

# Application number 12778/21



Directorate of Place  
Development Management Section

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# Bolton Council

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**Date of Meeting: 06/01/2022**

**Application Reference: 12778/21**

**Type of Application: Full Planning Application**

**Registration Date: 10/12/2021**

**Decision Due By: 03/02/2022**

**Responsible Officer: Martin Mansell**

**Location: BOLTON MARKET, ASHBURNER STREET, BOLTON, BL1 1TQ**

**Proposal: CREATION OF AN ALTERED VEHICULAR ACCESS ROAD INTO BOLTON MARKET FROM MOOR LANE.**

**Ward: Halliwell**

**Applicant: Bolton Council**  
**Agent :**

## **Officers Report**

**Recommendation: Approve subject to conditions**

### **Executive Summary -**

- Consent is sought to relocate the existing access to the car park of Bolton Market approximately 4 metres to the south of its current position. Due to the grant of planning permission for the residential development at the former Moor Lane bus station site, it is necessary to relocate the access point in order to accommodate the quantum of development proposed.
- There are no objections from consultees or neighbouring properties.
- The impact on the character and appearance of the area is considered to be negligible. Whilst there would be a loss of 13 car parking spaces, this is considered to be acceptable for the reasons set out in the impact on the road network section below. As the proposal would assist in achieving the Council's housing objectives any residual harm is considered to be overwhelmingly outweighed by the housing delivery benefits
- The application is before Planning Committee as the application site is Council-owned and the project is Council-led.
- The proposal is recommended for approval subject to a limited number of conditions.

### **Proposal**

1. Consent is sought to relocate the existing access to the car park of Bolton Market approximately 4 metres to the south of its current position. Due to the grant of planning permission for the residential development at the former Moor Lane bus station site, it is necessary to relocate the access point in order to accommodate the quantum of development proposed.
2. The relocation of the access point would lead to the loss of 13 car parking spaces from the surface level car park at the market, reducing its capacity from approximately 120 spaces to 107.

### **Site Characteristics**

3. The site forms part of the land associated with Bolton Market and is located on its northern

side, close to the former Moor Lane bus station. It is presently used as formal parking spaces. Whilst it has the appearance of a highway, it is not adopted and has the status of a private access road, owned by Bolton Council.

4. Despite its noticeable architectural features, Bolton Market is not listed and is not within a Conservation Area.

## **Policy**

### **The Development Plan**

5. Core Strategy Policies: CG3 The Built Environment; CG4 Compatible Uses, P5 Accessibility, S1 Safe, SC1 Housing, TC11 Design in Bolton Town Centre

### **Other Material Considerations**

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

## **Analysis**

8. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.
9. Applications which are not in accordance with Development Plan policies should be refused unless material considerations justify granting permission. Similarly, proposals which accord with Development Plan policies should be approved unless there are material considerations which would justify a refusal of permission. It is therefore necessary to decide whether this proposal is in accordance with the Development Plan and then take account of other material considerations.
10. The main impacts of the proposal are:-
  - impact on the character and appearance of the area
  - impact on nearby uses
  - impact on the road network
  - impact on housing provision

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

11. Policy CG3 of the Core Strategy states that the Council will expect development proposals to contribute to good urban design, conserve and enhance local distinctiveness and be compatible with the surrounding area, in terms of scale, massing, grain, form, architecture, street enclosure, local materials and landscape treatment. 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. Core Strategy Policy TC5 relates specifically to development within the area; however, it refers primarily to the general allocation of uses rather than seeking to promote or discourage particular forms of design or architecture.
12. The proposal comprises the relocation of the existing access to the car park of Bolton Market approximately 4 metres to the south of its current position. As the appearance of the site will therefore change very little, the impact on the character and appearance of the area is considered to be negligible.

### **Impact on Nearby Uses**

13. 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.
14. There are no sensitive uses in the immediate vicinity of the site. The residential properties of Paderborn Court / Jubilee House are on the opposite side of the major highway of Moor Lane and are sufficiently distant so as to be unaffected by the relocation of the access point. As the way in which the site operates will therefore change is very little, the impact on nearby uses is considered to be negligible.

#### Impact on the Road Network

15. 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.
16. The access into Bolton Market is not an adopted highway and is instead a private road. Nevertheless, the Council's Highway Engineers have been consulted and raise no objection to the proposal. There will be no impact on the operation of Moor Lane as a major route.
17. The relocation of the access road will lead to the loss of 13 car parking spaces from the surface level car park at the market, reducing its capacity from approximately 120 spaces to 107. However, Highways colleagues raise no objections to this as they note the presence of the large surface level car park at Elizabeth House, fronting Great Moor Street, which is in similar proximity to the spaces that are proposed to be lost, albeit on the other side of Blackhorse Street. Several other forms of parking provision exist within the area and the wider town centre area, not least the Octagon multi-storey car park. Furthermore, significant works are proposed for the regeneration of Bolton Market including the reconfiguration of the land associated with it and it is intended that future proposals would seek to maximise the amount of parking available - for example, the space freed up by the relocation of the waste compound could potentially be used for informal parking by management and traders at the market, freeing up additional space for customers and visitors. Colleagues are satisfied that future proposals can compensate for the limited loss of spaces proposed. Even if this were not the case, it is not considered that the loss of 13 car parking spaces is capable of amounting to the "unacceptable impact on highway safety" or "severe cumulative impact on the road network" tests contained within paragraph 111 of the National Planning Policy Framework.
18. The impact on the road network is considered to be acceptable.

#### Impact on Housing Provision

19. Strategic Objective 14 of the Core Strategy seeks to provide housing that meets the needs of everybody, reflecting the needs of an ageing population and a growth in the number of households. Strategic Objective 15 of the Core Strategy seeks 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. 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.
20. The residential development approved under reference 12097/21 could not be delivered without the access road being moved as it requires this land to be available for development. The approved site plan for the Moor Lane development indicates this altered relationship.

21. The proposed development is necessary to ensure the delivery of the development approved under ref: 12097/21 and would therefore assist the Council in its housing delivery objectives.

#### Other Matters

22. At a meeting with Market Traders on 28th October 2021, Strategic Development colleagues presented the proposals for both the relocation of the waste compound and the access road to the traders together with the proposals for the redevelopment of the former Moor Lane bus station, resulting in the letter of the support for application ref: 12097/21 from the Chair of the Traders Association. The General Manager of Bolton Market has also confirmed that they are aware of the proposal, raise no concerns and understand that the works are necessary to deliver the residential development at Moor Lane.

#### Conclusion

23. The impact on the character and appearance of the area and on nearby uses is considered to be negligible. Whilst the proposal would lead to the loss of 13 car parking spaces from the site, 107 would remain at the market and any residual demand could be accommodated close by. Future proposals for the regeneration of Bolton Market will seek to further compensate for this. Insufficient harm has been identified that would be capable of outweighing the significant benefits of the delivery of the Moor Lane residential development and therefore it is recommended that Members approve the application.

## **Representation and Consultation Annex**

### **Representations**

No representations have been made

### **Consultations**

Highway Engineers

### **Planning History**

None relevant.

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

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

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

Reason

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

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

**General Arrangement - 600400.2-03**

**Drainage - 600400.2-04**

**Construction - 600400.2-05**

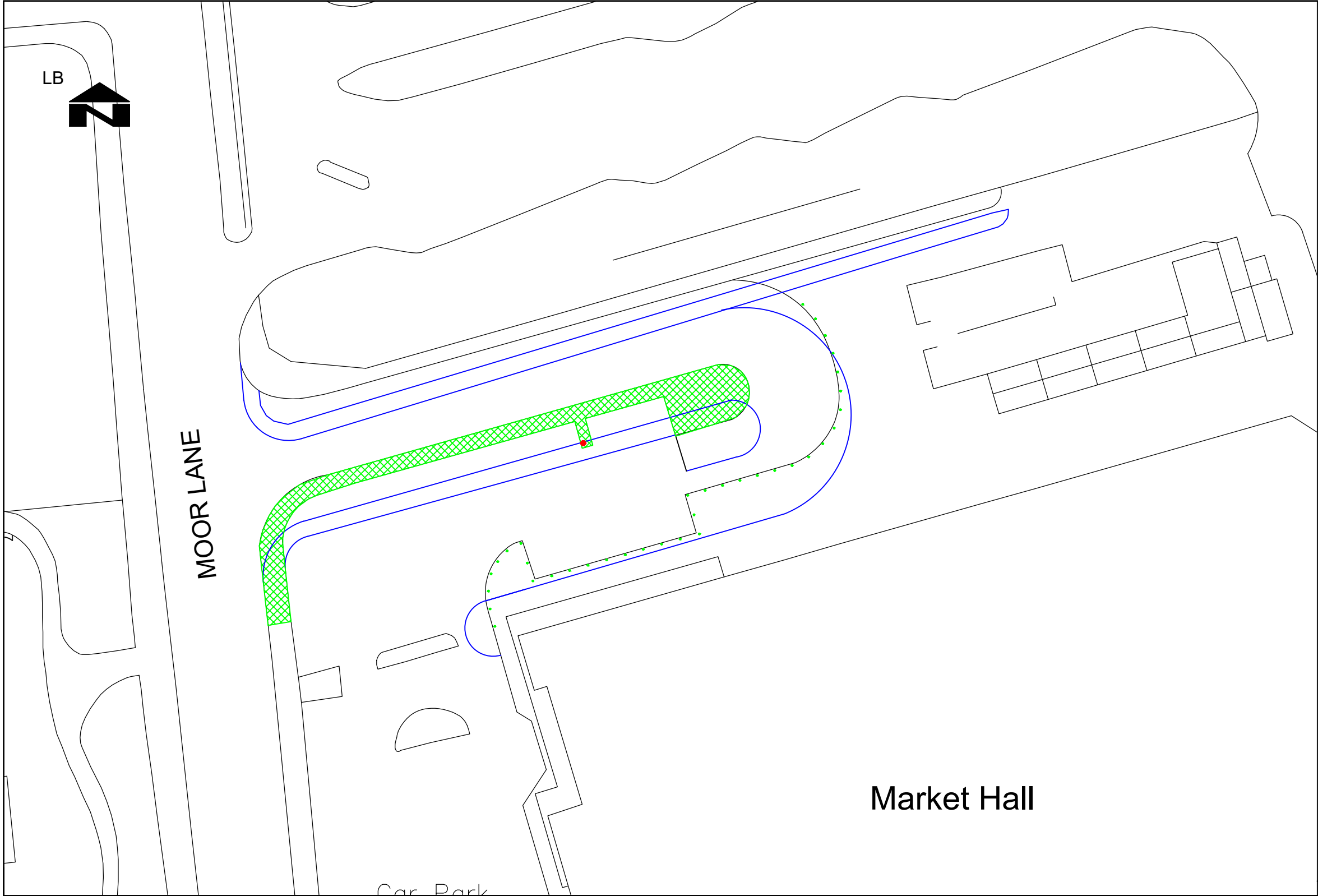
**Kerbing - 600400.2-06**

**Road Markings - 600400.2-07**

Reason

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





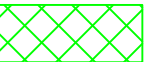
DESIGNED AND PRODUCED BY THE HIGHWAYS AND  
ENGINEERING SECTION OF THE DEPARTMENT OF PLACE  
OF BOLTON COUNCIL

ISSUED , November 2021

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#### KEY



Existing footway to be removed



Existing bollards to be removed and  
set aside for reuse



Existing high mast light to be relocated



Proposed Layout

## Bolton Market Access Road Relocation

### General Arrangement

Rev.	Amendments			By	Date	Chkd.
Status <b>Planning</b>						
Date	November 2021		Drawn by	DNC		
Scale	1: 500		Checked by	ELS		
Drawing Size	A3		CAD ref. N:/Highways/other/PJDR600400.2			
Drawing No.	600400.2-03				Revision	

