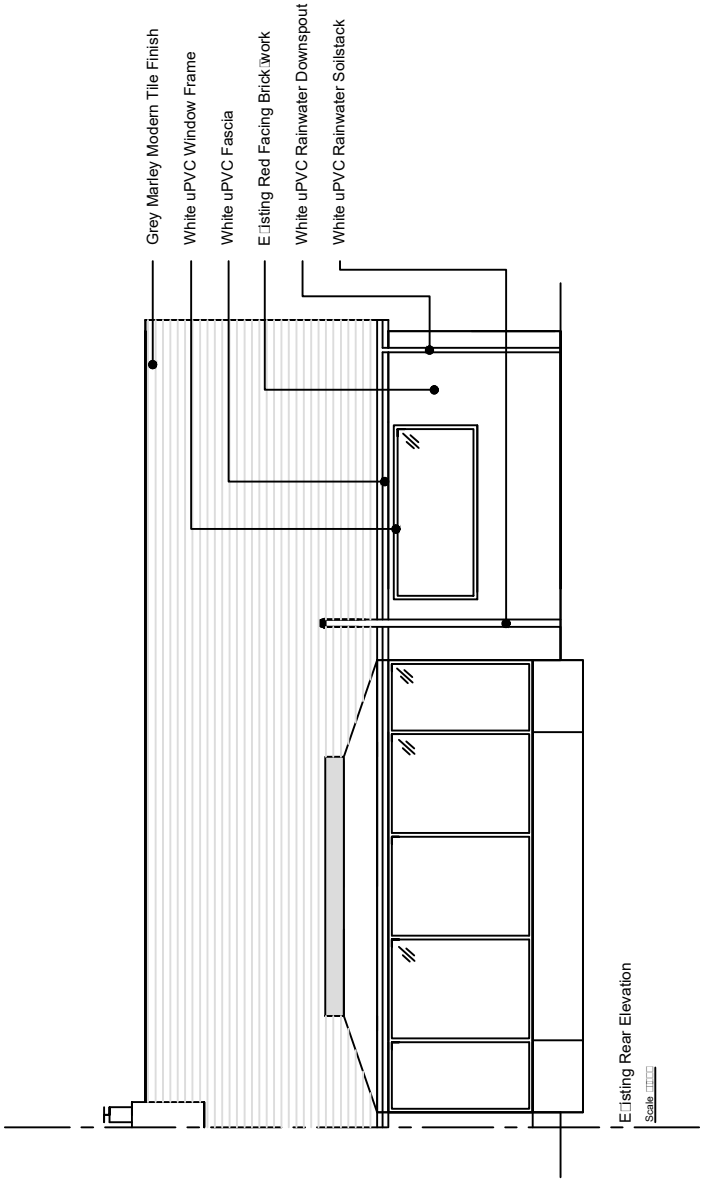
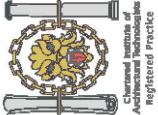
Reason

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

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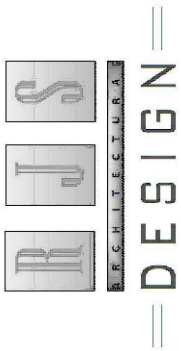
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PLANNING

Project:
18 LINGMELL CLOSE
BOLTON

Drawing Title:
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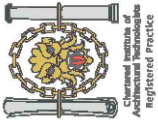
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Revision:	Drawn: RJS		



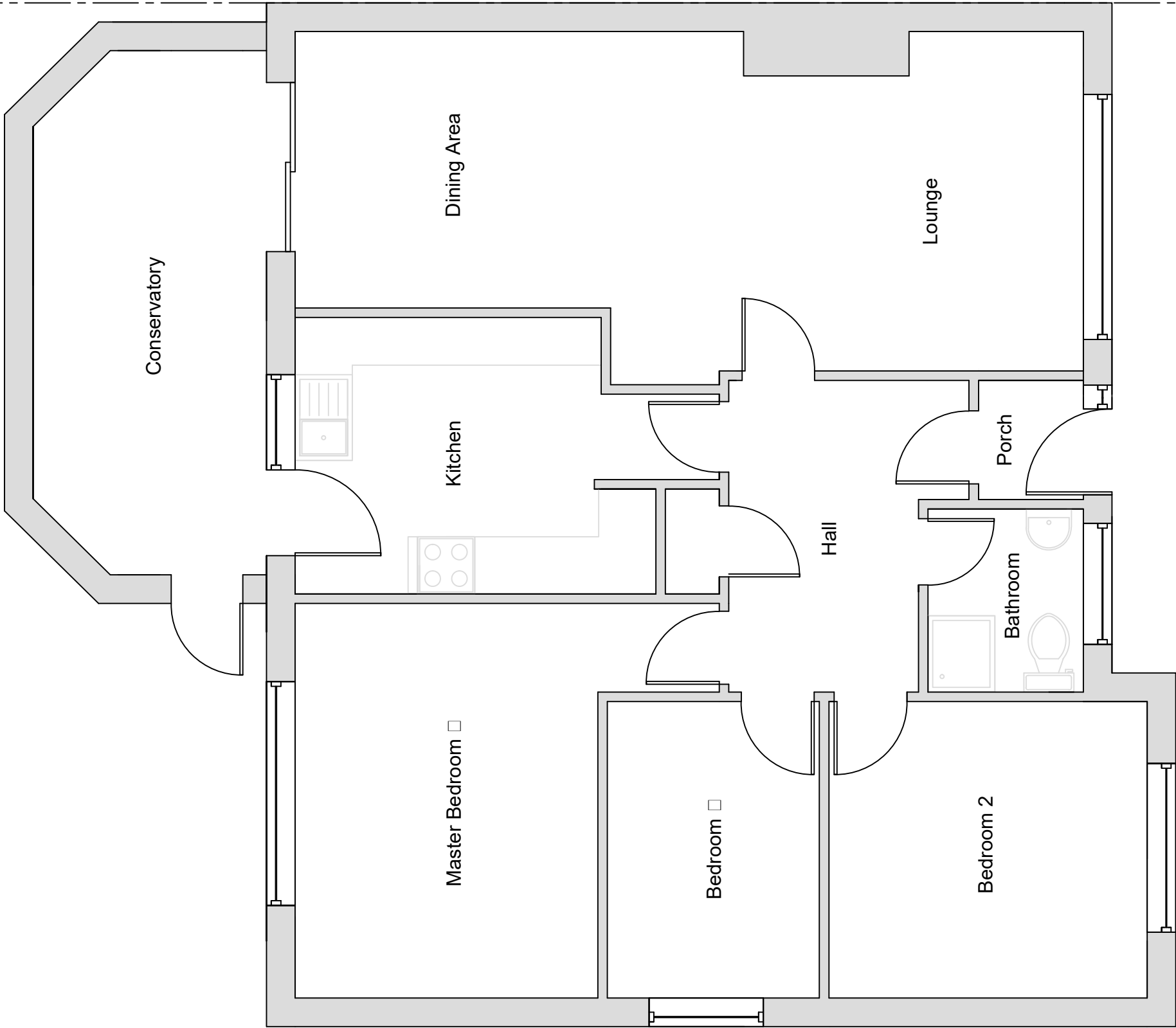
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Boundary Line



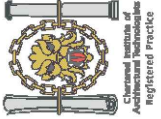
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Project:		
18 LINGMELL CLOSE BOLTON		
Drawing Title:		
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Revision:	Drawn: RJS	Authorised by:

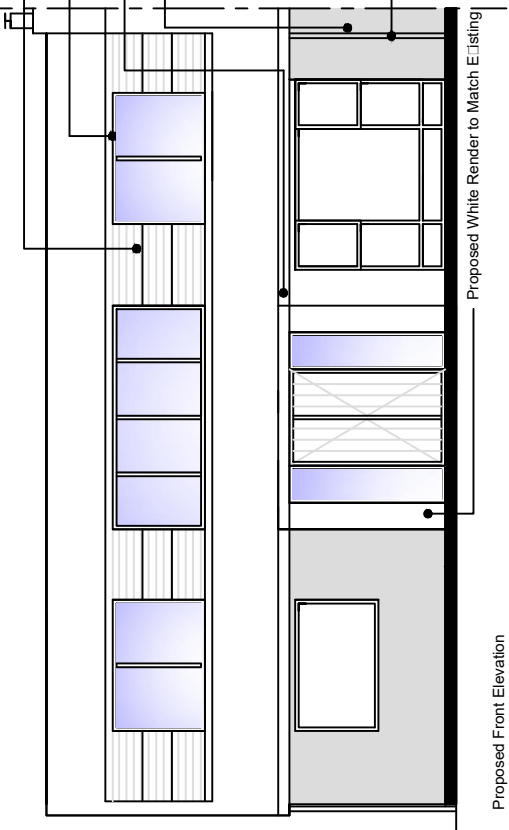
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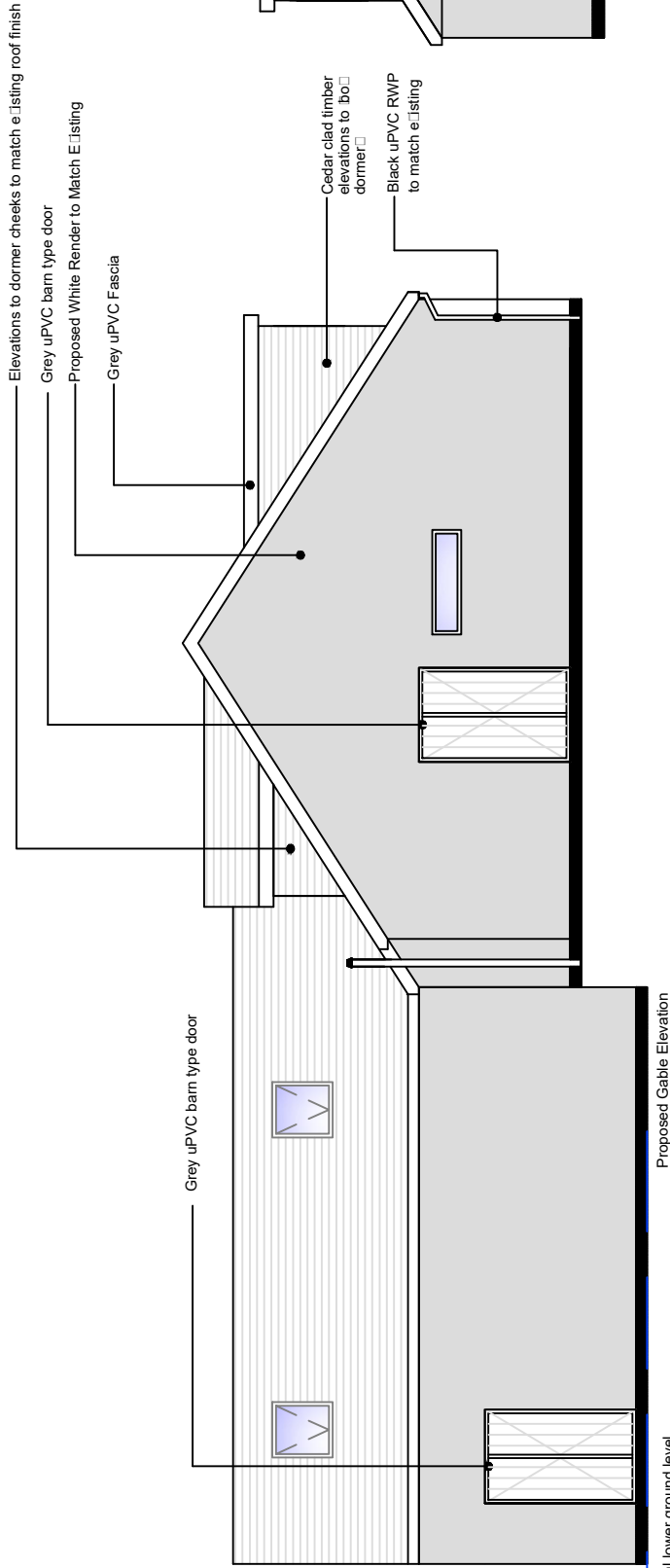
Elevations to be in line with existing roof finish
Grey uPVC Window Frame
within be in line with existing construction
Grey uPVC Fascia
Proposed White Render to Match Existing
Black uPVC Rainwater Downspout



Proposed Front Elevation

Elevations to be in line with existing roof finish
Grey uPVC barn type door
Proposed White Render to Match Existing
Grey uPVC Fascia

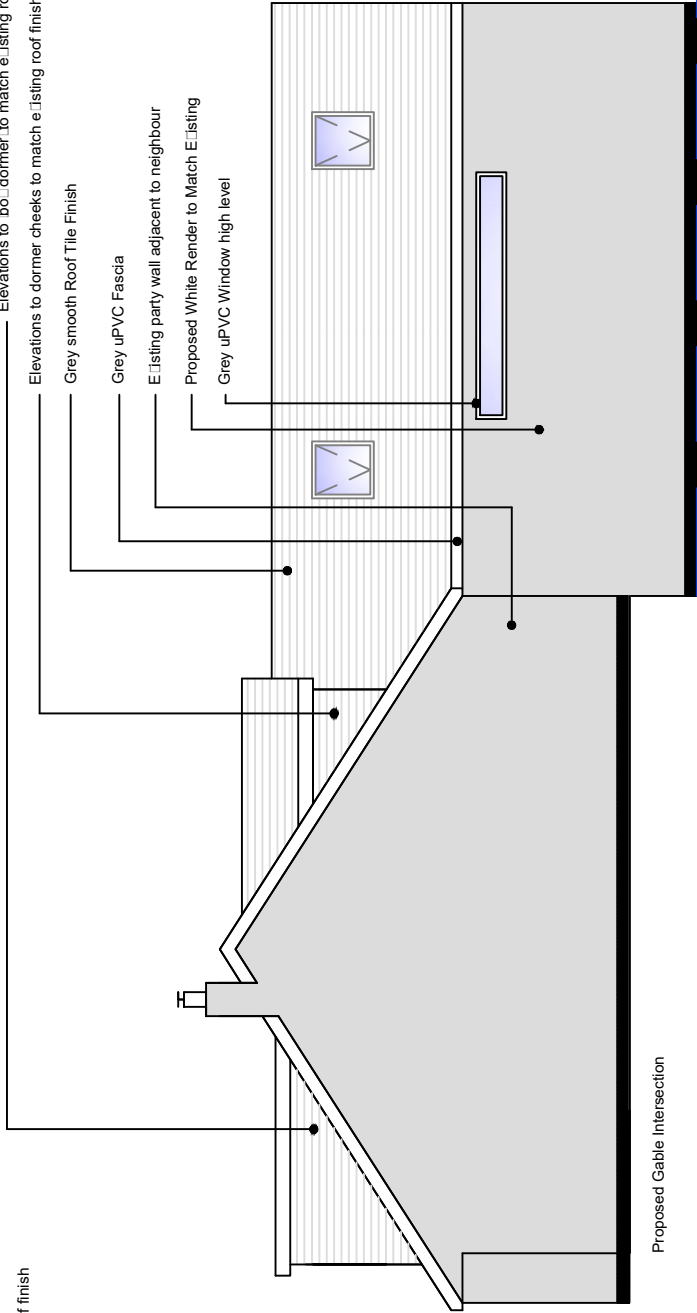
Grey uPVC barn type door



Proposed Gable Elevation

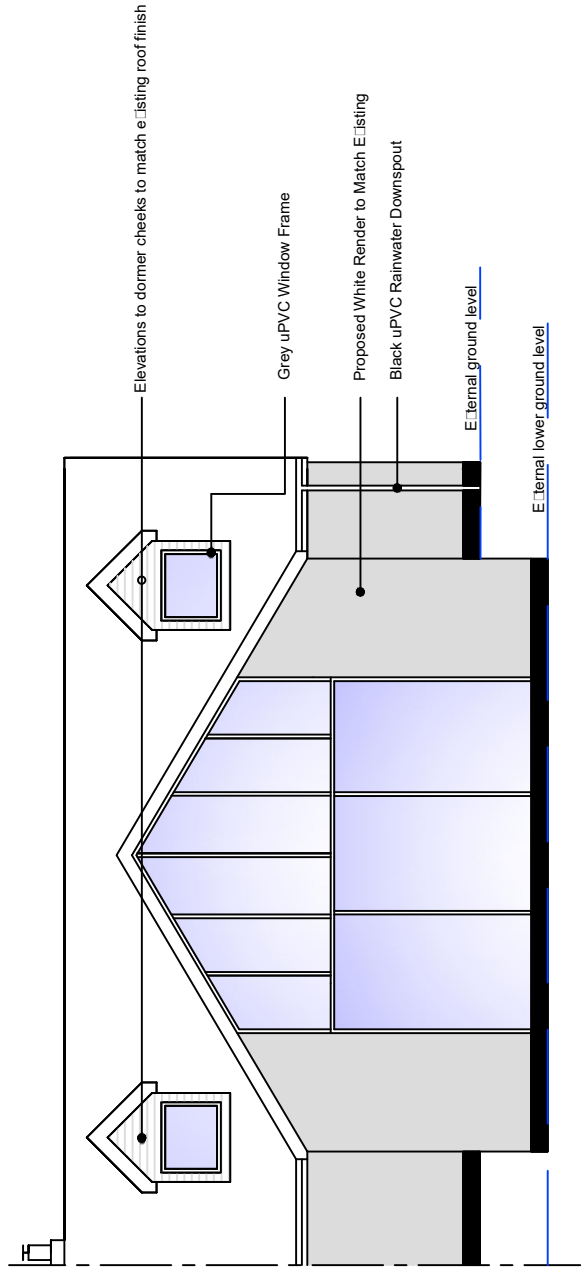
External lower ground level

Elevations to be in line with existing roof finish
Elevations to be in line with existing roof finish
Grey smooth Roof Tile Finish
Grey uPVC Fascia
Existing party wall adjacent to neighbour
Proposed White Render to Match Existing
Grey uPVC Window high level



Proposed Gable Intersection

External lower ground level



Proposed Rear Elevation

External ground level

External lower ground level

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Drawing Issue:

PLANNING

Project:

18 LINGMELL CLOSE
BOLTON

Drawing Title:

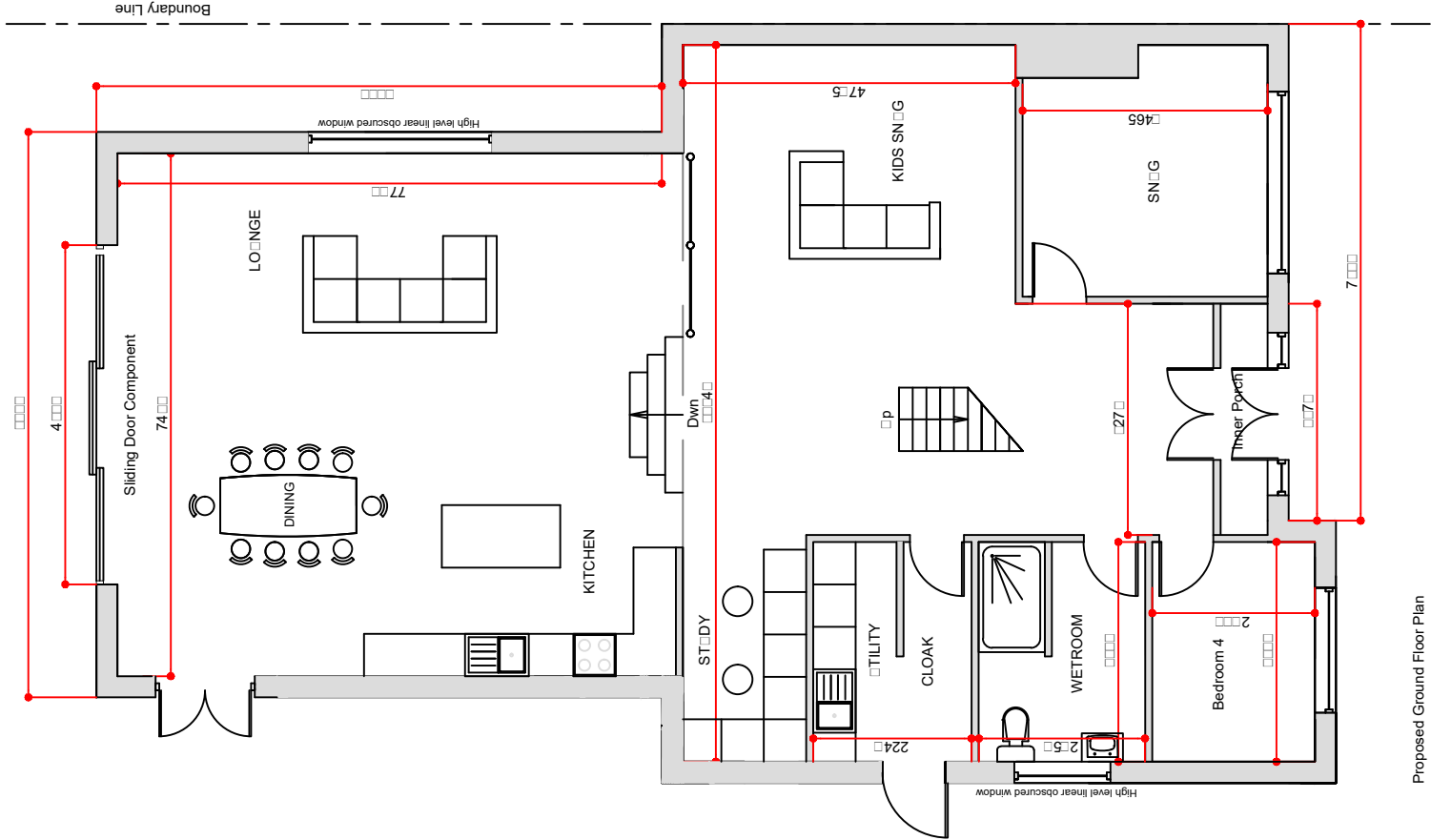
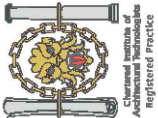
PROPOSED ELEVATIONS

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Revision: E				

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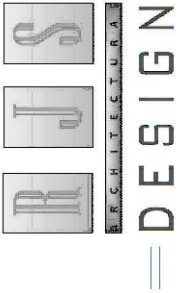
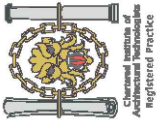
Proposed Ground Floor Plan
Scale: 1:100

Date:	Revision:	Dr:
Client:		
Drawing Issue:		
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Project:		
18 LINGMELL CLOSE BOLTON		
Drawing Title:		
PROPOSED GROUND FLOOR PLAN		
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Revision: D	Drawn: RJS	Authorised by:

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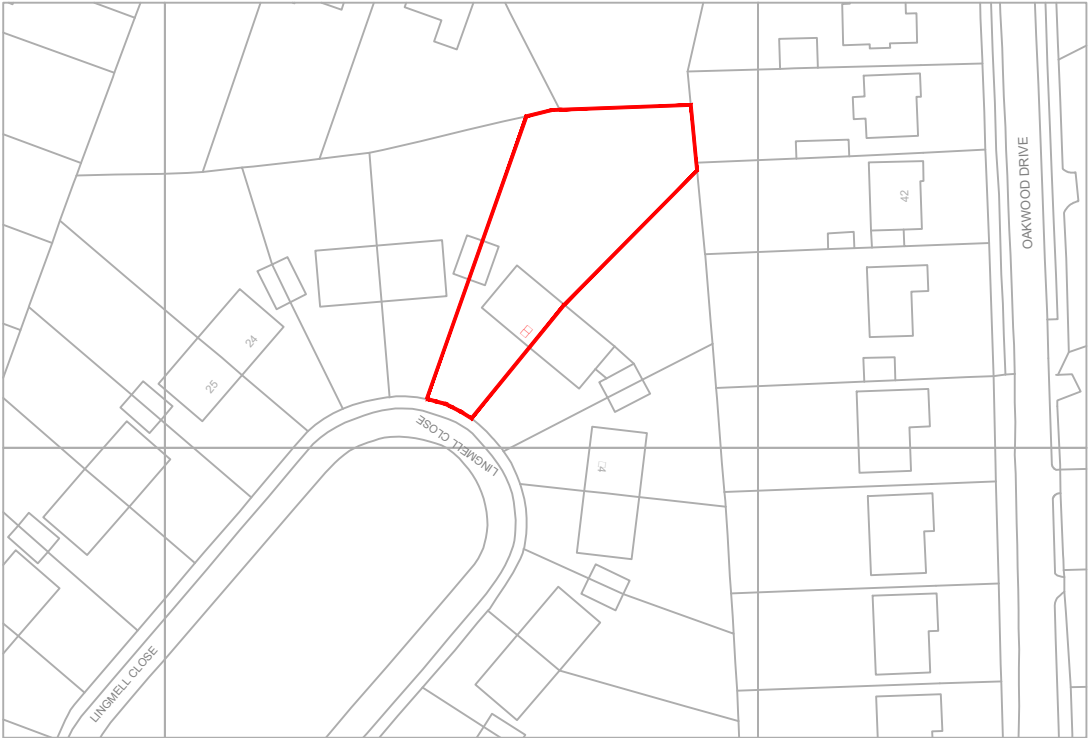
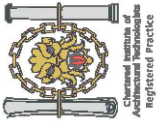


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BOLTON			
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Revision:	Drawn:	Date:
-	RJS	15/01/18

Application number
03450/18





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Date of Meeting: 28/06/2018

Application Reference: 03450/18

Type of Application: Full Planning Application
Registration Date: 23/04/2018
Decision Due By: 17/06/2018
Responsible Officer: Lauren Kaye

Location: 21 SHORESWOOD, BOLTON, BL1 7DD

Proposal: ERECTION OF TWO STOREY SIDE EXTENSION.

Ward: Astley Bridge

Applicant: Mrs Pollitt
Agent : RBD Ltd

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. This application seeks permission for the erection of a two storey side extension.
2. The extension would project 2.4 metres from the side elevation and would measure 7.3 metres long at ground floor level and 6.3 metres long at first floor level. It would have a pitched roof matching the height of the eaves of the existing property and measuring 6.9 metres to the ridge.

Site Characteristics

3. The application property is a three bedroom detached property on the development of Shoreswood which is a relatively modern residential estate consisting of detached two storey and bungalow properties. The application site slopes to the rear and there is fencing along the rear boundary. The existing driveway runs along the side of the south west of the property along the neighbouring driveway and there is no boundary treatment at present. The neighbouring property to the south west is a detached bungalow which has the entrance door and two windows within the side elevation serving the kitchen and bathroom.

Policy

4. National Planning Policy Framework (NPPF)

5. Core Strategy Policies: P5 Transport and Accessibility; S1.2 Road Safety; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.
6. SPD House Extensions
7. SPD General Design Principles

Analysis

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

9. The main impacts of the proposal are:-

- * impact on the character and appearance of the 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.

10. 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.

11. 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.

12. 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.

13. Paragraph 5.4 of the House Extensions SPD states that 'if the character of the surrounding area is one of semi-detached and detached properties, two storey extensions that come up to the party boundary with the adjacent property can alter the character of the area by creating a terraced effect. For this reason, as well as to allow for proper maintenance, two storey side extensions should normally provide a minimum distance of 1 metre to the property boundary. Where this distance cannot be achieved, however, the terracing effect can be countered to some extent by setting the front elevation of the extension back from the front of the existing dwelling at first floor level. Together with a design that incorporates the extension roof being set at a lower level and sub-ordinate to the main roof to the original dwelling, a visual separation between dwellings can be maintained.' It also goes on to state that a terraced effect may not be created if the following site conditions are applicable to an individual application:

- the site is situated in a street of restricted length where the visual linking of dwellings would be limited by the length of the street (e.g a short cul-de-sac.)
 - the site is located on a development that has an information building line; or
 - the site is situated in an area where there is a mix of terraced, semi-detached and detached properties.
14. Shoreswood is made up of predominantly detached properties varying in scale and design with a mixture of bungalows and two storey properties. The application property is sited on a lower ground level to the highway with the properties to the north sloping upwards on differing ground levels. The proposed extension would come up to the party boundary with the neighbouring property which is a bungalow and the building line follows the pattern of the road with this neighbouring properties front elevation being forward of the application property. The applicant has also set the first floor level back 1 metre along with the extension roof which would be lower than the existing roof, thus appearing subordinate to the main dwelling. Taking these measures into consideration, along with the neighbouring property being a bungalow, it is considered that the proposed extension would not create a terracing effect and would be acceptable.
15. Paragraph 3.1 of the SPD House Extensions 2012 states that a well-designed extension should be subordinate in relation to the dwelling and should be of a size and scale which is in proportion to the existing house.
16. It is considered that the proposed extension is in proportion and would appear subservient to the existing property. A number of neighbouring properties benefit from single storey and two storey extensions and it is considered that along with the measures the applicant has taken the extension has been designed sympathetically to the existing property and it would be in keeping with the scale, massing and design of the surrounding properties.
17. Paragraph 3.13 of the SPD - House Extensions states that for semi-detached or detached properties, applications that involve the encroachment onto existing private garden or other amenity space should not result in the unacceptable reduction of such space. As a rule of thumb, 50 square metres is considered to be a reasonable minimum for this style of property. The proposal would reduce the amount of amenity space however there would be over 50 square metres therefore it is not considered as overdevelopment.
18. It is considered that the proposed extension would not have a detrimental visual impact on the character and appearance of the surrounding street scene. The design and materials are compatible with the existing dwelling and surrounding street scene and access will remain to the rear of the property for the storage of bins on non-collection days. It is therefore considered that the proposed extension complies with Policies CG3 and OA5 of the Core Strategy and SPD House Extensions in respect of its design and appearance.

Impact on the Amenity of Neighbouring Residents

19. 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.
20. 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.
21. The neighbouring property to the front, no. 12 Shoreswood is sited on a right angle to the application property, therefore the proposed extension is facing the blank side elevation of this

neighbouring property on a higher ground level. The interface distance would be approximately 20.3 metres from the bedroom window of the proposed extension which is considered acceptable as it does not face any main room windows of this neighbouring property.

22. The proposed extension is sited to the west of the application property and therefore would not impact on the neighbouring residents to the east at no. 19 Shoreswood.
23. The proposed extension is sited along the boundary with the neighbouring property which is a bungalow. The neighbouring property is set forward of the front elevation of the application property and contains the entrance door, kitchen window and bathroom window in the side elevation. The proposed extension would not impact on any main windows of this neighbouring property and is therefore considered acceptable.
24. The neighbouring properties to the rear, no. 36 and 38 Shoreswood are sited over 22 metres from the proposed extension which is considered acceptable.
25. It is therefore considered that the proposal will not unduly harm the amenity of neighbouring residents, compliant with Policy CG5 of the Core Strategy.

Impact on Parking

26. Policy P5 of the Core Strategy and SPD House Extensions

27. The Highways department has been consulted and they have advised the proposed two off-road parking spaces are sufficient for the level of development and that the spaces and extension to the vehicle access crossing should be conditioned.

Local finance considerations

28. Section 70(2) of the Town and County Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. There are not considered to be any local financial considerations in this case.

Conclusion

29. For the reasons discussed above it is considered that the proposed extension would not harm the character and appearance of existing dwelling or street scene and would not unduly harm the amenity of any neighbouring residents.

30. Members are therefore recommended to approve planning permission.

Representation and Consultation Annex

Representations

Letters:- Two objection letters have been received from neighbouring properties on the following grounds:

- they intend to take up the full width of the drive and almost the full length of the house. As it is a shared drive, this would make it difficult for neighbouring residents to get their car out of the drive. *(Officer comment: the proposal is within the curtilage of the application property. If there is an agreement of a shared drive or right of way, this is a private matter and not a planning consideration.)*
- it would block out natural light from neighbouring kitchen and bathroom. *(Officer comment: neither kitchen or bathroom windows are considered to be main room windows and therefore are not afforded special protection by the Council's policy.)*
- it would be only 2.5 metres from the neighbouring property. *(Officer comment: neither kitchen or bathroom windows are considered to be main room windows and therefore are not afforded special protection by the Council's policy.)*
- regulations state that a party wall should be at least 1 metre from the boundary of another property. *(Officer comment: this requirement does not appear within the Council's House Extensions policy. The impact of the "terracing effect" is considered within paragraph 13 of this report)*
- contact has been made with Simarc, the property management company dealing with the leasehold to the properties. *(Officer comment: leaseholds are a private matter and would not be a planning consideration.)*
- the proposed would spoil the view from the neighbouring property. *(Officer comment: this is not a planning consideration.)*
- the two storey extension would not be in keeping with the rest of the estate which has a sense of space. It would appear unattractive and closed in feeling. *(Officer comment: the impact on the character and appearance of the area is addressed within paragraphs 15 to 17 of this report)*
- it would devalue neighbouring properties. *(Officer comment: this is not a planning consideration.)*

Petitions:- None received

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

Consultations

Highways

Planning History

Consent was granted in 1989 for the erection of a front porch/cloakroom (34217/89)

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 21 Shoreswood comprising of the extension to the vehicle access crossing (VAC) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being first brought into use and retained thereafter.

Reason

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

3. Before the approved development is first brought into use no less than 2 car parking spaces with minimum dimensions of 2.4 metres by 4.8 metres shall be provided within the curtilage of the site, in accordance approved plan **Location & Site Plan - Drawing number 01 Rev A, Date drawn 11.06.2018**. Such spaces shall be made available for the parking of cars at all times the premises are in use.

Reason

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

4. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan ref: **Proposed Elevations - Drawing number 05, Date drawn 09.01.2018**.

Reason

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

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

Proposed Plans - Drawing number 03, Date drawn 09.01.2018
Proposed Plans - Drawing number 04, Date drawn 09.01.2018
Proposed Elevations - Drawing number 05, Date drawn 09.01.2018
Location & Site Plan - Drawing number 01 Rev A, Date drawn 11.06.2018

Reason

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

DO NOT SCALE FROM THIS DRAWING.
This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before commencing any work or material production. The originator should be notified immediately of any discrepancy. Drawings for building control approval only.



Tel:07926826016
craig@ronsonbuildingdesign.co.uk

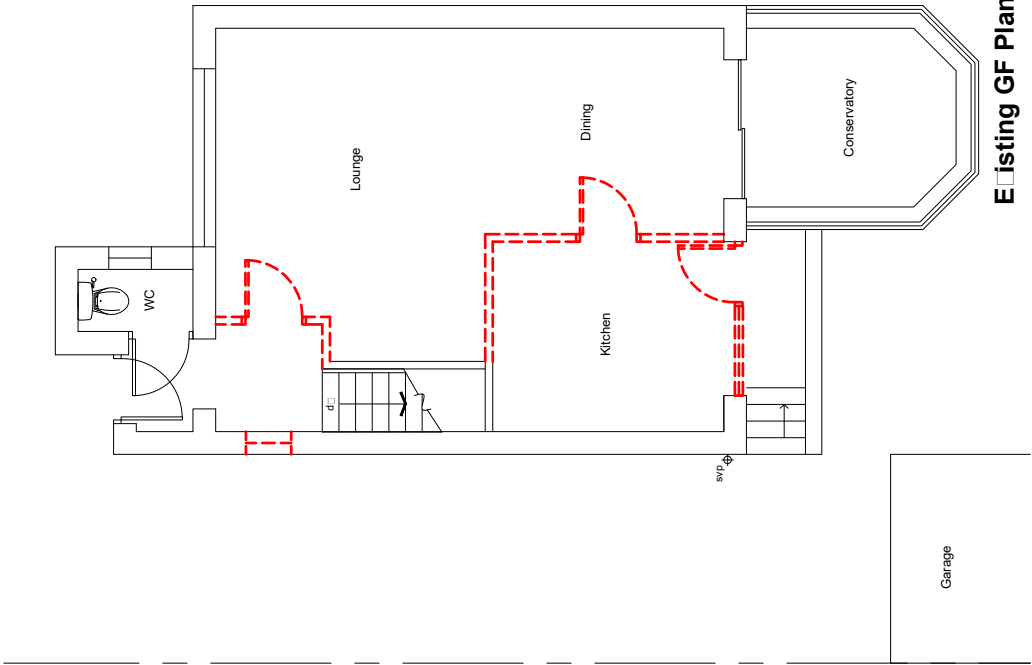
Rev	Date	Description
Issued For : INFORMATION PURPOSES ONLY		

Client
Mrs Emma Pollitt

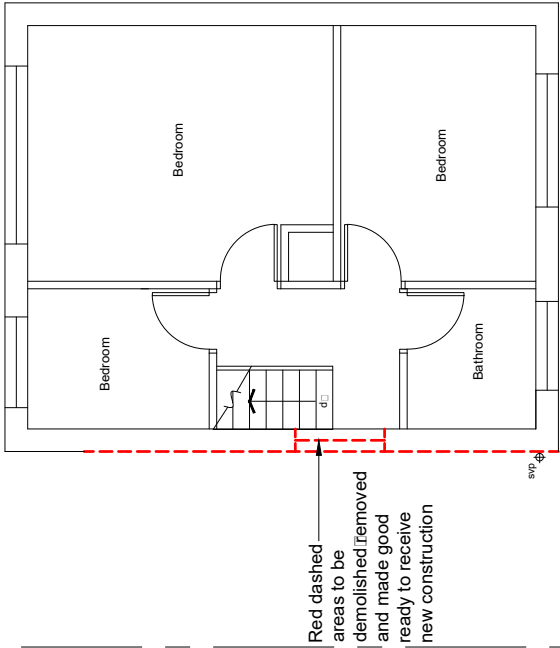
Project
21 Shoreswood
Bolton BL1 7DD

Scheme - Drawing Title
Existing Plans & Elevations

-/- 02 - 09-1-2018
Project No. Drawing No. Revision Scale 1:100 @A3

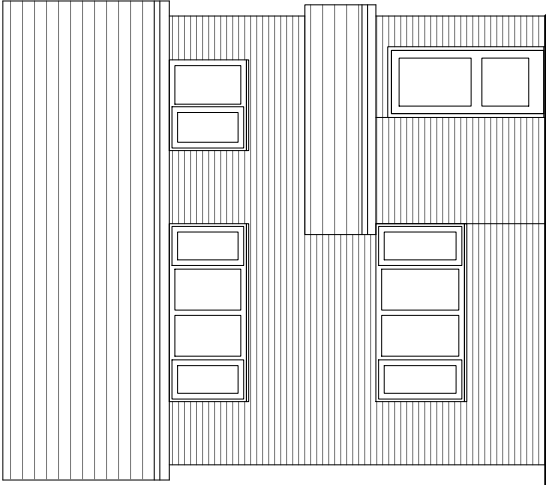


Existing GF Plan

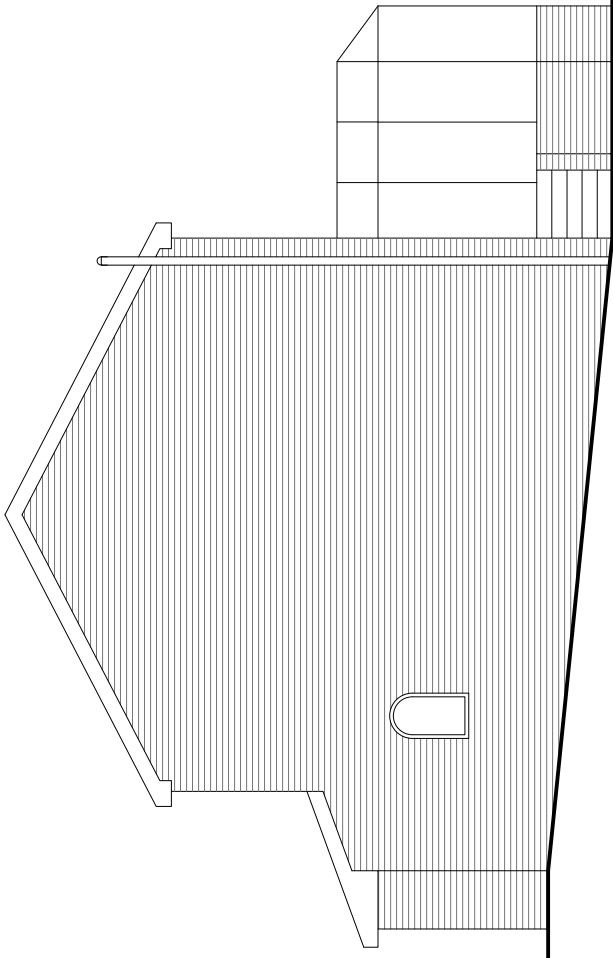


Existing FF Plan

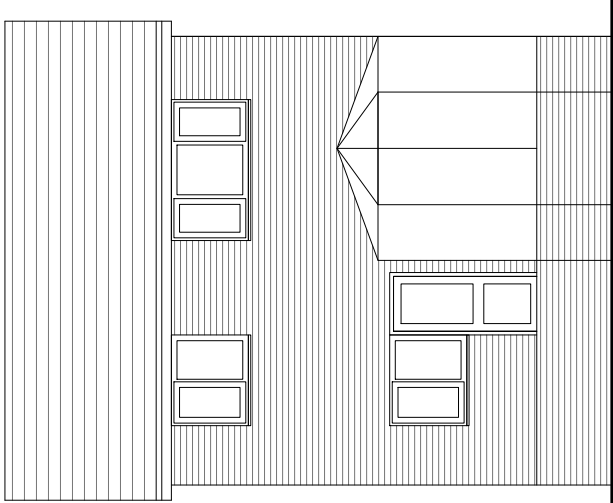
Red dashed areas to be demolished/removed and made good ready to receive new construction



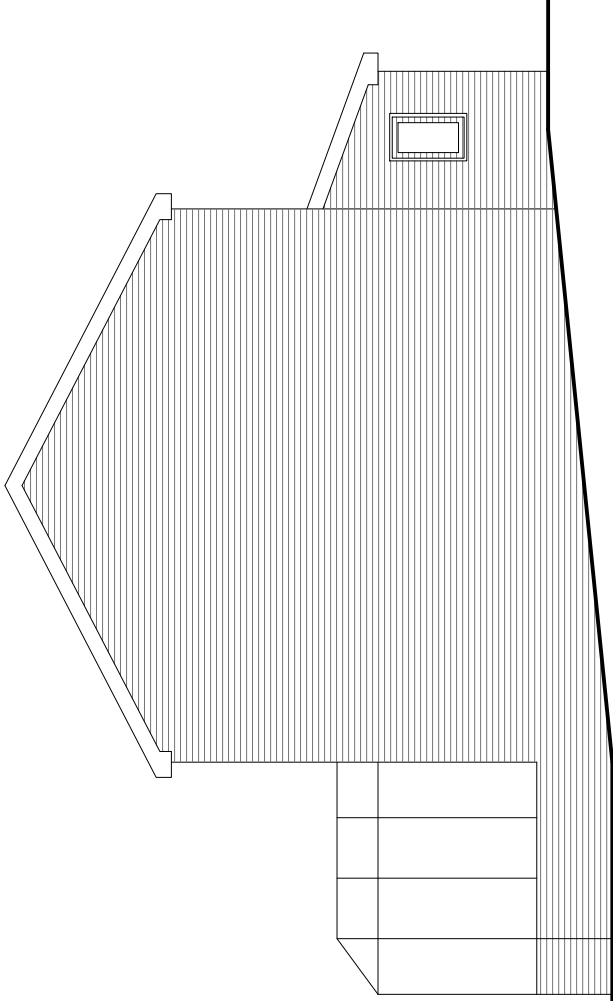
Existing Front Elevation



Existing Side Elevation



Existing Rear Elevation



Existing Side Elevation

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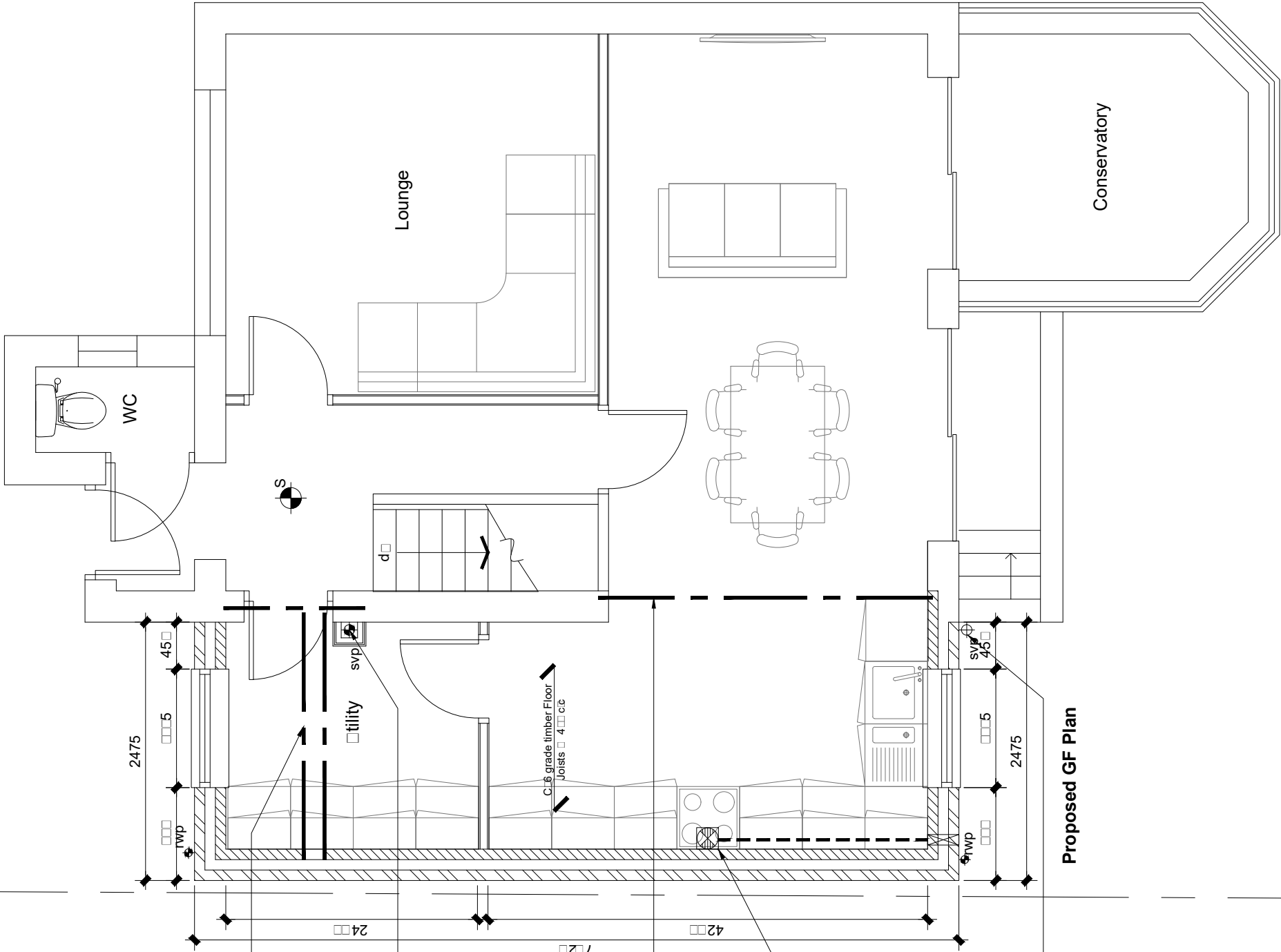
Rev	Date	Description
Issued For : INFORMATION PURPOSES ONLY		

Client
Mrs Emma Pollitt

Project
21 Shoreswood
Bolton BL1 7DD

Scheme - Drawing Title
Proposed Plans

- / 03 -
Project No. Drawing No. Revision
Date 09-1-2018
Scale 1:50 @A3



Proposed GF Plan

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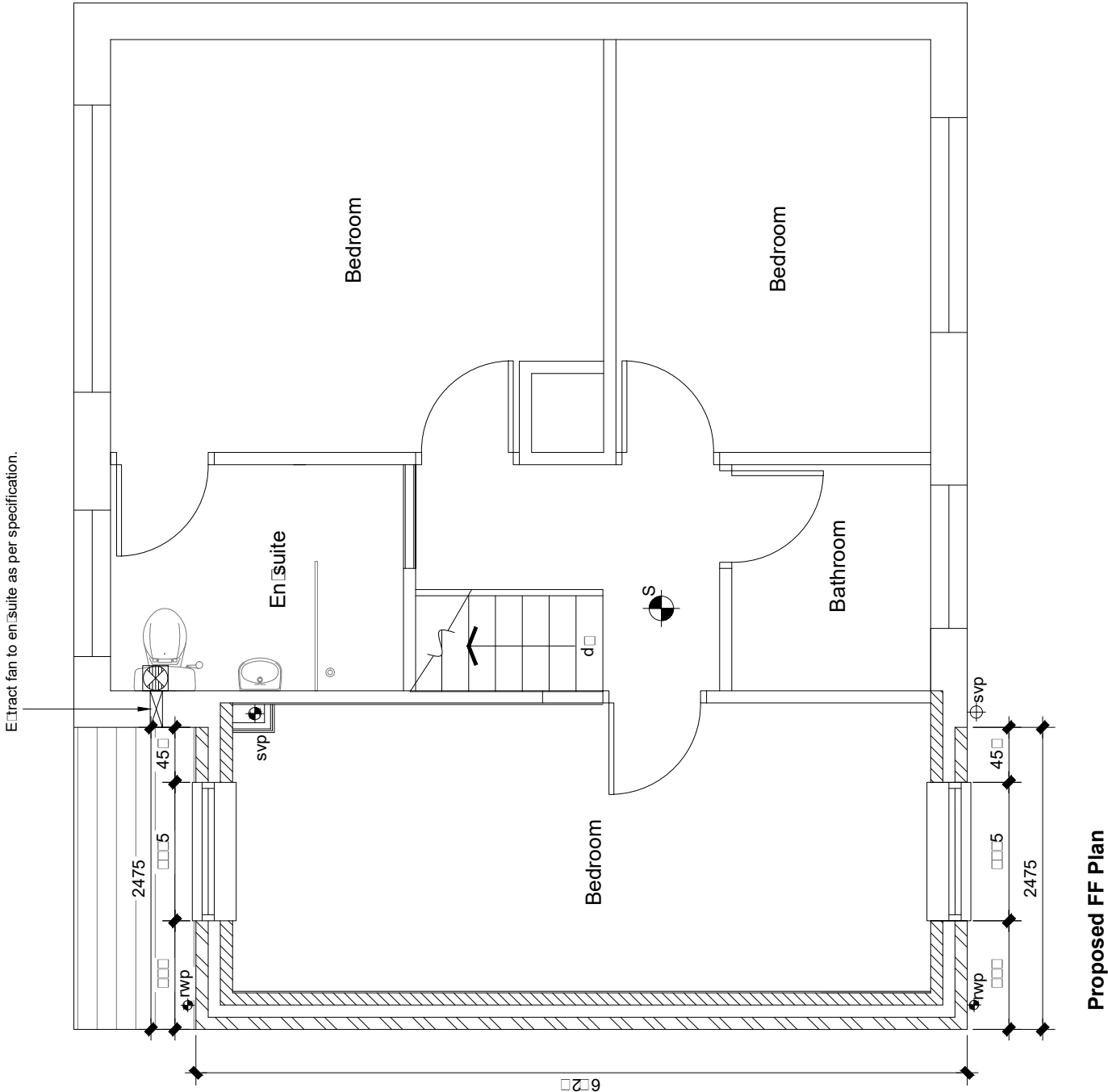
Rev	Date	Description
Issued For : INFORMATION PURPOSES ONLY		

Client
Mrs Emma Pollitt

Project
21 Shoreswood
Bolton BL1 7DD

Scheme - Drawing Title
Proposed Plans

-/ 0 -
Project No. Drawing No. Revision Date 09-1-2018 Scale 1:50 @A3



Proposed FF Plan

DO NOT SCALE FROM THIS DRAWING.
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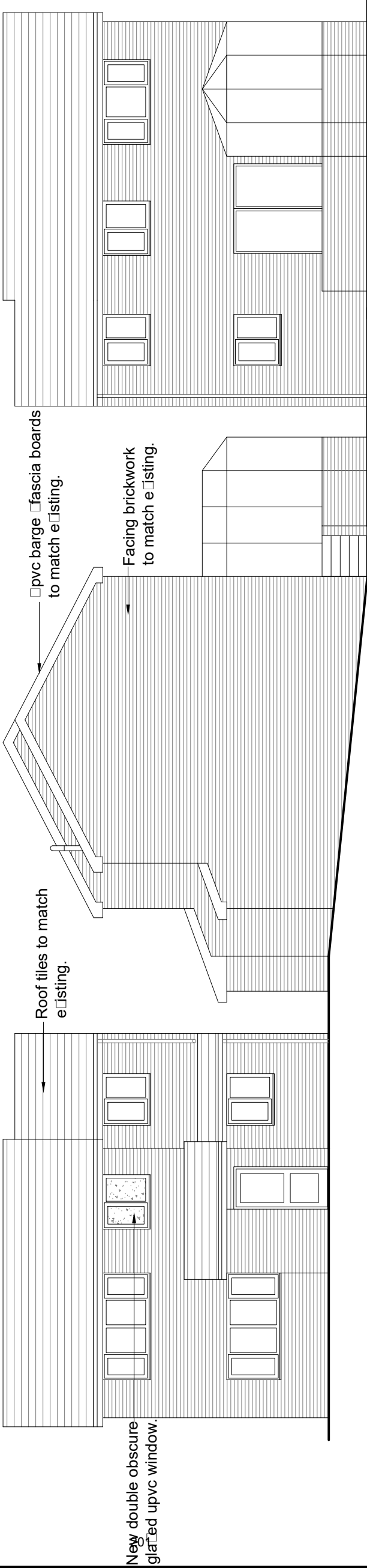
Rev	Date	Description
Issued For : INFORMATION PURPOSES ONLY		

Client
Mrs Emma Pollitt

Project
21 Shoreswood
Bolton BL1 7DD

Scheme - Drawing Title
Proposed Elevations

-/-	05	-	Date	09-1-2018
Project No.	Drawing No.	Revision	Scale	1:100 @A3



Proposed Front Elevation

Proposed Side Elevation

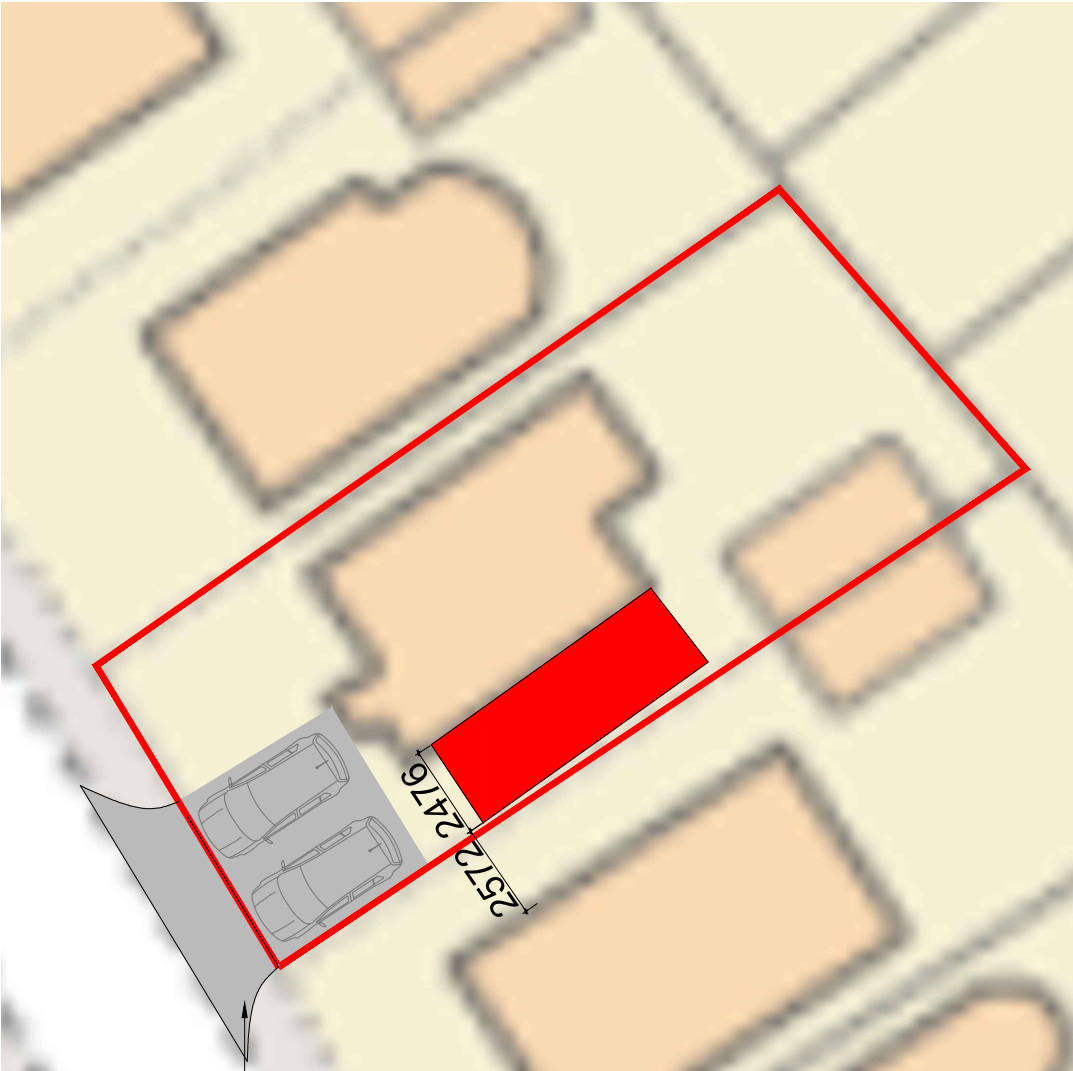
Proposed Rear Elevation

DO NOT SCALE FROM THIS DRAWING.
This drawing is to be read in conjunction with all related drawings. All dimensions must be checked and verified on site before commencing any work or material production. The originator should be notified immediately of any discrepancy. Drawings for building control approval only.

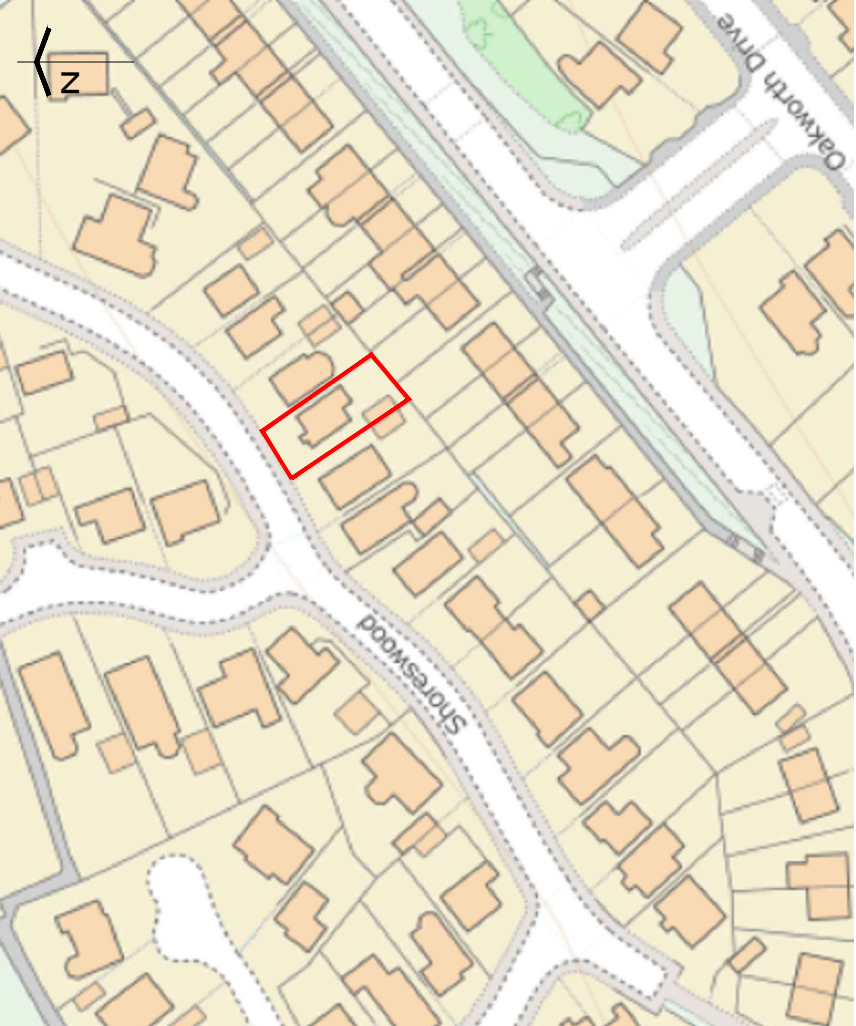


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A		11-06-18		Planning Site Plan Revision	
Rev	Date	Description			
Issued For : INFORMATION PURPOSES ONLY					
Client					
Mrs Emma Pollitt					
Project					
21 Shoreswood					
Bolton BL1 7DD					
Scheme - Drawing Title					
Location & Site Plan					
-/-		01	A	Date	09-1-2018
Project No.		Drawing No.		Revision	Scale
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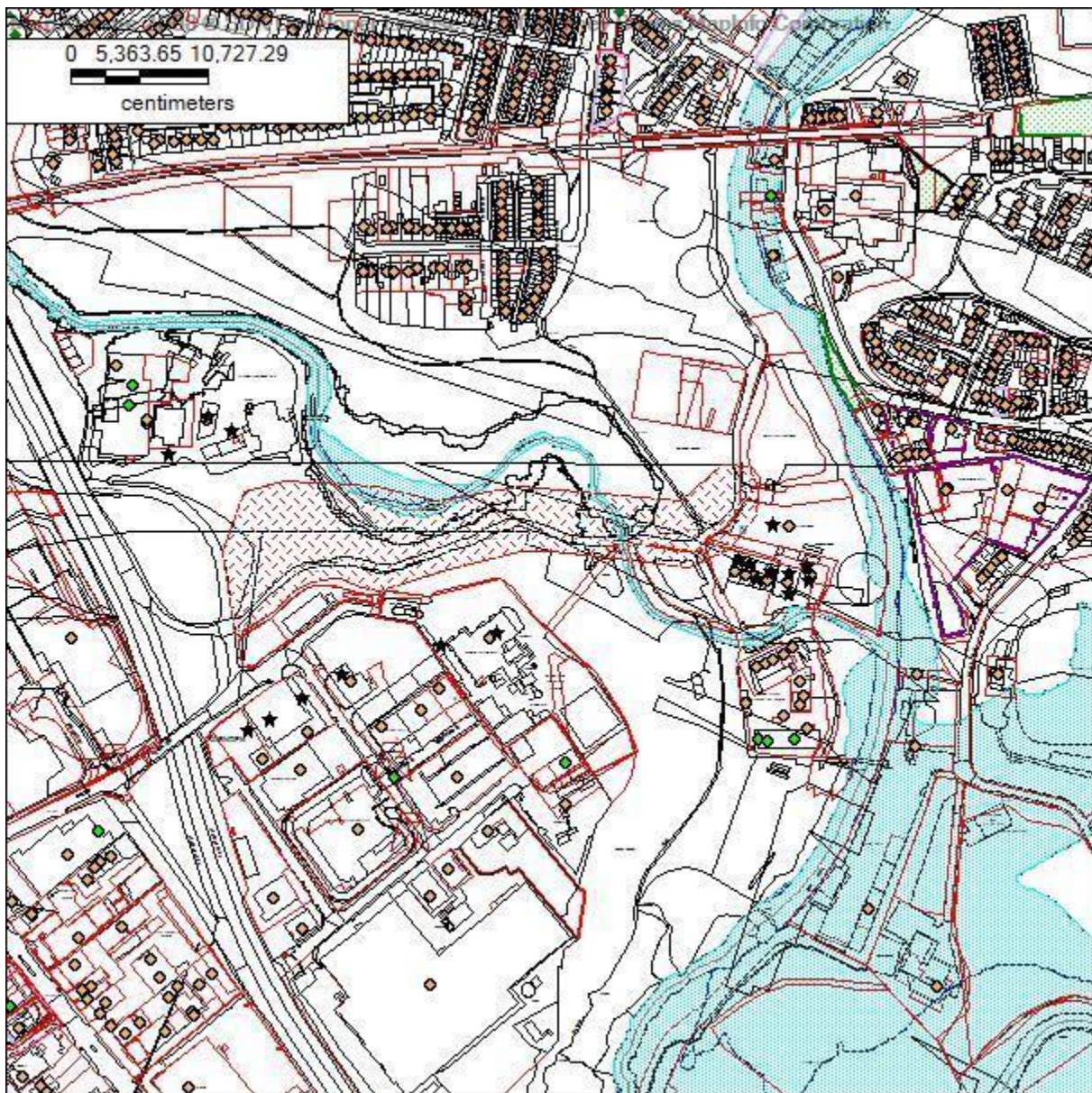


Proposed Site Plan 1:200



Location Plan 1:1250

Application number 03488/18



**Development & Regeneration Dept
Development Management Section**

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

Bolton Council

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Date of Meeting: 28/06/2018

Application Reference: 03488/18

Type of Application: Full Planning Application
Registration Date: 26/04/2018
Decision Due By: 20/06/2018
Responsible Officer: Martin Mansell

Location: RAIKES CLOUGH INDUSTRIAL ESTATE, RAIKES LANE,
BOLTON, BL3 1RP

Proposal: ERECTION OF 2.4M HIGH PALISADE FENCE.

Ward: Great Lever

Applicant: Bolton Council
Agent : Mr Roe

Officers Report

Recommendation: Approve subject to conditions

Proposal

1. Consent is sought to erect two lengths of palisade fencing along Raikes Lane up to a height of 2.4 metres. The longest section would follow much of the northern edge of Raikes Lane, starting approximately 70 metres from the junction with Burnden Road and would extend east for approximately 365 metres. A much shorter section would follow the southern edge of Raikes Lane for approximately 55 metres, generally where the road crosses the bend of the River Croal.
2. The purpose of the fence is to prevent fly tipping within the valleys of the River Croal and the River Tonge.

Site Characteristics

3. This section of Raikes Lane is both a private road and a restricted byway. This means that members of the public have a right of way on foot, on horseback, or leading a horse, cycling and for any vehicles other than mechanically propelled vehicles. This does not mean that vehicles are not permitted, only that they cannot pass or repass by right. In essence, this means that vehicles using this section of Raikes Lane are generally only accessing the industrial uses located at the end.
4. It is important to note that there are two very different parts to Raikes Lane. One is a major highway, the B6536 which links Manchester Road with Bolton's main waste and recycling facilities and essentially forms a slip-road to and from the A666 St Peters Way via Burnden Road. Where Raikes Lane meets Burnden Road it veers east and has a much more rural character, following the line of the Croal Valley towards a number of industrial and scrap metal uses close to the junction with the River Tonge. It is this section of Raikes Lane to which the application relates, a restricted byway that only carries vehicular traffic accessing the relatively small scale industrial uses in the river valley. The area is heavily treed, is dominated by the deep valley of the River Croal at Raikes Clough and has a relatively isolated character and feel. However, it is this isolated character that has unfortunately led to a significant amount of fly-tipping, much of which has ended up down in the valley and in the river itself.
5. The existing boundary treatment consists mainly of palisade fencing to a height of 1.8 metres;

however, this has been damaged by vehicles in a number of places and appears to be of an insufficient height to discourage fly tipping.

6. The site forms part of the Croal & Irwell Valleys and is also an Urban Valley.

Policy

7. National Planning Policy Framework - requiring good design, promoting healthy communities, conserving and enhancing the natural environment, conserving and enhancing the historic environment

8. Core Strategy Objectives

SO9 Crime and Road Safety, SO11 Built Heritage, SO12 Biodiversity

9. Core Strategy Policies

P5 Transport

S1 Crime and Road Safety

CG1 Biodiversity and the Croal / Irwell Valley, CG3 Design and the Built Environment / Urban Valleys

SC1 Housing Targets, SC2 Cultural and Community Facilities

RA1 Inner Bolton

10. Supplementary Planning Documents

General Design Principles

Analysis

11. 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.

12. The main impacts of the proposal are:-

- * impact on the character and appearance of the area
- * impact on nearby uses
- * impact on the road network
- * impact on crime reduction
- * impact on biodiversity

Impact on the Character and Appearance of the Area

13. The National Planning Policy Framework recognises the role of the planning system in creating a high quality built environment and notes that well-designed buildings and places can improve the lives of people and communities. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better design. The 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 always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

14. Policy SO11 of Bolton's Core Strategy is a strategic policy and seeks to conserve and enhance the

best of Bolton's built heritage and landscapes, and improve the quality of open spaces and the design of new buildings. Core Strategy Policy CG3 seeks to ensure that development proposals display innovative, sustainable design that contributes to good urban design, respects and enhances local distinctiveness, and has regard to the overall built character and landscape quality of the area. Proposals should also be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment including hard and soft landscaping and boundary treatment. The Council and its partners will also maintain and respect the landscape character of the surrounding countryside and its distinctiveness

15. Policy RA1 relates specifically to Inner Bolton and states that the Council will conserve and enhance the distinctive character of the existing physical and natural environment and ensure that development takes opportunities to improve upon the existing low levels of green infrastructure and soft landscaping in inner Bolton, using native plant species where appropriate.
16. The site lies within the Darcy Lever area of protected open land, subject to Policy CG6AP which chiefly seeks to control the erection of new buildings but does have relevance for new or replacement structures such as those proposed. Development such as is proposed by this application should maintain the character and appearance of the countryside, be sited where it will be well-screened and unobtrusive in the landscape, be of a high standard of design and use materials that are compatible with the landscape.
17. The proposal essentially seeks to replace an existing line of 1.8 metre palisade fencing with one up to 2.4 metres in height and introduce another much shorter section of fencing on the opposite side of the road. The existing fence is unpainted galvanised steel and shows signs of age and of damage. It is considered that its replacement would, in principle, represent an improvement to the character and appearance of the area. Whilst the increase in height to 2.4 metres will increase the sense of enclosure, the road already feels substantially enclosed by the extensive tree cover. Raikes Lane lacks a footway, with pedestrians, vehicles and users of the restricted byway sharing the carriageway. However, this will not change as a result of the proposal as the carriageway will not be narrowed by way of the works proposed.
18. Due to the increase in height, it is considered appropriate to impose a condition that the fence be coloured green, to allow it to blend in with the river valley tree cover.
19. The proposal is considered to have a positive impact on the character and appearance of the area by way of protecting the river valley from the effects of fly tipping.

Impact on Nearby Uses

20. 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.
21. 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.
22. As the nearby uses are all industrial uses, including some scrapyards, the increase in the height of the fence is not considered to have any impact on their operation. The proposal is considered to comply with Policy CG4 of Bolton's Core Strategy

Impact on the Road Network

23. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] accessibility by different types of transport, servicing arrangements, parking (in accordance with the parking standards set out in Appendix 3), and the requirement for a Transport Assessment and Travel Plan with major trip generating developments. Policy S1.2 states that the Council will promote road safety in the design of new development.
24. Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, improve road safety. Policy P5 seeks to ensure that new development takes into account accessibility, pedestrian prioritisation, public transport, servicing, parking and the transport needs of people with disabilities. Policy S1 seeks to promote road safety. The Council has also adopted the Accessibility, Transport and Road Safety SPD which notes that the provision of a safe, high quality transport network is vital to the economic prosperity of the borough and the ability of residents to safely access potential new jobs being created together with health, education, community facilities and housing.
25. The replacement fencing is not considered to have any effect on the operation of the private road or the restricted byway. The proposal is considered to comply with Core Strategy Policies SO9, P5 and S1 and the Accessibility, Transport and Road Safety SPD.

Impact on Crime Reduction

26. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder, and to do all they reasonably can to prevent crime and disorder. The prevention of crime and the enhancement of community safety are therefore material considerations that a local authority should take into account when exercising its planning functions under Town and Country Planning legislation.
27. The National Planning Policy Framework states that planning decisions should aim to ensure that developments should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
28. Bolton's Core Strategy notes that the town's recorded crime levels are reducing but perception of crime remains high. The Core Strategy's most important direct contribution to reducing crime and the fear of crime is through the design of new development. Policy SO9 of Bolton's Core Strategy is a strategic objective and seeks to, amongst other things, reduce crime and the fear of crime, by ensuring that neighbourhoods are attractive and well designed. Policy S1 is part of the "Safe Bolton" Sustainable Community Strategy theme and states that the Council and its partners will ensure that the design of new development takes into account the need to reduce crime and the fear of crime. Policy CG4 of Bolton's Core Strategy seeks to ensure that new development protects, amongst other things, safety and security.
29. Due to its increased height, the replacement fencing will discourage fly tipping. There are not considered to be any other crime reduction issues.

Impact on Biodiversity

30. 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 contribute to conserving and enhancing the natural environment.
31. Policy SO12 of Bolton's Core Strategy is as strategic policy and states that one objective of the

Core Strategy is to protect and enhance Bolton's biodiversity. Policy CG1.2 of Bolton's Core Strategy states that the Council and its partners will safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development. Core Strategy Policy CG3 seeks to ensure that development proposals enhance biodiversity and are compatible with the nearby landscape character

32. The Core Strategy states that the Council will safeguard and enhance the rural areas of the borough from development that would adversely affect its biodiversity including trees, woodland and hedgerows, geodiversity, landscape character, recreational or agricultural value; or its contribution to green infrastructure, reducing flood risk and combating climate change. The Council will also 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 proposal has been considered by the Council's Greenspace Officers and by Greater Manchester Ecology Unit. Neither raise any objection, subject to conditions and informative relating to:-
- preventing the spread of Japanese Knotweed
 - preventing harm to nesting birds and their eggs
 - protecting the River Croal from accidental spillages, dust and debris has for the duration of the construction period
34. Subject to the above, the proposal is considered to have a positive impact on biodiversity by way of protecting the river valley from the effects of fly tipping.

Conclusion

35. It is regrettable that this development is necessary; however, the particular circumstances of this site - accessible by vehicles, close to the existing major waste management facilities, very close to the urban area and yet almost invisible from the surrounding main highways and buildings - mean that it has increasingly become a target for this sort of criminal behaviour. Due to the increase in height. the proposed fencing will be more visually dominant when viewed from this section of Raikes Lane; however, is it considered that this less than substantial harm is acceptable in order to protected the wider character of the area, including the Croal and Tonge river valleys. Given its relatively low use due to being a private road, the impact will be limited and the benefits are considered to outweigh the disadvantages in this instance.

Representation and Consultation Annex

Representations

None. The application appears on the agenda as the Council's constitution requires all Council applications to be referred to planning committee.

Consultations

Advice was sought from the following consultees: Environment Agency, Greenspace, Greater Manchester Ecology Unit

Planning History

None relevant.

Recommendation: **Approve subject to conditions**

Recommended Conditions and/or Reasons

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

Reason

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

2. Development shall not commence until a scheme for the eradication of Japanese knotweed has been submitted to and approved in writing by the Local Planning Authority. This shall include a timetable for implementation. Should there be a delay of more than one year between the approval of the scheme and its implementation or the commencement of development then a new site survey and, if necessary, further remedial measures shall be submitted for the further approval of the Local Planning Authority. The scheme shall be carried out as approved and retained thereafter.

Reason

To ensure the safe development of the site and eradication of an invasive species and to comply with policy CG1 of Bolton's Core Strategy.

3. No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the River Croal from accidental spillages, dust and debris has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

Reason

To prevent pollution of the watercourse environment

4. The approved fencing shall be coloured RAL 6005 Green within 14 days of its installation and shall be retained so coloured thereafter.

Reason

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

5. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior

to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason

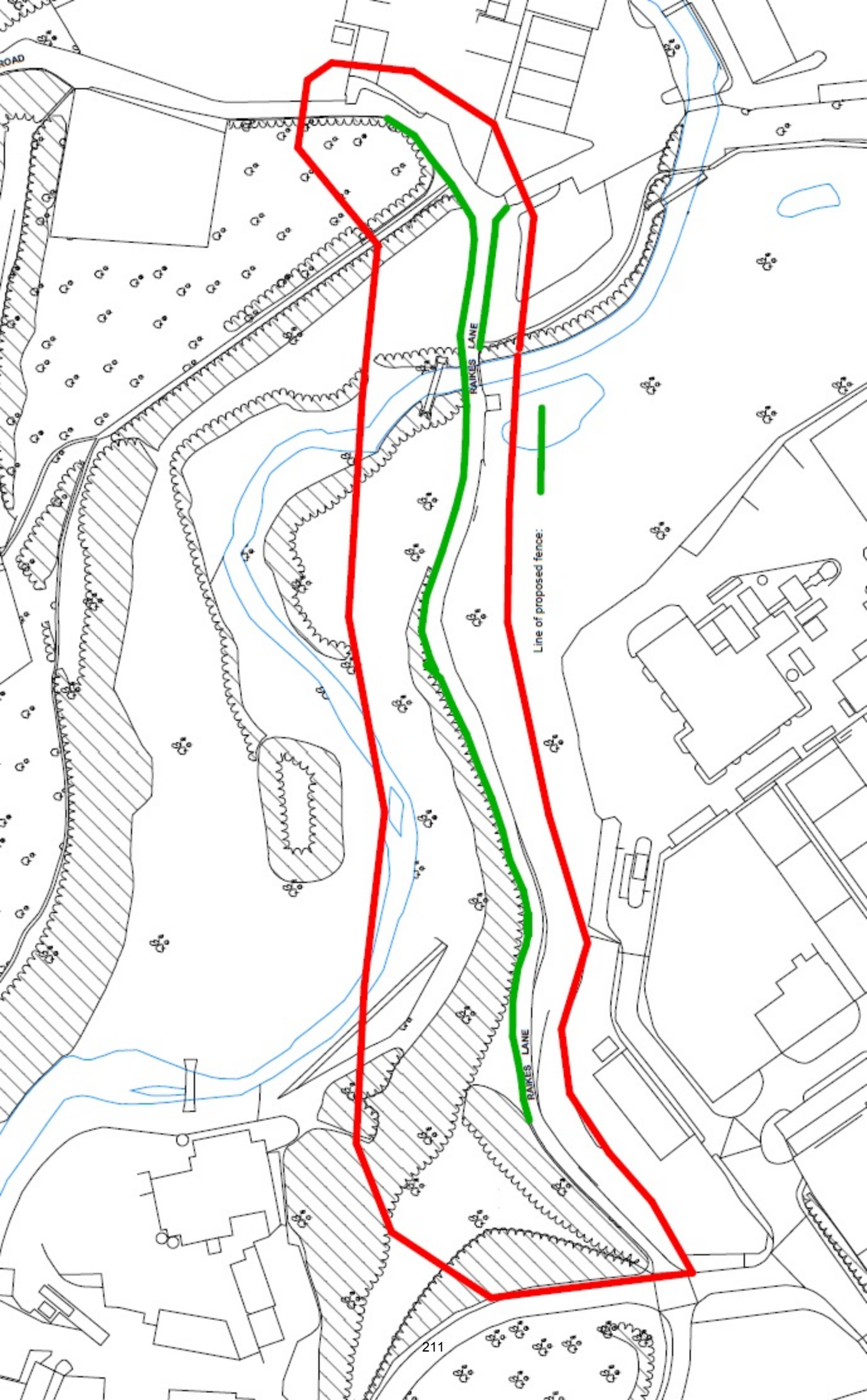
To prevent harm to biodiversity.

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

Environmental Services Drawing "Raikes Lane Bolton", N Hartley, 24/4/18

Reason

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



NOTES

1. Basic dimensions of GP18 fence with posts at 2.75m centres to be in accordance with Table 1 BS1722 - Part 12
2. Pale type to be corrugated 'W' profile and top to be triple pointed and splayed
3. Pale method of fixing to be bolted
4. Protective treatment to be hot dip galvanised to BS EN ISO 1461

Rev	Amendments	By	Date	Check
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M-1-T-R-0

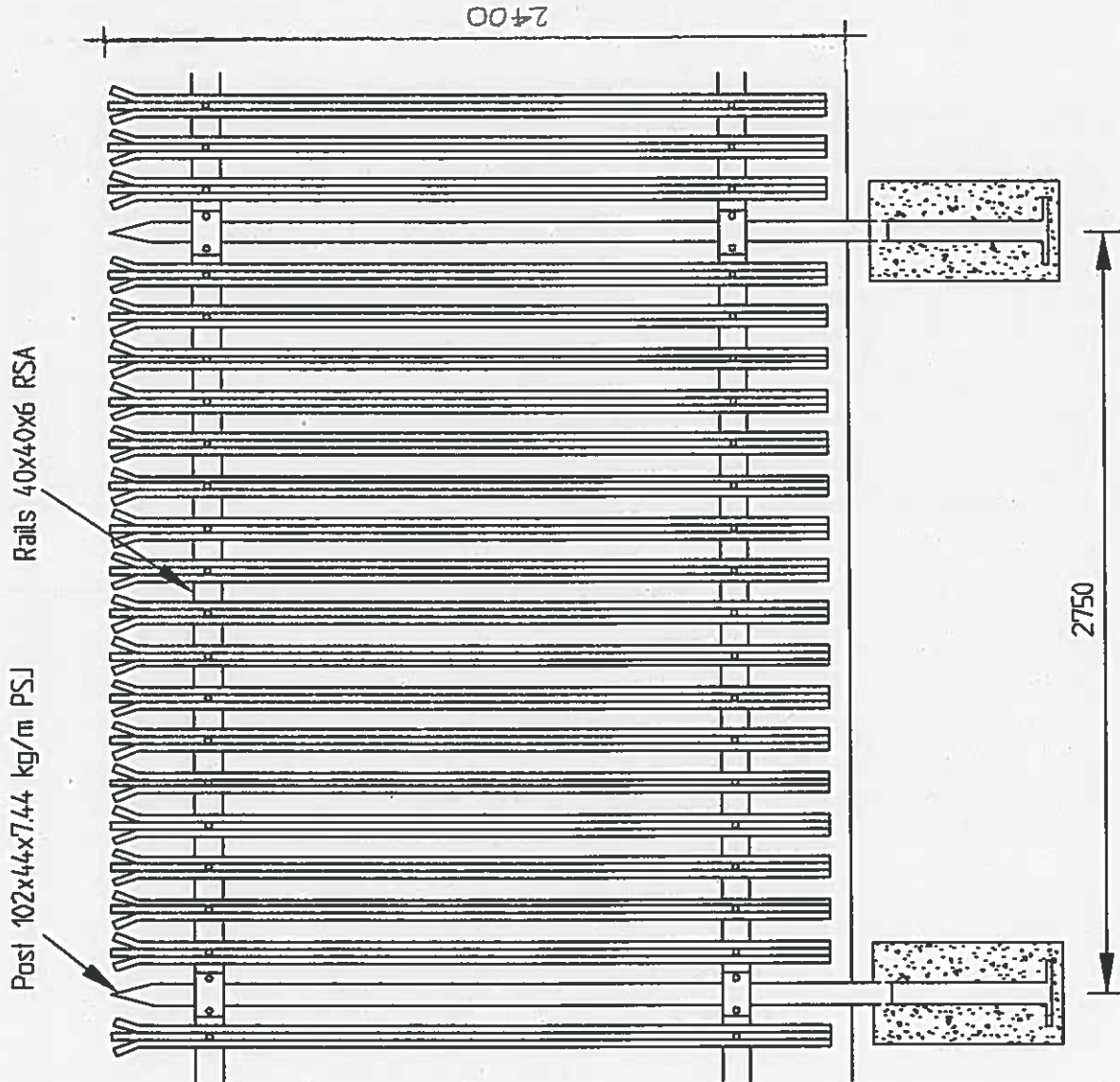
ENVIRONMENT DEPARTMENT

Director Ray Johnson BA MPH MRTPI
Assistant Director (Highways & Engineering) David J T Layer BSc Eng MCE

STEEL PALISADE FENCE TYPE GENERAL PURPOSE 18

SERIES STANDARD DETAIL

Date	NOVEMBER 2004	Drawn by	EL SLEVIN
Scale	NOT TO SCALE	Checked by	EL SLEVIN
		Checked by	CR HAWKES
Drawing Size	A4	CAD no	
Drawing No		Revision	



Steel Palisade Fence - BS Type GP18