

**Planning Applications Report**

**Planning Committee**

**19<sup>th</sup> September 2019**

**Bolton  
Council**

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

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

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

The following abbreviations are used within this report: -

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

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

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

## INDEX

| Ref. No         | Page No            | Ward | Location  |
|-----------------|--------------------|------|---|
| <b>05207/18</b> | <a href="#">4</a>  | CROM | UNITS 40-45 WATERS MEETING BUSINESS PARK, 40 BRITANNIA WAY, BOLTON, BL2 2HH |
| <b>05812/19</b> | <a href="#">42</a> | CROM | 1-11 BARK STREET EAST, BOLTON, BL1 2BQ                                      |
| <b>06451/19</b> | <a href="#">59</a> | SMIT | LAND ADJ. 171 CHURCH ROAD, BOLTON, BL1 6HH                                  |
| <b>06534/19</b> | <a href="#">70</a> | HOBL | BLACKROD CHURCH SCHOOL, VICARAGE ROAD WEST, BLACKROD, BOLTON, BL6 5DE       |
|                 | 77                 |      | PLANNING AND ENFORCEMENT APPEALS STATISTICS                                 |

# Application number 05207/18



Directorate of Place  
Development Management Section

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

# Bolton Council

Reproduction from the Ordnance Survey Map with the permission of the Controller of H.M. Stationery Office. Crown Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2018. 0100019389



**Date of Meeting: 19/09/2019**

**Application Reference: 05207/18**

**Type of Application: Full Planning Application**

**Registration Date: 24/12/2018**

**Decision Due By: 24/03/2019**

**Responsible Officer: Martin Mansell**

**Location: UNITS 40-45 WATERS MEETING BUSINESS PARK, 40  
BRITANNIA WAY, BOLTON, BL2 2HH**

**Proposal: ERECTION OF 5No UNITS (USE CLASS B1/ B2 /B8) TOGETHER  
WITH ASSOCIATED ACCESS ROAD, SERVICE AREAS, CAR  
PARKING AND LANDSCAPING.**

**Ward: Crompton**

**Applicant: B&E Boys (Brother Investments Ltd)**

**Agent : Corstorphine & Wright (Manchester) Ltd**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Executive Summary**

- five industrial units are proposed, each measuring approximately 500 square metres
- the land is allocated for such uses in principle
- a previous outline consent on this site was subject to a Section 106 agreement for the delivery of a link road from Crompton Way to Britannia Way, via the Bellway Homes / Taylor Wimpey site. However, Officers conclude that this road would cause a number of problems in its own right, would not be justified by the development proposed and would have a negligible impact on capacity issues on Crompton Way

### **Proposal**

1. Full planning permission is sought to erect five units for office, light industrial, general industrial or storage and distribution uses on land accessed from Britannia Way via the existing B & E Boys development.
2. The gross internal areas of the units would be:  
  
Unit 40: 468 square metres  
Unit 41: 468 square metres  
Unit 42: 469 square metres  
Unit 43: 562 square metres  
Unit 44: 562 square metres
3. The units would have a ridge height of 9 metres and an eaves height of 6.5 metres above outside ground level. Each would be constructed from similar materials already used within the B & E

Boys development and with a similar appearance, using a mixture of brick and cladding with large roller shutters to the front elevation.

4. The five buildings would occupy approximately 30% of the plot with the remainder being given over to access roads, parking and servicing.
5. This application appears before Committee on the basis that Members previously determined an outline application at this site which was subject, at their request, to a Section 106 agreement requiring the provision of a link road through the development site and through the residential development to the north on to Crompton Way. The application does not propose to do this. This issue is addressed in the "impact on the highway network" section below.

### **Site Characteristics**

6. This roughly rectangular site is located within the existing Waters Meeting employment site, developed over many years by B & E Boys. It is accessed solely from Britannia Way to the south and all roads within the site are private. Immediately to the north is a residential estate, the development of which has largely been completed by Taylor Wimpey and is accessed solely from Crompton Way via Kentfield Drive. Whilst Kentfield Drive is wide and straight, the route through the site becomes more narrow as it progresses, with bends that are typical of a housing layout.
7. Crompton Way forms part of the A58 "ring road" of Bolton and carries a substantial amount of traffic. There are existing capacity issues with its junctions with the A666 Blackburn Road and the A676 Tonge Moor Road.

### **Policy**

#### *The Development Plan*

8. Committee should have regard to the requirements of the development plan as a whole. The following policies are considered to be particularly relevant.
9. Bolton's Core Strategy Development Plan Document (2011) - Strategic Objectives: SO1 - to increase opportunities for walking and cycling, SO5 - to ensure that Bolton takes full economic advantage of its location in the Greater Manchester City Region, SO6 to ensure that transport infrastructure supports all the aspects of the spatial vision, and that new development is in accessible locations and makes the best use of existing infrastructure, SO9 - to reduce crime and the fear of crime, and improve road safety by ensuring that neighbourhoods are attractive and well designed, SO10 - to minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects, SO11 - 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, SO12 - to protect and enhance Bolton's biodiversity, SO13 - to reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream.
10. Bolton's Core Strategy Development Plan Document (2011) - P1 Employment Sites, P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, RA1 Inner Bolton, IPC1 Infrastructure Contributions
11. Bolton's Allocations Plan (2014) - P6AP Mixed Use Development, P7AP Strategic Route Network

#### *Other Material Considerations*

12. Supplementary Planning Documents - Accessibility, Transport and Road Safety (October 2013), Infrastructure and Planning Contributions (July 2016), General Design Principles (June 2015), Sustainable Design and Construction (October 2016)

13. National Planning Policy Framework - building a strong and competitive economy, promoting sustainable transport, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment
14. Relevant National Planning Practice Guidance - air quality, climate change, design effective use of land, flood risk and coastal change, healthy and safe communities, economic land availability assessment, economic needs assessment, land affected by contamination, light pollution, natural environment, noise, renewable and low carbon energy, transport evidence bases in plan making and decision taking, travel plans, transport assessments and statements
15. Consultation closed on the revised draft (January 2019) of the Greater Manchester Spatial Framework which focuses on making the most of Greater Manchester's brownfield land. Only limited weight can be given to this emerging plan; however it is considered to be unlikely that the GMSF will change its focus away from the effective use of brownfield land, protecting the natural environment and promoting job creation.

### **Analysis**

16. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies taken as a whole should be refused unless material considerations justify granting permission. Similarly, proposals which accord with the Development Plan 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 as whole and then take account of other material considerations.
17. The main issues in relation to the proposal are:-
  - impact on the highway network
  - impact on the living conditions enjoyed at nearby residential properties
  - impact on economic development
  - other matters

### **Impact on the Highway Network**

18. Core Strategy Strategic Objective 6 seeks to ensure that transport infrastructure supports all the aspects of the spatial vision and that new development is in accessible locations and makes the best use of existing infrastructure. In addition, Core Strategy Strategic Objective 9 aims to improve road safety by ensuring that neighbourhoods are attractive and well designed.
19. Core Strategy Policies P5 and S1 seek to ensure that new development proposals take account of accessibility of transport prioritising pedestrians, cyclists, public transport users over other motorised vehicle users, design developments to be accessible by public transport, servicing arrangements, sufficient parking, transport needs of people with disabilities. Major trip generating developments would need to be supported by a Transport Assessment. Core Strategy policy S1 seeks to ensure that the Council and its partners will promote road safety in the design of new development and also target expenditure on road safety to locations with the worst safety record.
20. Appendix 3 of the Core Strategy provides car, cycle, motorcycle and disabled parking standards for a range of new development proposals. In addition, guidance contained within the Accessibility, Transport and Safety SPD covers a range of highways related matters including

provision of facilities for people with disabilities, provision for pedestrians, cyclists, public transport and car parking. In addition, the SPD provides guidance on highway design, Transport Assessments/Statements, Travel Plans, Infrastructure provision and the means for securing such provision.

21. Chapter 9 of the NPPF (Feb 2019) relates to the promotion of sustainable transport. Paragraph 102 stresses the importance of development proposals addressing transportation issues at an early stage in a development in order to identify the potential impacts of a proposal and look at opportunities to reduce them together with promoting more sustainable methods of transport. Para 103 states that the planning system should actively manage patterns of growth in support of these objectives, focusing on locations that will limit the need to travel offering a genuine choice of travel modes, with the overall aim being to reduce congestion and emissions. Para 105 states that planning policies should support an appropriate mix of uses across an area, and within larger scale sites, minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.
22. Officers consider that whilst Core Strategy policies P5 and S1 were adopted prior to publication of the NPPF, they are consistent with the NPPF and can be given significant weight.
23. It is appropriate to consider two separate issues here - the impact of the development itself and the impact on the Council's aspirations to deal with capacity issues in the Crompton Way / Blackburn Road area.

#### *The Highway Impact of the Development Itself*

24. The Council's Highway Engineers advise that they have no reasonable objections on highway grounds to the principle of the development. They note that part of this site has already received consent for the use classes indicated under previous application 91080/13. The access road from Britannia Way is classed as private and thus falls outside of the remit of the Highways Authority. They do note that the number of parking spaces proposed falls slightly below the Council's maximum parking standards if the units were to be occupied as offices, however, according to the transport statement the site is reasonably accessible to sustainable transport provision and this would provide an element of justification to a relaxation of these parking standards. The transport statement indicates that the proposal would generate negligible traffic onto the network in comparison to the existing baseline traffic flow scenario. The applicant has provided swept-path analysis for the maximum size of HGV service vehicle that will visit the site which demonstrates accessibility/manoeuvrability into the areas indicated for the servicing of the premises.
25. In summary, the highway impact of the development itself would be acceptable.
26. Subject to a condition that the 50 parking spaces and cycle / motorcycle provision is provided and retained, the development is considered comply with policies P5 and S1 of Bolton's Core Strategy and the Accessibility, Transport and Road Safety SPD.

#### *Impact on Existing Capacity Issues in the Crompton Way / Blackburn Road Area*

27. It is understood that the Council has long sought to address capacity issues in the north of Bolton; however, options to improve the situation are limited by the constraints of existing development and the limited availability of land to deliver this.
28. This site and the residential site to the north were both considered by Planning Committee in November 2014. The two relevant decisions were:-

91080/13 - outline consent for commercial development on land to the east of the existing B & E Boys industrial / commercial site

91081/13 - full planning permission for the development of 308 dwellings on the former Sandusky Walmsley site

29. Both of the decisions were subject to a Section 106 agreement that related to the planning contributions required by the residential development, but also to deliver a "spine road" of an adoptable standard that linked Crompton Way and Britannia Way through both the industrial site and the Bellway Homes / Taylor Wimpey residential development to the north. This agreement was signed by Bellway Homes and Taylor Wimpey and also by Brother Developments Ltd (B & E Boys). The residential development has been carried out in a way that does physically permit this to happen - subject to some land ownership and engineering constraints.

30. The outline consent for commercial development has since expired unimplemented; however, advice from the Council's Legal Services Officers is that all signatories remain bound by the requirements of the Section 106 Agreement as the agreement was constructed in such a way as to be "triggered" by the commencement of any part of either of the two developments - the residential development or the commercial development. Whilst the outline consent for the commercial development has expired; the Section 106 agreement has legal force and binds all signatory parties due to the commencement of the residential element of the development subject to the agreement.

31. However, the proposal currently before Members does not propose to construct a link road and whilst it would not entirely prevent the delivery of such a road in future, it would make it more challenging by further constraining the site and requiring more land outside the control of either the Council or the Applicant. The Applicant has provided a technical note, setting out their reasons why they do not now wish to deliver the link road - this is appended to the Officer's report, but can be summarised as arguing that:-

- the development of these five units would not generate sufficient vehicle movements to justify the delivery of a link road - this current proposal mitigates its own impacts and should be considered on its merits
- the points of access at to the north and south are not in the Applicant's ownership and would likely cause a "ransom strip" situation
- there is a significant change in levels between the application site and Britannia Way - this would necessitate a challenging engineering solution that the return on the commercial development cannot sustain
- commercial traffic from the wider B & E Boys site and from the Britannia Way / Waters Meeting / Union Road area would be able to use the adopted highway and would have to travel through the constrained layout of the residential site in order to access Crompton Way
- the whole B & E Boys site is currently entirely private and secure - the link road would make the development entirely public and insecure
- the benefits of the link road would, in reality, be negligible and would not deliver anywhere near the benefits that could possibly outweigh its disadvantages in terms of costs and removing the existing separation between the industrial site and the residential site. The link road equates to a reduction in distance of approximately half a mile in comparison to using the existing network or around 1 minute if expressed in the form of a time saving
- this is not a protected route or alignment in any up-to-date plan

32. The Council has asked that the data provided in support of the sixth point above (the likely benefits of a link road) be independently assessed by AECOM. At the time of writing, the initial view is that have some points about the evidence put forward but overall they agree -

connecting the residential to Britannia Way would have little network performance benefit, though if a larger strategic link to Bromley Cross or higher up Blackburn Road could be delivered at some point then the findings may be different. That said, in this context there would be a substandard section of link road via the residential estate due to the substandard road width and chicane. In any case, such a route does not exist in any up to date plan and could therefore be given very little or no weight. They do, however, suggest that the Council considers whether any additional contribution towards improvements at the Crompton Way/Blackburn Road Junction or the Crompton Way/Tonge Moor Road Junction could be justified by the proposal.

33. Any progress on this will be reported at the meeting. Officers note that the 2014 Section 106 agreement required the commercial development to contribute £6,300 towards improvements to the Eagley Brook Way / Watersmeeting Road junction but did not seek any contributions to improvements to either of the Crompton Way junctions - most likely to the fact use of these junctions by visitors to the industrial site is likely to be limited.
34. Officers take the view that the delivery of the link road cannot be justified by the scale of the development, is not supported by any current planning policies or protected routes and would cause problems in terms of increasing the inter-accessibility between the existing residential and industrial sites that would not be outweighed by the negligible benefits to the wider higher network.

#### Impact on the Living Conditions Enjoyed at Nearby Residential Properties

35. 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. It also seeks to ensure that development does not generate unacceptable nuisance by way of odours, fumes, noise or light pollution
36. Policy P6AP of the Allocation Plan relates to a number of specific mixed use development sites across the Borough, one of which the application site forms a small part. This site was referred to at the time as "Crompton Way / Bolton Point" and the allocation is made up of the undeveloped eastern portion of the B & E Boys site together with what was at the time the undeveloped area that is now the Taylor Wimpey residential development. It seeks the comprehensive development of this site for a mix of residential and commercial use but requires particular attention to be paid to ensuring that neighbouring uses should be compatible.
37. Paragraph 72 of the NPPF states that planning policies and decisions should create places which promote health and well-being, with a high standard of amenity for existing and future users. Paragraph 117 states that planning policies and decisions should promote an effective use of land whilst ensuring safe and healthy living conditions.
38. Officers consider that Core Strategy policy CG4 and Allocation Plan Policy P6AP are consistent with the NPPF and have significant weight in the determination of this application as has the NPPF guidance itself.
39. The application proposes five units which could be used for offices, light industrial, general industrial or for storage and distribution. In practice, the internal layout does suggest that general industrial will be the most likely use. That said, at around 500 square metres each, none of the units are particularly large and cumulatively they amount to 2,500 square metres of new industrial development in an area characterised by such uses, generally on a much larger scale.
40. The five units have been designed in such a way that they would not present the main frontage roller shutter elevation to the residential properties to the north. They present a blank "two

storey" side elevation to these properties and would be located approximately 47 metres away from the main rear elevation of the closest house - this is due to the provision of an access road across the site, a small landscaped buffer and the reasonably generous rear gardens of the new dwellings. It is also noted that the boundary treatment consists of a 2 metre high close boarded fence. Consultation letters were posted to all 35 residential properties sharing a boundary with the application site and a site notice was displayed on the corner of Textile Way and Kentfield Drive - no responses have been received.

41. That said, any relationship between residential and Class B2 industrial use needs to be carefully managed and Policy P6AP of the Allocation Plans requires particular attention to be paid to ensuring that neighbouring uses should be compatible. The access road runs along the northern perimeter of the site and all the parking, servicing, loading and unloading areas are open. No details of any acoustic construction has been provided.
42. For the above reasons, Officers are recommending that a condition be imposed to prevent use of the units after 11pm or before 8am. In making this recommendation, Officers make a distinction between the rest of the B & E Boys site - which has a more open industrial allocation - and the application site, which forms part of a Mixed Use Development allocation that requires neighbouring uses to be compatible. It is accepted that this may possibly place some limitations on the developer in terms of marketing the units; however, it would be open to them to seek to relax this condition in future if it can be demonstrated that the industrial and residential uses would in fact be compatible.
43. In summary, whilst the interface between residential and industrial uses can often be a challenging one, the relationship is considered to be acceptable in this instance if the hours of operation are limited by a condition.

#### Impact on Economic Development

44. The National Planning Policy Framework states at paragraph 8 that achieving sustainable development means that the planning system has three overarching objectives, one of which is an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. Paragraphs 80 to 82 relate specifically to building a strong competitive economy and state that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
45. The Council has adopted the Sustainable Community Strategy which identifies two main aims - to narrow the gap between the most and the least well off and to ensure economic prosperity. The Core Strategy is consistent with this, seeking a prosperous Bolton by making sure that jobs are provided in accessible locations in a range of different sectors.
46. Policy RA1 relates specifically to Inner Bolton and states that the Council will continue to focus jobs in modern employment areas in The Valley, locate new employment-related development on undeveloped sites in the Valley and surrounding area, regenerate mills and other older industrial premises in the area with a mixture of new build and refurbishment for primarily employment uses, with supporting residential and mixed uses.
47. The Council's Economic Development Officers have been consulted and respond as follows

"Waters Meeting Development Site is a key employment area within the borough - the developers B & E Boys have been working closely with Business Bolton Economic Development services for many years to bring this development to fruition, the site is very well occupied and has had positive and prosperous economic benefits on Bolton. The site is ideally located for small to medium businesses to develop and grow, due to its connectivity, flexibility and affordable tenancy arrangements. Bolton is limited in good employment sites within the Borough, the expansion of Waters Meeting will help towards this, it will work for existing Bolton businesses who are looking to expand and grow or existing businesses from out of town who would be looking to relocate to Bolton.

This application will create local employment benefits throughout the relevant stages of the development:

Construction: Developer / Contractor - in terms of supply chain

Fit Out: Developer/ Occupier - in terms of supply chain

Operational: Occupier - in terms of recruitment"

48. For the reasons given above, it is considered that the development of 5 units measuring 500 square metres for a mix of office, light industrial, general industrial or storage and distribution would have a significant and positive impact on economic development within Bolton.

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

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

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

- conserve and enhance local distinctiveness ensuring development has regard to the overall built character and landscape quality of the area
- compatibility with surrounding area – scale, massing, grain, form, architecture, local materials and landscape treatment
- maintain and respect the landscape character of the surrounding countryside and its distinctiveness, being compatible with the nearby landscape character

51. 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; ensure that development has particular regard to massing and materials used, due to the predominance of red brick, slate-roofed, two-storied terraced housing; respect and strengthen the traditional grid-iron pattern and the street-scaping of existing housing and mills where it is compatible with good urban design; make efficient use of land in inner Bolton due to existing higher levels of development density, requiring development to provide adequate privacy and amenity space and conform to the overall spatial approach; 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.

52. Officers consider that Core Strategy policies CG3 and RA1 are consistent with the NPPF and can be given substantial weight in the consideration of design matters.

53. It is considered that the site can accommodate these five units without harming its character. The materials and design proposed are entirely consistent with the wider Waters Meeting site

and will be easily assimilated. Whilst the unit will be clearly visible from Britannia Way to the south, they will be viewed in the context of this existing industrial area. Views from the residential estate to the north will be limited by the residential development itself. Views will be clear and direct from the southernmost residential properties; however, these are 47 metres away.

54. The impact on the character and appearance of the area is considered to be acceptable.

#### Other Matters

##### *Biodiversity and Trees*

55. There are no trees on the application site. New planting is proposed as part of a landscaping scheme.

##### *Air Quality*

56. The application is not supported by any information relating to air quality. However, it is not considered that air quality is not likely to be such an issue that planning permission should be withheld on this point - employment traffic is of course a major source of poor air quality; however, its effects fall significantly relative to distance from major roads and any impact of the 50 additional cars would be outweighed by the benefits to economic development.

##### *Odour*

57. Policy CG4 seeks to ensure that new development does not generate unacceptable nuisance by way of odours. Officers are satisfied that the development itself will not generate nuisance by way of odours, given that the closest residential properties are 47 metres away.

##### *Surface Water Drainage and Flood Risk*

58. The site does not lie within a flood risk area. A drainage strategy has been proposed - it is accepted that in this instance the more sustainable methods of surface drainage (infiltration, nearby watercourse etc) are not viable. It is proposed that the surface water from the site would be drained via the nearby combined sewers. Whilst this is the least sustainable option, the site is relatively small site and flows would be attenuated to an acceptable amount by geocellular storage.

##### *Sustainable Construction and Energy Management*

59. A Sustainability Statement has been submitted and suggests that the proposal will deliver the following benefits to sustainable development:-

- construction method that is highly adaptable and designed for easy future disassembly at the end of its life span or re-cladding to maximise life span
- responsible sourcing to include third party certification such as FSC or PEFC Timber, CARES Structural Steel, Concrete Eco-Reinforcement Steel and BES 6001
- local sources of recycled and secondary aggregates
- site Waste Management Plan following the waste hierarchy
- energy Strategy following the energy hierarchy
- energy efficient design
- solar PV renewable energy generation to reduce CO2 emissions by 10%
- availability of superfast broadband
- low flood risk
- drainage designed with 30% allowance factor for climate change
- drainage designed following SuDs principles and including attenuation to ensure flow rate is no more than the greenfield run-off rate
- planting of 33 new trees and approximately 90 meters of native hedgerow

- public transport links
- cycle storage for 10 cycles

60. A condition will be imposed, requiring further details of these provisions.

*Crime Reduction*

61. The application is accompanied by a Crime Prevention Plan carried out by the architect / agent. However, GM Police consider that the submitted information falls short of the minimum standards that are set for a Crime Impact Statement - the report should also be completed by a suitably qualified security assessor.

62. In this instance, given that the B & E Boys site is fully enclosed and secure, it is considered that the requirement for a GM Police Secured By Design Crime Impact Statement should be waived.

*Land Stability, Ground Conditions and Coal Mining*

63. There is no reason to suspect that this land is unstable. A Phase 1 Contaminated Land Survey has been provided and Officers are satisfied that the site can be appropriately remediated in order to accommodate the proposed residential use.

64. The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority information indicates that the site (southern part only) is likely to have been subject to historic unrecorded underground coal mining at shallow depth which could be attributed to the thick coal seam which outcrops within the southern part of the site. The planning application is accompanied by a Preliminary Risk Assessment prepared for the proposed development by BEK Enviro Limited (BEK-18479-1 dated December 2018) which has been informed by an appropriate range of sources of information.

65. The Coal Authority concurs with the recommendations of the Preliminary Risk Assessment - based on the professional opinion of BEK Enviro Limited that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. In order to ensure that sufficient information is provided by the applicant to demonstrate to the Council that the site is, or can be made, safe and stable for the development Officers are recommending that a condition be imposed requiring further information on this issue.

**Conclusion**

66. The proposal would deliver 5 units for office, light industrial, general industrial or storage and distribution, each measuring 500 square metres and this would have a significant and positive impact on economic development within Bolton. The impact on the appearance of the area and on the residential estate to the north is considered to be acceptable. The development mitigates its own highway impacts and whilst it would not contribute to the delivery of any aspiration for improving the capacity of the Crompton Way junctions, it is not considered that this can be justified by the development itself.

## Representation and Consultation Annex

### Representations

None

### Consultations

Advice was sought from the following consultees: Right Of Way Amenity Societies, Drainage and Technical Support, Highways Engineers, Greenspace Management (Wildlife Liaison officer), Landscape Architect, Environmental Health officers, United Utilities, Economic Development, Coal Authority, Landscape, GM Police, National Grid

### Planning History

Outline planning permission was granted by Planning Committee in 2014 for a commercial development (91080/13), subject to a Section 106 agreement for the delivery of a link road between Crompton Way and Britannia Way. However, it is clear that this consent was not implemented.

**Recommendation: Approve subject to conditions**

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

### 1. **Commencement**

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. **Coal Mining Legacy**

Prior to the commencement of development, a scheme of intrusive site investigations as recommended in the Preliminary Risk Assessment (BEK-18479-1 dated December 2018) shall be undertaken, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity and a report of findings arising from the intrusive site investigations and any remedial works and/or mitigation measures considered necessary shall be submitted to and approved by the Local Planning Authority. Such remedial works and/or mitigation measures as are approved shall be implemented in full prior to the commencement of any above ground works.

#### **Reason**

In order to ensure the safety and stability of the development in relation to the legacy of former coal mining activities as recommended in the Preliminary Risk Assessment (BEK-18479-1 dated December 2018) and in accordance with paragraphs 178 and 179 of the National Planning Policy Framework and Policy CG4 of Bolton's Core Strategy.

#### **Reason For Pre-commencement Condition**

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework and Policy CG4 of Bolton's Core Strategy.

### 3. **Land Contamination**

Prior to commencement of development a site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority, to assess the nature and extent of any contamination on the site and in accordance with the recommendations of Section 7 of the Preliminary Risk Assessment (BEK-18479-1 dated December 2018). The investigation and risk assessment must be undertaken in accordance with Model Procedures for the Management of Land Contamination (CLR 11) and a written report of the findings must be produced. The written report shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property or the environment;
- (iii) an appraisal of remedial options and proposal for a preferred option. This should include details of testing methodology for any soil or soil forming materials to be brought onto site.

Prior to first use/occupation of the development hereby approved:

(iv) A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

**Reason**

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

**Reason for Pre-commencement Condition**

The submitted Preliminary Risk Assessment (BEK-18479-1) recommends that further investigative work be carried out to establish the potential risks from contamination. It would not be possible to carry out these tests or remediate the land once development had substantially commenced.

**4. Landscape Scheme to be Submitted**

Trees and shrubs shall be planted on the site in accordance with a landscape scheme to be submitted and approved in writing by the Local Planning Authority prior to the development being first brought into use. The scheme shall be based on the submitted landscaping scheme and specification but shall also take account of the comments of the Council's Landscape Architects (scanned to the file on 14th May 2019) The approved scheme shall be implemented in full and carried out within 6 months of the occupation of any of the buildings or the completion of the development, whichever is the sooner, or in accordance with phasing details included as part of the scheme and subsequently approved by the Local Planning Authority. Any trees and shrubs that die or are removed within five years of planting shall be replaced in the next available planting season with others of similar size and species.

**Reason**

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

**5. Sustainable Development and Crime Reduction**

No unit shall be occupied unless and until the following details have been submitted and approved by the Local Planning Authority:-

- evidence that the security measures contained within para 5.07 of the submitted Crime Prevention Plan have been implemented in full
- evidence that the sustainable development measures contained listed in the bullet points of the Executive Summary of the submitted Sustainability Statement by B & R Consulting Engineers have been implemented in full

Such measures as are implemented shall be retained in full thereafter.

**Reason**

In the interests of sustainable development in accordance with Policies CG1 and CG2 of Bolton's Core Strategy and in the interests of crime reduction in accordance with Policies SO9, S1 and CG4 of Bolton's Core Strategy.

6. **Surface Water Drainage**

No building hereby permitted shall be occupied until the drainage scheme for the site has been completed fully in accordance with the details shown within the Drainage Strategy 18320 C-50. The drainage scheme shall be retained thereafter.

**Reason**

To ensure the site provides satisfactory means of surface water drainage in accordance with Policy CG2 of Bolton's Core Strategy.

7. **Car Parking Spaces to be Provided**

Before the approved development is first brought into use no less than 50 car parking spaces shall be marked out and provided within the curtilage of the site in accordance with approved plan 18250 P102. 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

8. **Materials to Match**

The external surfaces of the buildings hereby permitted shall be of a similar colour, texture and size of those of the existing buildings at the existing B & E Boys Waters Meeting development and shall be retained thereafter.

**Reason**

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

9. **Hours of Use**

The units and their parking and servicing areas shall be not used or occupied in any way, other than during the following periods:-

0800 to 2300 Mondays – Saturdays

1000 to 2000 Sundays

**Reason**

To safeguard the living conditions of residents and the amenity and character of the area with regard to noise and/or disturbance and in order to comply with Bolton's Core Strategy policies CG3, CG4 and Policy P6AP of the Allocations Plan. It is important to note that whilst the developed areas of the B & E Boys site are subject to P1 of Bolton's Core Strategy, the application site lies within the P6AP Mixed Use Development allocation which requires neighbouring uses to be compatible. Should evidence be provided in future that the established uses are indeed operating in a compatible way, the Council may consider relaxing this condition via an application.

10. **Lighting Limit**

Notwithstanding any submitted plans, no external lighting or floodlighting shall be installed that would result in an illumination value of more than 5 LUX at the nearest residential property.

**Reason**

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

11. **Approved Plans**

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

Proposed Site Plan 18250 P102  
Drainage Strategy 18320 C-50  
Proposed Plans and Elevations Proposed Site Plan 18250 PP103

**Reason**

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

# TECHNICAL NOTE



|          |  |           |           |
|----------|--|-----------|-----------|
| from:    | ALAN DAVIES  | date:     | 8/8/2019  |
| subject: | <b>05207/18 - ERECTION OF 5No UNITS (USE CLASS B1/ B2 /B8) TOGETHER WITH ASSOCIATED ACCESS ROAD, SERVICE AREAS, CAR PARKING AND LANDSCAPING.</b><br><br><b>UNITS 40-45 WATERS MEETING BUSINESS PARK, 40 BRITANNIA WAY, BOLTON, BL2 2HH</b> | file ref: | J1021-TN1 |

## INTRODUCTION

A detailed planning application in support of new industrial units has been submitted supported by a TA there followed a series of post application discussions.

The impact of the units is acknowledged as deminimus and supportable with the only outstanding issue of a delivery of a new section of road connecting the residential development to the north to Watersmeeting

This Technical Note sets out the response to the request and in addition a review of the wider traffic flows and growth in the area to understand what if any justification there is for such a link road.

## BACKGROUND

The planning history of the site indicates that outline planning applications for residential and commercial development (Ref. Nos.: 91080/130 and 91081/13 respectively), covering a wider, site were granted permission, subject to a single s106 agreement, on 27 November 2014.

Each of the applications was supported by standalone Transport Assessments and agreed mitigation as part of the post submission process.

The officer report for the residential part set out a wish for the link road, quotes below:

*discussions were held, with Highways Engineers and the applicant, about the Council's desire to have a new highway through the site: a local distributor route, which would take pressure off the congested strategic road network at Blackburn Road and Tonge Moor Road*

*The applicant did not take these comments on board and designed a cul-de-sac arrangement with the site served solely off Sandleigh Drive. Highways continued to pursue the provision to protect the line with support from the Executive Cabinet Member*

*there are clear risks to achieving the regeneration of the site in a timely manner, **and of being able to support a requirement for the distributor route through the planning appeal process.***

*Highways has agreed not to pursue the provision of a protected line through the site as part of the planning application, although they remain concerned that this will result in the loss of one potential solution to ease congestion on the heavily congested Blackburn Road and Tonge Moor Road corridors. Not only will this development put more pressure on over capacity junctions but will have the potential to limit any future development in the area with no realistic alternative opportunities to tackle local congestion on the strategic network north of the town centre*

The industrial application was presented to committee at the same meeting and **no reference was made to the need for a link road.** It was deferred for a site visit and then approved at the 31<sup>st</sup> July 2014 meeting.

In both cases a Transport Assessment was submitted with the application, this has been assessed by the Council's Highway Engineers and also independently by Transport for Greater Manchester (TfGM).

For the employment site –

*The Council's Highway Engineers have identified the requirement for off site highway improvements to mitigate for the increase in traffic from the proposed development at the junction of Eagley Way and Waters Meeting Road. A sum of £6,300 is required as a contribution to these junction improvements; this will be secured via a S.106 Agreement.*

For the residential site – Despite the statement about wider congestion and the need to create a link road and agreed contribution was set out.

*Whilst agreement on the approach to the transport assessment has not been reached, the applicant has proposed to contribute £40,000 for MOVA at the Tonge Moor Road/Crompton Way Junction and a contribution of £14,000 towards a scheme at the Blackburn Road/Crompton Way junction. In addition, the applicant has agreed to pay £16,000 for a traffic calming scheme on Sandleigh Drive.*

## BACK GROUND SUMMARY

In both cases the highways view was that the **proposal complies with policy on highway grounds and mitigates its own impacts.**

The committee report sets out the risk that the council could not justify the demand for a link road at an appeal.

## SETTING FOR THE LINK ROAD AND INFRASTRUCTURE REVIEW CHANGES.

A detailed review of the councils policy statements has provided no reference or support for a link road or the rational as to why needed.

The local plan testing set out junction improvements and no suggestion of the link road even though it was 1 year before the applications were made and the suggested congestion was known but no mitigation set out i.e. not of a scale where funding would be needed.

The 2013 infrastructure contribution report sets of Blackburn road needs improvement but focussed on improved junction's etc page 19 4<sup>th</sup> item down shown below.

| Cost        | Available / anticipated | Additional funding requirement | S106 | CIL | Other | Notes on funding and delivery   |
|-------------|-------------------------|--------------------------------|------|-----|-------|---|
| £15,000,000 | £0                      | £15,000,000                    |      | X   |       | LDF Transport Modelling work identified that a series of traffic signalled and priority junctions along the A666 Blackburn Road will be significantly over capacity by 2026. Improvements to this corridor will be needed to alleviate congestion and support the delivery of the Core Strategy, however solutions have yet to be identified. |

The schemes have contributed to this requirement, thus we have met the need set out.

## SETTING FOR THE LINK ROAD AND INFRASTRUCTURE REVIEW CHANGES SUMMARY.

There is policy setting for the link road, the councils own strategic transport review did not include the need for a link road to resolve congestion issues.

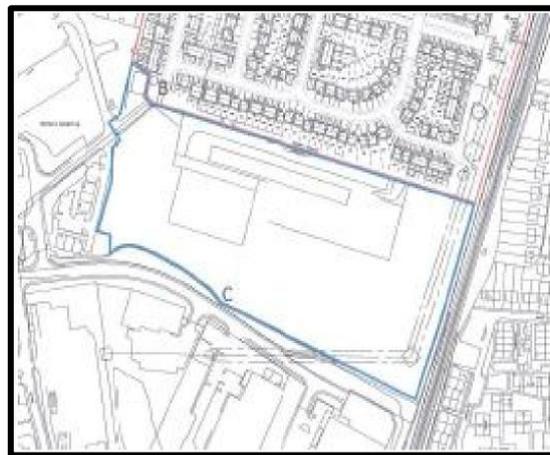
Limited changes were set out for the Blackburn Road corridor and the approved schemes have contributed to this.

The site has met its policy requirement. There is no justification for a link road.

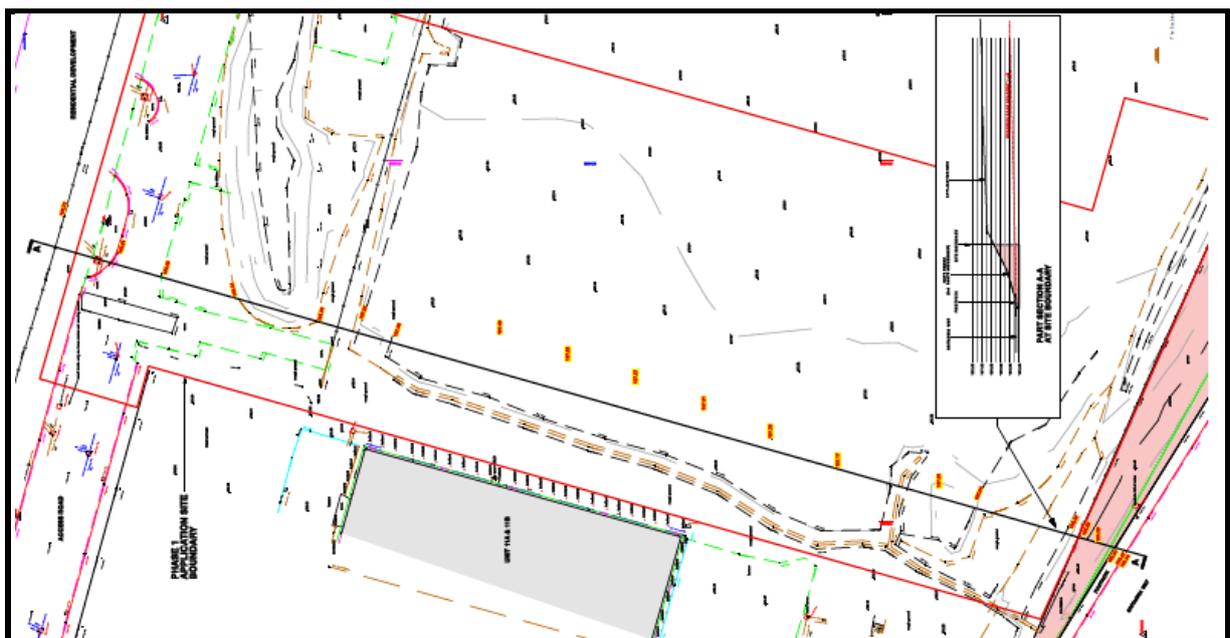
## CONSTRAINTS ON PROVIDING A LINK ROAD

Even though the above clearly shows no support for a link road without prejudice on the views set out a review has been undertaken on delivering a link road.

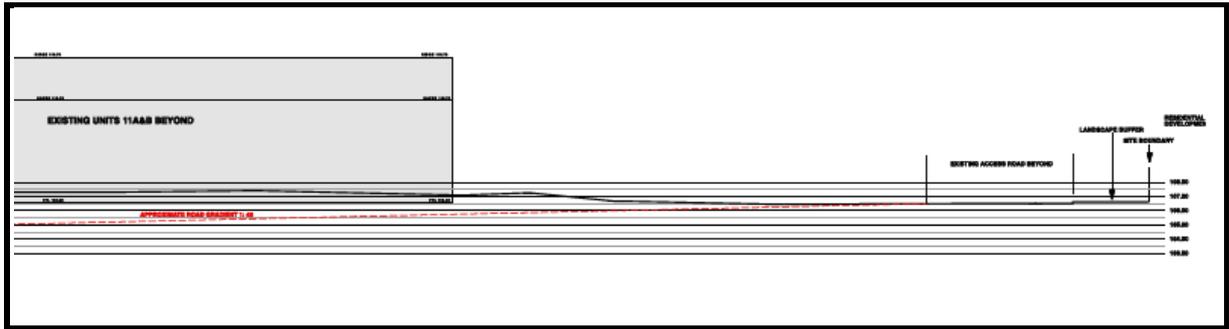
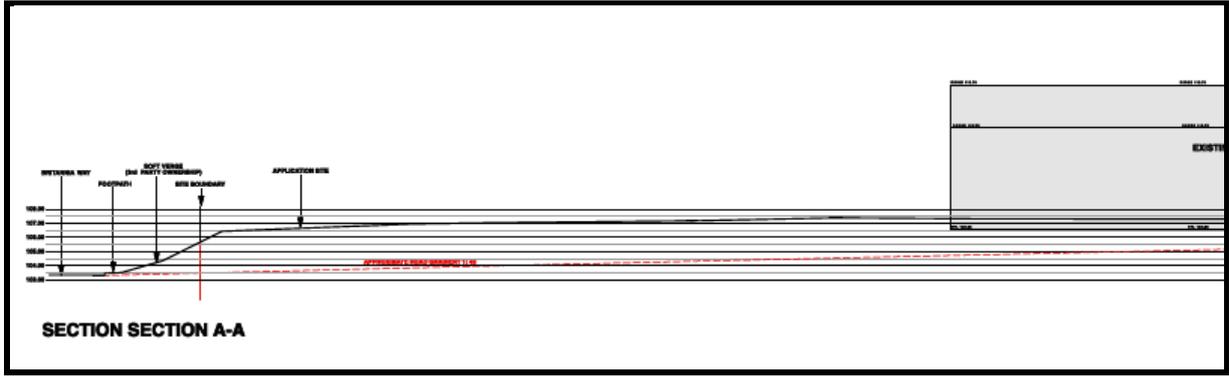
The points of access, at points B and C, are not under the control of the applicant, creating a ransom-strip situation,



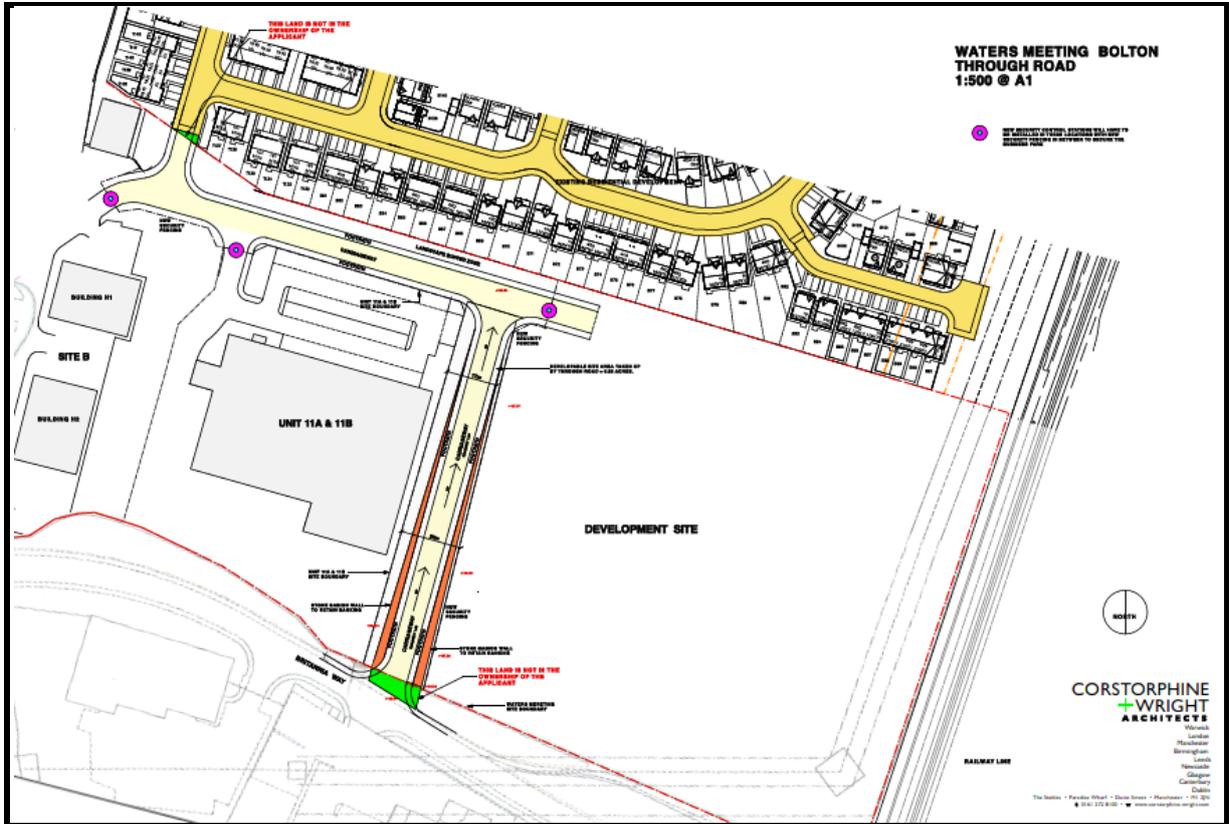
There is a significant change in levels between Britannia Way and the application site,



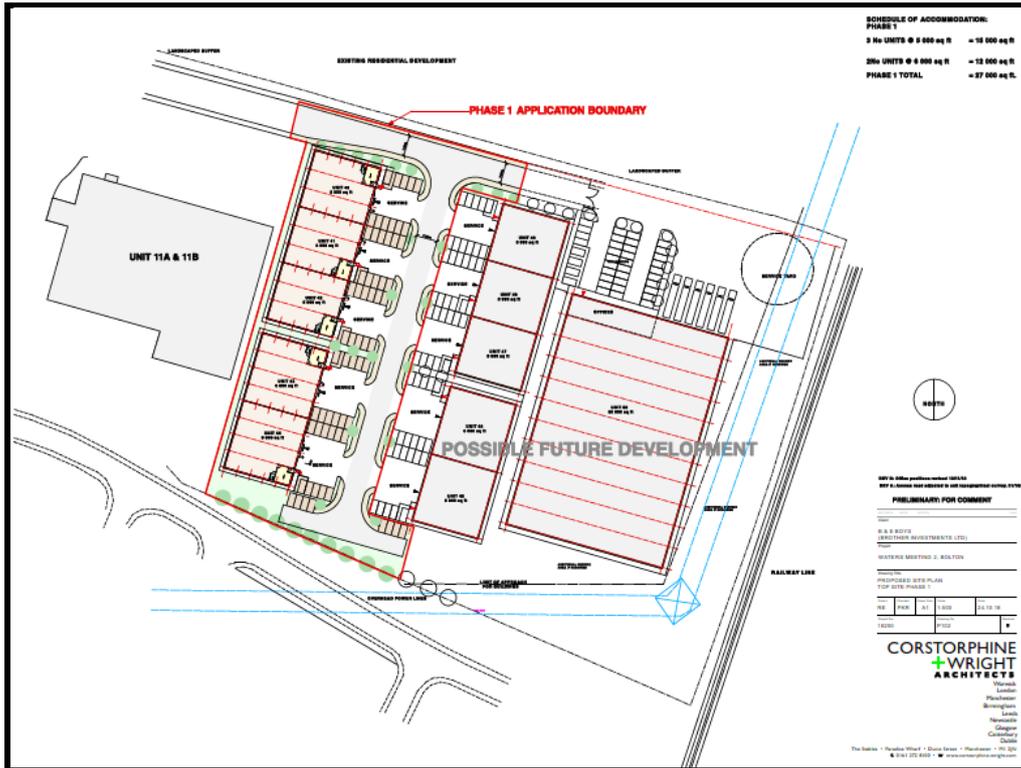
The long section is to the east of the existing unit 11 and shown overleaf.



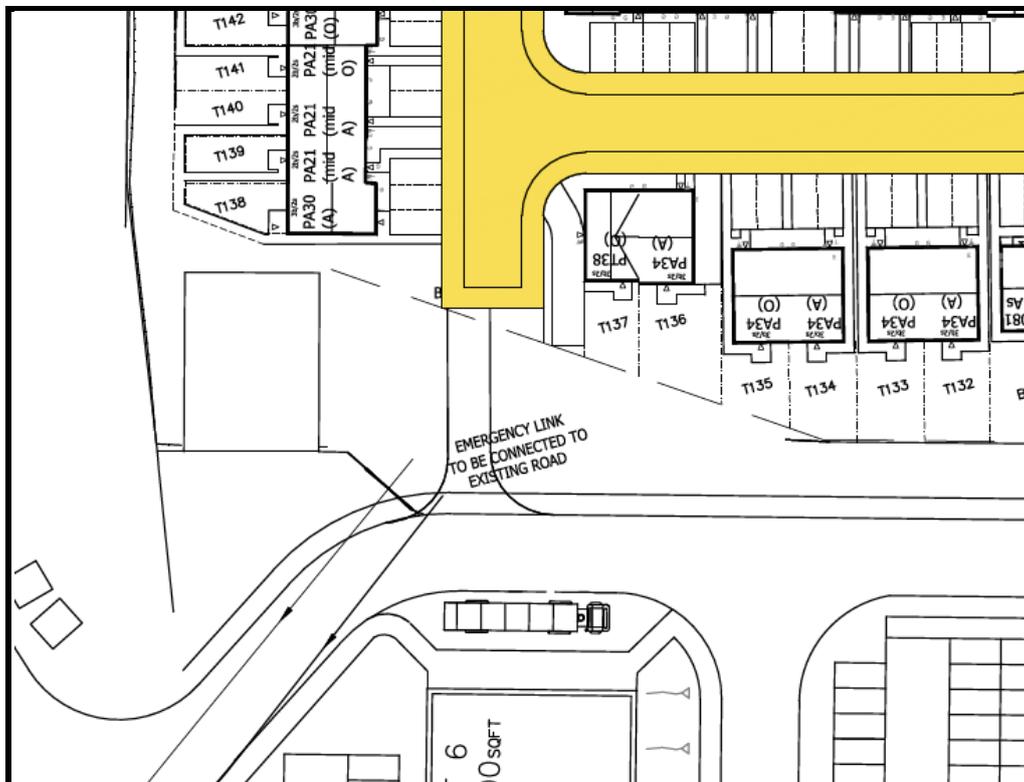
The consequence of this is that the road would require steep slopes in the cutting removing developable space or a structure that would cost significant amounts of money not previously envisaged.



It would also require a full redesign of the submitted application shown overleaf.



Subsequent to the grant of OPP, the residential site has been designed as a single access site and approved as such by the Council. As a result, the requested through route at point B now has direct access from existing residential driveways and this part of the residential site has not been designed to accommodate a link road.



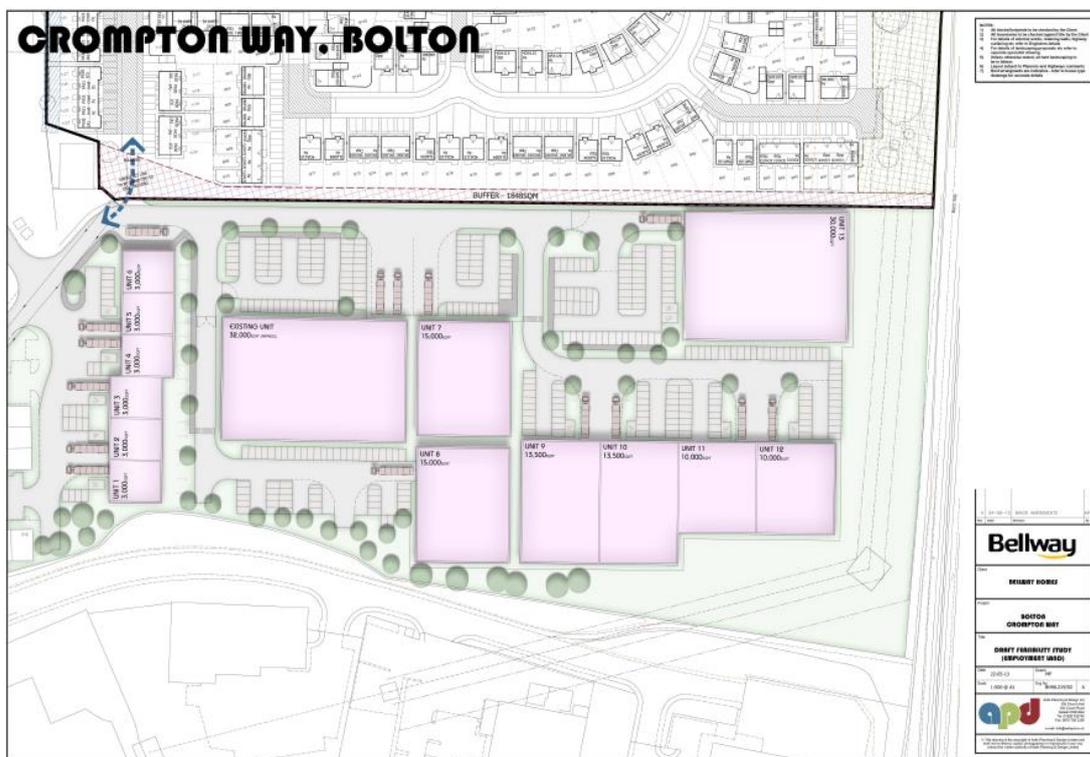
Creating a link now may compromise the safety of existing residents, as proposed both commercial traffic with HGV's and cars etc would be driving along the estate road with direct

drive access. Residential estate roads are not design for higher levels of hgv movements. The road width is 5.5m in width – commercial uses require 6.75m in width, there is a kink and an s bend for traffic calming that mean larger vehicles will cross the centre line on a regular basis etc.

In reverse the car borne traffic would be expected to drive through and industrialized area with localized increases in HGV movements, in addition opening a road link would also encourage non car users to walk/cycle through the area in each direction increasing the potential for conflict with no additional mitigation set out or considered required.

Access to the Waters Meeting employment area is via a secure, gated access. Such security is a pre-requisite for tenants and cannot be compromised. As such, the link, even if it were capable of being put in place, would lead from a residential development, through a secure gated employment area, to a gate, the operation of which users of the link would have no control over.

The approved plans are inconsistent and show the link heading west and the layout prevents a route to Britannia Road via the site.



**The s106 sets out the location for the link road but the application it attached to actually prevents the route been delivered.**

### **CONSTRAINTS ON PROVIDING A LINK ROAD SUMMARY**

The route has third party land issues, significant level differences that would require a new application to be made to deliver the road and development, security issues with existing industrial users, safety issues of the new residents and the creation of potential conflicts between residents and industrial movements, industrial movements with car and non car movements.

### **GMSF/GMTS/LTP 3**

There are a number of documents and policies contained in the emerging plan that even if it is not finally adopted will still form part of the local polices for each authority. These are seeking to reduced car uses and the impacts on the wider network.

- Autonomous vehicles.
- Economics of shared car use to shift away from individual car ownership
- Smart ticketing
- Enhanced and improved bus services
- Web based shopping and deliveries

The key infrastructure changes are the rail improvements and QBT between Wigan/Bolton/Bury etc.

The A666 Blackburn Road route is part of the SRN but no specific schemes set out.

### GMSF/GMTS/LTP 3 SUMMARY

The existing and emerging policy is to support reduced car use for individuals, alter trip types and focus on key corridors for investment in non car modes.

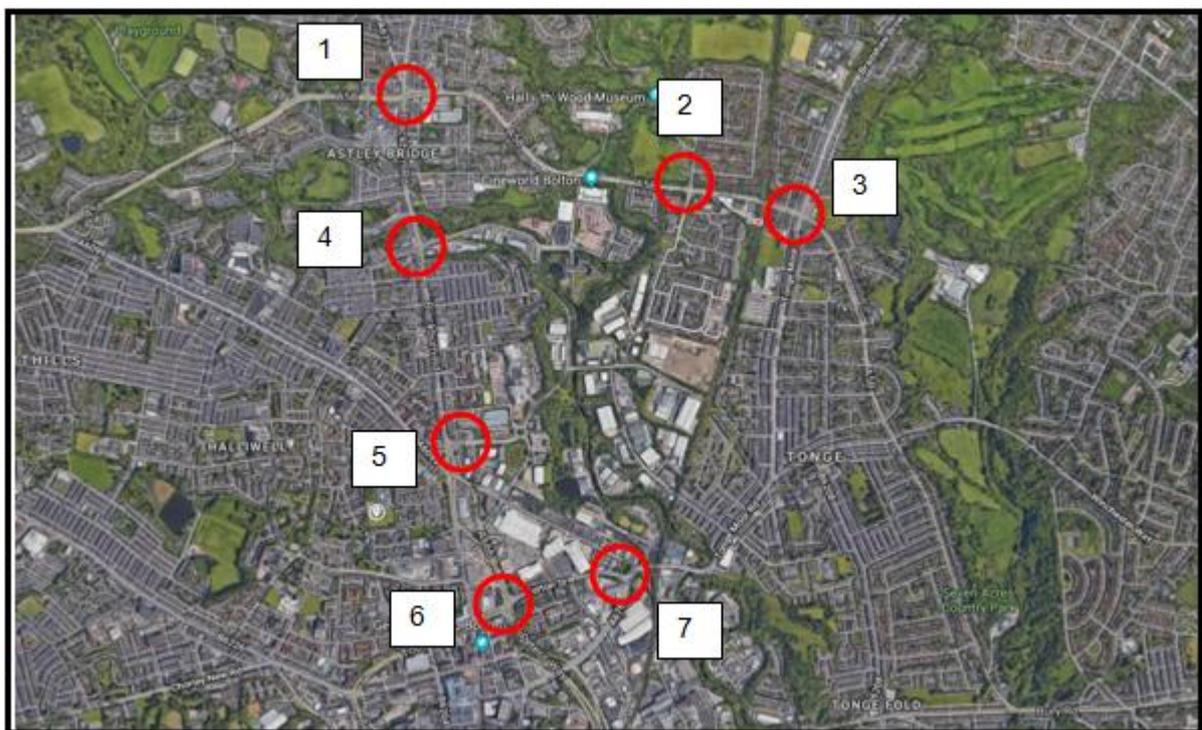
### ASSESSMENT OF FLOWS ON WIDER NETWORK TO ASCERTAIN IF LINK ROAD WOULD BE JUSTIFIED.

The council have not undertaken any traffic counts in the area to support the perceived view that it would remove traffic from key junctions (ignoring the fact they would appear at other junctions locally on the network that are still considered congested)

The growth of traffic on the network is not the responsibility of a developer to mitigate, growth and infrastructure changes are led from the authority and if needed a CIL or specific scheme budget set out to seek contributions, this needs specific schemes and polices to be approved to allow funds etc to be allocated.

As stated no such policies exist other than the head line “seeking to” to reduced etc.

Attached are traffic surveys undertaken in the local area at key junctions to ascertain the current situation, compare to the TA assessed situation and the level of flows on the network.



The TA assessments for 2020 for the local junctions set out the following results.

### Junction 1 Blackburn Road/Crompton Way Signalised Junction

| Link Number  | Link Description              | AM Peak |      | PM Peak |      |
|--|-------------------------------|---------|------|---------|------|
|  |                               | DoS     | MMQ  | DoS     | MMQ  |
| <b>2020 Existing Traffic Flows</b>   |                               |         |      |         |      |
| 1/1  | A58 Moss Bank Way Ahead Left  | 97.5%   | 21.7 | 95.6%   | 23.8 |
| 1/2+1/3  | A58 Moss Bank Way Ahead Right | 99.7%   | 27.7 | 102.9%  | 43.1 |
| 2/2+2/1  | Blackburn Rd (N) Left Ahead   | 98.5%   | 47.9 | 72.9%   | 13.9 |
| 2/3  | Blackburn Rd (N) Ahead        | 100.9%  | 54.9 | 64.6%   | 15.6 |
| 2/4  | Blackburn Rd (N) Right        | 76.6%   | 10.5 | 103.3%  | 19.9 |
| 3/2+3/1  | A58 Crompton Way Left Ahead   | 80.7%   | 15.0 | 64.7%   | 11.0 |
| 3/3  | A58 Crompton Way Right        | 99.7%   | 14.7 | 100.9%  | 20.6 |
| 4/2+4/1  | Blackburn Rd (S) Ahead Left   | 52.1%   | 9.1  | 102.0%  | 35.5 |
| 4/3  | Blackburn Rd (S) Ahead        | 53.1%   | 10.1 | 102.2%  | 38.0 |
| 4/4  | Blackburn Rd (S) Right        | 69.4%   | 4.2  | 79.7%   | 8.2  |
| <b>2020 Baseline Traffic Flows - inc. Lawful Land Use Trip Generations</b> |                               |         |      |         |      |
| 1/1  | A58 Moss Bank Way Ahead Left  | 100.2%  | 25.9 | 103.0%  | 36.0 |
| 1/2+1/3  | A58 Moss Bank Way Ahead Right | 101.4%  | 32.7 | 103.6%  | 45.0 |
| 2/2+2/1  | Blackburn Rd (N) Left Ahead   | 102.6%  | 65.2 | 76.4%   | 15.9 |
| 2/3  | Blackburn Rd (N) Ahead        | 102.2%  | 59.2 | 60.6%   | 14.5 |
| 2/4  | Blackburn Rd (N) Right        | 78.7%   | 13.9 | 103.3%  | 20.4 |
| 3/2+3/1  | A58 Crompton Way Left Ahead   | 81.5%   | 15.4 | 69.8%   | 12.1 |
| 3/3  | A58 Crompton Way Right        | 99.9%   | 15.5 | 103.6%  | 25.5 |
| 4/2+4/1  | Blackburn Rd (S) Ahead Left   | 52.9%   | 9.2  | 104.4%  | 41.8 |
| 4/3  | Blackburn Rd (S) Ahead        | 53.9%   | 10.4 | 100.0%  | 32.4 |
| 4/4  | Blackburn Rd (S) Right        | 80.1%   | 5.3  | 78.4%   | 8.3  |
| <b>2020 With Development Flows</b>   |                               |         |      |         |      |
| 1/1  | A58 Moss Bank Way Ahead Left  | 99.7%   | 24.9 | 102.2%  | 34.7 |
| 1/2+1/3  | A58 Moss Bank Way Ahead Right | 101.0%  | 31.2 | 102.9%  | 42.8 |
| 2/2+2/1  | Blackburn Rd (N) Left Ahead   | 101.5%  | 60.8 | 78.8%   | 16.2 |
| 2/3  | Blackburn Rd (N) Ahead        | 100.3%  | 52.2 | 64.8%   | 15.2 |
| 2/4  | Blackburn Rd (N) Right        | 74.2%   | 10.4 | 103.3%  | 20.4 |
| 3/2+3/1  | A58 Crompton Way Left Ahead   | 84.5%   | 16.3 | 66.5%   | 11.3 |
| 3/3  | A58 Crompton Way Right        | 102.1%  | 18.6 | 101.8%  | 22.1 |
| 4/2+4/1  | Blackburn Rd (S) Ahead Left   | 58.9%   | 9.2  | 103.5%  | 39.3 |
| 4/3  | Blackburn Rd (S) Ahead        | 60.1%   | 10.3 | 103.7%  | 42.1 |
| 4/4  | Blackburn Rd (S) Right        | 71.2%   | 4.4  | 79.9%   | 8.9  |

The change to residential uses was predicted to reduce the impact on the junction, even if the fallback was set aside the nett change is minor in nature.

### Junction 2 Sandleigh Drive/Crompton Way/Green Way Signalised Junction

| Link Number                        | Link Description             | AM Peak |      | PM Peak |      |
|------------------------------------|------------------------------|---------|------|---------|------|
|                                    |                              | DoS     | MMQ  | DoS     | MMQ  |
| <b>2020 Existing Traffic Flows</b> |                              |         |      |         |      |
| 1/1                                | Crompton Way (W) Ahead Left  | 51.6%   | 9.0  | 53.4%   | 9.3  |
| 1/2                                | Crompton Way (W) Ahead Right | 51.7%   | 9.1  | 53.0%   | 9.3  |
| 2/1                                | Green Way Left Ahead Right   | 63.2%   | 3.8  | 50.6%   | 2.4  |
| 3/1                                | Crompton Way (E) Left Ahead  | 69.0%   | 14.3 | 60.1%   | 11.4 |
| 3/2                                | Crompton Way (E) Ahead Right | 69.0%   | 14.3 | 60.2%   | 11.4 |
| 4/1                                | Sandleigh Drive Left Ahead   | 22.5%   | 1.1  | 22.6%   | 0.9  |
| 4/2                                | Sandleigh Drive Right        | 42.0%   | 1.7  | 35.4%   | 1.3  |

| 2020 Baseline Traffic Flows - inc. Lawful Land Use Trip Generations |                              |        |      |       |      |
|---|------------------------------|--------|------|-------|------|
| 1/1   | Crompton Way (W) Ahead Left  | 96.7%  | 35.2 | 61.4% | 11.4 |
| 1/2   | Crompton Way (W) Ahead Right | 101.7% | 7.4  | 61.3% | 11.4 |
| 2/1   | Green Way Left Ahead Right   | 80.5%  | 4.8  | 28.9% | 1.9  |
| 3/1   | Crompton Way (E) Left Ahead  | 71.4%  | 15.0 | 69.1% | 13.8 |
| 3/2   | Crompton Way (E) Ahead Right | 71.7%  | 15.5 | 69.2% | 13.9 |
| 4/1   | Sandleigh Drive Left Ahead   | 54.8%  | 2.5  | 47.4% | 3.2  |
| 4/2   | Sandleigh Drive Right        | 88.9%  | 5.2  | 64.9% | 4.2  |
| 2020 With Development Flows   |                              |        |      |       |      |
| 1/1   | Crompton Way (W) Ahead Left  | 55.3%  | 9.8  | 57.3% | 10.4 |
| 1/2   | Crompton Way (W) Ahead Right | 55.3%  | 9.8  | 80.0% | 11.9 |
| 2/1   | Green Way Left Ahead Right   | 56.3%  | 3.5  | 45.0% | 2.2  |
| 3/1   | Crompton Way (E) Left Ahead  | 73.8%  | 15.8 | 65.0% | 12.7 |
| 3/2   | Crompton Way (E) Ahead Right | 73.2%  | 15.7 | 64.1% | 12.6 |
| 4/1   | Sandleigh Drive Left Ahead   | 48.9%  | 2.9  | 43.3% | 2.0  |
| 4/2   | Sandleigh Drive Right        | 72.6%  | 4.3  | 62.3% | 2.8  |

The change to residential uses was predicted to reduce the impact on the junction, even if the fallback was set aside the nett change is minor in nature.

### Junction 3 Tonge Moor Road/Crompton Way Signalised Junction

| Link Number   | Link Description              | AM Peak |      | PM Peak |      |
|---|-------------------------------|---------|------|---------|------|
|   |                               | DoS     | MMQ  | DoS     | MMQ  |
| 2020 Existing Traffic Flows   |                               |         |      |         |      |
| 1/1   | Crompton Way (W) Left         | 75.1%   | 13.5 | 103.9%  | 36.1 |
| 1/2   | Crompton Way (W) Ahead        | 79.6%   | 18.1 | 81.4%   | 17.3 |
| 1/3   | Crompton Way (W) Ahead Right  | 69.8%   | 7.9  | 71.2%   | 9.3  |
| 2/1   | Tonge Moor Rd (N) Left Ahead  | 88.2%   | 29.9 | 58.6%   | 13.9 |
| 2/2   | Tonge Moor Rd (N) Ahead Right | 92.7%   | 19.7 | 103.4%  | 24.9 |
| 3/1   | Crompton Way (E) Left Ahead   | 90.5%   | 16.8 | 98.3%   | 25.9 |
| 3/2+3/3   | Crompton Way (E) Right Ahead  | 93.0%   | 19.2 | 102.5%  | 27.1 |
| 4/1   | Tonge Moor Rd (S) Ahead Left  | 57.6%   | 8.3  | 102.2%  | 32.7 |
| 4/2   | Tonge Moor Rd (S) Right Ahead | 58.0%   | 8.7  | 102.3%  | 34.6 |
| 2020 Potential Baseline Traffic Flows - inc. Lawful Land Use Trip Generations |                               |         |      |         |      |
| 1/1   | Crompton Way (W) Left         | 73.9%   | 13.6 | 107.4%  | 46.0 |
| 1/2   | Crompton Way (W) Ahead        | 78.9%   | 18.6 | 77.2%   | 16.7 |
| 1/3   | Crompton Way (W) Ahead Right  | 70.8%   | 7.8  | 84.0%   | 12.7 |
| 2/1   | Tonge Moor Rd (N) Left Ahead  | 92.0%   | 33.0 | 59.7%   | 14.1 |
| 2/2   | Tonge Moor Rd (N) Ahead Right | 94.0%   | 22.2 | 105.5%  | 31.2 |
| 3/1   | Crompton Way (E) Left Ahead   | 92.6%   | 18.9 | 92.6%   | 21.0 |
| 3/2+3/3   | Crompton Way (E) Right Ahead  | 94.3%   | 21.6 | 105.8%  | 34.8 |
| 4/1   | Tonge Moor Rd (S) Ahead Left  | 83.7%   | 11.3 | 106.0%  | 41.0 |
| 4/2   | Tonge Moor Rd (S) Right Ahead | 83.6%   | 11.7 | 106.0%  | 43.2 |
| 2020 With Development Flows   |                               |         |      |         |      |
| 1/1   | Crompton Way (W) Left         | 77.4%   | 14.6 | 105.9%  | 40.8 |
| 1/2   | Crompton Way (W) Ahead        | 81.4%   | 19.3 | 75.1%   | 15.2 |
| 1/3   | Crompton Way (W) Ahead Right  | 74.2%   | 8.7  | 81.6%   | 12.1 |
| 2/1   | Tonge Moor Rd (N) Left Ahead  | 92.4%   | 31.0 | 59.2%   | 13.5 |
| 2/2   | Tonge Moor Rd (N) Ahead Right | 92.5%   | 19.7 | 106.7%  | 33.8 |
| 3/1   | Crompton Way (E) Left Ahead   | 92.5%   | 20.3 | 91.5%   | 20.4 |
| 3/2+3/3   | Crompton Way (E) Right Ahead  | 87.8%   | 16.1 | 105.3%  | 35.8 |
| 4/1   | Tonge Moor Rd (S) Ahead Left  | 75.0%   | 9.7  | 106.8%  | 42.5 |
| 4/2   | Tonge Moor Rd (S) Right Ahead | 75.4%   | 10.1 | 106.8%  | 44.8 |

The change to residential uses was predicted to reduce the impact on the junction, even if the fallback was set aside the nett change is minimal with increase in queues of 8 vehicles.

## Junction 4 Waters Meeting Road/A666 Blackburn Road Northern Signalised Junction

| Link Number                        | Link Description                            | AM Peak      |             | PM Peak      |             |
|------------------------------------|---|--------------|-------------|--------------|-------------|
|                                    |   | DoS          | MMQ         | DoS          | MMQ         |
| <b>2020 Baseline Traffic Flows</b> |   |              |             |              |             |
| 1/1                                | A666 Blackburn Rd (N) Ahead Left            | 78.4%        | 24.2        | 82.1%        | 17.1        |
| 1/2                                | A666 Blackburn Rd (N) Ahead                 | <b>79.5%</b> | <b>27.9</b> | 73.1%        | 15.7        |
| 2/2+2/1                            | Waters Meeting Rd (Northern End) Left Right | 73.1%        | 6.5         | 84.5%        | 12.7        |
| 3/1                                | A666 Blackburn Rd (S) Ahead                 | 43.5%        | 7.4         | 57.1%        | 13.4        |
| 3/2                                | A666 Blackburn Rd (S) Ahead Right           | 75.7%        | 5.2         | <b>84.4%</b> | <b>24.8</b> |
| <b>2020 With Development Flows</b> |   |              |             |              |             |
| 1/1                                | A666 Blackburn Rd (N) Ahead Left            | 78.8%        | 24.5        | 79.0%        | 16.6        |
| 1/2                                | A666 Blackburn Rd (N) Ahead                 | 79.8%        | 28.4        | 70.1%        | 15.4        |
| 2/2+2/1                            | Waters Meeting Rd (Northern End) Left Right | 78.6%        | 7.4         | <b>87.9%</b> | <b>14.3</b> |
| 3/1                                | A666 Blackburn Rd (S) Ahead                 | 43.5%        | 7.4         | 57.8%        | 13.7        |
| 3/2                                | A666 Blackburn Rd (S) Ahead Right           | <b>80.7%</b> | <b>5.7</b>  | 87.4%        | 26.1        |

The max DOS is under 90% with an increase of 3.4% and an increase in queue of 2 vehicles.

## Junction 5 Waters Meeting Road/A666 Blackburn Road Southern Signalised Junction

| Link Number                        | Link Description                    | AM Peak      |             | PM Peak      |            |
|------------------------------------|-------------------------------------|--------------|-------------|--------------|------------|
|                                    |                                     | DoS          | MMQ         | DoS          | MMQ        |
| <b>2020 Baseline Traffic Flows</b> |                                     |              |             |              |            |
| 1/2+1/1                            | A666 Blackburn Rd (N) Ahead Left    | 50.2%        | 9.2         | 32.2%        | 5.2        |
| 1/3                                | A666 Blackburn Rd (N) Ahead         | <b>51.9%</b> | <b>10.4</b> | 33.7%        | 6.0        |
| 2/1                                | Waters Meeting Rd Southern End Left | 19.9%        | 1.9         | 40.2%        | 5.0        |
| 2/2                                | Waters Meeting Rd Southern End Left | 22.8%        | 2.4         | 42.3%        | 5.6        |
| 3/1                                | A666 Blackburn Rd (S) Ahead         | 23.6%        | 1.8         | 47.2%        | 4.5        |
| 3/2                                | A666 Blackburn Rd (S) Ahead         | 25.9%        | 2.2         | <b>49.2%</b> | <b>5.2</b> |
| 3/3                                | A666 Blackburn Rd (S) Right         | 42.3%        | 4.3         | 23.0%        | 2.7        |
| 3/4                                | A666 Blackburn Rd (S) Right         | 42.5%        | 4.4         | 23.2%        | 2.7        |
| <b>2020 With Development Flows</b> |                                     |              |             |              |            |
| 1/2+1/1                            | A666 Blackburn Rd (N) Ahead Left    | 50.2%        | 9.2         | 32.2%        | 5.2        |
| 1/3                                | A666 Blackburn Rd (N) Ahead         | <b>51.9%</b> | <b>10.4</b> | 33.7%        | 6.0        |
| 2/1                                | Waters Meeting Rd Southern End Left | 21.9%        | 2.1         | 43.8%        | 5.5        |
| 2/2                                | Waters Meeting Rd Southern End Left | 24.4%        | 2.6         | 45.8%        | 6.1        |
| 3/1                                | A666 Blackburn Rd (S) Ahead         | 23.6%        | 1.8         | 47.2%        | 4.5        |
| 3/2                                | A666 Blackburn Rd (S) Ahead         | 25.9%        | 2.2         | <b>49.2%</b> | <b>5.2</b> |
| 3/3                                | A666 Blackburn Rd (S) Right         | 45.4%        | 4.7         | 24.4%        | 2.9        |
| 3/4                                | A666 Blackburn Rd (S) Right         | 45.4%        | 4.7         | 24.4%        | 2.9        |

The max DOS is under 50%.

Junction 6 and 7 did not form part of the wider impact assessment even though north south movements are generated by the sites.

The surveys undertaken this year have been compared to the predicated flows in each peak.

Fig 1 the survey outputs at each junction with turning movements. Fig 2 the equivalent 2020 predicated flows from the TA's and figure 3 a comparison of the changes in flows.

## Junction 1

The counts show a significant reduction in flows at the junction of 632 from the 5425 or 12% in the AM and 490 from the 5179 or 9.5% in the PM.

The greatest reductions are north south and along Crompton Way from the east turning right/north.

This occurs even though there is a substantial increase of movements from the watersmeeting area set out below.

### **Junction 2**

The counts show a significant reduction in flows at the junction of 632 from the 3028 or 12% in the AM and 490 from the 2898 or 9.5% in the PM.

The greatest reductions are along Crompton Way with westbound in both peaks being the most noticeable decrease.

In/out of the residential area AM predicted 355, actual 310 or -12% and PM predicated 354, actual 292 or -17%

### **Junction 3**

The counts show a significant reduction in flows at the junction of 522 from the 4069 or 13% in the AM and 719 from the 4146 or 17% in the PM.

The greatest reductions are west/east along Crompton Way and southbound on Tonge Moor Road.

### **Junction 4/5**

These work in combination giving access to the employment area. The outcomes show a change in activity to and from the Watersmeeting employment zone with a reduction of movements from the south to from the north in the AM and in the PM the switch to the north continues but still has an increase in from the south.

Overall in the AM flows increased by 144 and in the PM 234.

### **Junction 6**

The submissions did not take on board the junction however the approach to and from it are predicated from jct 5 to enable a comparison of the link flows to be undertaken.

The AM 2544 predication set out two way flows against the survey 2304 or a 9.5% reduction and the PM 2739 predication two way flows against the survey 2388 or a 13% reduction.

### **Junction 7**

The submissions did not take on board the junction however the approach to and from it are predicated from jct 3 to enable a comparison of the link flows to be undertaken.

The AM 1529 predication set out two way flows against the survey 1431 or a 6% reduction and the PM 1616 predication two way flows against the survey 1316 or a 12% reduction.

### **A666 corridor**

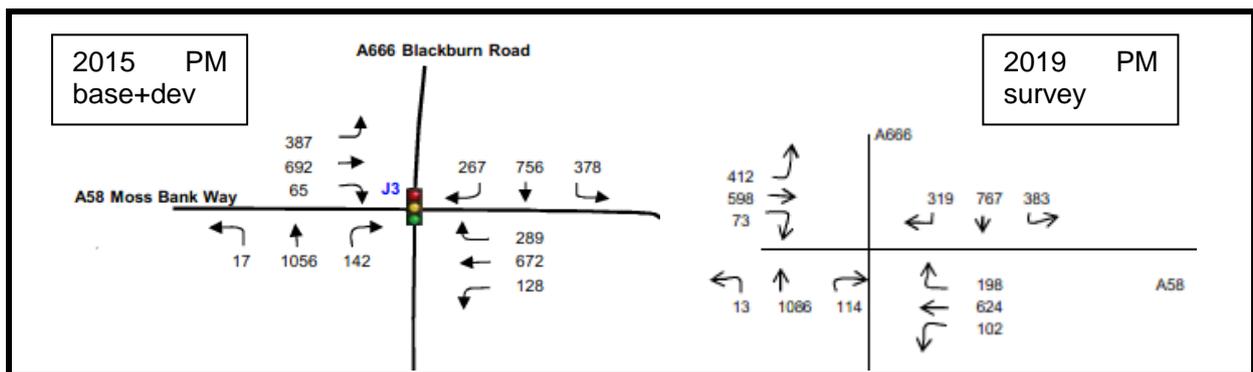
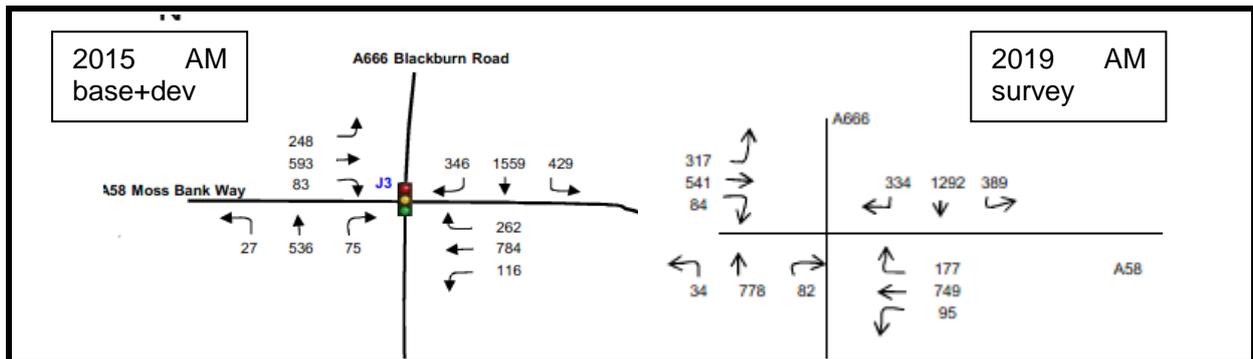
The corridor has around 1000 two way movements higher than the Tonge Moor Road corridor in each peak.

## GROWTH

The above shows that the predicated combined flows have not occurred and the surveys show around 10% reductions on the network, local predicated growth has not occurred. The need to accommodate future growth is therefore question as it may not occur.

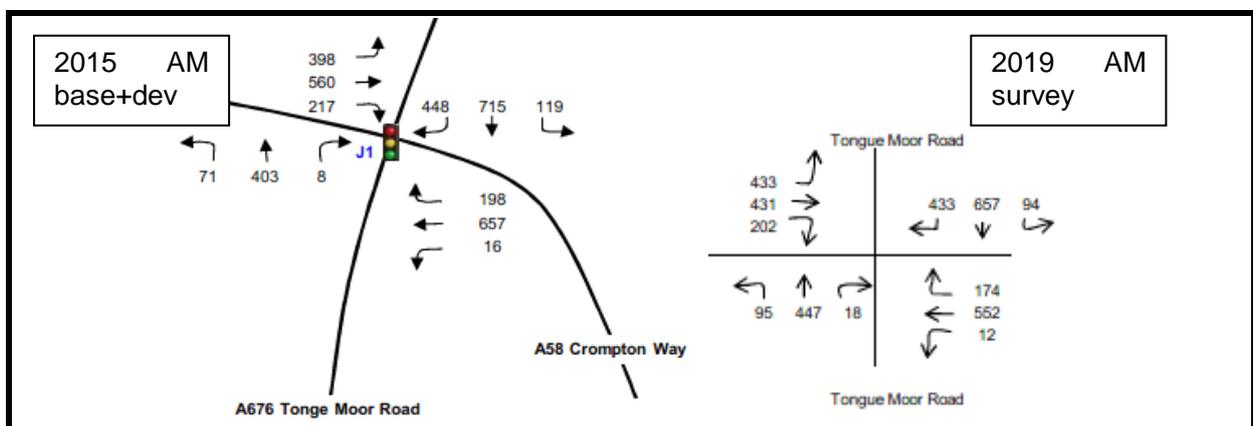
A further comparison with the 2015 flows plus development has also been undertaken for junction 1, 3 and 5.

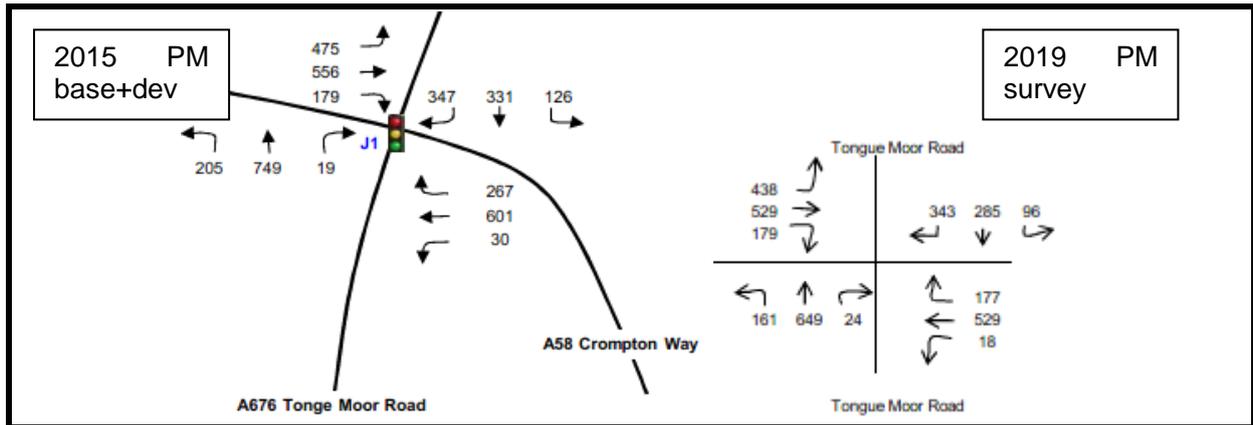
### Junction 1



The 2015 AM junction flows are 5058 and the survey 4872. PM junction flows are 4847 and the survey 4689. The survey shows a reduction of flows at the junction below the 2105 base.

### Junction 3





The 2015 AM junction flows are 3810 and the survey 3538. PM junction flows are 3885 and the survey 3428. The survey shows a reduction of flows at the junction below the 2105 base even with the increase in movements from the employment area.

### Junction 5

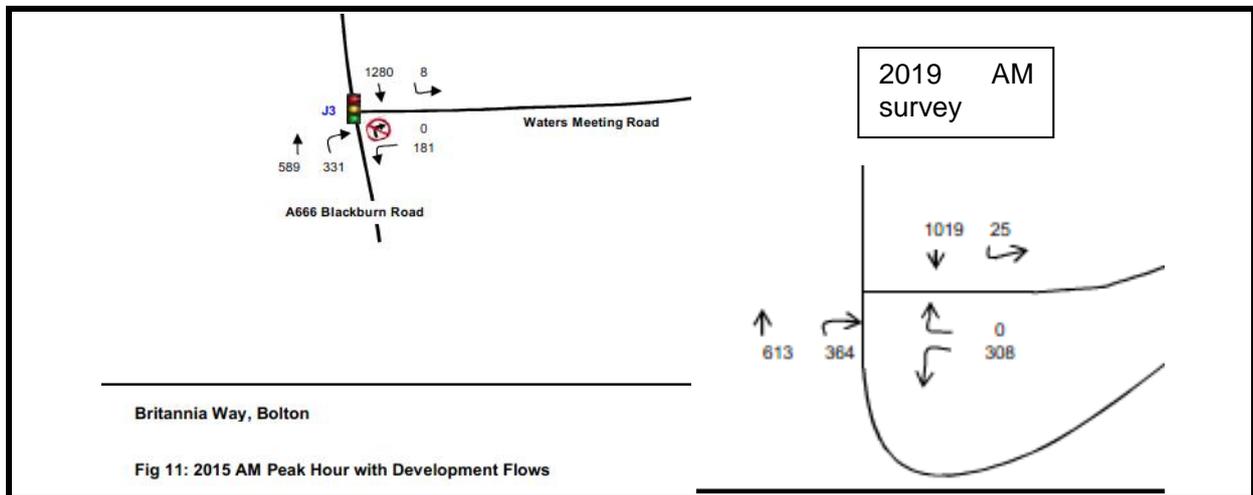


Fig 11: 2015 AM Peak Hour with Development Flows

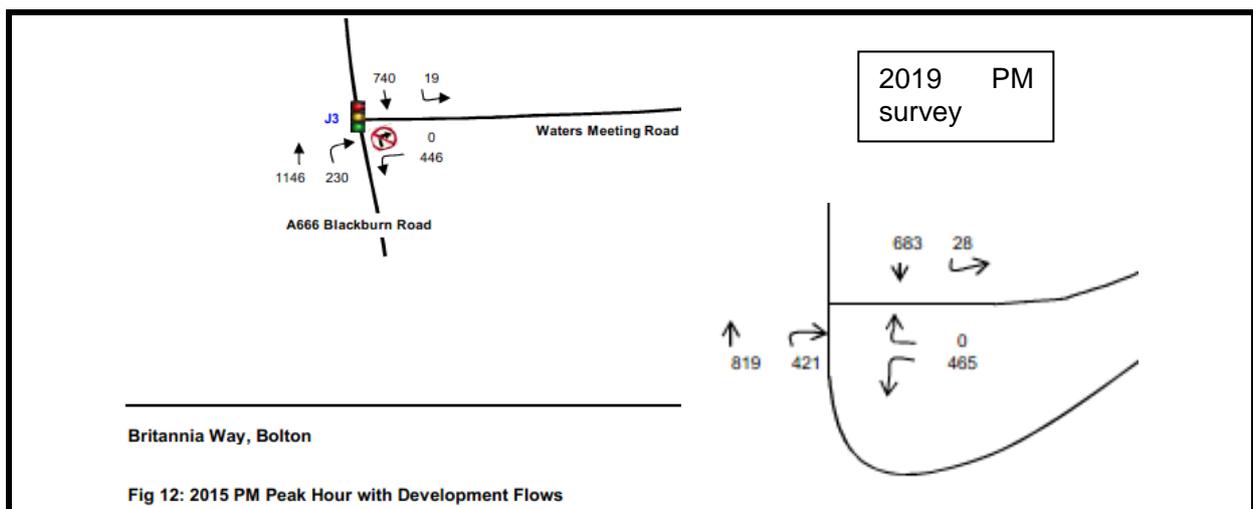


Fig 12: 2015 PM Peak Hour with Development Flows

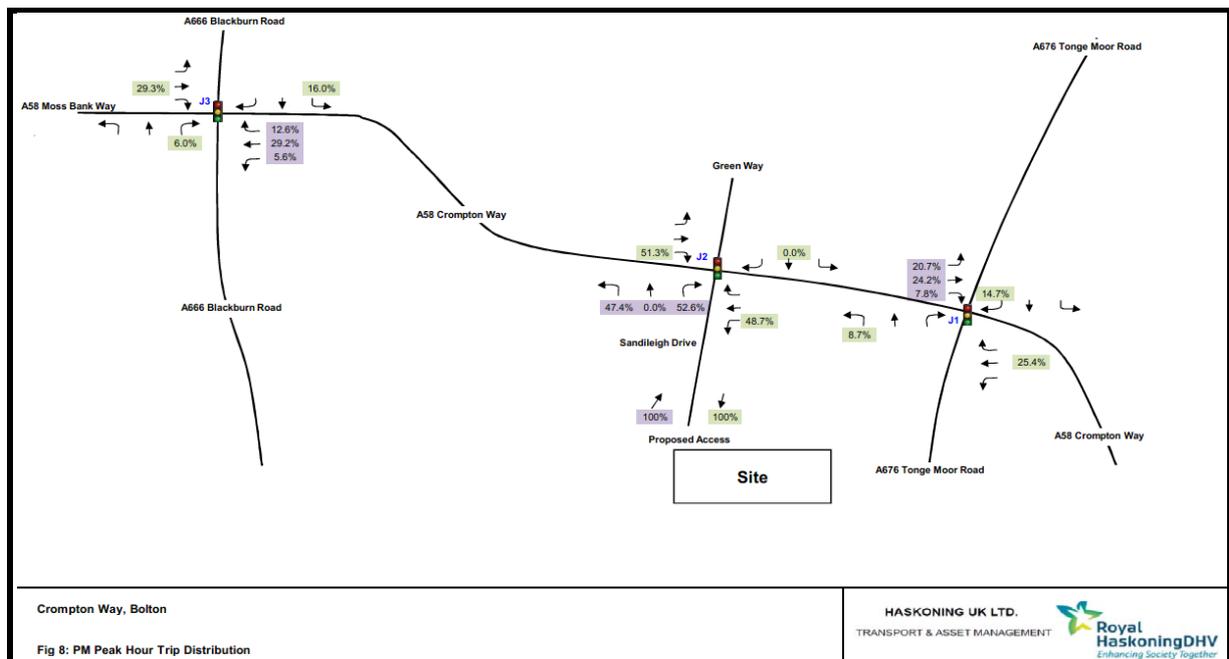
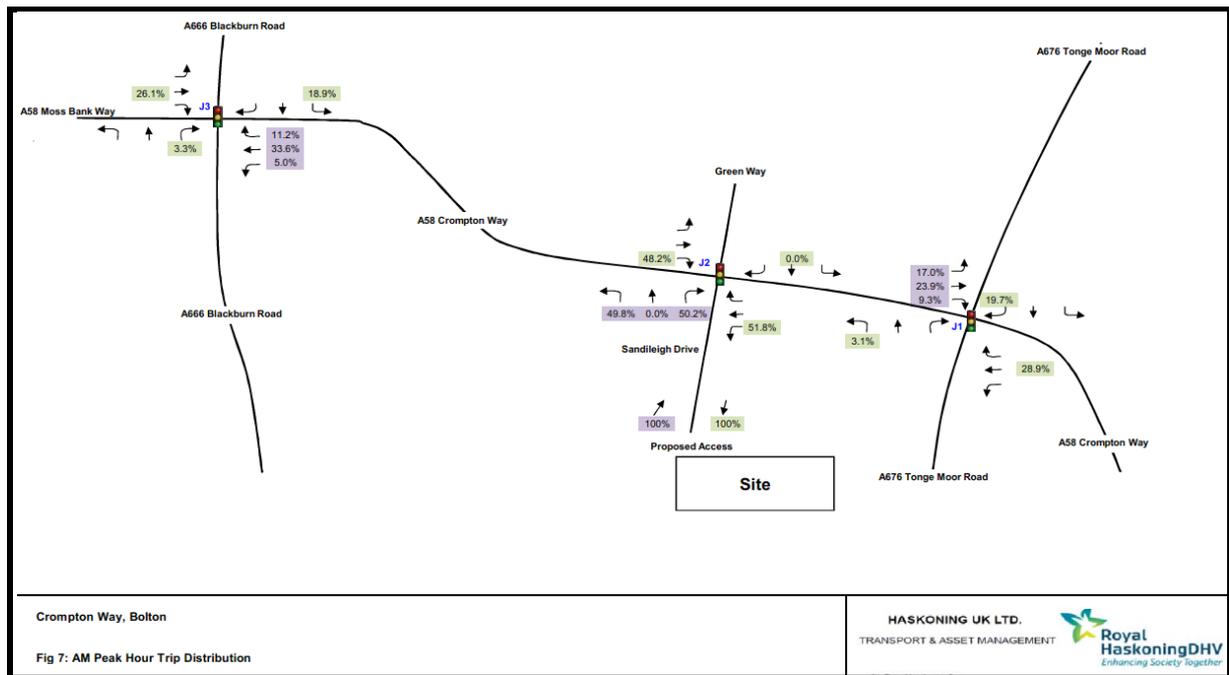
The 2015 AM junction flows are 2389 and the survey 2329. PM junction flows are 2581 and the survey 2416. The survey shows a reduction of flows at the junction below the 2105 base even with the increase in movements from the employment area.

Overall the flows are lower than the 2020 predicated flows and below the 2015 predicated flows, growth across the network reviewed has not occurred and the reduction in flows would reduce the perceived congested conditions.

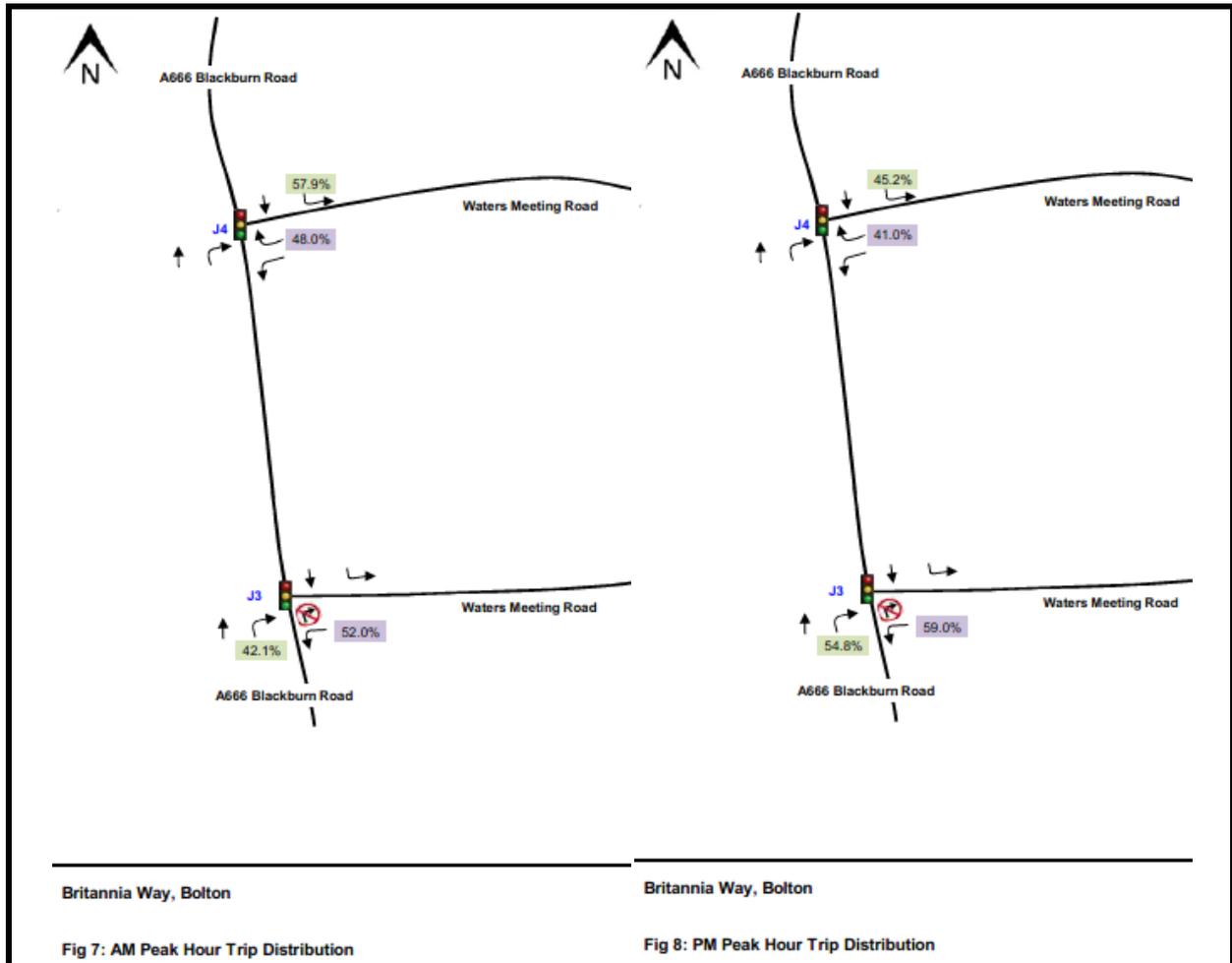
### LINK ROAD REVIEW

The suggested benefits of the link road are to remove/reduce movements on the local network.

The agreed distribution shows that the trips to and from the residential site would largely be east west with low levels travelling north/south.



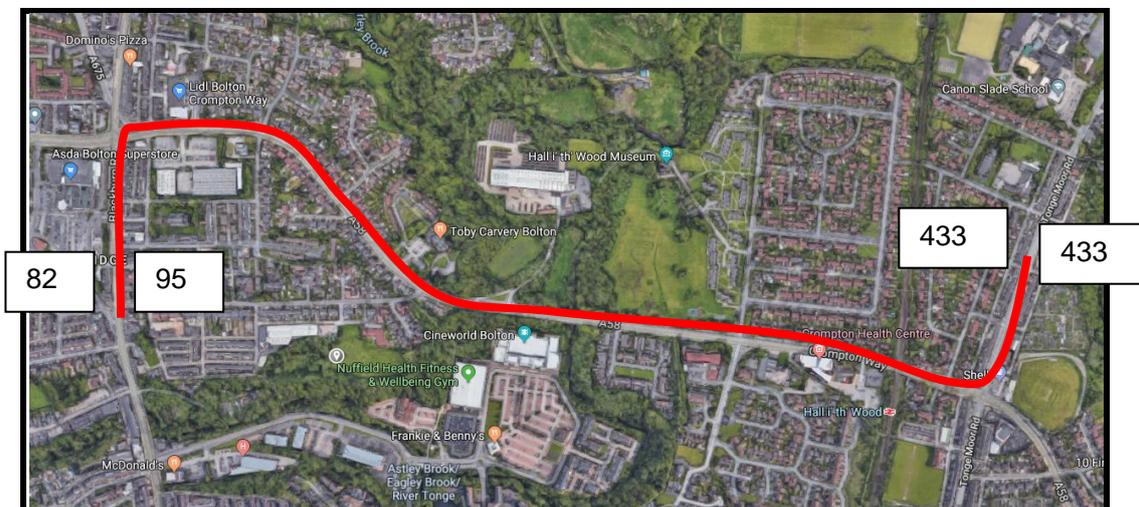
The residential area has limited need for a north south linkage.



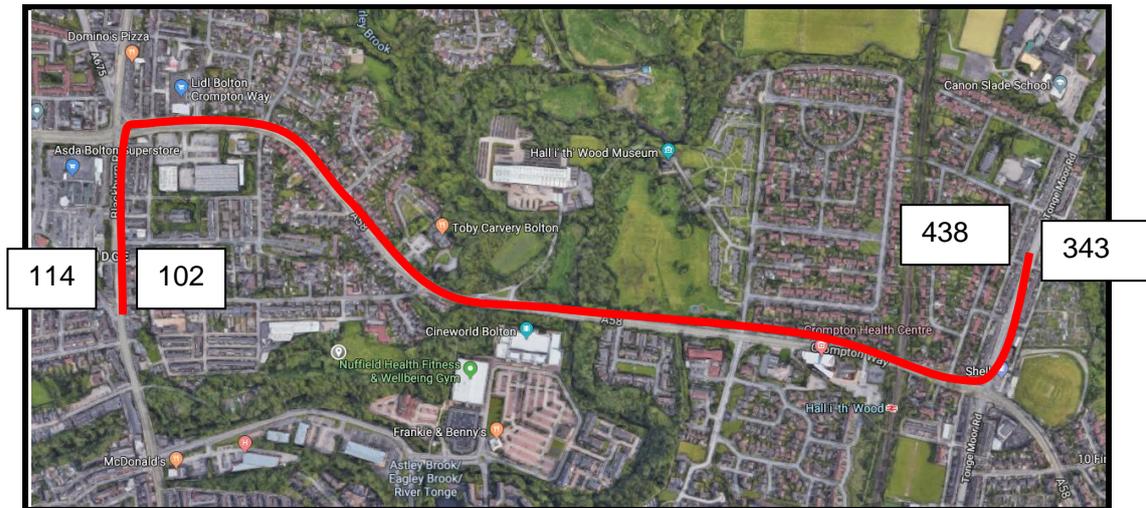
The industrial trips naturally link to the A666 corridor and splits around 50/50 north and south.

This would not change with the link road, although potentially some flows from the north may reduce if from the NE, the assessment did not consider this. The survey shows low turning movements to and from Crompton Way.

The link road would therefore have little or no benefit for the application site. It is therefore a wider benefit to remove congestion from the network. It has to be noted at this stage that the surveys show an actual reduction in movements from 2015 to date, the route is “less congested”.

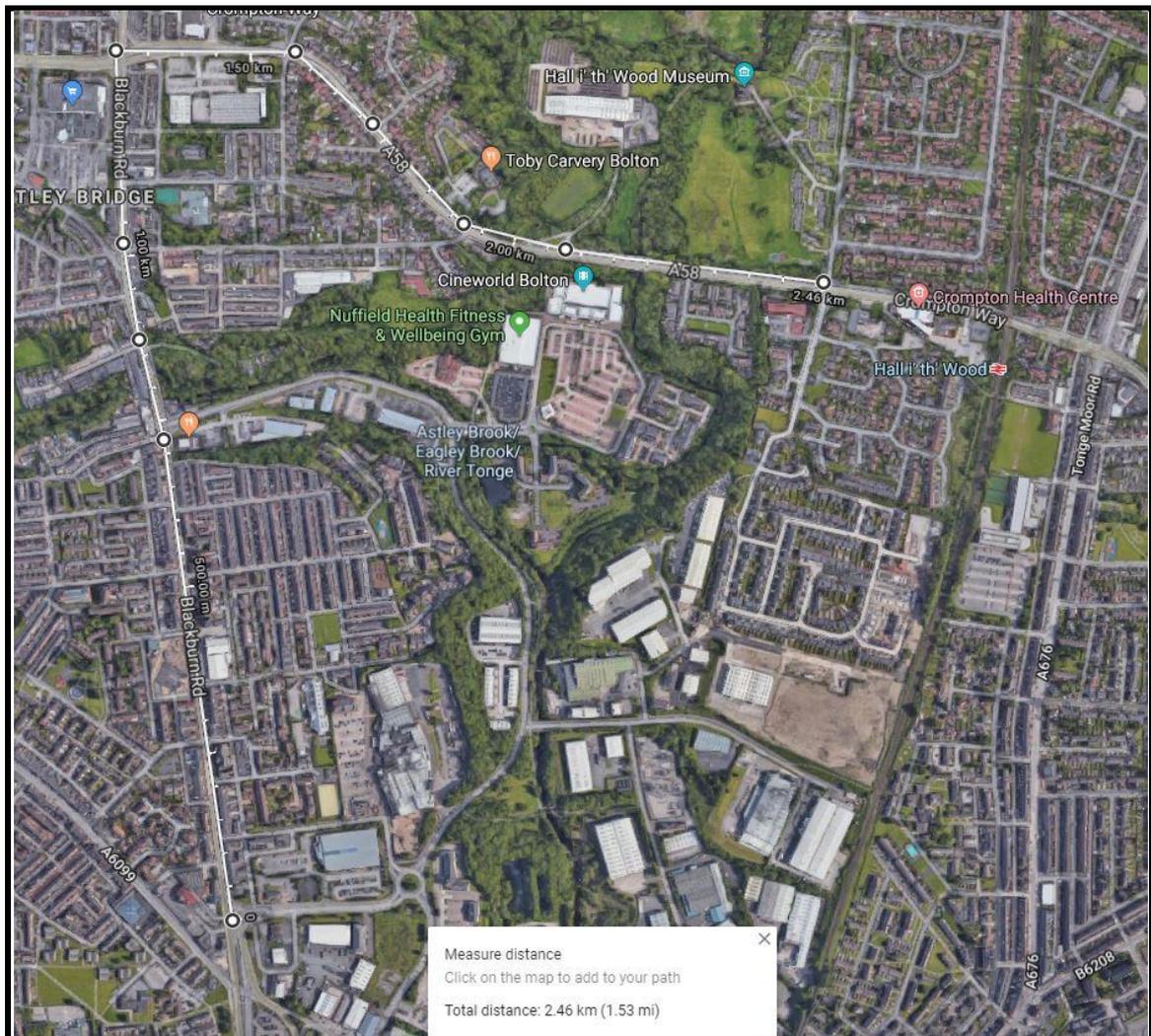


The AM flows shows around 20% of the trips to and from A666 to Tongue Moor road north



The PM flows shows around 26% of the trips to and from A666 to Tongue Moor road north.

The change in route length has also been reviewed and provided below.

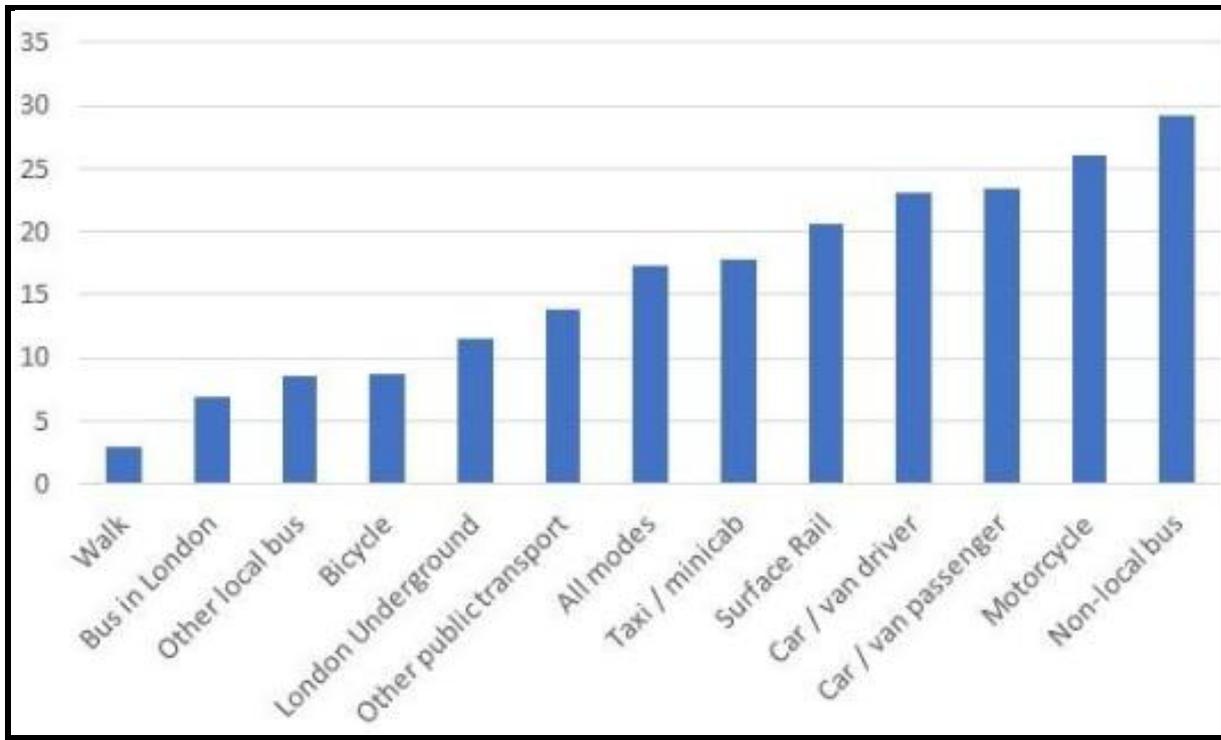


The shorter route rat running reduces the overlap distance by some 0.4km/0.26miles.



The link route rat running reduces the distance by some 0.7km/0.43miles using the principle road routes.

The national travel survey has recently published speeds for modes across the year; cars achieve an average speed of less than 25mph.



The 0.43 miles would thus reduce the travel time ignoring junctions etc of 1 minute. This would not be noticed in an overall journey time and equates to half a traffic signal timing i.e. if the car arrived at the junction it could wait for 120 seconds/2 minutes as part of a cycle time.

The application sites do not require the link; the local network has limited flows that may use the link however the overall time saving is marginal at best.

## NATIONAL POLICY

National Policy in place in 2014 was the NPPF 2012 para 32:

Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the **residual cumulative impacts of development are severe**.

Given that each scheme has agreed mitigation as a standalone basis it there cannot be a residual impact that is severe.

This has been updated in 2019 to para 108/109:

“c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Again the residual impact is not severe and no unacceptable impacts on road safety have been raised.

It has been agreed for the approved development that:

*the requirement for off site highway improvements to mitigate for the increase in traffic from the proposed development at the junction of Eagley Way and Waters Meeting Road. A sum of £6,300 is required as a contribution to these junction improvements.*

It is unknown if these have been undertaken in the intervening period but if not the contribution is still supported.

## **NATIONAL POLICY SUMMARY**

The policy setting says refusal should only be made when the residual impacts are severe, the TA's submitted and the feedback from highway's indicate that this would not be the case with the mitigation set out.

## **CONCLUSION**

The assessment sets out the following:

## **BACK GROUND SUMMARY**

In both applications the highways view was that the **proposal complies with policy on highway grounds and mitigates its own impacts.**

The committee report sets out the risk that the council could not justify the demand for a link road at an appeal.

## **SETTING FOR THE LINK ROAD AND INFRASTRUCTURE REVIEW CHANGES SUMMARY.**

There is policy setting for the link road, the councils own strategic transport review did not include the need for a link road to resolve congestion issues.

Limited changes were set out for the Blackburn Road corridor and the approved schemes have contributed to this.

The site has met its policy requirement. There is no justification for a link road.

## **CONSTRAINTS ON PROVIDING A LINK ROAD SUMMARY**

The route has third party land issues, significant level differences that would require a new application to be made to deliver the road and development, security issues with existing industrial users, safety issues of the new residents and the creation of potential conflicts between residents and industrial movements, industrial movements with car and non car movements.

## **GMSF/GMTS/LTP 3 SUMMARY**

The existing and emerging policy is to support reduced car use for individuals, alter trip types and focus on key corridors for investment in non car modes.

## **GROWTH SUMMARY**

The above shows that the predicated combined flows have not occurred and the surveys show around 10% reductions on the network, local predicated growth has not occurred. The need to accommodate future growth is therefore a question as it may not occur.

A further comparison with the 2015 flows plus development has also been undertaken for junction 1, 3 and 5.

Overall the flows are lower than the 2020 predicated flows and below the 2015 predicated flows, growth across the network reviewed has not occurred and the reduction in flows would reduce the perceived congested conditions.

## **LINK ROAD REVIEW**

The suggested benefits of the link road are to remove/reduce movements on the local network.

The agreed distribution shows that the trips to and from the residential site would largely be east west with low levels travelling north/south.

The residential area has limited need for a north south linkage.

The industrial trips naturally link to the A666 corridor and splits around 50/50 north and south.

This would not change with the link road, although potentially some flows from the north may reduce if from the NE, the assessment did not consider this. The survey shows low turning movements to and from Crompton Way.

The link road would therefore have little or no benefit for the application site. It is therefore a wider benefit to remove congestion from the network. It has to be noted at this stage that the surveys show an actual reduction in movements from 2015 to date, the route is "less congested".

The AM flows show around 20% of the trips to and from A666 to Tongue Moor road north

The PM flows show around 26% of the trips to and from A666 to Tongue Moor road north.

The change in route length has also been reviewed and provided below.

The shorter route on Seymour Road rat running reduces the overlap distance by some 0.4km/0.26miles.

The link route rat running reduces the distance by some 0.7km/0.43miles using the principle road routes.

The national travel survey has recently published speeds for modes across the year; cars achieve an average speed of less than 25mph.

The 0.43 miles would thus reduce the travel time ignoring junctions etc of 1 minute. This would not be noticed in an overall journey time and equates to half a traffic signal timing i.e. if the car arrived at the junction it could wait for 120 seconds/2 minutes as part of a cycle time.

The application sites do not require the link; the local network has limited flows that may use the link however the overall time saving is marginal at best.

## **NATIONAL POLICY SUMMARY**

The policy setting says refusal should only be made when the residual impacts are severe, the TA's submitted and the feedback from highway's indicate that this would not be the case with the mitigation set out.

**The need for the link road is not justified or required for the scheme to be acceptable in planning terms.**

**Alan Davies**

DTPC

2019

**SCHEDULE OF ACCOMMODATION:  
PHASE 1**

|          |             |             |
|----------|-------------|-------------|
| UNIT 40: | 468.80 sq m | 5 046 sq ft |
| UNIT 41: | 468.40 sq m | 5 041 sq ft |
| UNIT 42: | 469.20 sq m | 5 050 sq ft |
| UNIT 43: | 562.80 sq m | 6 058 sq ft |
| UNIT 44: | 562.80 sq m | 6 058 sq ft |

**PHASE 1 TOTAL:** 27 253 sq ft.



**PLANNING DRAWING**

| REVISION                                | DATE | NOTES | CHK |
|---|------|-------|-----|
| Client                                  |      |       |     |
| B & E BOYS<br>(BROTHER INVESTMENTS LTD) |      |       |     |
| Project                                 |      |       |     |
| WATERS MEETING 2, BOLTON                |      |       |     |

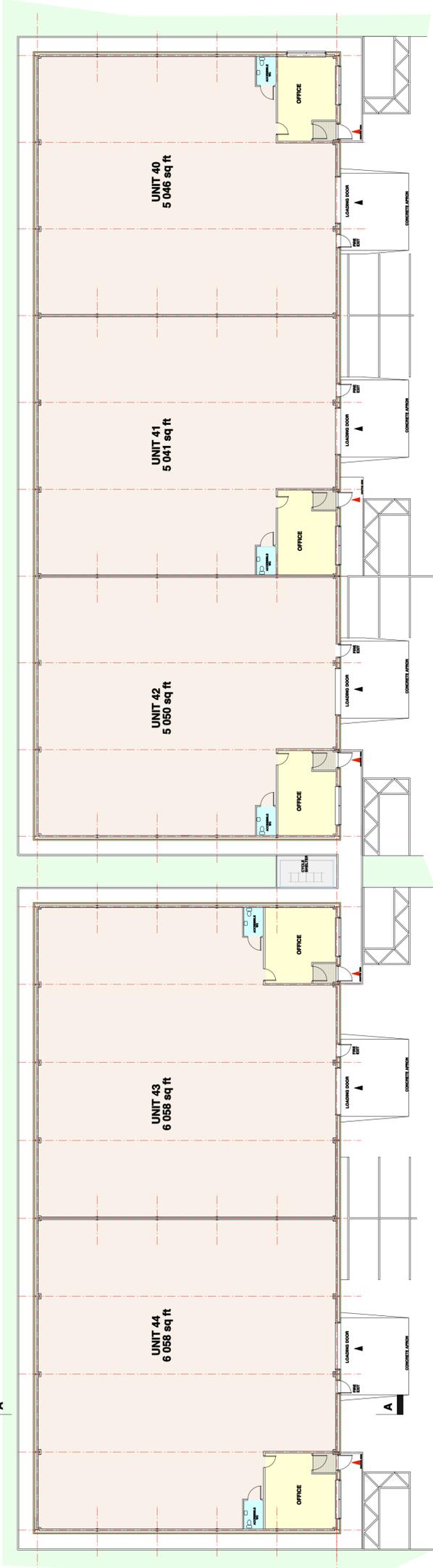
Drawing Title  
PROPOSED SITE PLAN  
PHASE 1

| Drawn       | Checked | Paper Size | Scale | Date     |
|-------------|---------|------------|-------|----------|
| RE          | PKR     | A1         | 1:500 | 24.10.18 |
| Project No. | 18250   | Drawn No.  | P102  | Revision |

**CORSTORPHINE  
+ WRIGHT  
ARCHITECTS**

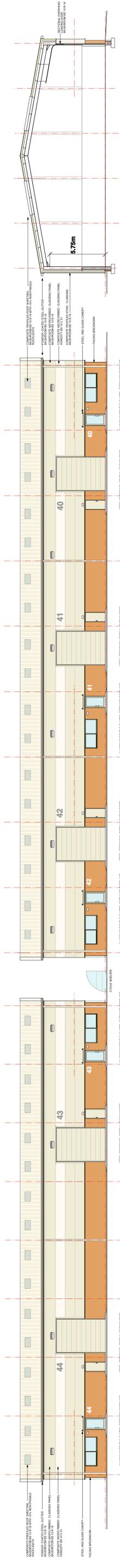
Warwick  
London  
Manchester  
Birmingham  
Leeds  
Newcastle  
Glasgow  
Canterbury  
Dublin  
The Stables • Paradise Wharf • Ducie Street • Manchester • M1 2JN  
☎ 0161 272 8100 • www.corstorphine-wright.com

A



FLOOR PLAN UNITS 40 - 42

FLOOR PLAN UNITS 43 & 44



EAST ELEVATION UNITS 40 - 42

EAST ELEVATION UNITS 43 & 44

TYPICAL CROSS SECTION A-A



**PLANNING DRAWING**

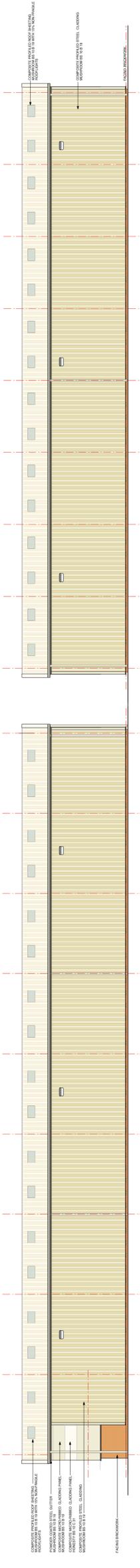
REVISION DATE NOTES  
 CLIENT B & E BOYS (BROTHER INVESTMENTS LTD)  
 PROJECT WATERS MEETING 2, BOLTON

Drawing Title PROPOSED PLANS, SECTION & ELEVATIONS  
 PHASE 1

|             |            |             |          |
|-------------|------------|-------------|----------|
| Drawn       | Checked    | Project No. | Revision |
| RE          | PKR        | 18250       | A        |
| Scale       | Sheet Size | Date        |          |
| 1:200       | A1         | 26.10.18    |          |
| Drawing No. |            |             |          |
| P103        |            |             |          |

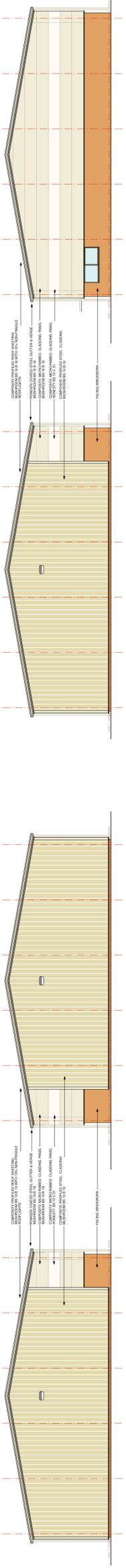
**CORSTORPHINE WRIGHT ARCHITECTS**  
 Warwick  
 London  
 Manchester  
 Birmingham  
 Newcastle  
 Glasgow  
 Canterbury  
 Dublin

The Stables • Paradise Walk • Deane Street • Manchester • M1 7JN  
 ☎ 0161 272 8100 • www.corstorphinewright.com



WEST ELEVATION UNITS 40 - 42

WEST ELEVATION UNITS 43 & 44



SOUTH ELEVATION UNIT 40

SOUTH ELEVATION UNIT 41

SOUTH ELEVATION UNIT 42

SOUTH ELEVATION UNIT 43

SOUTH ELEVATION UNIT 44

NORTH ELEVATION UNIT 40

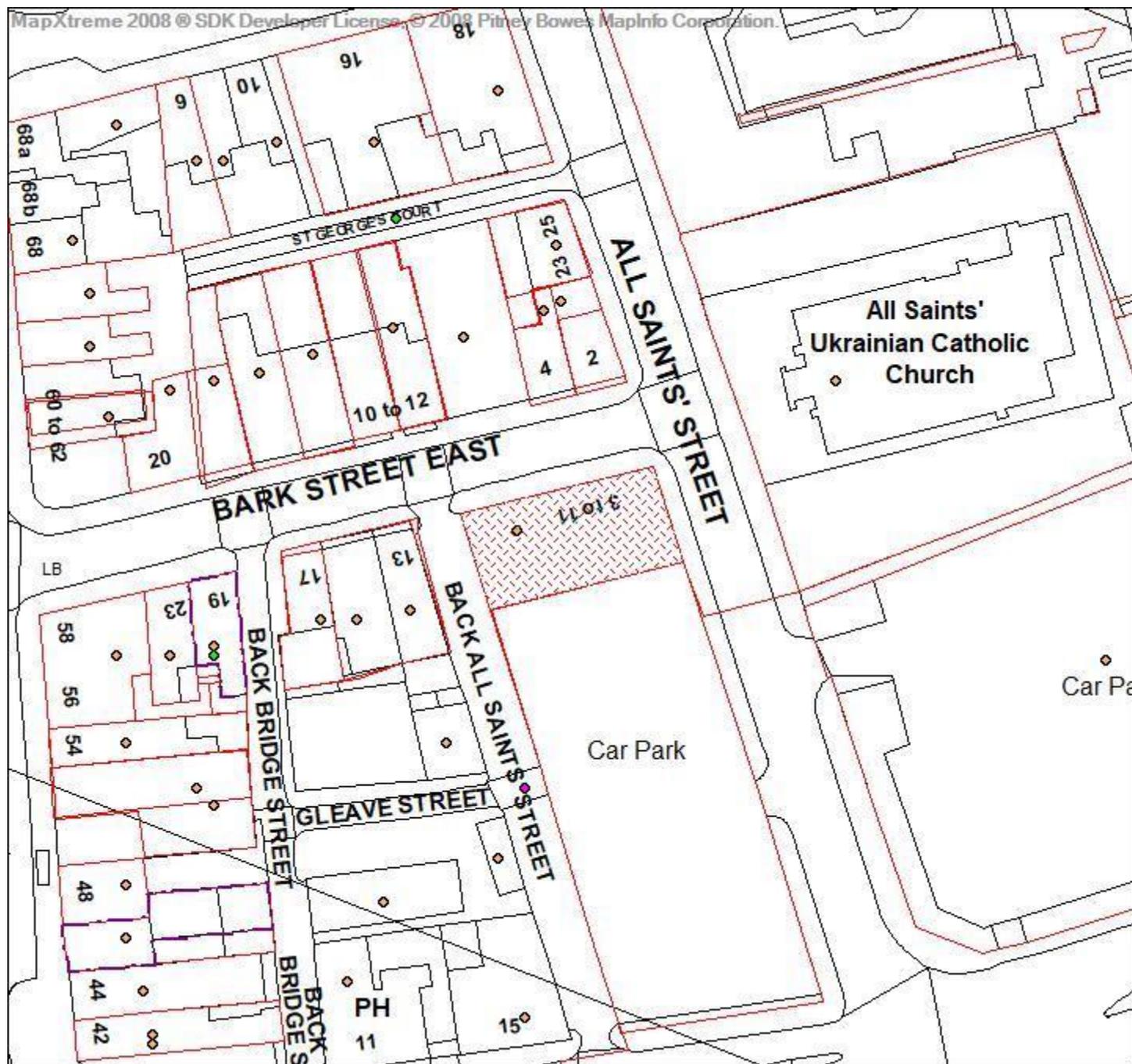
NORTH ELEVATION UNIT 41

NORTH ELEVATION UNIT 42

NORTH ELEVATION UNIT 43

NORTH ELEVATION UNIT 44

**Application number  
05812/19**



**Directorate of Place  
Development Management Section**

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

**Bolton  
Council**

Reproduction from the Ordnance Survey Map with the permission of the Controller of H.M. Stationery Office. Crown Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2018. 0100019389



**Date of Meeting: 19/09/2019**

**Application Reference: 05812/19**

**Type of Application: Full Planning Application**  
**Registration Date: 04/04/2019**  
**Decision Due By: 03/07/2019**  
**Responsible Officer: Martin Mansell**

**Location: 1-11 BARK STREET EAST, BOLTON, BL1 2BQ**

**Proposal: DEMOLITION OF COMMERCIAL PREMISES AND ERECTION OF 12No STUDIO APARTMENTS**

**Ward: Crompton**

**Applicant: c/o Madisons Ltd**  
**Agent : RA Design & Project Management Ltd**

## **Officers Report**

**Recommendation: Refuse**

### **Executive Summary**

- consent is sought to erect a three storey building containing 12 studio apartments each measuring 39 square metres
- whilst the external design is reasonable, the internal space would not meet the national standards if occupied by two people
- the external space available is highly constrained and likely to be unusable
- six of the units rely on land outside the ownership of the applicant in order to provide an acceptable outlook from their main windows

### **Proposal**

1. Full planning permission is sought to demolish the existing single storey building on the site and erect a three-storey building containing 12 studio apartments.

2. The plans have been improved at Officer's request and now show a three storey brick building with a central front and rear entrance and regular fenestration. It is proposed to have a slate roof with mock sash timber windows, stone heads, cills and detailing together with Juliet balconies to the outer windows and railings to the ground floor windows. The main entrance would have a brick surround.

3. The 12 units are shown being laid out on a 4 per floor basis with each unit being served by two windows - one for the combined living/kitchen area and one for the unit's bedroom - though each bedroom is not shown as being fully separated from the living area. The front and rear elevations would therefore have 12 principal windows each, looking either north across Bark Street East or south across a public car park. The units are shown as having a double bed each and have a gross internal area of 39 square metres, including internal corridors.

4. No off-road parking spaces are proposed. The development would have a narrow curtilage to the south and west, essentially an "L" shaped path allowing access to and from the bin storage area.

5. As well as the relevant plans and elevations, the application is supported by the following documents:-

6. Planning & Heritage Statement, Phase 1 Ground Investigation, Drainage Strategy, Crime Impact Statement

7. This application appears before Members as it is considered that the proposal raises policy and precedent issues in relation to the quality of residential development proposed for Bolton town centre going forward and as the land immediately to the south of the application site is in the ownership of the Council, it is preferable that any decision relating to the application site is given the additional scrutiny that is provided by the Council's Planning Committee.

### **Site Characteristics**

8. This roughly rectangular site lies within the St Georges Conservation Area at the junction of Bark Street East and All Saints Street. Both the Building Bolton SPD and the St Georges Conservation Area Character Appraisal consider the building to be "neutral" in its impact - whilst parts of it have a degree of heritage value (for instance, the use of roughly coursed stone on the rear elevation) the building has been so substantially altered over time by the use of brick, a dominant frontage fascia and the use of roller shutters that its overall impact can in fact be considered to be harmful. Its single storey nature is at odds with the two and three storey character of the former Georgian dwellings of Bark Street East and the St Georges Conservation Area in general.

9. St. Georges Road and Bark Street were laid out in the late eighteenth century parallel to the River Croal as Bolton town centre expanded, with Little Bolton forming a generally middle class residential area that was largely converted to office use in the second half of the twentieth century. The tight grid network of Bark Street and All Saints Street have terraced buildings at the back of footway which give a distinctive visual enclosure framing the view to All Saints Church to the east. The opposite side of Bark Street East largely consists of a highly distinctive row of Georgian terraced housing, improved under a Townscape Heritage Initiative grant approximately 10 years ago. Whilst two storey buildings dominate the domestic typologies, three-storey buildings do exist in significant numbers, including to the immediate west of the application site.

10. Immediately to the south of the site and sharing a boundary with it is the All Saints Street West car park, a Council owned pay-and-display car park operated by NCP. The car park is included in a package of sites which are the subject of a Heads of Terms agreement between the Council and its development partners for the regeneration of the Town Centre - the intention being that these sites are developed for housing, consistent with the aims of the Bolton Town Centre Framework (September 2017)

### **Policy**

#### *The Development Plan*

11. Committee should have regard to the requirements of the development plan as a whole. The following policies are considered to be particularly relevant.

12. Bolton's Core Strategy Development Plan Document (2011) - Strategic Objectives - SO3 - To take advantage of the economic opportunities presented by Bolton town centre and ensure that these opportunities benefit everybody in Bolton, including those people living in the most deprived areas, SO4 - To create a transformed and vibrant Bolton town centre, SO5 - Ensuring Bolton takes full advantage of its location in the Greater Manchester City Region, SO9 - To reduce crime and the fear

of crime, and improve road safety by ensuring that neighbourhoods are attractive and well designed, SO10 To minimise Bolton's contribution to climate change and mitigate and adapt to its adverse effects, SO11 Conserving and enhancing the best of Bolton's built heritage and landscapes, SO12 To protect and enhance Bolton's biodiversity, SO13 To reduce the likelihood and manage the impacts of flooding in Bolton, and to minimise potential flooding to areas downstream, SO14 - Providing housing that meets the needs of everybody, SO15 To focus new housing in the existing urban area, especially in Bolton town centre, Council-owned housing areas and in mixed-use developments on existing older industrial sites, SO16 To develop mixed communities which encourage community cohesion and ensure access for all to community and cultural facilities.

13. Bolton's Core Strategy Development Plan Document (2011) - P5 Accessibility, S1 Safe, CG1 Cleaner Greener, CG2 Sustainable Design and Construction, CG3 The Built Environment, CG4 Compatible Uses, SC1 Housing, TC9 Little Bolton, TC11 Design in Bolton Town Centre, IPC1 Infrastructure and Planning Contributions and Appendix 3 - Car parking standards.

14. Bolton's Allocations Plan (2014) - P7AP Strategic Route Network

#### *Other Material Considerations*

15. Supplementary Planning Documents - Accessibility, Transport and Road Safety (October 2013), Infrastructure and Planning Contributions (July 2016), Affordable Housing (February 2013), General Design Principles (June 2015), Sustainable Design and Construction (October 2016), Building Bolton (2006)

16. National Planning Policy Framework - building a strong and competitive economy, ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, meeting the challenge of climate change, flood and coastal change, conserving and enhancing the natural environment, conserving and enhancing the historic environment.

17. Relevant National Planning Practice Guidance - Air Quality, Build To Rent, Climate Change, Conserving and Enhancing the Historic Environment, Design, Ensuring the Vitality of Town Centres, Flood Risk and Coastal Change, Health and Wellbeing, Housing, Land Affected By Contamination, Land Stability, Light Pollution, Natural Environment, Noise, Open Space, Public Rights of Way and Local Green Space, Planning Obligations, Renewable and Low Carbon Energy, Travel Plans, Transport Assessments and Statements, Use of Planning Conditions, Viability, Water Supply, Wastewater and Water Quality

18. The Setting of Heritage Assets: Historic Environment Good Practice Advice Note 3 in Planning (Historic England 2017) and Managing Significance in Decision-Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning Note 2 (Historic England 2015), Conservation Principles for the Sustainable Management of the Historic Environment (Consultation Draft, 2017)

19. Planning (Listed Building and Conservation Areas) Act 1990 s. 66 - general duty as respects listed buildings in exercise of planning functions.

20. St Georges Conservation Area Character Appraisal (July 2007)

21. The Bolton Town Centre Framework was approved by Members of Bolton Council's Cabinet on 25th September 2017 and is a material consideration in the determination of planning applications in Bolton Town Centre, particularly within and adjacent to the identified intervention areas.

22. Consultation closed on the revised draft of the Greater Manchester Spatial Framework which

focuses on making the most of Greater Manchester's brownfield land and prioritises the regeneration of town centres and other sustainable locations. Only limited weight can be given to this; however it is considered to be unlikely that the GMSF will change its focus away from brownfield and town centre regeneration.

### **Analysis**

23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Applications which are not in accordance with Development Plan policies taken as a whole should be refused unless material considerations justify granting permission. Similarly, proposals which accord with the Development Plan 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 as whole and then take account of other material considerations.

24. The main issues in relation to the proposal are:-

- impact on the character and appearance of the area
- impact on the road network
- impact on the future and adjoining occupiers
- impact on the regeneration of Bolton town centre
- impact on housing provision
- other matters

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

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

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

- conserve and enhance local distinctiveness ensuring development has regard to the overall built character and landscape quality of the area
- compatibility with surrounding area – scale, massing, grain, form, architecture, local materials and landscape treatment
- conserve and enhance the heritage significance of heritage assets and area
- maintain and respect the landscape character of the surrounding countryside and its distinctiveness, being compatible with the nearby landscape character

27. Chapter 16 of the NPPF "Conserving and enhancing the historic environment" emphasises at para 185 that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. In terms of proposals affecting heritage assets, Para 189 states that during the determination process of application the applicant must describe the significance of any heritage assets affected, including any contribution made by their setting. Para 190 further comments that local planning authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal taking account of the available evidence and any necessary expertise. The impact of the proposal on the significance of a non-designated heritage asset should be taken into account in determination of an application taking a balanced judgement as to the scale of the harm and the significance of the heritage asset.

28. Core Strategy Policy TC11 relates specifically to development in Bolton Town Centre and states

that the Council and its partners will protect, strengthen and enhance the distinctive townscape qualities of Bolton town centre. Development should conserve and enhance the special nature of the conservation areas and listed buildings; ensure that development along the gateways to the town centre enhances the townscape through the use of high quality design and improved street frontages and pedestrian permeability; ensure streets are designed in accordance with the Public Realm Implementation Framework to achieve a high standard of design which exhibits safety, consistency and accessibility, particularly for pedestrians, cyclists and users of public transport; require development to respect and enhance existing vistas - new architectural 'set pieces' will be supported where the design is of exemplary quality; have regard to the existing hierarchy of built forms as indicated in the Building Bolton SPD; make efficient and effective use of land in the town centre due to the existing levels of high density development, ensuring that development provides adequate amenity space and privacy, or attractive public areas, where appropriate for the site.

29. Core Strategy Policy TC9 relates specifically to development within the Little Bolton area; however it refers to the allocation of uses rather than seeking to promote or discourage particular forms of design or architecture.

30. Officers consider that Core Strategy policies CG3 and TC11 are consistent with the NPPF and can be given substantial weight in the consideration of design matters.

31. The Building Bolton SPD contains a detailed analysis of the existing built form of Bolton town centre and highlights its local distinctiveness. Development proposals are very much welcome but are encouraged to work with rather than against this distinctiveness. It contains design guidance for a series of areas within the town centre, including the Little Bolton area, and advocates a more organic design approach to ensure that new development in the area avoids standardised solutions and maintains the domestic scale and tight urban grid characteristic of the area.

32. The National Planning Policy Framework (February 2019) sets out the Government's planning policy requirements. Section 12, Achieving Well-designed Places identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Para 127 further states that planning policies and decisions should ensure that developments are in accordance with the following:-

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)
- establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

33. Paragraph 131 states 'In determining applications, great weight should be given to outstanding

or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings’.

34. It is considered that the site can accommodate a three-storey building of this scale without harming the street scene. Whilst two storey buildings dominate, three storey buildings do exist, including immediately to the west of the site. The removal of the existing vacant and dilapidated building is considered to be of benefit. The Applicant is proposing to use Ibstock A2611A, a "distressed" red brick that should fit well within the Conservation Area. The use of slate for the roof and timber windows is also welcomed; however, the windows would be mock sash rather than operational sash windows and it is not clear whether any stone elements would be natural stone or reconstituted fake stone. No details of rainwater goods are shown and the two metre close boarded timber fence proposed for the rear boundary would not be consistent with the characteristic boundary treatments of the Conservation Area.

35. Overall, however, and bearing in mind that some of the negative issues listed above could be resolved, improved or otherwise controlled by conditions, the development is considered to have a small but positive impact on the character and appearance of the area and the St Georges Conservation Area, particularly when the removal of the existing building is taken into account.

#### Impact on the Road Network

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

37. Core Strategy policy P5 and S1 seek to ensure that new development proposals take account of accessibility of transport prioritising pedestrians, cyclists, public transport users over other motorised vehicle users, design developments to be accessible by public transport, servicing arrangements, sufficient parking, transport needs of people with disabilities. Major trip generating developments would need to be supported by a Transport Assessment. Core Strategy policy S1 seeks to ensure that the Council and its partners will promote road safety in the design of new development and also target expenditure on road safety to locations with the worst safety record.

38. Appendix 3 of the Core Strategy provides car, cycle, motorcycle and disabled parking standards for a range of new development proposals. In addition, guidance contained within the Accessibility, Transport and Safety SPD covers a range of highways related matters including provision of facilities for people with disabilities, provision for pedestrians, cyclists, public transport and car parking. In addition, the SPD provides guidance on highway design, Transport Assessments/Statements, Travel Plans, Infrastructure provision and the means for securing such provision.

39. Chapter 9 of the NPPF (Feb 2019) relates to the promotion of sustainable transport. Para 102 stresses the importance of development proposals addressing transportation issues at an early stage in a development in order to identify the potential impacts of a proposal and look at opportunities to reduce them together with promoting more sustainable methods of transport. Para 103 states that the planning system should actively manage patterns of growth in support of these objectives, focusing on locations that will limit the need to travel offering a genuine choice of travel modes, with the overall aim being to reduce congestion and emissions. Para 105 states that planning policies should support an appropriate mix of uses across an area, and within larger scale sites, minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.

40. Officers consider that whilst Core Strategy policies P5 and S1 were adopted prior to publication of the NPPF, they are consistent with the NPPF and can be given significant weight.

41. No off-road parking is proposed, nor could any reasonably be provided. However, the Council's Highway Engineers note that the site is within the Bolton town centre area and is thus highly accessible to sustainable transport provision and the surrounding amenities and public car parking provision - this would provide an element of justification to a relaxation of the Council's residential car parking standards in this case. Owing to the constraints of the surrounding highways at that location, a detailed demolition/construction and traffic management plan would be required at the post-planning stage.

42. Subject to details of the proposals for demolition and construction management and provisions to repair any damage caused during this phase, the impact on the road network is considered to be acceptable and to comply with policies P5 and S1 of Bolton's Core Strategy and the Accessibility, Transport and Road Safety SPD.

#### Impact on Future and Adjoining Occupiers

43. 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. It also seeks to ensure that development does not generate unacceptable nuisance by way of odours, fumes, noise or light pollution nor cause detrimental impacts upon water, ground or air quality. Development proposals on land affected by contamination or ground instability must include an assessment of the extent of these issues and any possible risks. Development will only be permitted where the land is, or is made suitable for the proposed use.

44. Paragraph 72 of the NPPF states that Local Planning Authorities should set clear expectations for the quality of development and how this can be maintained and ensure that a variety of homes to meet the needs of different groups in the community will be provided. It also states that planning policies and decisions should create places which promote health and well-being, with a high standard of amenity for existing and future users. Paragraph 117 states that planning policies and decisions should promote an effective use of land in meeting the need for homes whilst ensuring safe and healthy living conditions.

45. The NPPF also states that policies may make use of the nationally described space standard, where the need for an internal space standard can be justified. Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard. Bolton Council has not adopted these internal space standards as a local planning policy; however they are a material consideration and some assessment of the internal layout in the light of these standards is considered to be justified.

46. Officers consider that Core Strategy policy CG4 is consistent with the NPPF and has significant weight in the determination of this application as has the NPPF guidance itself.

#### *Internal and External Layout*

47. Each unit would be 39 square metres. The national minimum space standards require 39 square metres for a one bedroom one person unit but 50 square metres for a one bedroom two person unit. The typical layout shows a double bed and therefore if any of the units were occupied by two persons, they would be substandard by 11 square metres. It is considered that a "single person occupancy" condition could not be adequately monitored or enforced by the Council.

48. The external amenity space standard contained within the General Design SPD would require a

communal area of 216 square metres. The plans suggest that an area of around 45 square metres can be provided within the site, therefore only around a quarter of the recommended area. However, it is debatable whether any of this space is actually usable – it takes the form of a narrow L-shaped strip around the edge of the site – one section is around 1.2 metres wide, the other varies but averages 1.8 metres wide. It is considered that this would be little more than a passage for access to the bins and would be unlikely to be used as actual amenity space. It could be argued that the scheme proposes zero usable amenity space. Whilst it is accepted that external amenity space can and should fall within a town or city centre context, this shortfall is considered to be too great, unless it can be balanced out by providing a more generously proportioned internal layout i.e. significantly in excess of the national standards.

49. The Applicant has sought to argue that the size of the proposed external area is broadly similar to the Council's standard for balconies. In purely mathematical terms, this is possibly true to some degree. However, it takes no account of the fact that the Council's policy sets different standards for private balconies than for communal amenity space - recognising that the entirely private access to balconies means that their value as an amenity asset is significantly greater than a shared communal area. The Applicant's position also takes no account of the useability of the space - as noted above, this narrow L-shaped area of land is unlikely to be used for anything other than bin storage and access thereto.

50. Twelve of the windows on the rear elevation would be principal windows as they serve the single room and bedroom areas of six of the units. However, they all overlook land that is not in the Applicant's ownership. In other words, as the Applicant is unable to provide sufficient land in the form of either a highway or land in their own ownership in order to provide an adequate outlook for the six properties at the rear, they are essentially proposing to externalise this problem on to a third party.

51. Taken together, the poor internal and external layout of the proposal and its reliance on third party land to provide an adequate outlook are considered to point to this being an overly intensive use of a highly constrained site.

#### *Noise*

52. Following the closure of the Ikon nightclub some years ago, this part of Bolton town centre is much less dominated by night time economy uses in the way that Churchgate, Bradshawgate and Nelson Square are. It is not considered that occupants will be at great risk from external noise and internal noise would be controlled via the Building Regulations.

#### *Air Quality*

53. The application is not supported by any information relating to air quality. However, it is not considered that air quality is likely to be such an issue that planning permission should be withheld on this point - town centre traffic is of course a major source of poor air quality; however, its effects fall significantly relative to distance from major roads. A construction management condition would adequately mitigate the impact on air quality during the construction phase.

#### *Odour*

54. Policy CG4 seeks to ensure that new development does not generate unacceptable nuisance by way of odours. As this is primarily a residential development, Officers are satisfied that the development itself will not generate nuisance by way of odours. Whilst a small number of food uses exist nearby, they are not considered to be of such a scale as to cause harm to living conditions.

#### *Impact on Nearby Uses*

55. It is noted that an objection has been received from a business to the west on the grounds that

the proposed development will have a severe and negative impact on these premises and the people that work there. The main concerns raised are that the height of the proposed development would drastically reduce the light that is currently enjoyed in the nearby offices.

56. Officers have considered this issue and note that the affected property benefits from large windows on its north and south elevations in addition to the affected windows on the side facing the application site. It is also noted that whilst the affected property was most likely originally constructed as a residential property, it is now in commercial use and the Council has adopted no policies that seek to protect such properties. It is considered that whilst the amount of light enjoyed by this property will be reduced, it will not be reduced to such a degree that would unacceptably affect its operation as offices - in reality, even if no light at all were to be provided to the eastern elevation, the way in which the office would be used would be essentially no different to any mid-terrace office property that can be found elsewhere on Bark Street East, Silverwell Street, Wood Street, St Georges Road or Chorley New Road. The objector could of course consider whether they may have a reasonable case under Right To Light legislation; however this would not be matter for the Council.

57. In summary, the Bolton Town Centre Framework seeks to deliver "the right mix of affordable, high quality homes". Whilst the proposed development is acceptable in terms of a number of amenity issues such as noise and odour, Officers take the view that the constrained and intensive layout proposed, the lack of usable external amenity space and the fact that it relies on third party land to provide an adequate outlook for its occupants means that it is not considered to comply with Policy CG4 of the Core Strategy and the relevant policies of the NPPF, nor is it considered to deliver the "high quality homes" envisaged by the Town Centre Framework.

#### Impact on the Regeneration of Bolton Town Centre

58. The Core Strategy notes that Bolton town centre is the principal location for employment in the whole borough with an emphasis on retailing, offices and leisure; it is subject to considerable development pressure, and its role within the borough is a vital one. It goes on to state as an aim that Bolton town centre will continue to be a vibrant mix of uses and will be the principal location for retailing, leisure, cultural and civic activities. It will make a significant contribution to the new jobs to be located in the borough over the plan period years, will be a main location for education, especially for those over 16 years old and will be one of the main locations for new housing development and a focus for transport infrastructure. Office developments will be concentrated in Bolton town centre, especially in the Bolton Innovation Zone, Merchant's Quarter and Church Wharf. The town centre will be the principal location for financial and professional services, and the Innovation Zone will be the location for knowledge-based employment, benefiting from the location of the university and colleges. Good urban design is recognised as being essential for producing attractive, high-quality, sustainable places in which people will want to live, work and relax. It is of particular importance for creating a successful and flourishing town centre.

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

60. The Bolton Town Centre Framework was approved by Members of Bolton Council's Cabinet on 25th September 2017 and is a material consideration in the determination of planning applications in Bolton Town Centre, particularly within or close to the identified intervention areas.

61. The NPPF states at para 85 that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It also recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.

62. Officers note that the Core Strategy states that Bolton town centre will be one of the main locations for new housing development over the plan period. Delivering a significant increase in the number of residents of Bolton town centre will help support its vitality and viability at a time when town centres are generally struggling. New development at fairly prominent locations such as this have the potential to significantly improve the appearance and character of the town centre for visitors arriving at this point from the north and east of Bolton, including visitors to the Market Place. The removal of unsightly elements such as the existing building fronting Bark Street East and clearly visible from Bow Street and Bank Street to the south will deliver some visual improvements.

63. That said, a less intensive scheme would still deliver these benefits. The Applicant has been encouraged to consider a revised scheme that provides a more generous internal layout which would balance out the lack of usable amenity space and to avoid the provision of principal room windows on the southern elevation directly overlooking land outside their ownership. They have also been encouraged to consider working with the Council and their partners on a scheme that might not necessarily be a "joint" scheme but would at least be a scheme that functioned in a comprehensive manner across the Bark Street East / All Saints Street area as a whole. However, at the time of writing, the Applicant is clear that they wish the Local Planning Authority to consider the scheme as it currently stands.

64. The impact on the regeneration of Bolton town centre is considered to be limited by the intensity of the internal layout and the lack of consideration of nearby development proposals, albeit that these are less advanced than the application currently before Committee.

#### Impact on Housing Provision

65. Strategy Objective 15 of the Core Strategy is, "to focus new housing in the existing urban area, especially in Bolton town centre, Council-owned housing areas and in mixed-use developments on existing older industrial sites".

66. Core Strategy policy SC1 states that the Council will identify a range of housing sites for additional provision of 694 dwellings per annum between 2008 and 2026.

67. Chapter 5 of the NPPF (Feb 2019) "Delivering a sufficient supply of homes", states the Government's objective of significantly boosting the supply of housing within the UK. Para 59 emphasises the importance of a sufficient amount and variety of land can come forward where it is needed, and para 72 states that supplies of large numbers of homes can often be best achieved through larger scale development that Local Planning Authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way.

68. Para 73 requires authorities to maintain a five-year deliverable supply of housing. Bolton currently cannot demonstrate a deliverable supply when measured against this target and is required to apply a 20% buffer on its housing requirement.

69. This is a brownfield site within the urban area. It is accessible to and from the core area of Bolton town centre and its transport interchange by sustainable means of transport, including walking. The provision of new residential development to meet housing need is a material consideration relevant to the determination of this application. The provision of 12 new homes over a relatively short period would make a small but positive contribution to the Council's housing

requirement at a time of undersupply, both nationally and locally. However, the delivery of new homes is not a purely mathematical exercise and consideration must also be given to the quality of the homes provided, including internal layout, access to external amenity space and ensuring a reasonable outlook.

70. The proposed development would make a small but positive contribution to the housing supply in Bolton, consistent with Policies SO15 and SC1 of Bolton's Core Strategy and contributing to the Government's objective of significantly boosting the supply of housing within the UK, as set out within the NPPF.

71. The benefit of the modest contribution of 12 homes to Bolton's housing supply is considered to be limited by the intensity of the internal layout and the lack of useable external amenity space.

#### Other Matters

##### *Biodiversity and Trees*

72. No Bat Presence / Absence Survey was provided. Given the age of the building and the reasonable proximity to the River Croal, it is possible that this building had some degree of attractiveness to bats - a protected species under the Wildlife and Countryside Act 1980. However, as demolition has commenced without this matter being addressed and without the benefit of planning permission, it is not possible to advise Members whether or not the removal of the roof has had a detrimental impact on bats.

73. There are no trees on the application site, nor is this considered to be a suitable site for new planting.

##### *Infrastructure, Affordable Housing and Planning Contributions*

74. At 12 dwellings, the proposal falls below the 15 unit threshold of Policy IPC1, and the Infrastructure and Planning Contributions and Affordable Housing SPDs. Therefore, no contributions are required or have been sought, nor is it necessary that the developer demonstrates that any such contributions would render the development unviable.

##### *Surface Water Drainage and Flood Risk*

75. The site does not lie within a flood risk area. A drainage strategy has been proposed - it is accepted that in this instance the more sustainable methods of surface drainage (infiltration, nearby watercourse etc) are not viable. It is proposed that the surface water from the site would be drained via the nearby combined sewers. Whilst this is the least sustainable option, given the relatively small site area, the impact on surface water management and flood risk is likely to be negligible.

##### *Sustainable Construction and Energy Management*

76. It is understood that a Energy / Sustainability Statement has been commissioned but at the time of writing it has not been received. It is therefore not possible to advise Members whether the requirements of Policy CG2 of Bolton's Core Strategy or the Sustainable Design and Construction SPD would be complied with.

##### *Crime Reduction*

77. The application is accompanied by a Crime Impact Statement carried out by GM Police which assesses the development against the principles of Crime Prevention Through Environmental Design in order to reduce opportunities for crime and also the fear of crime. It considers the development to be acceptable in general but raises points for further consideration - the ground floor windows, access control, mail deliveries and the physical security and also makes recommendations that would enhance the security of the development. These recommendations are:-

- ground floor windows should be protected with ornate grilles and certified to BS PAS 24 with a laminated pane and opening restrictions
- consideration should be given to obscure glazing to the lower half to increase privacy
- alarms should be installed to ground floor apartments with contacts on windows and doors together with internal PIRs
- through the wall secure postboxes should be provided so that postal workers do not need to enter the building
- a video entry system should be provided
- pedestrian routes and external spaces should be illuminated
- an additional list of Secured By Design improvements is also recommended

78. Of these recommendations, the Applicant has adopted the first one but not the others, nor has any reason been given as to why the recommendations have not been adopted. Nevertheless, Officers accept that these recommendations could be secured via a suitable worded planning condition.

*Land Stability, Ground Conditions and Coal Mining*

79. There is no reason to suspect that this land is unstable. The site lies outside of the defined high risk areas in relation to former coal mining activities. A Phase 1 Contaminated Land Survey has been provided and Officers are satisfied that the site can be appropriately remediated in order to accommodate a residential use.

**Conclusion**

80. The proposed development has a number of positive aspects:-

- whilst the development as a whole falls short of significantly enhancing the Conservation Area, it is considered to at least preserve its character and appearance though the development could be substantially improved by the use of real sash windows rather than mock sash, the use of natural or reclaimed stone and further consideration of the detailed design aspects of the scheme
- the existing building is harmful to the character and appearance of the area
- it would deliver 12 units to Bolton's housing supply, though this has to be considered in the context of the limited space available to occupants
- the application is supported by information relating to crime reduction, land contamination and drainage

However, Officers consider that the poor internal and external layout of the proposal and its reliance on third party land to provide an adequate outlook are considered to point to this being an overly intensive use of a highly constrained site and therefore recommend that Members refuse the application.

Officers do wish to be entirely clear that they are not proposing to refuse the application on the basis that it may limit the development potential of the Council's land to the south as plans for this are currently in their early stages. However, the application before Committee is not considered to be a "neighbourly" form of development and it would be entirely preferable that the two developments should function together.

## Representation and Consultation Annex

### Representations

An objection has been received from a business to the west on the grounds that the proposed development will have a severe and negative impact on these premises and the people that work there. The main concerns raised are that the height of the proposed development would drastically reduce the light that is currently enjoyed in the nearby offices.

### Consultations

Advice was sought from the following consultees: Drainage and Technical Support, Highways Engineers, Strategic Development Unit, GM Police, Bolton Civic Trust

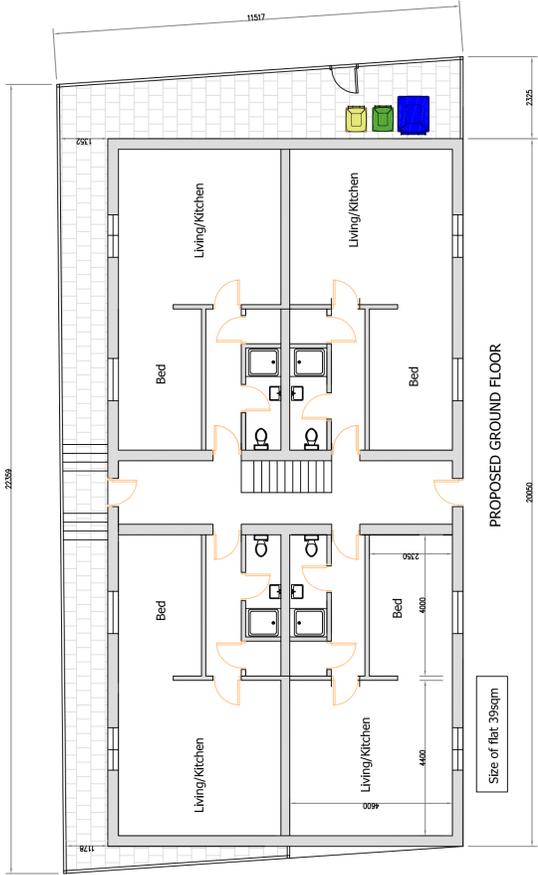
### Planning History

The site has no relevant planning history.

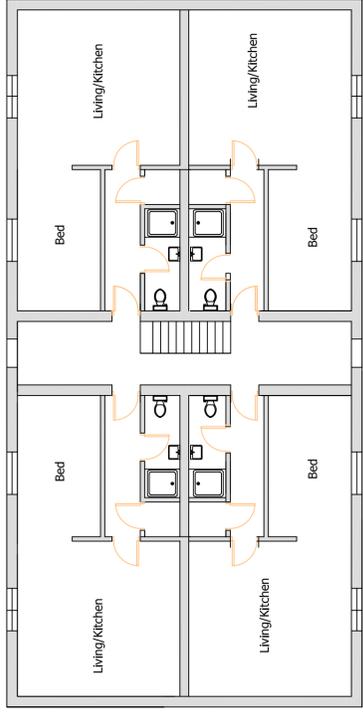
**Recommendation: Refuse**

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

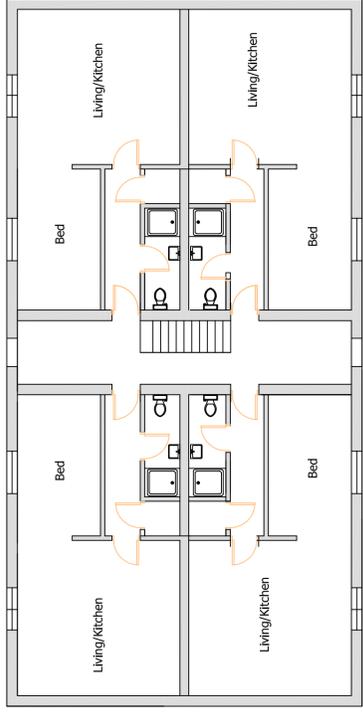
1. The internal and external layout of the proposal and its reliance on third party land to provide an adequate outlook would result in an overly intensive use of a highly constrained site with a lack of usable external amenity space that would not deliver acceptable living conditions for its occupants nor the "high quality homes" envisaged by the Bolton Town Centre Framework and would not comply with Policy CG4 of the Core Strategy and the General Design Principles SPD.



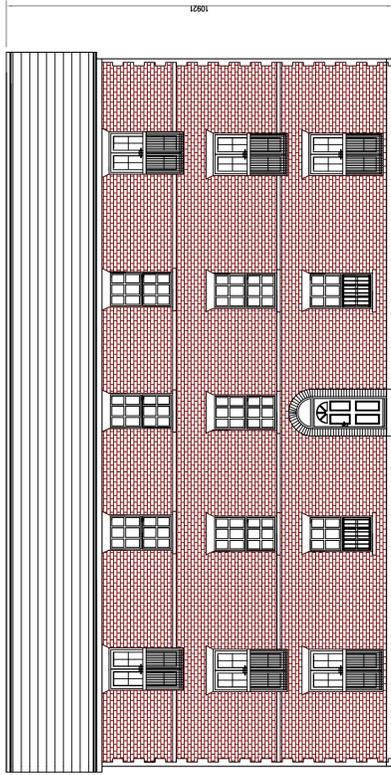
PROPOSED GROUND FLOOR



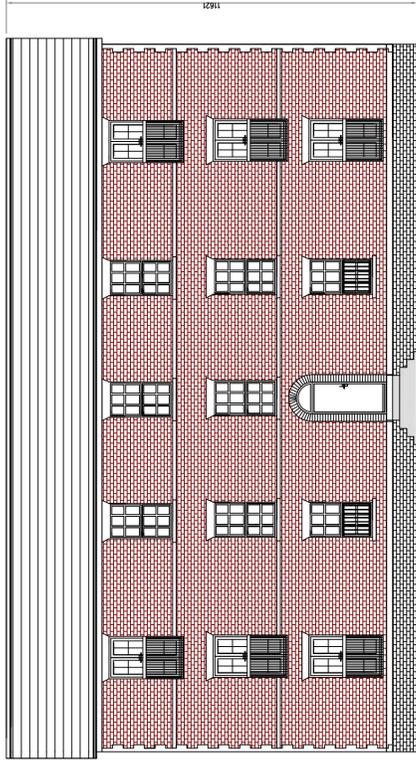
PROPOSED FIRST FLOOR



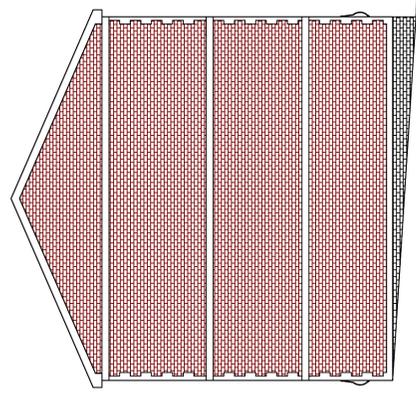
PROPOSED SECOND FLOOR



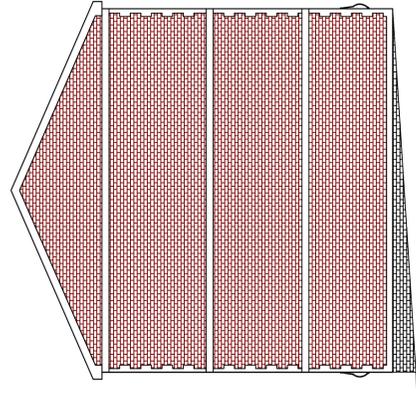
PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

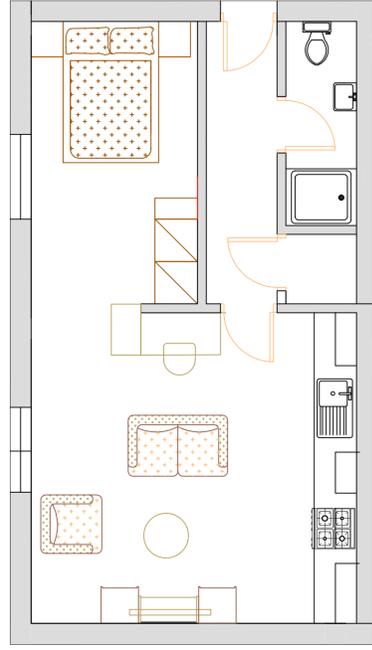


PROPOSED SIDE (2) ELEVATION



PROPOSED SIDE BOUNDARY FENCE

PROPOSED REAR BOUNDARY FENCE



TYPICAL FLAT LAYOUT (1:50)

| Date     | Rev. | Updated elevations | Issues |
|----------|------|--------------------|--------|
| 21/01/19 | A.   | Updated elevations | RA     |
|          |      |                    |        |
|          |      |                    |        |
|          |      |                    |        |
|          |      |                    |        |
|          |      |                    |        |
|          |      |                    |        |
|          |      |                    |        |
|          |      |                    |        |
|          |      |                    |        |

This drawing is subject to copyright and is not to be reproduced in part or whole without approval. Figured dimensions take precedence over scaled measurements from the drawing. All dimensions and drawings to be checked by Client and Contractor and discrepancies clarified with the Client prior to commencing work. The whole of the works to be completed in accordance with the current Building Regulations. No work to commence without Planning & Building Regulations approval. The Client must ensure the project complies with the Construction Design and Management Regulations, 2015. The Client should ensure that any necessary consents or approvals are obtained, as well as compliance with Party Wall Act 1996.

**Notes**

**RAD**  
The White House,  
42-44 Chorley New Road,  
Bolton,  
BL1 4AP  
Tel : 01204 322196  
Fax : 01204 214110  
Mob: 07799 361104  
Email: info@radesignprojects.co.uk

**Project**  
1-11 BARK ST EAST  
BOLTON  
BL1 2BQ

**Title**  
PROPOSED PLANS

**Client** MADISONS LTD  
**Drawn** RA  
**Date** MARCH 2019  
**Scale** 1:100 @ A1 / 1:200 @ A3  
**Drawing Number** RAD/1950/19/2/ReVA

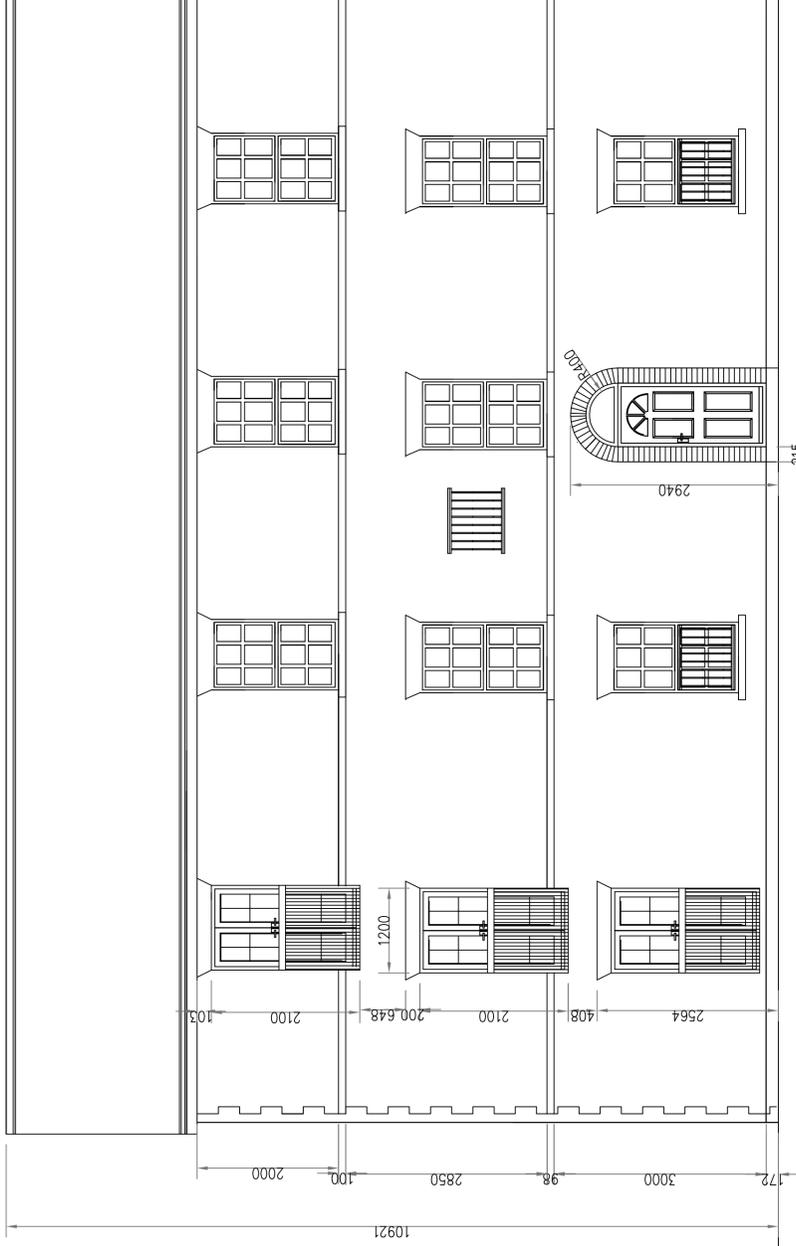


**MATERIALS**

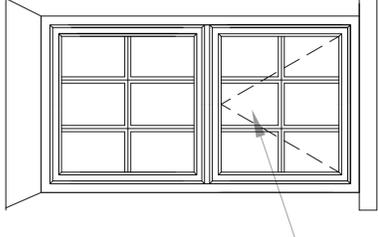
- Roof : Smooth, flat, grey Spanish slate
- Band courses : Stone
- Windows : White Hardwood
- Window Heads & Sills : Stone
- Railings : to match adjacent property
- Surround and Arch : Brick
- Plinth course : Stone
- Brick : IBSTOCK A2611A commercial red brick

**Windows to be :**

- protected by ornate grilles, railings or bars (to be conditioned).
- be certified to BS PAS 24
- glazing to incorporate a laminated pane rated as P1A under EN 356
- opening restrictors to be installed to prevent windows being opened fully from the outside.

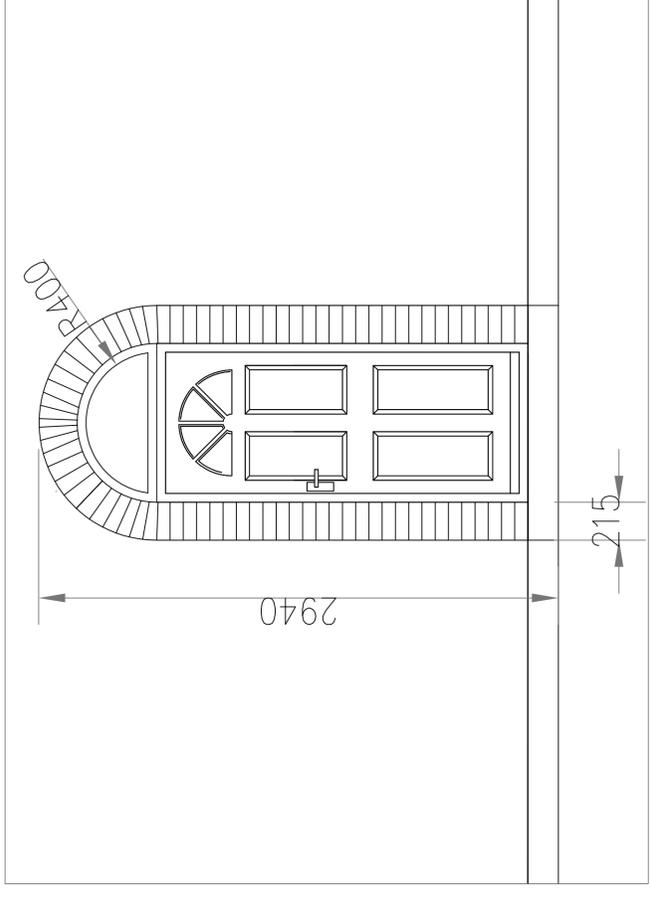


**PROPOSED FRONT ELEVATION (1:50)**



**WINDOW DETAIL (1:20)**

fire escape opening sash



**FRONT DOOR DETAIL (1:20)**

| Date    | Rev. | Updated elevations | Insets |
|---------|------|--------------------|--------|
| 21/8/19 | A    |                    | BA     |

This drawing is subject to copyright and is not to be reproduced in part or whole without approval. Figured dimensions take precedence over scaled measurements from the drawing. All dimensions and drawings to be checked by Client and Contractor and discrepancies clarified with the Client prior to commencing works. The whole of the works to comply with Planning, Approval & Conditions and current Building Regulations. No work to commence without Planning & Building Regulations approval. The Client must ensure the project complies with the Construction Design and Management Regulations, 2015. The Client should ensure that any necessary consents or interested party is obtained, as well as compliance with Party Wall Act, 1996.

**Notes**

**RAD**  
The White House,  
42-44 Chorley New Road,  
Bolton,  
BL1 4AP  
Tel : 01204 322196  
Fax : 01204 214110  
Mob: 07799 361104  
Email: info@radesignprojects.co.uk

| Project                                | Client                             |
|--|------------------------------------|
| 1-11 BARK ST EAST<br>BOLTON<br>BL1 2BQ | MADISONS LTD                       |
|  | Drawn RA                           |
|  | Date JULY 2019                     |
|  | Scale AS INDICATED @ A1            |
|  | Drawing Number: RAD/1950/19/4/RevA |
| Title PROPOSED DETAILS                 |                                    |

Application number  
06451/19



Directorate of Place  
Development Management Section

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

**Bolton  
Council**

Reproduction from the Ordnance Survey Map with the permission of the Controller of H.M. Stationery Office. Crown Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2018. 0100019389



**Date of Meeting: 19/09/2019**

**Application Reference: 06451/19**

**Type of Application: Full Planning Application**

**Registration Date: 08/07/2019**

**Decision Due By: 01/09/2019**

**Responsible Officer: Lauren Kaye**

**Location: LAND ADJ. 171 CHURCH ROAD, BOLTON, BL1 6HH**

**Proposal: CHANGE OF USE OF WOODLAND TO FORM RESIDENTIAL GARDEN**

**Ward: Smithills**

**Applicant: Mr Singh-Vaghela**

**Agent :**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Executive Summary**

- This is Council owned land.
- This is a greenfield site within the urban area.
- Subject to planning permission being granted, the Council will be selling the land to the applicant.
- Before/on the sale of the land, all trees on the site will have a Tree Preservation Order placed on them.
- No objections have been received from any statutory consultees, including Greenspace Management, Trees and Woodlands and Highways.
- It is considered that the proposal complies fully with all relevant policies.

### **Proposal**

1. The application proposes the change of use of woodland to form a residential garden for 171 Church Road. The application includes details of boundary treatment to the front and side including a new gated access to the side.
2. The applicant has provided detailed plans to address neighbouring residents' concerns including provisions for local wildlife, which is supported by Greenspace Officers, and the installation of low immersive lights to the fencing along the unadopted footpath, which the applicant considers would enhance the area and contribute to the safe passage of local residents. The applicant also proposes 1.5 metre high timber fencing with lattice viewing panels which will allow local residents the continued visual enjoyment of the site whilst allowing the applicant to ensure good management of the site.

### **Site Characteristics**

3. The application site relates to a triangular piece of land adjacent to the applicant's existing

residential curtilage. The site itself is covered in a variety of overgrown vegetation/planting and mature trees and can be viewed as part of a strip of woodland along Church Road. The site is already bounded by a timber fence to the front with gated access and metal railings along the side whilst the larger area of woodland to the west, which is divided by the unadopted footpath, benefits from a higher stone wall to the front and side along the unadopted footpath and metal railings along Guildford Road.

4. This is a greenfield site within the urban area. The site is not allocated within the Development Plan and does not fall within a conservation area.
5. It is noted that a previous owner of the property was granted permission in 1979 (planning permission: 12887/79) for a double garage which is built partially in the application site and to the rear of the property.

### **Policy**

*Bolton's Development Plan policies:*

6. Core Strategy Policies; P5 Transport and Accessibility; S1 Safe Bolton; CG1.2 Urban Biodiversity; CG3 The Built Environment; CG4 Compatible Uses; OA5 North Bolton.

*Other material planning considerations:*

7. Supplementary Planning Document: General Design Principles.
8. National Planning Policy Framework (NPPF): 2: Achieving Sustainable Development; 4: Decision-making; 12: Achieving well-designed places; 15: Conserving and enhancing the natural environment.

### **Analysis**

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

10. The main impacts of the proposal are:-

- \* impact on the character and appearance of the surrounding area
- \* impact on the amenity of neighbouring residents
- \* impact on trees
- \* impact on biodiversity
- \* impact on highways

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

11. 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.

12. 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.
13. The application site is a triangular shaped parcel of land immediately adjacent to no. 171 Church Road. To the west lies a larger area of woodland with an unadopted footpath dividing the sites. Officers recognise that this piece of land does provide a pleasant break in the urban form, however, it is considered that the proposed change of use and boundary treatment would not be out of keeping with the character and appearance of the area.
14. The existing timber fencing to the front and metal railings to the side would be replaced with timber fencing with lattice viewing panels along the top measuring 1.5 metres high (the same height as the existing), which would improve the appearance of the boundary finish and allow the applicant to ensure good management to the site which is currently overgrown and littered along the side due to the open metal railings.
15. The applicant has included post cap LED lighting to the fencing along the side boundary to improve the unadopted footway for local residents and one external wall mounted outdoor LED lantern style garden light to the side elevation of the property.
16. The eight trees within the site would be retained and would be protected by a Tree Preservation Order, which would ensure that the character and appearance of both the site and locality would not be affected to an unacceptable degree. The applicant has also included a number of other features including hedgehog holes and runs, bug and bee hotels and other woodland features to further enhance the application site.
17. In addition, officers are recommending that permitted development rights are taken away from the site, to ensure that the current character and appearance of this wooded site is maintained. A condition removing permitted development rights is therefore suggested.
18. It is considered that a residential garden use would be compatible with the residential character of the area and that the erection of proposed boundary treatments would not unduly affect the character and appearance of the area, therefore complying with policy CG3 of the Core Strategy.

#### 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. Policy S1 of the Core Strategy relates specifically to reducing crime and the fear of crime through the design of new development. A contributory factor to improving safety is to create and sustain a sense of place that enables people to identify with their surroundings or locality. This can be achieved through appropriate layout, good lighting and landscape design.
21. It is not considered that the change of use to residential garden and proposed boundary treatment would have a detrimental impact on residential amenity of the applicants or of the occupiers of neighbouring properties.
22. Nearby residents have raised concerns regarding the fencing along the side boundary along the unadopted footpath reducing the amount of lighting making it unappealing to use and may

increase criminal activity and dog fouling. The fencing would measure 1.5 metres in height with lattice viewing panel along the top. It is considered that the dark nature of the footpath is due to the canopy of the existing trees and the fencing would not have a detrimental impact as it allows for a visual outlook through the site. The applicant has included post cap LED lighting along the side boundary to benefit the footpath and to enhance the area and contribute to the safe passage of local residents meeting Strategic Objective 09 of Bolton's Core Strategy which looks to reduce crime and the fear of crime. The nearest LED light to a neighbouring resident would be approximately 19 metres away with detached garages/outbuildings providing screening, which is considered acceptable.

23. The proposal is therefore considered to comply with policy CG4 of the Core Strategy.

#### Impact on Trees

24. Core Strategy policy CG1 seeks to safeguard and enhance biodiversity in the borough by protecting urban biodiversity including trees and woodland.

25. The existing trees within the application site are not protected as they are within Council ownership, however if the application is to be approved, then there will be a requirement for a Tree Preservation Order to be placed on the trees within the plot upon the sale of the land. This is to ensure the retention of the trees in the interest of public amenity, and so to not be contrary to CG1.2 of Bolton's Core Strategy.

26. The Council's Trees and Woodlands Manager has not objected to the application and is satisfied that the existing location of the fencing will be used for the proposed fencing to minimise the impact on the tree roots. The applicant has also confirmed that the flagstone footpath would be flat slabs laid on top of land and that no digging would be required, which is considered acceptable, and that solar lights would be used for the post cap lighting which would not require a power supply, and is again also acceptable.

27. A condition would be included to ensure all landscaping works are undertaken by hand without the use of machinery within the root protection zones of all the retained trees. The applicant has advised that the works to clear the area identified on the plan for the garden area will only involve removal of shrubs to ground level using a strimmer which the Trees and Woodlands Manager considers acceptable.

28. The proposed condition to remove permitted development rights from the site would also ensure that the root protection zones of the trees are protected from any future development.

29. It is considered that the proposal would comply with policy CG1.2 of the Core Strategy.

#### Impact on Biodiversity

30. Policy CG1.2 of the Core Strategy states that the Council safeguard and enhance biodiversity in the borough by protecting sites of urban biodiversity including trees, woodland and hedgerows from adverse development.

31. The Council's Greenspace Management Officers have been consulted on the proposal at a number of stages and has advised the following:

32. *"The proposed council owned site is presently lowland mixed broadleaf woodland which is a UK Biodiversity Action Plan (BAP), Greater Manchester BAP and Bolton BAP habitat. It is also a habitat of principal importance for the purpose of conserving biodiversity, as listed in Section 41 of the Natural Environment & Rural Communities Act 2006 which confers duty upon local*

*authorities by Section 40 of the Act, to consider its protection for biodiversity. Removal of any shrubs, regenerating trees and ground flora would be detrimental to the woodland habitat limiting the functioning of the natural habitat.*

33. *Government planning policy requires local planning authorities to take account of protected species when considering and determining planning applications. There is the potential to impact roosting bats if future works are proposed to the mature trees. 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.*
34. *All wild birds, their nests and eggs are protected from disturbance by Section 1 of the Wildlife & Countryside Act 1981 (as amended). Should consent be granted, any felling of the trees and clearance of vegetation should be undertaken outside the bird nesting season or not without the site being declared free of nesting birds by a suitability qualified specialist.*
35. *Provision of lighting may also be detrimental to the woodland habitat. Lighting would need to be directed to where it is needed and light spillage avoided. This could be achieved by the design of the luminaire and by using accessories such as hoods, cowls, louvres and shields to direct the light to the intended area only."*
36. Following on from the above comments, the applicant provided a further detailed site plan taking into consideration the Greenspace Management officers' and neighbouring residents' comments to ensure the area retains a pro-active, natural heavy undergrowth which benefits from a number of features including hedgehog runs, nesting and bird boxes along with bug and bee hotels and consideration given to lighting. The Greenspace Management Officers have provided further comments supporting the changes made:
37. *"Should consent be granted, it is inferred that all trees on the site will be preserved and retention of part of the understorey and shrub layer, maintaining vertical structure, will reduce the impact on the woodland as a whole.*
38. *Grass will be difficult to establish under the existing tree canopy. The applicant would need to consider a specialist seed mixture like Emorsgate EG23 or Meadowmania AM15, which contains species tolerant of woodland type habitats. Sowing and management of the grass is available from them, including not cutting the grass too short which will be detrimental to maintaining a lawn type feature.*
39. *Whilst the proposed lighting types will be acceptable and conform to Bat Conservation Trust guidelines, there are concerns that post top lights along the boundary may be subject to damage.*
40. *Provision of features for wildlife including hedgehog access, bee & bug hotels, rubble piles and bird feeding stations and nest box, are welcomed. Wildflower introduction should be of shade tolerant species that usually inhabit woodland or hedgerows. It may also be suitable to include shade tolerant plants that are not native but provide nectar and pollen sources for pollinators."*
41. In line with the above comments from the Greenspace Management Officer, it is considered that the proposal is in line with the Council's Local Plan Strategic Objective 12 and Policy CG1.2.

#### Impact on Highways

42. Policy P5 of the Core Strategy states that the Council will ensure that developments take into account [amongst other things] parking, in accordance with the parking standards set out in

Appendix 3. Policy S1.2 states that the Council will promote road safety in the design of new development.

43. The Highways department has been consulted and they have advised that they have no objections on highway grounds to what is being proposed under this application.

44. It is considered that this proposed would comply with policies P5 and S1.2 of the Core Strategy.

**Local finance considerations**

45. 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**

46. Officers consider that the change of use to residential garden is acceptable along with the proposed boundary treatment and associated works. The eight trees within the site would be protected by a Tree Preservation Order on the sale of the land, therefore it is considered that the above proposal complies with policy and guidance.

47. Members are therefore recommended to approve the application.

## **Representation and Consultation Annex**

### **Representations**

**Letters:-** 41 letters of objection have been received from nearby residents raising the following concerns:

48. the woodland is a natural habitat for a variety of wildlife and the proposal will result in the loss of local wildlife (bats, hedgehogs, squirrels, foxes and owls). *(Officer comment: this is addressed above within the analysis.)*
- object to development in a conservation area. A protected woodland with a diverse array of flora and fauna should not be allowed to be developed either as a domestic garden or for other purposes. *(Officer comment: the application site is not part of a conservation area or protected woodland.)*
- setting a precedent for other local woodlands to be cleared and in a few years planning permission will be given for new houses similar to sites on Harpers Lane and Captains Clough Road and would result in an increase in traffic and on road parking. *(Officer comment: the application is for the change of use from a woodland to a residential garden and can only be assessed for this. Should permission be granted, the trees would be protected by a Tree Preservation Order.)*
- if it was to become a residential garden then it could result in various garden buildings being built on the site or it being used for parking and the canopy of the trees will make growing of any grass impossible. *(Officer comment: permitted development rights would be removed from the site by condition therefore the applicant would need to apply for any outbuildings/development to the site. The applicant has also taken into consideration specialist grass seeds given the ground conditions.)*
- the applicant accepts all trees will have TPOs, however who will be responsible for the care of the trees and to ensure they are not damaged, maliciously or not. *(Officer comment: the owner of the site will be responsible for the care of the trees. Anyone who contravenes a Tree Preservation Order by damaging or carrying out work on a tree protected by an Order without getting permission from the local planning authority is guilty of an offence and may be fined.)*
- the proposal will impact on the view from neighbouring properties and as a result will devalue the price of properties. *(Officer comment: these are not material planning considerations.)*
- the lighting on site will affect neighbouring properties and will result in loss of privacy. *(Officer comment: this is addressed above within the analysis.)*
- removal of trees would increase flood risk issues as the trees act as a soak away for rainfall and in turn decrease the surface water. It would also result in the loss of habitat for bats and birds. *(Officer comment: the proposal would not result in the removal of trees and the application site is in a Flood Zone 1 (lowest risk of flooding).)*
- Bolton has very few areas left like these and what we have should be preserved and not destroyed.
- the removal of the metal railings and replacing with fencing would affect the path along the side towards Burnside Road which is used by many local residents. The fencing would reduce the amount of lighting making it unappealing to use therefore forcing them to take a longer route around the houses and may increase the amount of dog fouling. It would also remove the visual amenity enjoyed by local residents. *(Officer comment: this is addressed above within the analysis.)*
- this would be a large garden for a small terrace house. *(Officer comment: this is not considered to be a material planning consideration.)*
- previous owners of the property have been refused similar applications. *(Officer comment: there is no planning history of previous applications similar to this proposal within the vicinity of the site.)*
- the owners of 171 Church Road have artificial grass to the front garden therefore it can be said that they are not inclined to garden. *(Officer comment: the proposed plans do not show any*

*proposed artificial grass.)*

- removal of natural woodland would have an undesired affect on the mental health of all people in the local area. The natural environment greatly alleviates the stress and torment suffered by people with mental health issues.
- the understorey beneath the trees should be allowed to develop to provide a connecting habitat for the woodland wildlife of this area. By removing important component of the woodland and reducing interest such as invertebrates which provide food to birds and mammals using this woodland and the surrounding habitat, it will likely decline significantly the bird interest of the area due to the regular disturbance. *(Officer comment: the applicant is proposing a variety of wildlife features within the site).*
- likelihood of bats roosting in the trees and work close to or beneath these trees is likely to affect such roosts at any time of year. This could be an offence under Wildlife and Countryside Act 1981. *(Officer comment: no work is proposed to any of the trees).*
- the compliance with the Natural Environment & Rural Communities Act 2006 alone is compelling enough reason to refuse this application. *(Officer comment: no work is proposed to any of the trees).*
- the woodland is part of the original grounds/gardens of the 300+ year old Halliwell Hall and along with the other woodland up to Halliwell Heights is an integral part of the estate and does not belong to any one resident and should remain in Bolton Council ownership. *(Officer comment: ownership of land is not a material planning consideration.)*

1 general letter has been received commenting the following:

- is the applicant purchasing the land or is it being leased from the Council? If so, for how long? *(Officer comment: the applicant is purchasing the land from Bolton Council subject to the granting of planning permission.)*
- if the land is levelled where would it drain to, would that be onto the side path which would make it dangerous? *(Officer comment: the land is not proposed to be levelled).*

**Petitions:-** None.

**Elected Members:-** Cllr Hayes has provided the following comments:

- That all trees should be protected by a TPO prior to the sale.
- Concern regarding the low emission lights that it may have a detrimental effect on wildlife. This aspect should either be refused or strictly controlled.
- A condition should be that small gaps in any fence should exist so as to allow small mammals (e.g. hedgehogs) to move into and out of the area from neighbouring woodland.

### **Consultations**

Advice was sought from the following consultees: Highways, Greenspace Management, Tree and Woodlands.

### **Planning History**

12887/79 - Demolition of existing garage and car port and erection of a concrete double garage. - Approved

**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. All landscaping works within the root protection zones of all the retained trees must be undertaken by hand without the use of machinery.

Reason

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

3. The lighting shall be installed in accordance with the approved details as shown in Proposed Site Plan - Drawing number P2E030819, Date drawn 23.08.2019 & Planning Statement - 171 Church Road, Date scanned 6th September 2019 and retained thereafter.

Reason

To safeguard the character and appearance of the locality and to prevent light pollution (and to safeguard the health of the trees within the site) and in order to comply with Bolton's Core Strategy policies CG1, CG3 and CG4.

4. The wildlife features (hedgehog holes, bird nest boxes, bird feeding station, bug and bee hotels, stone piles and wildflower meadow) as shown on the approved plan Proposed Site Plan - Drawing number P2E030819, Date drawn 23.08.2019 shall be implemented in full and retained thereafter.

Reason

To ensure the favourable status of protected species and to comply with policy CG1 of Bolton's Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order) no extensions, garages, outbuildings, sheds, decking, greenhouses, oil tanks, hardstandings, fences, gates or walls shall be constructed on the site, other than shown on the approved plans.

Reason

To safeguard the character and appearance of the dwelling/land and to comply with policy CG3 of Bolton's Core Strategy.

6. The application site is not to be treated as the residential curtilage to the dwelling at 171 Church Road.

Reason

For the avoidance of doubt as to what is permitted.

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

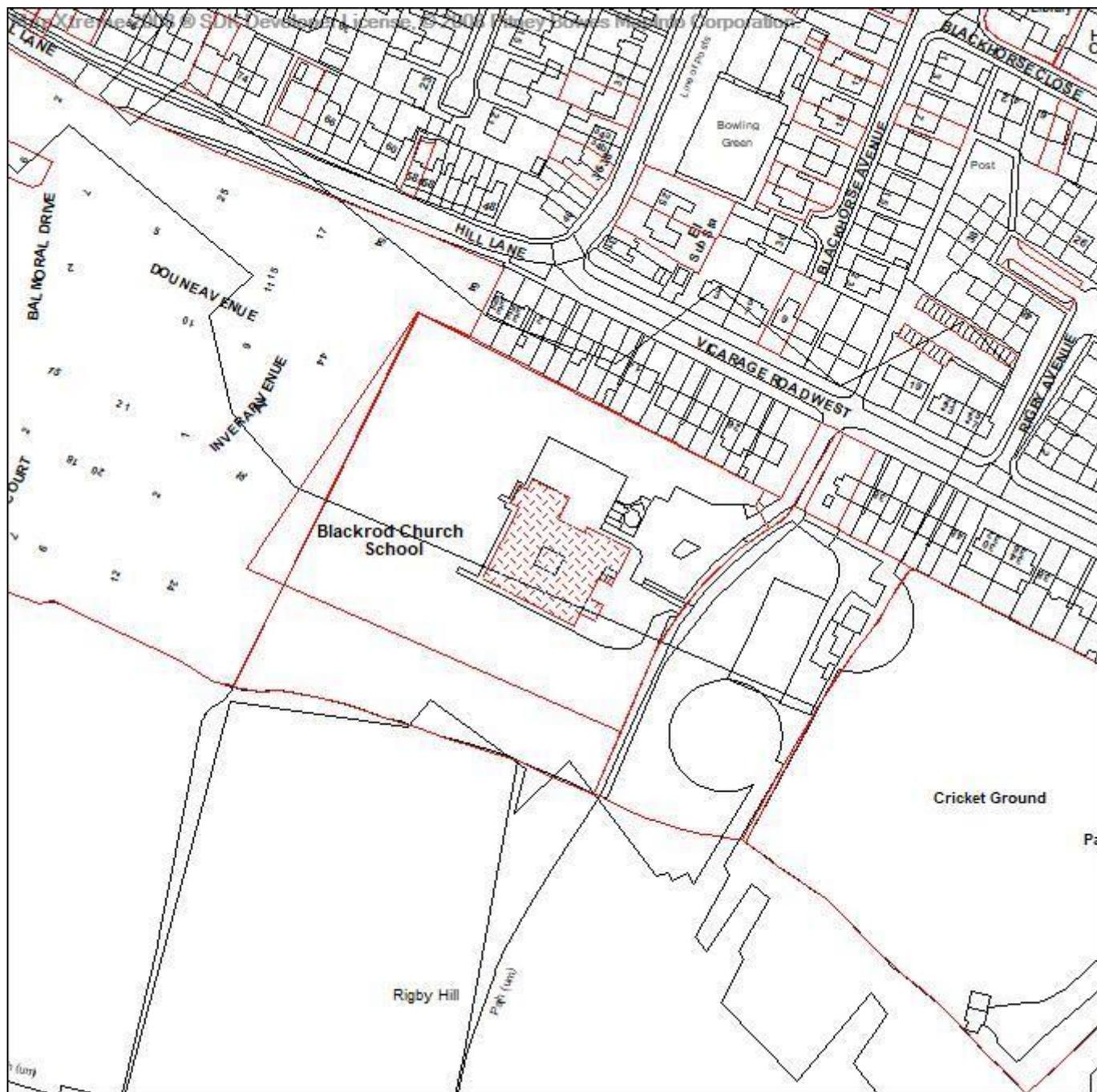
**Proposed Site Plan - Drawing number P2E030819, Date drawn 23.08.2019  
Planning Statement - 171 Church Road, Date scanned 6th September 2019**

Reason

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



# Application number 06534/19



Directorate of Place  
Development Management Section

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

# Bolton Council

Reproduction from the Ordnance Survey Map with the permission of the Controller of H.M. Stationery Office. Crown Copyright and may lead to prosecution or civil proceedings.

Crown Copyright and database rights 2018. 0100019389



**Date of Meeting: 19/09/2019**

**Application Reference: 06534/19**

**Type of Application: Full Planning Application**

**Registration Date: 01/08/2019**

**Decision Due By: 25/09/2019**

**Responsible Officer: Lauren Kaye**

**Officer:**

**Location: BLACKROD CHURCH SCHOOL, VICARAGE ROAD WEST,  
BLACKROD, BOLTON, BL6 5DE**

**Proposal: REPLACEMENT OF ROOF COVERING**

**Ward: Horwich and Blackrod**

**Applicant: Robertson Construction**

**Agent : The Vinden Partnership**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Executive Summary**

- The school site is Council owned and the proposed project is Council led.
- The existing interlocking concrete tiles are proposed to be replaced with Kingspan Quadcore KS1000/2000RQ insulated roof panels.
- The proposal would not result in an increase in the footprint of the school building.
- No objections have been received from any local residents.
- The proposal is recommended for approval subject to planning conditions.

### **Proposal**

1. This is a Council application. Permission is sought for the replacement of the roof covering.
2. The existing roof covering consists of interlocking concrete tiles to the majority of the surface with hipped ridges to the main corners of the square building. Fascia boards are in fair condition and are not to be replaced at this time.
3. The proposed roof covering is to be Kingspan Quadcore KS1000/2000RQ Trapezoidal system with matching ridge and valley sheets. The colour is to be confirmed by the applicant and is to be conditioned. The existing rooflights are to be replaced with Kingspan Day-Lite Vault rooflights to ensure system encapsulation and light provision internally. Roof pitch angles are to match existing.
4. The existing flat roof areas are to remain as existing.

### **Site Characteristics**

5. The application site consists of a single storey primary school, a car park and a playground pitch to the front of the site. The main vehicular and pedestrian entrances are off Vicarage Road West

which lies to the north of the site.

6. The application site is located between residential properties to the north (Vicarage Road West) and west (Inverary Avenue - new build development off Hill Lane 03631/18), a cricket ground to the east and open Green Belt land to the south and is allocated as Other Protected Open Land.

### **Policy**

7. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses; OA1 Horwich and Blackrod.

8. Allocations Plan Policies: CG6AP Other Protected Open Land

*Other material planning considerations:*

9. Supplementary Planning Document: General Design Principle.
10. National Planning Policy Framework (NPPF)
11. Emerging Blackrod Neighbourhood Development Plan - Policy CF2 (Retention and Improvement of Community Facilities). This policy can be given some planning weight. It is considered that this minor proposal would not conflict with this policy.

### **Analysis**

12. 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.

13. The main impacts of the proposal are:-

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

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

14. 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.

15. 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.

16. The NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make developments acceptable to communities.

17. The application proposes replacing the existing interlocking concrete tiles with Kingspan Quadcore KS1000/2000RQ insulated roof panels with the colour to be confirmed. The existing rooflights are to be replaced with vault rooflights and the flat roof areas are to remain as existing.
18. The proposed change to the roof covering would not alter the roof pitch angles or the overall appearance of the school within the street scene and would not unduly affect the character and appearance of the host building or surrounding area.
19. It is considered that the proposal is in keeping with the school building and school site and would not harm the immediate surrounding area and therefore the proposal accords with policies CG3 and OA1 of the Core Strategy.

#### Impact on the Amenity of Neighbouring Residents

20. 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.
21. The nearest residential properties on Vicarage Road West are sited in excess of 35 metres from the school building and on Inverary Avenue they are sited in excess of 60 metres from the school building. It is considered that the proposed replacement of roof covering would not impact on the residential amenity of the neighbouring properties.
22. It is therefore considered that the proposal would comply with policy CG4 of the Core Strategy.

#### **Local finance considerations**

23. 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**

24. For the reasons discussed above, it is considered that the proposed replacement roof complies with the aforementioned local and national planning policy. Members are therefore recommended to approve this application.

## **Representation and Consultation Annex**

### **Representations**

**Letters/Petitions:-** None.

**Blackrod Town Council:-** Blackrod Town Council met on 2nd September 2019 and raised no objection to the proposal.

### **Consultations**

Advice was sought from the following consultees: None.

### **Planning History**

58990/01 - PROVISION OF ADDITIONAL CAR PARKING SPACES. - AC

74189/06 - INSTALLATION OF AN ACCESS RAMP TO NURSERY UNIT - AC

79797/08 - ERECTION OF SINGLE STOREY EXTENSION FOR USE AS CLASSROOM, INCLUDING COVERED AND SHUTTERED EXTERNAL PLAY AREA, AND 10 PARKING SPACES - AC

91597/14 - ERECTION OF SINGLE STOREY EXTENSION TO FRONT, INCREASING PLAYGROUND AREA AND ADDITIONAL CAR PARK SPACES. - AC

92162/14 - ERECTION OF 2.4M HIGH MESH PANEL PERIMETER FENCE - AC

**Recommendation:            Approve subject to conditions**

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

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

Reason

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

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

Reason

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

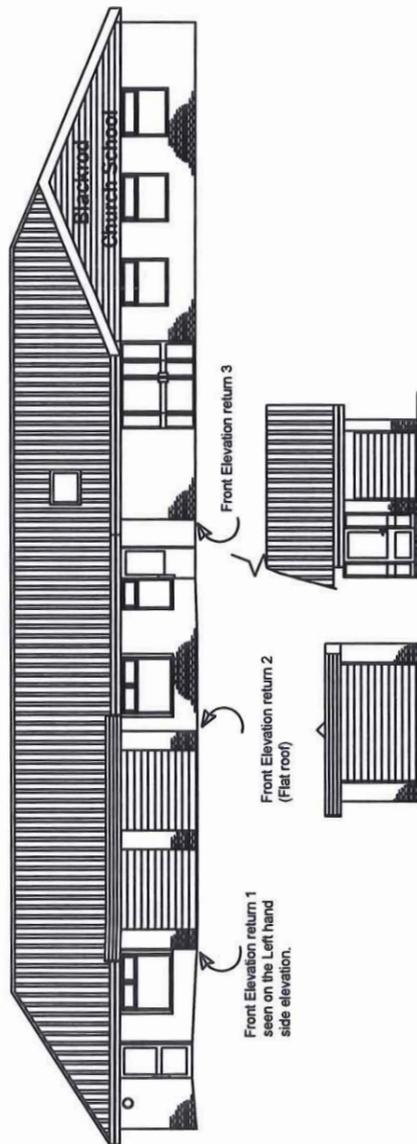
3. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

**Proposed Elevations - Drawing number B19457-02, Date drawn 10.07.2019**

Reason

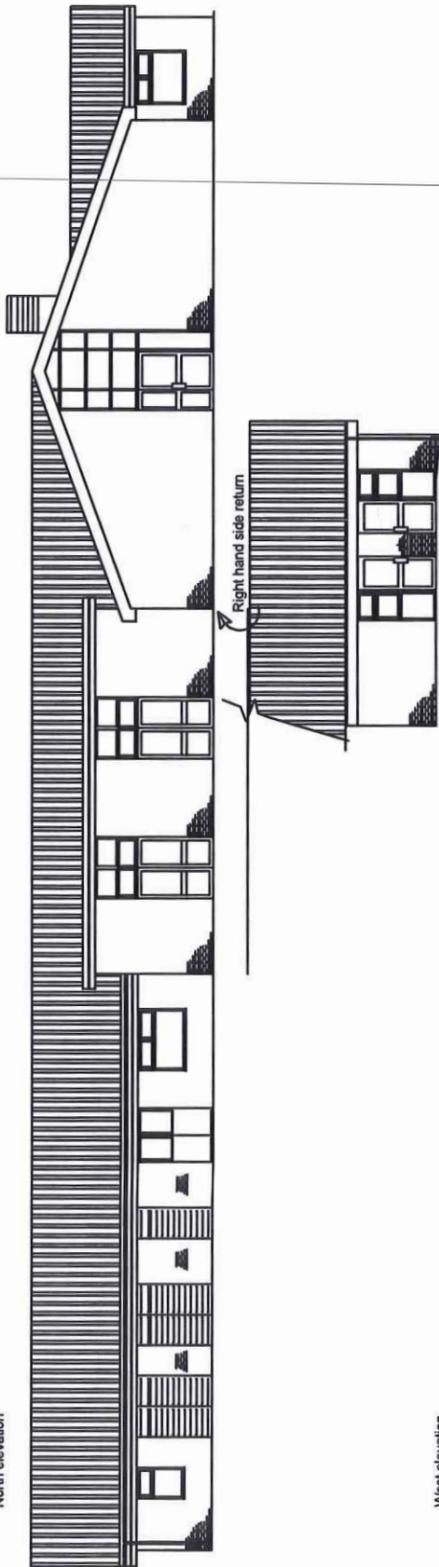
For the avoidance of doubt and in the interests of proper planning.

East elevation

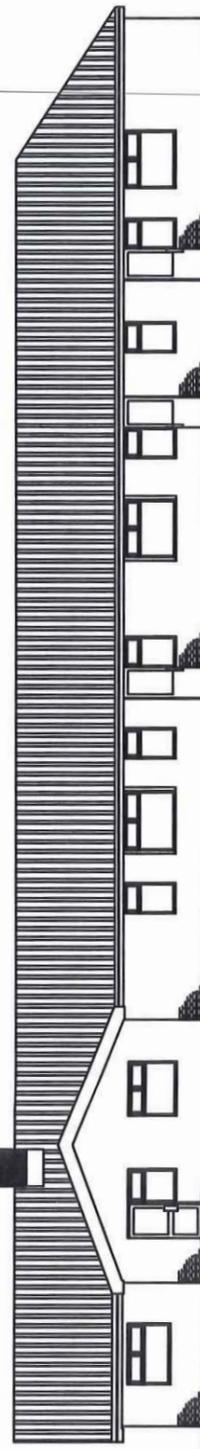


New roof covering is to be Kingspan Quadcore KS1000 / 2000RQ Trapezoidal system with matching ridge and valley sheets.  
 The system colour is to be confirmed by the client  
 The existing rooflights are to be replaced with Kingspan Day-Lite Vault rooflights to ensure system encapsulation and light provision internally.  
 Roof pitch angles are to match that as existing.

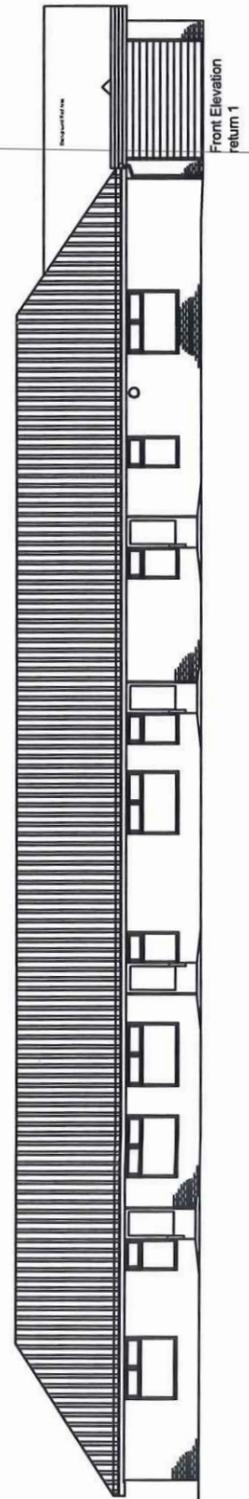
North elevation



West elevation



South elevation



19 JUL 2019

**Project:**

Blackrod Church Primary School  
Roof Replacement

Date: 10.07.2019

Scale: 1:200 @ A3

Drawing Title:

**Proposed Elevations**

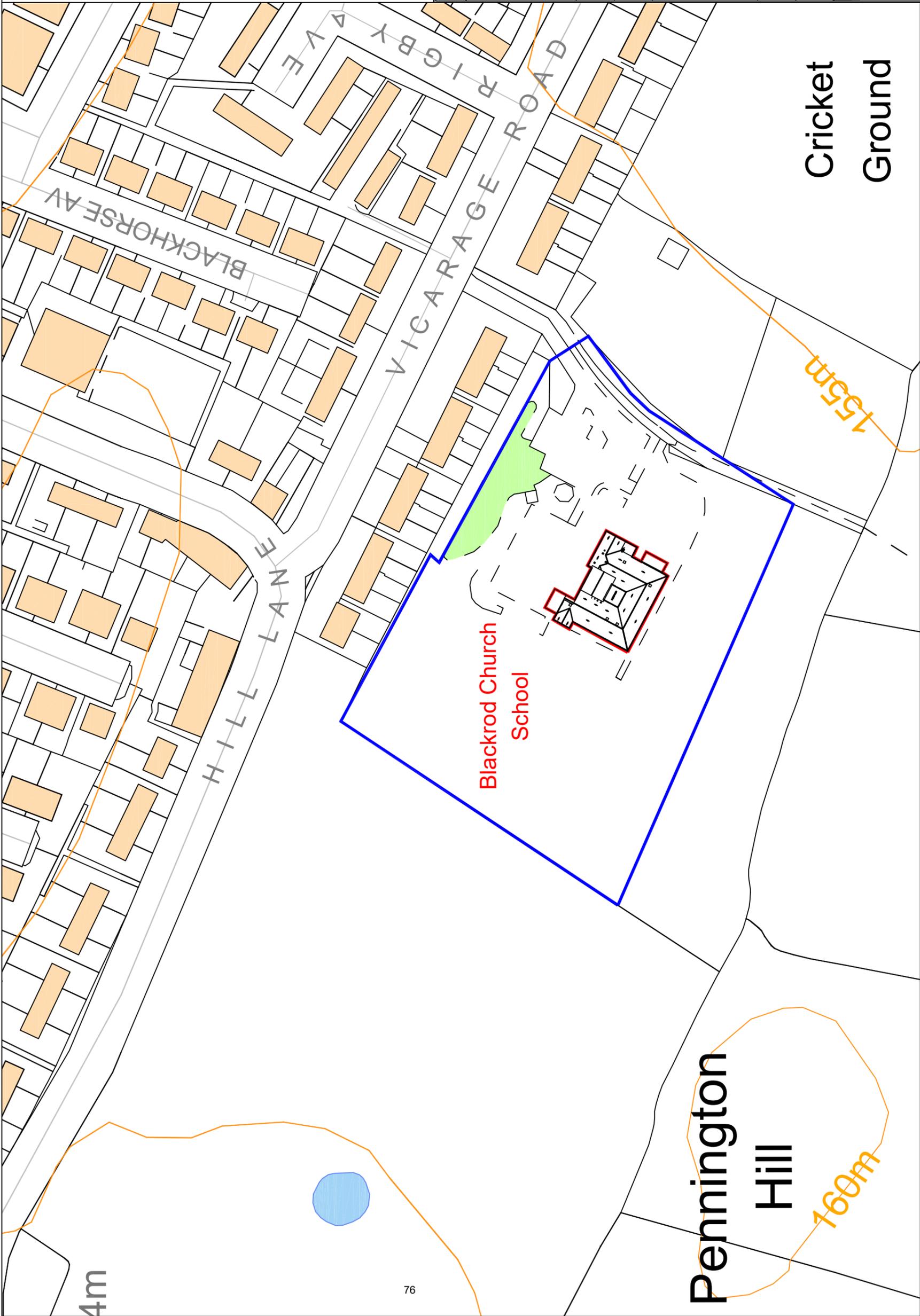
Drawn by: ALL

Drawing no: B19457-02



The Vinden Partnership  
 Regent House  
 Folds Point  
 Folds Road  
 Bolton BL1 2RZ

Tel: (01204) 362888  
[www.vinden.co.uk](http://www.vinden.co.uk)



**Project:**

Blackrod Church Primary School  
Roof Replacement

Date: 10.07.2019

Scale: 1:1250 @A3

Drawing Title:  
LOCATION PLAN

Drawn by:  
ALL

Drawing no:  
B19457-03



The Vinden Partnership  
Regent House  
Folds Point  
Folds Road  
Bolton BL1 2RZ  
Tel: (01204) 362888  
[www.vinden.co.uk](http://www.vinden.co.uk)

**Cricket  
Ground**

**Pennington  
Hill**

## RECEIVED PLANNING APPEALS from 16/08/2019 to 10/09/2019

02434/17 LAND OFF VICTORIA ROAD, HORWICH

OUTLINE APPLICATION FOR THE ERECTION OF UP TO 300 DWELLINGS WITH ASSOCIATED WORKS (ACCESS DETAILS ONLY)

Decision date: **29-Jun-2018**

Decision: **Refused**

Decision level: **Committee**

Appeal start date: **11-Sep-18**

Appeal ref: **APP/N4205/W/18/3210299**

## DECIDED PLANNING APPEALS from 16/08/2019 to 10/09/2019

02434/17 LAND OFF VICTORIA ROAD, HORWICH

OUTLINE APPLICATION FOR THE ERECTION OF UP TO 300 DWELLINGS WITH ASSOCIATED WORKS (ACCESS DETAILS ONLY)

Decision date: **29-Jun-2018**

Decision: **Refused**

Decision level: **Committee**

Appeal decision date: **21-Aug-2019**

Appeal decision: **Dismissed**

Appeal ref: **APP/N4205/W/18/3210299**

### Summary of decided planning appeals

|       | Dismissed | Total |
|-------|-----------|-------|
| Total | 1         | 1     |

## RECEIVED ENFORCEMENT APPEALS from 16/08/2019 to 10/09/2019

Appeal start date:

Appeal ref:

**DECIDED ENFORCEMENT APPEALS from 16/08/2019 to 10/09/2019**

Decision date:

Decision:

Appeal ref:

---

**Summary of decided enforcement appeals**